

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
MARCH 10, 2010**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 10, 2010 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Barbara Bass  
Mayor Pro Tem: Donald Sanders  
Councilmembers: Charles Alworth  
Chris Simons  
Ralph Caraway  
Sam Mezayek (**absent**)  
Mark Whatley

City Manager: Mark McDaniel  
Asst. City Manager: Scott Wall  
City Attorney: Gary Landers  
Deputy City Attorney: Steve Kean  
Assistant City Attorney: Karen Stead  
Human Resources Director: ReNissa Wade  
Development Services Engineer: Michael Wilson  
Chief Financial Officer: Daniel Crawford  
Chief Information Officer: Benny Yazdanpanahi  
City Engineer: Carter Delleney  
City Librarian: Chris Albertson  
Communications Director: Susan Guthrie  
Director of Parks and Recreation: Stephanie Rollings  
Director of Planning and Zoning: Barbara Holly  
Director of Solid Waste: Dan Brotton  
Director of Utilities & Public Works: Greg Morgan  
Traffic Engineer: Peter Eng  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Caraway

Motion by Councilman Caraway to approve the minutes for the February 24, 2010 meeting; seconded by Mayor Pro Tem Sanders; 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 92 years of service with the City of Tyler.

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Retirees - Service Awards

| Date of Hire | First Name        | Last Name | Title                    | Department                  | Years of Service |
|--------------|-------------------|-----------|--------------------------|-----------------------------|------------------|
| 2/11/1988    | William W. (Bill) | Fletcher  | Air Conditioner Mechanic | General Government Services | 22               |

Service Awards

| Date of Hire | First Name | Last Name | Title                          | Department  | Years of Service |
|--------------|------------|-----------|--------------------------------|-------------|------------------|
| 02/23/1990   | Robert     | Dominguez | Residential Equipment Operator | Solid Waste | 20               |
| 02/01/1985   | Gary C.    | Landers   | City Attorney                  | Legal       | 25               |
| 02/08/1985   | Billy R.   | Palmer    | Chief Treatment Plant Operator | Water       | 25               |

**A-2 New Hires Recognitions**

The following employees were hired by the City of Tyler during the month of February 2010. We would like to take this opportunity to welcome these new employees.

|                   |               |                                       |                              |
|-------------------|---------------|---------------------------------------|------------------------------|
| <b>Candace</b>    | <b>Porter</b> | <b>Housing Eligibility Supervisor</b> | <b>Neighborhood Services</b> |
| <b>Deven Cody</b> | <b>Myer</b>   | <b>Fire Recruit</b>                   | <b>Fire Department</b>       |

**PRESENTATIONS**

**P-1 Request that the City Council hear a presentation on City University's One Year Report.**

**Alexia Hunter, Training Coordinator** - Gave a brief one year report on City University. Because of the Blueprint philosophy, the City of Tyler has invested time and resources into the City of Tyler's own City University, known as "City U", an on campus educational institute for employees. City University was officially launched on October 2, 2008 with the intent of providing continuing education courses to employees and fostering an environment of life-long learning within the City.

City University and the programs that have evolved from it are natural evolutions of the Blueprint. City University's mission is to provide high-quality comprehensive training to all City personnel and to serve as a resource for information and tools to enhance the productivity and professionalism of our employees.

City University's curriculum is organized into four tracks; Core Curriculum, Innovation, Professional Development, and Leadership Development. Core Curriculum focuses on basics such as New Employee Orientation and Cash Handling. The Innovation Track focuses on technology skills such as web training and courses on most Microsoft

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applications (Word, Excel, PowerPoint, Access and Publisher). Professional Development coursework focuses on those employees seeking to advance their professional skills. These courses include Customer Service, Public Speaking, and Emotional Intelligence.

**P-2 Request that the City Council consider hearing a presentation from the Keep Tyler Beautiful Board about recent activities and awards received.**

Kristi Boyett and Eloise Muxworthy gave a brief presentation from the Keep Tyler Beautiful Board about recent activities and awards received.

**RESOLUTION**

**R-1 Request that the City Council consider a Resolution calling an Election for May 8, 2010, to fill the offices of Mayor and Tyler City Council Members for Single Member District Nos. 2, 4, and 6 on the Tyler City Council and calling for a joint election with the Tyler Independent School District and Tyler Junior College. (R-2010-6)**

Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 6 - 0 & approved as presented.

**ORDINANCE**

**O-1 Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 6 by adopting the 2009 International Existing Building Code with amendments.(approve the existing building code for City and Airport and continue to discuss application at the airport) (O-2010-18)**

Motion by Councilman Alworth; seconded by Councilman Simons; motion carried 6 - 0 & approved as presented.

**O-2 Request that the City Council consider adopting an Ordinance amending the Unified Development Code in City Code Chapter 10 by clarifying the Outdoor Transient Vendor provisions to state specifically that the sale of animals is governed by such provisions, specifying Code Enforcement Department authority to enforce Outdoor Transient Vendor provisions, amending the Outdoor Transient Vendor fee provisions, and providing for exceptions. (O-2010-19)**

Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 6 - 0 & approved as presented.

**O-3 Request that the City Council consider adopting an Ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by amending regulations relating to zoning, use regulations, subdivision design and improvements, streets and thoroughfares, development standards, environmental regulations, temporary signs and permits, exempt/prohibited signs, definitions, and fences and walls regulations on the use of electric fences. (O-2010-20) except Section 10-134 (to be reviewed later)**

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Motion by Mayor Pro Tem Sanders to approve subject to 10-134 being reviewed later; seconded by Councilman Alworth; motion carried 6 - 0 & approved as presented.

- O-4 Request that the City Council consider adopting an Ordinance amending Chapter 8, "Parks", Article I. "In General", Section 8-3, "Naming and renaming park lands and facilities", in order to amend the guidelines for naming and renaming park lands and facilities. (O-2010- 21)**

Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 6 - 0 & approved as presented.

## **MISCELLANEOUS**

- M-1 Request that the City Council consider authorizing the City Manager to purchase 18 decorative pedestrian signal poles and 37 decorative traffic signal poles with mast arms from Structural Steel and Products, Incorporated for the Downtown Traffic Signal Upgrade Project in the amount of \$267,010.02.**

Motion by Councilman Simons; seconded by Councilman Alworth; motion carried 6 - 0 & approved as presented.

- M-2 Request that the City Council consider accepting a donation in the amount of \$318,018.13 from the estate of Joyce Kathryn Findley willed to the Tyler Public Library to be held in a separate donation account for the use of the Tyler Public Library.**

Motion by Councilman Caraway; seconded by Councilman Alworth; motion carried 6 - 0 & approved as presented.

## **CITY MANAGER'S REPORT**

1. Monthly CIP report
2. Half Cent Sales Tax Board authorized bidding for Sunnybrook
3. TxDot projects update, (Broadway ramps are not a city project)

**RECESS FOR EXECUTIVE SESSION** – City Council convened into executive session at 9:51 am

As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may consider the following:

-under section 551.071 "Litigation" deliberation regarding the following:

Pending litigation involving Hogg. V. Doty & City of Tyler

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics, which need to be explained to the City Council. Upon occasion,

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the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects listed above

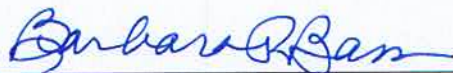
-under section 551.087 "Economic Development" deliberation regarding the following:

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

City Council reconvened from Executive Session at 10:00 am with the motion by Councilman Alworth to approve the city portion for settlement of Hogg lawsuit; seconded by Councilman Whatley; motion carried 6-0.

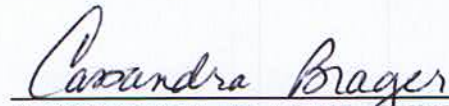
**ADJOURNMENT**

Motion by Councilman Whatley; seconded by Mayor Pro Tem Sanders to adjourn the meeting; motion carried 6 - 0 & meeting adjourned at 10:00 am.



BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

