

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
March 5, 2008**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 5, 2008 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Joey Seeber  
Mayor Pro Tem: Chris Simons  
Council Members: Nathaniel Moran  
Donald Sanders  
Ralph Caraway  
Steve Smith  
Charles Alworth

City Manager: Bob Turner  
City Manager Designate: Mark McDaniel  
City Attorney: Gary Landers  
Deputy City Attorney: Steve Kean  
Business Service Manager: ReNissa Wade  
Development Services Engineer: Michael Wilson  
Capital /City Projects Coordinator: Bill Ward  
Chief Financial Officer: Daniel Crawford  
Chief Information Officer: Benny Yazdanpanahi  
Communications Director: Susan Guthrie  
Director of Planning and Zoning: Barbara Holly  
Director of Solid Waste: Dan Brotton  
Municipal Court Administrator: Cam McCabe  
Director of Utilities & Public Works: Greg Morgan  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Moran.

Councilman Alworth made the motion to approve the minutes for the January 23, 2008 City Council meeting; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

**AWARDS**

**A-1** 20 years

**William W. Fletcher**

**February 11, 1988 to February 11, 2008**

William W. Fletcher went to work for the City of Tyler on February 11, 1988 as an A/C Mechanic, the position he now holds. We are pleased to present Bill with a 20 year service pin for his many years of service with the City of Tyler.

**Travis Thedford**

**February 18, 1988 to February 18, 2008**

Travis Thedford went to work for the City of Tyler on February 18, 1988 as a School Crossing Guard in the Traffic Engineering Department, the position he now holds. We are pleased to present Travis with a 20 year service pin for his many years of service with the City of Tyler.

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These employees represent over 40 years of service with the City of Tyler.

**A-2                      New Employees**

The following employees were hired by the City of Tyler during the month of February 2008.

We would like to take this opportunity to welcome these new employees.

<b>William Johnson</b>	<b>Building Inspector</b>	<b>Development Services</b>
<b>Donald Pratt Jr.</b>	<b>Chief Electrical Inspector</b>	<b>Development Services</b>
<b>Luke Porter</b>	<b>Code Services Officer</b>	<b>Environmental Services</b>
<b>Jennifer Dickson</b>	<b>Administrative Assistant</b>	<b>Information Technology</b>
<b>Dorothy Williams</b>	<b>Senior Clerk</b>	<b>Neighborhood Services</b>
<b>Tammy Bass</b>	<b>PS Telecommunicator I</b>	<b>Police</b>
<b>Jason McCoy</b>	<b>Public Service Officer</b>	<b>Police</b>
<b>Melanie Wilcox</b>	<b>PS Telecommunicator I</b>	<b>Police</b>
<b>Richard Hester</b>	<b>Residential Equipment Operator</b>	<b>Solid Waste</b>
<b>Larry Lister</b>	<b>Residential Equipment Operator</b>	<b>Solid Waste</b>
<b>Vanessa Mandujano</b>	<b>Account Specialist</b>	<b>Solid Waste</b>

**RESOLUTIONS**

**R-1**                      **Request that the City Council consider adopting a Resolution authorizing eminent domain proceedings for the acquisition of right of way interest on land owned by Chapel Woods Development, Limited for the construction of the Old Omen Road Project. (R-2008-5)**



Councilman Alworth made the motion; seconded by Councilman Moran; motion carried 7-0; approved as presented.

**R-2**                      **Request that the City Council consider adopting a Resolution authorizing eminent domain proceedings for the acquisition of right of way interest on land owned by TFW Golf Holdings, LLC for the construction of the Old Omen Road Project. (R-2008-6)**



Councilman Alworth made the motion; seconded by Councilman Moran; motion carried 7-0; approved as presented.

**MISCELLANEOUS**

**M-1**                      **Request that the City Council consider ratifying staff action authorizing payment to Dixon Services in the amount of \$61,606.00 for the acquisition of right-of-way for the Old Omen Road Project.**



Councilman Moran made the motion; seconded by Councilman Caraway; motion carried 7-0; approved as presented.

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**M-2 Request that the City Council consider authorizing the City Manager to execute a participation agreement with Tyler Junior College to provide base repair and overlay work on Adair Street, Blackwell Avenue, and Tennis Court. ©**

Mayor Pro Tem Simons made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

**M-3 Request that the City Council consider authorizing the City Manager to execute a three-year Commercial Service Agreement with SuddenLink for fiber connection at the new City building located at 900 West Gentry Parkway in the amount of \$12,240 for the three-year period. ©**



Councilman Alworth made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

**M-4 Request that the City Council consider authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with the City of Mesquite. ©**

Councilman Alworth made the motion; seconded by Mayor Pro Tem Simons; motion carried 7-0; approved as presented.

**M-5 Request that the City Council consider authorizing the City Manager to award a five-year lease agreement to Xerox, for two WorkCentre 5655 copier, one WorkCentre 7132 color copier, and one WorkCentre 4150 copier for the Police Department with a total lease cost of \$57,459.60. ©**

Councilman Alworth made the motion; seconded by Sanders; motion carried 7-0; approved as presented.

## **CITY MANAGER'S REPORT**

*Reminder next City Council Meeting is 3/26/08*

**RECESS FOR EXECUTIVE SESSION** - City council convened into executive session at 9:15 a.m.

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:

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1. pending or contemplated litigation involving Cascades and/or Western Rim developments;
2. Appeals to Courts and/or Texas Railroad Commission involving franchise utilities rates for electric and/or gas;
3. Two lawsuits appeals involving Grande East extension condemnations; City v. Martel and City v. R & J;
4. Clark v. City of Tyler et al;
5. Howells v. City of Tyler;
6. Smiths v. City of Tyler et al;
7. Toole v. 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, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects listed above

City council reconvened from executive session at 9:34 a.m with no action taken.

#### **ADJOURNMENT**

Councilman Sanders made the motion to adjourn the meeting at 9:34 a.m.; seconded by Councilman Alworth; motion carried 7-0; meeting adjourned.

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**JOSEPH O. SEEBER, MAYOR OF  
THE CITY OF TYLER, TEXAS**

**A T T E S T:**

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**CASSANDRA BRAGER, CITY CLERK**