

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 25, 2012**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 25, 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
Airport Manager: Davis Dickson
Human Resources Director: ReNissa Wade
Development Services Engineer: Michael Wilson
Neighborhood Services Manager: Brenda Johnson
Chief Financial Officer: Daniel Crawford
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 Solid Waste: Dan Brotton
City Planner: Heather Nick
Director of Utilities & Public Works: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Caraway.

MINUTES

Motion by Mayor Pro Tem Mezayek to approve the January 11, 2012 minutes; seconded by Councilmember Sanders; motion carried 7 - 0 & approved as presented

Mayor recognized Tyler Mayor for the day, Blythe Heisey
Mayor recognized the Mayor of Whitehouse, Danny Hodgen

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 contributions, you make to our organization. These employees represent over **58-years** of service with the City of Tyler.

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Retirees - Service Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
7/19/1977	Bill	Goecking	Police Sergeant IV	Police	34
1/18/1988	Marvin	Bullard, Jr.	Police Officer X	Police	24

ZONING

Z-1 APPLICATION S01-12-003 GLORIA AGUILAR (1014 NORTH SPRING AVENUE)
Request that the City Council consider a renewal of a Special Use Permit for the continued operation of a one-chair beauty shop for a five-year period of time. (O-2012-3)

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

Z-2 APPLICATION S01-12-004 CATHOLIC DIOCESE (2603 OLD OMEN ROAD)
Request that the City Council consider a approving a Special Use Permit for the operation of a student center. (O-2012-4)

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

Z-3 APPLICATION Z01-12-006 ARELLANO-RENTERIA (1822 EAST LAWRENCE STREET)
Request that the City Council consider approving a zoning change from "R-MF", Multi-Family Residential District to "R-1B", Single-Family Residential District. (O-2012-5)

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

Z-4 APPLICATION Z01-12-008 JIMMY HOWELL (3505 FRANKSTON HIGHWAY)
Request that the City Council consider a approving a zone change from "C-2", General Commercial District, "R-1A" Single-Family Residential District, and "R-1B", Single-Family Residential District to "C-1", Light Commercial District. (O-2012-6)

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

PRESENTATIONS

P-1 Request that the City Council consider receiving a presentation on a report of findings from the Mayor's Homeless Task Force and authorizing creation of a Homeless

Roundtable.

Chief of Police, Gary Swindle – Stated that the purpose of this Homeless Roundtable is to identify the current state of homelessness in Tyler and to determine what services are currently offered, who is providing those services, and if there are gaps in services.

Greg Grubb, 2723 Chilton Ave – Stated that he has been involved in outreach services to the lower income portion of population in Tyler for over 15 years. Mr. Grubb thanked the Mayor, City Councilmembers, and the City staff for their roles and the formation and support of this task force. Mr. Grubb stated that he recommend the acceptance of this report as an accurate yet complete snap shot of the state of homelessness and the variety of services which are available and working together to address the causes and the repercussions of homelessness.

Motion by Councilmember Wright to accept the report and the creation of the Homeless Roundtable; seconded by Councilmember Heines motion carried 7 - 0 & approved as presented.

Mayor Bass asked Councilmember Heines to continue to Chair the Roundtable.

RESOLUTION

R-1 Request that the City Council consider adopting a Resolution initiating annexation proceedings, authorizing a service plan, and setting the dates, times and places for public hearings on the proposed annexation of the University of Texas at Tyler Health-Science Center, approximately 593.11 acres of land located at the northwest intersection of State Highway 271 and State Highway 155. (R-2012-2)

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

R-2 Request that the City Council consider passing a resolution authorizing an additional penalty on delinquent personal property taxes for tax years 2011 and subsequent years as provided by Section 33.11, Texas Tax Code, in the amount of 15 percent of the delinquent tax, penalty and interest if the tax becomes delinquent on February 1 of a year and remains delinquent on the 60th day thereafter. (R-2012-3)

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

R-3 Request that the City Council consider adopting a Resolution supporting Kolt Development application to the Texas Department of Housing and Community Affairs for the development of The Brownstones, a low income multi-family rental housing development. (R-2012-4)

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 execute an agreement providing for the transfer of a building and lot located in the Wimberly, Douglas, and Philaps addition on a part of Lots 1 and 2 on Lot 3-A, NCB 152 Tyler, Texas, also known as 1111 East Erwin to the Hispanic-American Association of East Texas for use as a community center. ©**

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

- M-2 Request that the City Council consider authorizing the City Manager to execute Work Order No. 19 for design, construction administrative and bidding-related services with Wisenbaker, Fix, and Associates for the Construction of a Rental Car Facility at Tyler Pounds Regional Airport in an amount not to exceed \$156,900. ©**

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

- M-3 Request that the City Council consider authorizing the City Manager to award a contract, in the amount of \$221,375, to Craig C. Bonner Company for the Sensus Meter / MXU Change Out project. ©**

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

- M-4 Request that the City Council consider authorizing the City Manager to execute a contract with Walker Parking Consultants/Engineers, Incorporated for the complete design of a Downtown parking garage structure. ©**

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

- M-5 Request that the City Council consider authorizing the City Manager to execute an agreement providing for the transfer of a building and lot located in the Mrs. J. Pabst North Addition on Lot 34, Block 231, also known as 601 Valentine St., Tyler, Texas, to the Gateway to Hope for use as a day resource room. ©**

Citizens that spoke in favor of the Gateway to Hope resource room

Pat Mallory, 3533 Woods B
Dewayne Manning, 5814 Briar Creek Dr.
Tracy Crawford, 4040 New Copeland Rd.

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 approval of an agreement authorizing donation of certain surplus playground equipment to the City of Mineola. ©
- C-A-2** Request that the City Council consider authorizing the City Manager to execute an engineering services contract with Ballard & Braughton Engineering and execute Work Order No. 1 in the amount of \$108,900 for the Grande Lift Station and Sewer Line project. ©
- C-A-3** Request that the City Council consider authorizing the City Manager to execute an engineering services contract with Schaumburg & Polk, Inc. and execute Work Order No. 1 in the amount of \$111,328 for the Baxter / Douglas Sewer Line Replacement project. ©

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

CITY MANAGER'S REPORT

1. Mayor Citizen Academy start 3-1-12, each City Council member lead one (1) week, twice as many applicants as places.

RECESS FOR EXECUTIVE SESSION – No action taken

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 Whitehouse;
3. Possible or contemplated litigation relating to Water rights issues involving a recent call by the TCEQ;
4. 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 to adjourn the meeting at 10:32 am; seconded by Mayor Pro Tem Mezeyek; motion carried 7 - 0 & meeting adjourned.



BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

