

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
June 22, 2011**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, June 22, 2011 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Barbara Bass
Mayor Pro Tem: Sam Mezayek
Councilmembers: Martin Heines
Donald Sanders
Mark Whatley
Ralph Caraway
Jason Wright

City Manager: Mark McDaniel
City Attorney: Gary C. Landers
Deputy City Attorney: Steve Kean
Airport Manager: Davis Dickson
Human Resources Director: ReNissa Wade
Development Services Engineer: Michael Wilson
Director of Neighborhood Services: Brenda Johnson
Chief Financial Officer: Daniel Crawford
Chief Information Officer: Benny Yazdanpanahi
City Engineer: Carter Delleney
City Fire Chief: Tim Johnson
City Police Chief: Gary Swindle
Director of External Relations & Organizational Development: Susan Guthrie
Director of Planning and Zoning: Barbara Holly
Director of Solid Waste: Dan Brotton
Director of Vehicle Services: Russ Jackson
Housing Service Manager: Andy Davis
Water Quality and Production Manager: Jimmie Johnson
Director of Utilities & Public Works: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Caraway.

MINUTES

Motion by Councilmember Caraway to approve the June 8, 211 minutes; seconded by Mayor Pro Tem Mezayek; motion carried 7 - 0 & approved as presented.

Mayor Bass introduced the Mayor for the Day, Max Boozer

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1

Service Awards

We would like to recognize the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. These employees represent over **80-years** of service with the City of Tyler.

Retiree Service Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
02/21/81	Shirley	McManus	Sr. Accounting Technician	Finance	30

Service Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
6/10/1981	Sandra	Nauls-Mast	Police Officer X	Police	30
6/11/1991	Nathaniel	Anderson	Plant Operator II	Water Plant	20

ZONING

Z-1 APPLICATIONS Z06-11-034, Z06-11-036, Z06-11-038, Z06-11-039, Z06-11-040, and Z06-11-041 DENNIS WALKER

Request that the City Council Consider changing the zoning from "R-2" Two-Family Residential District to "R-1B" Single-Family Residential District for the following six lots:

- Lots 4 and 5 of NCB 665A (1304 and 1308 Connally Street),
- Lots 9 and 10 of NCB 497 (2207 and 2203 N. Bois D' Arc Avenue),
- Lot 8 of NCB 501H (2404 Border Avenue), and
- Lot 8 of NCB 546 (1700 N. Ross Avenue). (O-2011-49)

Motion by Councilmember Caraway; seconded by Councilmember Sanders; motion carried 7 - 0 & approved as presented.

Z-2 APPLICATION Z06-11-032 ALBERTO CRUZ (1002 NORMANDY AVENUE)
 Request that the City Council Consider changing the zoning from "C-1", Light Commercial District to "R-1B", Single-Family Residential District. (O-2011-50)

Motion by Councilmember Heines; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

Z-3 APPLICATION Z06-11-035 VICTOR RJESNJANSKY (5428 CHANDLER HIGHWAY)
Request that the City Council consider changing the zoning from "R-1A", Single-Family Residential District to "AR", Adaptive Reuse District. (O-2011-51)

Motion by Councilmember Sanders; seconded by Mayor Pro Tem Mezayek; motion carried 7 - 0 & approved as presented.

Z-4 APPLICATION Z02-11-014 SEFERINO BAUTISTA (524 and 528 SOUTH GLENWOOD BOULEVARD)
Request that the City Council Consider changing the zoning from "R-MF", Multi-Family Residential District to "C-1", Light Commercial District. (O-2011-52)

Motion by Councilmember Heines; seconded by Councilmember Wright; motion carried 7 - 0 & approved as presented.

Z-5 APPLICATION F06-11-064 TOBE WALTON SUBDIVISION, FIRST AMENDMENT, AMENDING REPLAT OF LOT 1 OF NCB 835W, LOT 1 OF NCB 836Z, AND LOTS 4E & 5 OF NCB 836C OF THE TOBE WALTON SUBDIVISION

Request that the City Council consider approving a plat for a three lot subdivision containing approximately 1.75 acres of land located at the intersection of Old Noonday Road and Roy Street, and a deferral of \$74,136 in escrow for required street improvements.

Motion by Councilmember Sanders; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

PRESENTATIONS

P-1 Request that the City Council receive a presentation providing an update on the progress of the City of Tyler Lean Sigma program.

Susan Guthrie, Guillermo Garcia and Dena Beard gave a presentation on the progress of the City of Tyler Lean Sigma Program and the Greenbelt Project done by the VES Department.

RESOLUTION



R-1 Request that the City Council consider adopting a Resolution ratifying submission of an application for and authorizing acceptance of Federal Aviation Administration (FAA) Grant Funds totaling \$8,577,946.00 to improve Runway Safety Areas for Runway 4/22 at Tyler Pounds Regional Airport. This Resolution also accepts any grant amendments to increase the grant funding levels, as well as authorizing the City's match payment not to exceed five percent for the proposed grant projects. (R-2011-20)

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Motion by Councilmember Caraway; seconded by Mayor Pro Tem Mezayek; motion carried 7 - 0 & approved as presented.

ORDINANCE

O-1 Request that the City Council consider adopting an Ordinance approving the Housing Choice Voucher Program's 2011-2012 Annual Plan. (O-2011-53)

Brenda Johnson, Director of Neighborhood Services – Gave a brief presentation on the Housing Choice Voucher Program for the 2011-2012 Annual Plan.

Motion by Councilmember Sanders; seconded by Councilmember Caraway; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to sign an Interlocal Agreement with Smith County so the Sheriff's Office can make application for and accept the Edward Byrne Memorial Justice Assistance Formula Grant for the Fiscal Year 2011 in the amount of \$84,300, of which \$42,150 is the City of Tyler's portion. ©

Motion by Mayor Pro Tem Mezayek; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

M-2 Request that the City Council authorize the City Manager to execute an agreement with the Tyler Chamber of Commerce for services related to tourism and convention attraction. ©

Motion by Councilmember Caraway; seconded by Councilmember Sanders; motion carried 7 - 0 & approved as presented.

M-3 Request that the City Council consider authorizing the City Manager to enter into a two year Inter-local Agreement between Tyler Junior College and the City of Tyler, for the use of the Tyler Fire Training Facility, to conduct two Fire Academies on an annual basis. ©

Motion by Mayor Pro Tem Mezayek; seconded by Councilmember Sanders; motion carried 7 - 0 & approved as presented.

M-4 Consider approval of an Interlocal Agreement with the City of Lindale establishing an agreed upon Extraterritorial Jurisdiction boundary north of Tyler. ©

City Manager, Mark McDaniel – Stated that in order to provide for orderly development, particularly along the Interstate Highway 20, the new Loop 49, and U.S. Highway 69 corridors and to provide for a mutually agreeable settlement, representatives of both cities have had discussions and arrived at an exchange of extraterritorial jurisdiction area resulting in a proposed north boundary for Tyler and south boundary line for Lindale



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Motion by Councilmember Caraway; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

CONSENT

(These items are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item).

- C-A-1** Request that the City Council consider releasing final payment, including retainage, in the amount of \$65,540.12 to McKinney & McMillen, LLC for the Golden Road Water Treatment Plant Phase III Improvements project.
- C-A-2** Request that the City Council consider awarding bids opened May 24, 2011, for the annual price agreements for AW46 Hydraulic Oil, from July 1, 2011 thru June 30, 2012, to Beekat Oil and Fuel LP of Tyler, Texas.
- C-A-3** Request that the City Council consider authorizing the City Manager to award the construction contract for the 2011 Seal Coat Program, to the low bidder, Lone Star Equipment Company Incorporated, in the amount of \$202,730. ©
- C-A-4** Request that the City Council consider approving a Resolution authorizing continued participation with the Steering Committee of cities served by Atmos and authorizing the payment of .02 cents per capita to the Steering Committee to fund regulatory and related activities related to Atmos Gas delivery. (R-2011-21)

Motion by Councilmember Caraway; seconded by Mayor Pro Tem Mezayek; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Refunding authorized 6-8-11 took place 6-21-11 with savings exceeding benchmark
2. Filed 2010 Census protest
3. Recognized Boy Scouts in audience, Troop 333
4. No executive session needed
5. City Clerk married and now Mrs. Friend

RECESS FOR EXECUTIVE SESSION

As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may consider the following:

Ex Session No. 1 under section 551.071 "Litigation" deliberation regarding the following:

1. Possible contemplated litigation involving TTUC (Algonquin)

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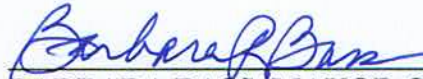
Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics, which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects listed above

Ex. Session No. 2 -under section 551.087 "Economic Development" deliberation regarding the following:

Possible offer of financial or other incentive to a prospect and to consider financial and other information about that prospect/project with which the City is conducting economic development negotiations that could lead to a partnership in Tyler

ADJOURNMENT

Motion by Councilmember Heines to adjourn the meeting at 9:59 am; seconded by Councilmember Whatley; motion carried 7 - 0 & meeting adjourned.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

