

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
May 23, 2012**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, May 23, 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 (absent)
	Ralph Caraway
	Jason Wright
City Manager:	Mark McDaniel
City Attorney:	Gary C. Landers
Deputy City Attorney:	Steve Kean
Assistant City Attorney:	Deborah Pullum
Assistant City Attorney:	Karen Stead
Airport Manager:	Davis Dickson
Human Resources Director/ Budget:	ReNissa Wade
Development Services Engineer:	Michael Wilson
Chief Financial Officer:	Daniel Crawford
City Engineer:	Carter Delleney
City Fire Chief:	Tim Johnson
Managing Director for Public Safety & Police Chief:	Gary Swindle
Managing Director of External Relations & Communications Director:	Susan Guthrie
Director of Parks and Recreation:	Stephanie Rollings
Director of Solid Waste:	Dan Brotton
Budget/Internal Auditor:	Keidric Trimble
City Planner:	Heather Nick
Municipal Court Administrator:	Cam McCabe
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
City Clerk:	Cassandra Brager

### **INVOCATION**

The Invocation was given by Councilmember Caraway.

### **MINUTES**

Motion by Councilmember Caraway to approve the May 9, 2012 minutes; seconded by Councilmember Wright; motion carried 6 - 0 & approved as presented.

**(City Council remarks of appreciation regarding service of out-going Councilmember Donald Sanders; followed by Councilmember Sanders remarks)**

**ELECTIONS**

**E-1 Request that the City Council consider canvassing the returns of the City Council Election held May 12, 2012 for District No. 2 and affirming the cancellation of the Elections and designation of unopposed winners for the City Council Election that would have been held on May 12, 2012 for the Mayor At large, District No. 4, and District No. 6 Elections set for that day and adopting an Ordinance declaring the results. (O-2012-40)**

**Canvass results:**

Darryl Bowdre – 126 Votes

J. Charles Burns – 52 Votes

Sarah Coats – 67 Votes

Motion by Councilmember Sanders; seconded by Councilmember Wright; motion carried 6 - 0 & approved as presented.

**E-2 Request that the Mayor be administered the Oath of Office, followed by the Mayor administering Oath of Office to the newly elected City Councilmembers for Districts 2, 4 and 6, and that the City Council consider election of a Mayor Pro Tem. (Elect Mayor Pro Tem moved to 5-30-2012 agenda)**

Judge Carole Clark administered the Oath of Office to Incumbent, Mayor Barbara Bass. Mayor Barbara Bass administered the Oath of Office to Incumbent Councilmembers Martin Heines, and Jason Wright. Mayor Barbara Bass also administered the Oath of Office to new Councilmember Darryl Bowdre.

**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 **326-years** of service with the City of Tyler.

**Retirees - Service Awards**

<b>DATE OF HIRE:</b>	<b>FIRST NAME:</b>	<b>LAST NAME:</b>	<b>POSITION:</b>	<b>DEPARTMENT:</b>	<b>YEARS OF SERVICE:</b>
1/2/1996	Daniel	Crawford	Chief Financial Officer	Accounting	16

**Service Awards**

<b>DATE OF HIRE:</b>	<b>FIRST NAME:</b>	<b>LAST NAME:</b>	<b>POSITION:</b>	<b>DEPARTMENT:</b>	<b>YEARS OF SERVICE:</b>
----------------------	--------------------	-------------------	------------------	--------------------	--------------------------



May 23, 2012

5/1/1977	Gary	Rice	Police Sergeant IV	Police	35
5/16/1977	David	Schlottach	Assistant Fire Chief IV	Fire	35
1/12/1982	Joe	Lister	Laborer	Solid Waste	30
3/1/1982	Dale	Peterson	Fire/Driver/Engineer IV	Fire	30
3/1/1982	Narwin	Gaby	Fire Captain IV	Fire	30
1/19/1987	Cam	McCabe	Municipal Court Administrator	Municipal Court	25

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
3/2/1987	Regina	Roberson	Senior PST II	Police	25
1/6/1992	Greg	Booth	Utilities Construction Inspector	Storm Water Management	20
2/3/1992	Robert	Barrentine	Police Lieutenant IV	Police	20
2/3/1992	Brian	Tomlin	Police Sergeant IV	Police	20
4/9/1992	Joy	Fry	Administrative Secretary	Police	20
5/11/1992	Ricky	Jennings	Crew Leader	Parks & Recreation	20

## PRESENTATIONS

**P-1** Request that the City Council consider receiving a presentation about the first Mayor's Citizens Academy and recognize the graduates from this inaugural class.

Kristi Boyett, Training Coordinator – Gave a brief presentation concerning the first Mayor's Citizen Academy and recognized the graduates from this inaugural class.

## ZONING

**Z-1** APPLICATION F05-12-064 THE STROUT ADDITION, FINAL PLAT  
Request that the City Council consider approving the final plat for a two lot subdivision containing approximately 6.00 acres of land located west of the northwest intersection of County Road 1131 and County Road 1100, and a waiver of \$28,534 in escrow for street improvements to County Road 1100.

Motion by Councilmember Heines; seconded by Councilmember Caraway; motion carried 6 - 0 & approved as presented.



- Z-2 APPLICATION F05-12-068 RUNNING MEADOWS WEST UNIT 2, FINAL PLAT**  
Request that the City Council consider approving the final plat for a 12 lot subdivision containing approximately 52.35 acres of land located west of the northwest intersection of County Road 1259 and Farm to Market Road 346, and a waiver of \$164,418 in escrow for street improvements to County Road 1259.

Motion by Councilmember Caraway; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented.

- Z-3 APPLICATION Z05-12-028 LESLIE ROBBINS (1040 SOUTH FLEISHEL AVENUE)**  
Request that the City Council consider approving a zone change from "R-MF", Multi-Family Residential District to "RPO", Restricted Professional Office District. (O-2012-41)

Motion by Councilmember Heines; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.

- Z-4 APPLICATION Z05-12-031 RAYMOND JOHNSON (9211 AND 9241 PALUXY DRIVE AND 1712 SKIDMORE LANE) (O-2012-42)**

Request that the City Council consider approving a zone change from "AG", Agricultural District to "PMF", Planned Multi-Family District with site development plan.

Motion by Councilmember Wright; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.

## PUBLIC HEARINGS

- H-1** Request that the City Council conduct the first of two public hearings and consider public input on the proposed annexation of Genecov Investments Ltd, approximately 75 acres of land located south of the southwest intersection of State Highway 64 and County Road 1184 and adjoining right-of-way for County Road 1184.

## ORDINANCE

- O-1** Request that the City Council consider adopting an Ordinance making an uncontestable finding that all territory included within the City of Tyler since January 1, 1992 is part of the City. (O-2012-43)

Motion by Councilmember Bowdre; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.

- O-2** Request that the City Council consider adopting an Ordinance accepting a petition from the City of Tyler to include certain City of Tyler- owned areas and lands in, around, surrounding and including Lake Tyler and Lake Tyler East, and that are not within the



May 23, 2012

existing extraterritorial jurisdiction of another city, to be included within the City of Tyler Extraterritorial Jurisdiction pursuant to Texas Local Government Code Section 42.022 (b). (O-2012-44)

Motion by Councilmember Heines; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.



**O-3** Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 10 to officially amend the City of Tyler Extraterritorial Jurisdiction Map to ratify, approve and adopt specified actions, ordinances, resolutions and interlocal agreements with area cities, and also affecting City-owned areas in and around Lake Tyler and Lake Tyler East, establishing the boundaries and extraterritorial jurisdiction of the City of Tyler. (O-2012-45)

Motion by Councilmember Bowdre; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.

## **RESOLUTION**

**R-1** Request that the City Council consider adopting a Resolution denying ATMOS requested rate change and requiring the Company to reimburse the City's reasonable ratemaking expenses. (R-2012-13)

Motion by Mayor Pro Tem Mezayek; seconded by Councilmember Wright; motion carried 6 - 0 & denied as presented.

## **MISCELLANEOUS**

**M-1** Request that the City Council consider authorizing the City Manager to enter into a Lease Agreement with SPCA to lease certain property to build a temporary animal control/vector services building. ©

Motion by Councilmember Bowdre; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.

**M-2** Request that the City Council consider authorizing the City Manager to execute a contract with Metal Buildings by MCM, Incorporated for the construction of a building and site work located at 3393 West Grande Boulevard to serve as a base for operations for the animal control/vector services provided by the North East Texas Public Health District (NETPHD) and consider approving the construction of utilities and an access drive to the same location. ©

Motion by Councilmember Heines; seconded by Mayor Pro Tem Mezayek; motion carried 6 - 0 & approved as presented.



May 23, 2012

**M-3** Request that the City Council consider authorizing the City Manager to award the construction contract for the 2012 Asphalt Enhancement Program, to the low bidder, Longview Bridge & Road, Limited, in the amount of \$1,840,636.50. ©

Motion by Councilmember Caraway; seconded by Councilmember Wright; motion carried 6 - 0 & approved as presented.

**M-4** Request the City Council consider authorizing City staff to advertise for bids for the construction of the Citywide Miscellaneous Sidewalk Improvements Project.

Motion by Councilmember Caraway; seconded by Councilmember Bowdre; motion carried 6 - 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 adopting a Resolution agreeing to the sale of certain tracts of land located at 1008 Whiteside and 1114 and 1120 MLK Boulevard, all located within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2012-14)

**C-A-2** 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 an amount to the Steering Committee to fund regulatory and related activities related to Atmos Gas delivery. (R-2012-15)

**C-A-3** Request that the City Council consider authorizing the City Manager to enter into a production agreement with CSG International for Bill Printing and Mailing solutions for Tyler Water Utilities water bills, in accordance with the proposal received on April 27, 2012. ©

Motion by Councilmember Caraway; seconded by Councilmember Wright; motion carried 6 - 0 & approved as presented.

## **CITY MANAGER'S REPORT**

1. Celebration of service today, new CC member, Citizen Academy, long tenure of many employees.
2. State of city address today at Harvey Convention Center.

May 23, 2012

**ADJOURNMENT**

Motion by Mayor Pro Tem Mezayek; seconded by Councilmember Heines; motion carried 6 - 0 & approved as presented.



**BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS**

**ATTEST:**



**CASSANDRA BRAGER, CITY CLERK**

