

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 22, 2014**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 22, 2014 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Martin Heines
Mayor Pro Tem:	Darryl Bowdre
Councilmembers:	Mark Whatley Sam Mezayek Edward Moore John Nix Don Warren
Interim City Manager:	Susan Guthrie
Deputy City Attorney:	Steve Kean
Asst. City Attorney:	Sharon Roberts
Director for Innovation:	Guillermo Garcia
Managing Director for Administration:	ReNissa Wade
Manager for Organizational Development:	Kristi Boyett
Chief Financial Officer:	Keidric Trimble
City Engineer:	Carter Delleney
City Fire Chief:	Tim Johnson
Managing Director for Public Safety & Police Chief:	Gary Swindle
Director of Parks and Recreation:	Stephanie Rollings
Director of Solid Waste:	Russ Jackson
Senior Public Relations Specialist:	Serena Butcher
Director of Planning:	Heather Nick
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Warren.

MINUTES

Motion by Mayor Pro Tem Bowdre to approve the October 8, 2014 minutes; seconded by Councilmember Whatley; motion carried 7 - 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

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dedication and for the special contribution you make to our organization. These employees represent over 445 years of service with the City of Tyler.

Service Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
06/26/1979	Elaine	Massinburger	Library Assistant	Library	35
08/20/1979	C Daniel	Ledkins	Fire Captain IV	Fire	35
06/12/1989	Kenneth	Johnson	Chief Treatment Plant Operator	Waste Treatment	25
07/03/1989	Richard	Cashell	Police Officer X	Police	25
07/03/1989	David	Cook	Police Officer X	Police	25
07/21/1989	Juan	Landeros	Groundskeeper	Rose Garden Maintenance	25
09/15/1989	Donald	Martin	Police Officer VII	Police	25
09/29/1989	Johnny	Green	Police Officer X	Police	25
09/29/1989	Chris	Miller	Police Officer X	Police	25
06/13/1994	Darrell	Cook	Police Officer X	Police	20
06/13/1994	Tommy	Lewis	Police Sergeant III	Police	20
06/13/1994	Edgar	Sheffield, Jr.	Police Sergeant IV	Police	20
08/09/1994	Kyle	Rhodes	Police Officer X	Police	20
08/09/1994	Thomas	Whitworth	Police Officer X	Police	20
08/29/1994	R. Jude	Carpenter	Police Officer X	Police	20
08/29/1994	James	Holt	Police Officer X	Police	20
08/29/1994	Chad	Hudson	Police Officer X	Police	20
08/29/1994	Lance	Parks	Police Officer X	Police	20
08/29/1994	Ronny	Tekell	Police Officer X	Police	20

ZONING

Z-1 Z10-14-072 RAIDER DEVELOPMENT (8416 AND 8420 CAMBRIDGE ROAD AND 830 CAMBRIDGE BEND)

Request that the City Council consider approving a zone change from "AG," Agricultural District, to "R-1D," Single-Family Attached and Detached Residential District. (O-2014-91)

Harry O'Bryant, 814 Marquette Lane – Stated that he was concerned about the collector road and what it offers and the safety of the road.

Councilmember Nix - Stated that he was aware of the concerns of the safety of the road and was trying to come up with a solution and come up with one in a timely matter.

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

Z-2 Z10-14-073 ALFONSO OCHOA (1403 WEST ELM STREET)

Request that the City Council consider recommending a zone change from "M-1," Light Industrial District, to "R-1A," Single-Family Residential District. (O-2014-92)

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

Z-3 Z10-14-074 GRANDE JV (5976 AND 5932 OLD JACKSONVILLE HIGHWAY AND 2175 WEST GRANDE BOULEVARD)

Request that the City Council consider approving a zone change from "C-1," Light Commercial District, to "C-2," General Commercial District. (O-2014-93)

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

Z-4 Z10-14-075 REED PROPERTY MANAGEMENT (3009 SANTA ELENA DRIVE)

Request that the City Council consider approving a zone change from "R-1A," Single-Family Residential District, to "R-1B," Single-Family Residential District. (O-2014-94)

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

Z-5 Z10-14-078 JOHN THOMAS (421 SOUTH BOIS D'ARC AVENUE)

Request that the City Council consider approving a zone change from "RPO," Restricted Professional Office District, to "R-1B," Single-Family Residential District. (O-2014-95)

Motion by Councilmember Warren; seconded by Mayor Pro Tem Bowdre; motion carried 7 -

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0 & approved as presented

- Z-6 Z10-14-079 BRUCE HORNBUCKLE (3722 SOUTHPARK DRIVE)**
Request that the City Council consider approving a zone change from “C-1,” Light Commercial District, to “C-2,” General Commercial District. (O-2014-96)

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



- Z-7 F10-14-126 ROWLANDS ADDITION, FIRST AMENDMENT**
Request that the City Council consider approving a plat for a one lot subdivision containing 1.67 acres of land located at the northwest intersection of North Broadway Avenue and Martin Luther King, Jr. Boulevard, and a waiver of escrow in the amount of \$46,324 for street improvements to North Broadway Avenue and \$58,679 for street improvements to Martin Luther King, Jr. Boulevard.

Councilmember Moore – Stated that this is an area that is in need of development and encouraged the City Council to consider waiving the escrow for Martin Luther King, Jr. Boulevard in addition to North Broadway.

Rea Boudreaux, 1321 S. Broadway – Stated that he was concerned about asking this developer to pay for more roadway improvements because the property in the past has already paid its fair share. Plus presently North Broadway and Martin Luther King already has five lanes a piece. When the proposed sections are done on Martin Luther King, it will still only have four lanes with a raised median or middle turn lane. The proposed improvements adds no extra travel capacity to Martin Luther King except other than added bike lanes. The five (5) foot bike lane was added in the last addition of the Master Street Plan, not only on Martin Luther King but streets all over Tyler. Mr. Boudreaux stated his concern is that the City is adding bike lanes to a project, especially in an existing neighborhood. He stated that those bike lanes shouldn't be funded by the people who own the existing property or by people who are trying to develop tracks in areas where in-fill development is being promoted.

Motion by Councilmember Moore to amend the waiver to include both North Broadway and Martin Luther King in the amount of \$58,679; seconded by Councilmember Warren; motion carried 7 - 0 & approved as amended.

- Z-8 F10-14-133 RIGGLE ROBINSON SUBDIVISION, FINAL PLAT**
Request that the City Council consider approving a plat for a five lot subdivision containing approximately 2.96 acres of land located west of the southwest intersection of Spur 248 and Old Henderson Highway, and a waiver of escrow in the amount of \$18,644 for street improvements to County Road 219.

Mayor Heines - Suggested that it might be good to recall the Master Street Plan Committee to look at issues, including dedication/payment issues.

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

PRESENTATIONS

- P-1 Request that the City Council consider recognizing the 2014 Tyler Firefighter Combat Challenge “Over 40” Team as winners of the relay race for their age group in the 2014 Firefighter Combat Challenge Competition held in Arlington, Texas.**

Tim Johnson, Fire Chief – Stated that the Firefighter Combat Challenge is an intense competition that encourages firefighter fitness and demonstrates the rigorous activities of the fire service to the public. Firefighters enter the competition as individuals or in teams. Representatives from around the country compete against each other.

On Sept. 7, 2014, the Tyler Firefighter Combat Challenge “Over 40” Team, consisting of Jeff Barnett, Brandon Davis, Brent Hail, Terry Hawkins and Randy Lee, won first place in the “Over 40” Relay Race at the 2014 Firefighter Combat Challenge Competition held in Arlington, Texas.

Training year-round to represent the Tyler Fire Department and City of Tyler, this dedicated team will be competing again in the National Firefighter Combat Challenge Competition on Oct. 23 through 25, 2014. The event, open to the general public, will be held here in Tyler at the Simons Broadway Square Mall parking lot, just south of Sears.

ORDINANCE



- O-1 ZA10-14-004 TYLER UNIFIED DEVELOPMENT CODE**
Request that the City Council consider approving an ordinance amending the Tyler Unified Development Code in Tyler City Code Chapter 10 by amending regulations relating to zoning districts, use regulations, development standards, and definitions. (O-2014-97)

Mayor Heines thanked Planning Director Heather Nick, UDC Review Committee, and Planning and Zoning Commission for their work on amending the R-2 zoning regulations.

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

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the Interim City Manager to award the construction contract for the City University Remodel and Expansion to Caliber Associates in the amount of \$218,600.**

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



- M-2** Request that the City Council authorize the Interim City Manager to enter into a professional services contract with Crosspoint Engineering, LLC of Tyler, Texas, in the amount of \$55,650 to develop engineering, construction plans and construction oversight for Stewart Park.

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



- M-3** Request that the City Council consider authorizing the Interim City Manager to enter into an agreement with Capps-Capco Construction Incorporated of Tyler, Texas for playground area improvements in the amount of \$129,556.15 as part of the Bergfeld Park Phase I renovations.

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



- M-4** Request that the City Council authorize the Interim City Manager to purchase playground equipment as part of Phase I improvements to Bergfeld Park through the Buy Board Purchasing Cooperative from May Recreation Equipment & Design, L.P. in the amount of \$208,890.

Motion by Councilmember Warren; seconded by Mayor Pro Tem Bowdre; 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 conducting the annual investment policy review and approval of an Ordinance adopting the investment policy. **(O-2014-98)**

- C-A-2** Request that the City Council consider authorizing the Interim City Manager to enter into a contract with B'Clean Systems LLC to provide janitorial services to six City of Tyler downtown facilities in the amount of \$210,263.87.

- C-A-3** Request that the City Council consider approving the release of retainage to Reynolds and Kay, LTD for the 2014 Sidewalk Improvements Project in the amount of \$4,526.

- C-A-4** Request that the City Council authorize the Interim City Manager to enter into a professional services contract with Crosspoint Engineering, LLC of Tyler, Texas, in the amount of \$47,150 to develop engineering, construction plans and construction oversight for the Tyler Municipal Rose Garden.



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C-A-5 Request that the City Council consider approving an amendment to Tyler City Code Chapter 19, "Utilities," Article X, to include recent revisions made to the City's five-year Water Conservation and Emergency Demand Management Plans, as directed by the Texas Commission on Environmental Quality and the Texas Water Development Board. (O-2014-99)

C-A-6 Request that the City Council consider authorizing the Interim City Manager to execute an Easement and Right of Way agreement across City-owned property to provide underground electrical service to Lots 25 and 26 in the Peninsula Subdivision on Lake Tyler.

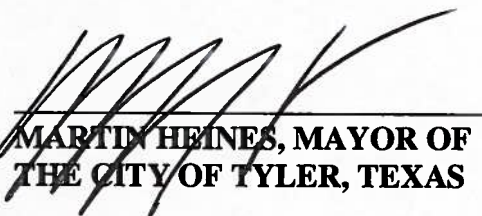
Motion by Mayor Pro Tem Bowdre to approve the entire consent agenda; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

INTERIM CITY MANAGER'S REPORT

1. Thanked City Departments for work associated with the Rose Festival – Parks, Police, Fire, Liberty and Main Street.

ADJOURNMENT

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


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

