

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
July 24, 2013**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, July 24, 2013 at 9:00 a.m. in the City Council Chambers, 2<sup>nd</sup> floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Barbara Bass
Mayor Pro Tem:	Martin Heines
Councilmembers:	Mark Whatley
	Darryl Bowdre ( <b>absent</b> )
	Sam Mezayek
	Edward Moore
	John Nix
City Manager:	Mark McDaniel
Asst. City Manager:	Susan Guthrie
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Airport Manager:	Davis Dickson
Manager for Organizational Development:	Kristi Boyett
Development Services Engineer:	Michael Wilson
Neighborhood Services Manager:	Brenda Johnson
Chief Financial Officer:	Keidric Trimble
City Engineer:	Carter Delleney
City Fire Chief:	Tim Johnson
City Librarian:	Mary Vernau
Code Enforcement Manager:	Chris Lennon
MPO Executive Director/Transit Director:	Barbara Holly
Internal Auditor:	Jon Grundy
Vehicle/Equipment Services Manager:	Leroy Sparrow
Senior Public Relations Specialist:	Serena Butcher
City Planner:	Heather Nick
Water Business Office Manager:	Jim Yanker
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
Traffic Engineer:	Peter Eng
City Clerk:	Cassandra Brager

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## **INVOCATION**

The Invocation was given by Councilmember Moore.

## **MINUTES**

Motion by Mayor Pro Tem Heines to approve the July 10, 2013 minutes; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented.

## **EMPLOYEE AWARDS – RECOGNITIONS, SERVICE**

- A-1** Request that the City Council recognize the Tyler Fire Department Soccer Team for their major achievement in winning their fourth straight Texas State Soccer Championship Gold Medal.

## **ZONING**

- Z-1 A07-13-002 JOHN O’SULLIVAN (2901 INDUSTRIAL AVENUE)**  
Request that the City Council consider adopting an ordinance providing for the voluntary annexation of property located at 2901 Industrial Avenue. The proposed annexation area consists of approximately 2.62 acres of land lying adjacent to the present boundary limits of the City of Tyler, north of the northwest intersection of Industrial Avenue and Morningside Drive. Also consider recommending: (O-2013-53)
- A. The new boundary of the City Limits.**
  - B. The new boundary of the Extraterritorial Jurisdiction.**
  - C. The new boundary of the City Council District #4.**
  - D. Original zoning of 2.62 acres of “M-2”, General Industrial District.**

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

- Z-2 Z07-13-034 KAMRAN CHOOTANI (3801 CHANDLER HIGHWAY)**  
Request that the City Council consider approving a zone change from “C-1”, Light Commercial District to “C-2”, General Commercial District. (O-2013-54)

Motion by Councilmember Moore; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented.

- Z-3 Z07-13-035 CAREY WOODS (1428 GOLDEN ROAD)**  
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “C-1”, Light Commercial District. (O-2013-55)

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

- Z-4 Z07-13-036 MICHAEL MARTIN (2733 SOUTH BROADWAY AVENUE)**  
Request that the City Council consider approving a zone change from "POD", Planned Office District to "C-1", Light Commercial District. (O-2013-56) (Councilmember Whatley abstain)

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

- Z-5 Z07-13-037 TYLER JUNIOR COLLEGE (1306 SOUTH FLEISHEL AVENUE)**  
Request that the City Council consider approving a zone change from "C-1", Light Commercial District to "INT", Institutional District. (O-2013-57)

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

- Z-6 Z07-13-038 JOSE MUNOZ (4602 AND 4652 VAN HIGHWAY)**  
Request that the City Council consider approving a zone change from "R-MH", Manufactured Home Residential District and "C-1", Light Commercial District to "R-1A", Single-Family Residential District. (O-2013-58)

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

- Z-7 Z07-13-041 TRACY EDWARDS (2200, 2209, AND 2213 DAVE STREET)**  
Request that the City Council consider approving a zone change from "M-1", Light Industrial District to "C-2", General Commercial District. (O-2013-59)

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

## **PRESENTATIONS**

- P-1 Request that the City Council receive a presentation providing an update on the progress of the City of Tyler Lean Six Sigma program.**

**Assistant City Manager, Susan Guthrie and Manager for Innovation, Guillermo Garcia** – Stated that the City of Tyler, in August of 2009, implemented a Lean Six Sigma program. Since August of 2009, the City of Tyler has trained 180 employees in the basics of Lean Six Sigma. Of this total, we have trained 34 Green Belts and seven Black Belts. To date, 72 projects have been closed, resulting in a savings of \$3,740,956. The Lean Sigma program continues to be deployed throughout the organization. As Black and Green Belts finish their current projects, they will continue to work on new projects and leverage ideas to other processes within the City of Tyler.

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## **PUBLIC HEARINGS**

- H-1 Request that the City Council consider conducting a public hearing and provide direction on the Community Development Block Grant (CDBG) and HOME Programs FY 2013-2014 Annual Plan.**

Mayor Bass opened up the public hearing and Brenda Johnson, Neighborhood Services Manager gave a brief presentation on the direction of the Community Development Block Grant and Home Program FY 2013-2014 Annual Plan. The public hearing was then open up to the public for comments. No comments at this time so the public hearing was closed.

## **MISCELLANEOUS**

- M-1 Request that the City Council consider authorizing the City Manager to sign a contract with MuniServices, LLC for Sales and Use Tax Audit Services.**

Motion by Councilmember Whatley; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

- M-2 Request that the City Council consider authorizing the City Manager to award the construction for the Community Development Block Grant (CDBG) Curb and Gutter Improvements to the lowest bidder, Crown Civil Construction.**

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

- M-3 Request that the City Council consider adopting the One-Half Cent Sales Tax Corporation 2013-2014 Annual Work Program for capital improvement projects.**

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

- M-4 Request that the City Council consider adopting the One-Half Cent Sales Tax Corporation 2013-2014 Corporate Budget in conjunction with the 2013-2014 Annual Work Program.**

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

- M-5 Request that the City Council consider authorizing the City Manager to award a construction contract for the Leisure Lane Drainage Improvements Project to the lowest bidder, Reynolds & Kay, Ltd, in the amount of \$393,793.**

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

- M-6 Request that the City Council consider receiving a presentation regarding a proposal for the South Tyler Substation and authorizing the City Manager to execute a contract with Fitzpatrick Architects for the complete design in the amount of \$225,500.**

**Jimmy Toler, Assistant Police Chief** – Gave a presentation regarding a proposal for the South Tyler Substation. As part of the Lean Six Sigma initiative, an analysis of current patrol operations was performed and it was determined that a South Tyler substation is needed. Due to growth and development, the ideal location is in the south-central part of the City. Adding this station will improve response time for the officers patrolling the beats in the southern part of the City. A proposal from Fitzpatrick Architects in the amount of \$225,500 was submitted for the design, construction administration, surveying, geo-technical investigation and interior planning.

Motion by Councilmember Whatley; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.

- M-7 Request that the City Council consider authorizing the City Manager to award a construction contract to Doughtie Construction Co., Inc., in the amount of \$1,788,353.75, for construction of the Baxter Street Sewer Replacement project.**

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

- M-8 Request that the City Council consider adopting a Resolution authorizing the City Manager and the Police Department to apply for and accept JAG Grant funding from the East Texas Council of Governments to fund a new Gang Officer position for one year. (R-2013-18)**

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

- M-9 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the quarter ending June 30, 2013.**

Mayor recognized the YMCA Team Leadership group that was in the audience.

## **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 reviewing and accepting the Investment Report for the quarter ending June 30, 2013.**

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- C-A-2** Request that the City Council consider conducting the annual investment policy review and approval of an Ordinance re-adopting the investment policy. (O-2013-60)
- C-A-3** Request that the City Council consider authorizing the City Manager to execute an letter of agreement with Valley View Consulting to continue providing investment advisory services.
- C-A-4** Request that the City Council consider authorizing the City Manager to sign a “Letter of Engagement for Professional Audit Services” with Henry & Peters PC to perform the Fiscal Year 2012-2013 Annual Audit.
- C-A-5** Request that the City Council consider authorizing the City Manager to execute Work Order No. 1 with Wisenbaker Fix & Associates in the amount of \$75,000 for the Troup Highway Standpipe Painting project.
- C-A-6** Request that the City Council consider approving a Reconciliation Change Order and approving the final payment and release of retainage, in the amount of \$6,059.13, to Crown Civil Construction Corporation for the 2013 Sidewalk Improvements Project.
- C-A-7** Request that the City Council consider authorizing the City Manager to enter into a contract with Striping Technology, Incorporated for the installation of a traffic signal on Fifth Street at Baxter Avenue and a signal upgrade on Fifth Street at Clayton Avenue.

Motion by Councilmember Whatley; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.

### **CITY MANAGER’S REPORT**

1. Congratulations to Councilmember Nix and his wife on their new baby, Gray.
2. Budget is fine as of this fiscal year and the Lean Six Sigma is helping to balance the budget.
3. **Mayor** – gave kudos to the Parks & Recreation Dept. for the parks looking so great.

**RECESS FOR EXECUTIVE SESSION** – City Council convened into executive session at 10:25am.

Executive Item 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

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negotiating position of the City, related to the development of municipal facilities.

Executive Item 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/project 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 10:40 am with no action taken.

**ADJOURNMENT**

Motion by Councilmember Mezayek to adjourn the meeting at 10:40 am; seconded by Mayor Pro Tem Heines motion carried 6 - 0 & meeting adjourned.

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

**ATTEST:**

  
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**CASSANDRA BRAGER, CITY CLERK**

