

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 11, 2012**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 11, 2012 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
Human Resources Director: ReNissa Wade
Development Services Engineer: Michael Wilson
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 Parks and Recreation: Stephanie Rollings
Director of Planning and Zoning: Barbara Holly
Director of Solid Waste: Dan Brotton
Transit Manager: Heather Nick
Director of Utilities & Public Works: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Caraway.

MINUTES

Motion by Councilmember Sanders; seconded by Mayor Pro Tem Mezayek to approve the minutes for December 12, 2011 (special called) and December 14, 2011; motion carried 7 - 0 & approved as presented.

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 New Hires Recognitions

The following employee(s) were hired by the City of Tyler during the month of December 2011. We would like to take this opportunity to welcome these new employee(s).

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Serena	Butcher	Marketing/PR Specialist	Communications
Naser	Saghafi	Advanced IT Specialist III	Information Technology
Amy	Garland	PST I	Police
Marquis	Johnson	Residential Equipment Operator	Solid Waste
Quinton	Moore	Residential Equipment Operator	Solid Waste
Holly	Doege	Senior Secretary	Traffic/Engineering

ZONING

Z-1 APPLICATION C12-11-001 JOHNSON & MANZIEL (DEVINE STREET)
 Request that the City Council consider closing an unimproved portion of Devine Street right-of-way. (O-2012-1)

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

Z-2 F12-11-018 GOLDEN MEADOWS AT HIGHWAY 110 SUBDIVISION, FIRST AMENDMENT
 Request that the City Council consider approving a plat for a three-lot subdivision containing approximately 3.75 acres of land located at the northwest intersection of State Highway 110 North and County Road 48, and a waiver of required street improvements including \$2,717 in escrow.

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

Z-3 APPLICATION Z12-11-006 LORENZO & DOLORES MARTINEZ (500 LOOP 323 NNW)
 Request that the City Council consider approving a zoning change from "C-1", Light Commercial District to "R-1A", Single-Family Residential District. (O-2012-2)

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

- Z-4 Request that the City Council consider waiving the \$300 Historic Landmark Marker Plaque Fee for fifteen property owners that will be listed on the Tyler Historic Landmark Register.**

Heather Nick, Director of Planning & Zoning – Stated that in an effort to increase the public's awareness of Tyler's Local Historic Landmark program, the Historical Preservation Board members sent letters in October 2011 to Selected Medium and High Priority property owners, recognized by the survey, encouraging them to apply for designation as a Tyler Historic Landmark.

Motion by Mayor Pro Tem Mezayek; seconded by Councilmember Heines; motion denied as presented 2 - 5.

PRESENTATIONS

- P-1 Request that the City Council consider receiving a presentation from the United Way regarding the City of Tyler's increased participation in their annual fundraising drive.**
- P-2 Request that the City Council consider receiving a presentation regarding the status of the Tyler, Texas Industry Growth Initiative (IGI).**

Susan Guthrie, Director of External Relations & Organizational Development – Gave a brief presentation regarding the status of the Tyler, Texas Industry Growth Initiative. The initiative identifies economic development opportunities that make the most sense to pursue given Tyler's unique assets, provides strategies and recommendations that support industry growth and it includes an implementation plan.

MISCELLANEOUS

- M-1 Request that the City Council consider approval of an Interlocal Agreement with the City of Winona establishing an agreed upon Extraterritorial Jurisdiction boundary northeast of Tyler. ©**

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

- M-2 Request that the City Council consider receiving a patronage dividend refund check in the amount of \$52,189.64 from FirstChoice Cooperative and a rebate check in the amount of \$ 1,158.64 from BuyBoard Cooperative Purchasing.**

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).

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- C-A-1** Request that the City Council consider releasing retainage in the amount of \$12,745.50 to Heartbeat Construction for construction of the Blackfork Creek Tributary D drainage improvements.
- C-A-2** Request that the City Council consider authorizing the City Manager to execute a professional services agreement with J. Stowe & Co., not to exceed the amount of \$35,000, for the 2012 Water and Sanitary Sewer Rate Study. ©
- C-A-3** Request that the City Council consider declaring certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and authorize for auction.
- C-A-4** Request that City Council consider adopting a Resolution amending the original Coban equipment lease-purchase agreement approved by City Council on September 28, 2011 in order to lower the interest rate from 2.85 percent down to 2.18 percent. (R-2012-1)

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

CITY MANAGER'S REPORT

1. CIP update report, includes Charleston Park pump station
2. Water rate review is first step at looking at use and rate models and conservation steps.
3. Next City Council agenda will be a heavier agenda
4. 10 for 10, lose 10 lbs. project status

RECESS FOR EXECUTIVE SESSION – No executive session needed

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

-under section 551.071 "Litigation" deliberation regarding the following:


1. Possible contemplated litigation involving TTUC (Algonquin).
2. Possible or contemplated litigation relating to the resolution of extraterritorial jurisdiction boundaries with the City of Winona.

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

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ADJOURNMENT

Motion by Councilmember Whatley; seconded by Councilmember Caraway; motion carried 7 – 0 & approved as presented; meeting adjourned at 9:46 am.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

