

**MINUTES OF THE  
SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
June 27, 2012**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, June 27, 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
	Darryl Bowdre
	Mark Whatley
	Ralph Caraway
	Jason Wright
City Manager:	Mark McDaniel
City Attorney:	Gary C. Landers
Deputy City Attorney:	Steve Kean
Managing Director for Administration:	ReNissa Wade
Development Services Engineer:	Michael Wilson
Neighborhood Services Manager:	Brenda Johnson
Interim Chief Financial Officer:	Keidric Trimble
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
Housing Service Manager:	Andy Davis
City Planner:	Heather Nick
Water Business Office Manager:	Jim Yanker
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
City Clerk:	Cassandra Brager

## **INVOCATION**

The Invocation was given by Councilmember Bowdre.

## **MINUTES**

a. Minutes 06 13 2012

Motion by Councilmember Mezayek to approve the June 13, 2012 minutes; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented.

**EMPLOYEE AWARDS – RECOGNITIONS, SERVICE**

**A-1 Service Awards**

We would like to recognize the following employee for his years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and the special contribution you make to our organization. This employee represents 22-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>
9/26/1989	Lloyd "Eddie"	Wood, Jr.	Crew Leader	Streets	22

**ZONING**

**Z-1 APPLICATION S05-12-007 DENISE WALKER (1016 RUSK STREET)**

**Request that the City Council consider a request for a Special Use Permit in order to allow for the operation of a rescue mission for a one year period of time.**

Tim Burns and Denise Walker- Spoke in favor of the operation of a rescue mission for a one year period of time.

Motion to deny by Councilmember Mezayek; seconded by Councilmember Bowdre; motion carried 7 - 0 & request denied as presented.

**Z-2 APPLICATION Z05-12-029 DENISE WALKER (1016 RUSK STREET)**

**Request that the City Council consider approving a zone change from "R-1B", Single-Family Residential District to "C-1", Light Commercial District.**

Motion to deny by Councilmember Bowdre; seconded by Councilmember Caraway; motion carried 7 - 0 & request denied as presented.

**Z-3 APPLICATION Z05-12-030 EASTERN HOLLYTREE RE LP**

**Request that the City Council consider approving a zone change from "RPO", Restricted Professional Office District to "PCD", Planned Commercial Development District with site development plan. (O-2012-47)**

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

**Z-4 APPLICATION Z06-12-033 MARTIN PARSLEY**  
Request that the City Council consider approving a zone change from “M-1”, Light Industrial District to “C-2”, General Commercial District. (O-2012-48)

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

**Z-5 APPLICATION Z06-12-034 GEORGE MOSTYN**  
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “C-1”, Light Commercial District.

Motion by Mayor Pro Tem Whatley; seconded by Councilmember Heines motion carried 7 - 0 & item tabled until next meeting.

**Z-6 APPLICATION Z06-12-035 GUSTAVO VARGAS**  
Request that the City Council consider approving a zone change from “M-1”, Light Industrial District and “R-2”, Two-Family Residential District to “C-2”, General Commercial District. (O-2012-49)

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

**Z-7 APPLICATION Z06-12-036 TYLER ECONOMIC DEVELOPMENT COUNCIL**  
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District and “M-1”, Light Industrial District to “C-1”, Light Commercial District. (O-2012-50)

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

**Z-8 APPLICATION Z06-12-037 JERRY DOGGETT (2915 EAST 5th STREET)**  
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “C-1”, Light Commercial District. (O-2012-51)

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

**Z-9 APPLICATION Z06-12-038 SOUTHSIDE BANK (1010 EAST 1st STREET)**  
Request that the City Council consider approving a zone change from “C-1”, Light Commercial District and “PMXD-1”, Planned Mixed Use District to “PMXD-1”, Planned Mixed Use District with site development plan. (O-2012-52)

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

- Z-10 APPLICATION A06-12-003 GENECOV INVESTMENTS (3883 COUNTY ROAD 1184)**  
Request that the City Council consider adopting an Ordinance providing for the voluntary annexation of 3883 County Road 1184. The proposed annexation area consists of approximately 88 acres lying adjacent to the present boundary limits of the City of Tyler located south of the southwest intersection of State Highway 64 and County Road 1184. Also consider recommending: (O-2012-53)
- A. The new boundary of the City Limits.
  - B. The new boundary of the Extraterritorial Jurisdiction.
  - C. The new boundary of City Council District No. 2.
  - D. The Land Use Guide to reflect Agricultural Land Use.
  - E. Original zoning of 88 acres of "AG", Agricultural District.

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

## **PRESENTATIONS**

- P-1** Request that the City Council consider receiving a presentation and accept a report regarding the workers' compensation and property and casualty claims through May 1, 2012 and ratify all claims payments and settlements.

ReNissa Wade, Managing Director for Administration, - Gave a brief presentation concerning the workers compensation and property and casualty claims

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

- P-2** Request that the City Council consider hearing a presentation regarding the J. Stowe and Company water and wastewater rate study.

Chris Ekrut, J. Stowe & Co., - Gave a brief presentation regarding the water and wastewater rate study.

## **ORDINANCE**

- O-1** Request that the City Council consider authorizing an Ordinance refunding \$2,145,000 in revenue bonds from the Water and Sewer System Series 2002. (O-2012-54)

Steven Adams, Specialized Public Finance – Gave a brief presentation concerning the Water and Sewer System Series 2002.

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

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**O-2 Request that the City Council consider adopting an Ordinance approving the Housing Choice Voucher Program's 2012-2013 Annual Plan. (O-2012-55)**

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

**MISCELLANEOUS**

**M-1 Request that the City Council consider authorizing the City Manager to award the construction contract for the Community Development Block Grant (CDBG) Curb and Gutter Improvements to the low bidder, Crown Civil Construction in the amount of \$188,335. ©**

Motion by Councilmember Caraway; seconded by Mayor Pro Tem 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 authorizing the City Manager to purchase two frontload cabs and chassis from East Texas Mack Sales through the HGAC purchasing cooperative; purchase two frontload bodies from McNeilus Truck and Manufacturing through the BuyBoard purchasing cooperative; accept the 36-month estimated buy-back agreement for these vehicles from East Texas Mack Sales and confirm the sell-back of frontload units 09755 and 09756 to East Texas Mack Sales.**

**C-A-2 Request that the City council consider authorizing the City Manager to contract with current property and casualty insurance broker McGriff, Seibels & Williams and current workers compensation broker Hibbs Hallmark for broker services for upcoming insurance renewals ©©**

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

**CITY MANAGER'S REPORT**

**1. CMR-1 Presentation and ratification of City Librarian appointment.**

Motion by Councilmember Heines to ratify the appointment of Mary Vernau as the City Librarian; seconded by Councilmember Mezayek; motion carried 7-0 & approved as presented.

**2. Tyler 21 update underway**

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3. Alliance for Innovation had recent national article on Lean Sigma program in Tyler.

City Council convened into executive session at 10:18 am

### 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 551.072 "Real Estate", deliberation regarding the following:

Discuss the purchase, exchange, sale, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City.

#### 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(s)/project(s) with which the City is conducting economic development negotiations that could lead to a partnership in Tyler

Any final action to be taken by the City Council will be taken in open session.

City Council reconvened from Executive Session at 10:38 am with no final action taken from executive session.

### ADJOURNMENT

Motion by Mayor Pro Tem Whatley to adjourn the meeting at 10:39 am; seconded by Councilmember Bowdre; motion carried 7 - 0 & meeting adjourned.



BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

