

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 24, 2012**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 24, 2012 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor:	Barbara Bass
Mayor Pro Tem:	Mark Whatley
Councilmembers:	Martin Heines
	Darryl Bowdre (absent)
	Sam Mezayek
	Ralph Caraway
	Jason Wright
City Manager:	Mark McDaniel
City Attorney:	Gary C. Landers
Airport Manager:	Davis Dickson
Managing Director for Administration:	ReNissa Wade
Development Services Engineer:	Michael Wilson
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
Director of Vehicle Services:	Russ Jackson
City Planner:	Heather Nick
Cam McCabe	
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
Traffic Engineer:	Peter Eng
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Caraway.

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MINUTES

Motion by Councilmember Caraway to approve the October 10, 2012 minutes; seconded by Mayor Pro Tem Whatley; motion carried 6 - 0 & approved as presented

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 170-years of service with the City of Tyler.

Retiree Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
10/4/1982	Dave	McClung	Fire/Driver/ Engineer IV	Fire	30

A-2 RECOGNITION AWARDS

- A. Request that the City Council consider accepting the “Community of the Year Award” from the American Planning Association – Texas Chapter for its Industry Growth Initiative plan launched in 2010.

Renea Ollie, APA Texas Chapter President – Presented the City Council with the “Community of the Year Award” from the American Planning Association – Texas Chapter for its Industry Growth Initiative plan launched in 2010.

- B. Request that the City Council consider recognizing City Planner, Heather Nick for receiving Statewide Recognition at the 2012 American Planning Association (APA) Texas Chapter Annual Conference as the President’s Award recipient for outstanding service to the planning profession.

Renea Ollie, APA Texas Chapter President – Recognized City Planner, Heather Nick for receiving Statewide Recognition at the 2012 American Planning Association (APA) Texas Chapter Annual Conference as the President’s Award recipient for outstanding service to the planning profession.

A-3 BLUE PRINT AWARD

Request that the City Council consider recognizing a City employee as the Blueprint Blue Ribbon Award winner for October 2012, for placing the highest premium on responsiveness to citizens’ needs.

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Mayor Bass presented Sara McCracken from Safety/Loss Prevention with the Blueprint Blue Ribbon Award winner for October 2012, for placing the highest premium on responsiveness to citizens' needs.

PRESENTATIONS

P-1 Request that the City Council receive a presentation on two proposed Ordinances to amend the Unified Development Code in Tyler City Code Chapter 10 to adopt specific regulations governing the sale of alcoholic beverages, and certain enclosed drive-through areas.

Heather Nick, City Planner- Gave a brief presentation on the specific regulations governing the sale of alcoholic beverages, and certain enclosed drive through areas.

ZONING



Z-1 Z10-12-058 ABEL & RUTH MEDINA (2618 INDUSTRIAL AVENUE)
Request that the City Council consider approving a zone change from "M-2", General Industrial District to "R-1B", Single-Family Residential District. (O-2012-84)

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

Z-2 Z10-12-059 FIRST BANK & TRUST EAST TEXAS (LOT 1 OF NCB 1445)
Request that the City Council consider approving a final site plan for property zoned "PMF", Planned Multifamily District. (O-2012-85)

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



Z-3 Z10-12-060 ALAN URIETA (112 MAHON AVENUE)
Request that the City Council consider approving a zone change from "M-1", Light Industrial District to "R-1B", Single-Family Residential District. (O-2012-86)

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

Z-4 Z10-12-062 BROADWAY SOUTH DEVELOPMENT (SOUTH BROADWAY AT MARKET SQUARE BOULEVARD)
Request that the City Council consider approving a site plan amendment for property zoned "PCD", Planned Commercial Development District. (O-2012-87)
Councilmember Whatley abstain & exit

Motion by Councilmember Wright; seconded by Councilmember Mezayek; motion carried 5-0-1 & approved as presented.

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Councilmember Whatley enters

Z-5 C10-12-005 MICHAEL L. DOUGHERTY (CRAFTDALE DRIVE)
Request that the City Council consider closing a portion of Craftdale Drive between Glenview Avenue and Danley Avenue. (O-2012-88)

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

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to award a construction contract for the Charleston Park Booster Pump Station project to A.E. Shull and Company, in the amount of \$ 2,171,920. ©

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

M-2 Request that the City Council consider accepting a donation from the Estate of Thomas B. Stewart of property located West of Frankston Hwy and Northwest of Old Noonday, ABST A0457 J. Haynie, Block 840. ©

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

M-3 Request that City Council consider supporting 20 percent of the Second Phase of Children's Park over a five-year period in the amount of \$25,400 per year, subject to all other necessary funding being committed. ©

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

M-4 Request the City Council consider acceptance of the 2012 State Homeland Security Program (SHSP) Grant in the amount of \$78,532.57 and acceptance of the SHSP Law Enforcement Terrorism Prevention Activities (LETPA) Grant in the amount of \$122,467.43, totaling \$201,000.00 ©

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

M-5 Request that the City Council consider authorizing the City Manager to award the construction contract for the 2012 Quiet Zone Project in the amount of \$66,919, to Crown Civil Construction. ©

Motion by Councilmember Caraway; seconded by Mayor Pro Tem Whatley; 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 declaring certain City of Tyler vehicles and miscellaneous items as surplus and authorize for auction.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase various vehicles from Buy Board, HGAC Cooperative, and low bid dealers.
- C-A-3** Request that the City Council consider ratifying the submission of an application and accepting Transportation Security Administration (TSA) Grant Funds in the amount of \$73,000, for the period October 1, 2012 through September 30, 2013, for the purpose of providing funding for the TSA Law Enforcement Officer Reimbursement Agreement Program.
- C-A-4** Request that the City Council consider authorizing the City Manager to enter into a contract with Cleanmaster Services, Inc. for the provision of janitorial services in the Police Department at annual cost of \$44,400. ©
- C-A-5** Request that the City Council declare the boathouse on, Lot 1, Slack Road Subdivision as a nuisance and authorize the City Manager to proceed with demolition.
- C-A-6** Request that the City Council consider adopting a Resolution declaring certain real property located in the vicinity of 750 S. Porter Avenue as surplus property and authorizing the sale of this property to the Tyler Junior College District in accordance with State law. (R-2012-29) ©

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


CITY MANAGER'S REPORT

- 1. CC Chamber renovation will begin soon, in November, using PEG funds; so beginning at the 2nd meeting in November the Council will temporarily relocate to Liberty Theatre.**
- 2. Boards and Commissions Appreciation event tomorrow at 5:30 at Fire Station #5**

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ADJOURNMENT

Motion by Mayor Pro Tem Whatley to adjourn the meeting at 10:05 am; seconded by Councilmember Mezayek; motion carried 6 - 0 & meeting adjourned.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

