

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 9, 2013**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 9, 2013 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
	Sam Mezayek
	Ralph Caraway
	Jason Wright
City Manager:	Mark McDaniel
City Attorney:	Gary C. Landers
Deputy City Attorney:	Steve Kean
Airport Manager:	Davis Dickson
Main Street Director:	Beverly Abell
Managing Director for Administration:	ReNissa Wade
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
Director of Vehicle Services:	Russ Jackson
Manager for Organizational Development:	Kristi Boyett
City Planner:	Heather Nick
Water Quality and Production Manager:	Jimmie Johnson
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
Street Department Manager:	Robin Smart
Traffic Engineer:	Peter Eng
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Caraway.

MINUTES

Motion by Councilmember Caraway to approve the December 12, 2012 minutes; seconded by Councilmember Bowdre; motion carried 7 - 0 & approved as presented.

PRESENTATIONS

P-1 Presentation to City Council regarding updated web site.

Managing Director of External Relations & Communications Director, Susan Guthrie – Gave a brief presentation on the updates regarding the new look of the City of Tyler website.

P-2 Kick-off of the five (5) year update to the adopted comprehensive plan as a guide for making decisions for the future growth and development of the city.

City Planner, Heather Nick – Gave an update concerning the 20-year plan. What the 20-year plan creates is a strategic framework for future actions for the City and act as a roadmap as the City continues to grow. The plan defines a vision for the future linked to overall goals and policies and contains strategies and action items for achieving the goals.

ZONING

Z-1 **Z12-12-010 COPELAND GATE, LLC (1321-1401 SSW LOOP 323) RPO & PCD TO C-1**

Request that the City Council consider approving a zone change from “RPO”, Restricted Professional Office District, and “PCD”, Planned Commercial Development District to “C-1”, Light Commercial District.

Motion by Councilmember Mezayek to table the item; seconded by Councilmember Wright; motion carried 7 - 0 & tabled as presented.

Z-2 **Z12-12-011 TYLER JUNIOR COLLEGE (1141 EAST LAKE STREET, 1201 AND 1305 BAXTER AVENUE, 1122, 1220, 1228, 1324, 1330 AND 1336 MAGNOLIA DRIVE) R-1B, R-2 AND R-MF TO INT**

Request that the City Council consider approving a zone change from “R-1B”, Single-Family Residential District, “R-2”, Two-Family Residential District and “R-MF”, Multi-Family Residential District to “INT”, Institutional District. (O-2013-1)

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

Z-3 **Z12-12-012 OKBA ENTERPRISE, LLC (1400 SWS LOOP 323) C-2 TO C-1**

Request that the City Council consider approving a zone change from “C-2”, General Commercial District to “C-1”, Light Commercial District. (O-2013-2)

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

Z-4 F12-12-019 CURTIS WILLIAMS ADDITION, FINAL PLAT – WAIVER OF \$10,220 IN ESCROW.

Request that the City Council consider approving the final plat for a one lot subdivision containing approximately 0.74 acres of land located south of the intersection of East Granville Street and Tyler Avenue, and a waiver of \$10,220 in escrow for street improvements.

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

ORDINANCE

O-1 Request that the City Council consider adopting an Ordinance amending City Code Chapter 17, by increasing the speed limit on Earl Campbell Parkway from 30 miles per hour to 45 miles per hour. (O-2013-3)

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

O-2 Request that the City Council consider an Ordinance amending City Code Chapter 17, by extending bicycle route 5 and creating bicycle route 7. (O-2013-4)

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

O-3 Request that the City Council consider adopting an Ordinance amending City Code Chapter 17, by adding a school speed zone for Cumberland Academy. (O-2013-5)

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

O-4 Request that the City Council consider adopting an Ordinance amending the Fiscal Year 2012-2013 Budget to provide funding to complete various Transit, CDBG, HOME and Housing Choice Voucher Program activities, construction projects, and purchases not completed by September 30, 2012 as anticipated. (O-2013-6)

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

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to purchase equipment, materials, and enter into a contract for installation with Striping Technology Incorporated for the signal upgrade at the intersection of Front Street and Broadway Avenue. ©**

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

- M-2 Request that the City Council consider authorizing the City Manager to award a construction contract for the Guinn Farms Rehabilitation project to Reynolds & Kay, Inc., in the amount of \$949,730.50 ©**

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

- M-3 Request that the City Council consider receiving a patronage dividend refund check in the amount of \$48,380.36 from First Choice Cooperative and a rebate check in the amount of \$2,118.31 from BuyBoard Cooperative Purchasing.**

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

- M-4 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the quarter ending September 30, 2012.**

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

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:57 am

1. 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.

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RECONVENE IN OPEN SESSSION – City Council reconvened from executive session at 10:29 am going into the next item which is M-5.

M-5 Request that the City Council consider authorizing the City Manager to enter into a professional services contract with Garfield Traub Development, L.L.C. as program manager to assist the City with further pre-development activities and potential document negotiation, design, financing, construction, and operation of a conference center/hotel in partnership with a third party. ©

Steve Moffett, Garfield Traub – Gave a brief presentation on the pre-development activities on the conference center/hotel.

Motion by Councilmember Wright; seconded by Councilmember Caraway; 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 adopting an Ordinance amending Tyler City Code Chapter 2 to re-adopt current guidelines and criteria for tax abatement. (O-2013-7)
- C-A-2** Request that the City Council consider authorizing the City Manager to execute Transfer Agreement for RA No. AJW-FN-CSA-11-2038 to transfer ownership of Precision Path Indicator Lights (PAPI) and Runway End Identifier Lights (REIL) on Runway 4 and Runway 22 to the Federal Aviation Administration. ©
- C-A-3** Request that the City Council consider authorizing the City Manager to award the sale of Tyler Water Utilities scrap brass, copper, water meters and miscellaneous metals, Bid No. 13-003, to Meter Technologies of Sulphur Springs, Texas.
- C-A-4** Request that the City Council consider adopting a Resolution agreeing to provide defense and indemnity to a certain City employee who is a defendant in a lawsuit brought against him as a result of actions taken as a City employee. (R-2013-1)
- C-A-5** Request that the City Council consider authorizing the City Manager to purchase one Lee Boy T400 Roller.
- C-A-6** Request that the City Council consider awarding bids opened December 12, 2012, for the annual price agreements for wrecker service.
- C-A-7** Request that the City Council consider declaring certain City of Tyler vehicles and miscellaneous items as surplus and authorize for auction.

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- C-A-8** Request that the City Council consider authorizing the City Manager to purchase live production, control equipment for Channel 3 and audio/visual controls for collection and display of Channel 3 as a part of the Council Chamber Remodel Project from Videotex Systems, Inc.
- C-A-9** Request that the City Council consider authorizing the City Manager to purchase playout equipment for Channel 3 as a part of the Council Chamber Remodel Project from Digital Resources, Incorporated.
- C-A-10** Request that the City Council consider authorizing the City Manager to purchase a self-contained breathing apparatus (SCBA) compressor, fill station, and air storage system
- C-A-11** Request that the City Council consider approving the reconciliation change order and releasing final retainage to Longview Bridge & Road, Ltd. For the Westside Treatment Plant Road Repairs Project. ©
- C-A-12** Request that the City Council consider awarding Medical Stop-Loss and Life Insurance contracts to ING/ReliaStar for the calendar year starting January 1, 2013.

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

BOARD APPOINTMENTS

- B-1** Request that the City Council consider approving the reappointment of Dr. Jonathan MacClements, M.D., as the Health Authority for the Northeast Texas Public Health District, for a two-year term effective February 1, 2013 through January 31, 2015. ©

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

- B-2** Request that the City Council consider the re-appointment of Mr. Gene Cottle to serve on the 9-1-1 Network of East Texas Board of Managers.

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

CITY MANAGER'S REPORT

- CMR-1** Request that the City Council approve the City Manager's appointment of new Department Heads/Leaders.

1. New Assistant City Manager, Susan Guthrie

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Chief Financial Officer, Keidric Trimble
Solid Waste/VES Manager, Russ Jackson

2. Calendar for Half Cent Sales Tax 2013
3. CIP & TxDOT project Updates
4. Comments from City Council members on City Council member Jason Wright's resignation to begin work for new US Senator Ted Cruz.

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

ADJOURNMENT

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



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

ATTEST:



CASSANDRA BRAGER, CITY CLERK

