

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
November 19, 2008**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, November 19, 2008 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

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

City Manager: Bob Turner  
City Manager Designate: Mark McDaniel  
City Attorney: Gary Landers  
Deputy City Attorney: Steve Kean  
Airport Manager: Davis Dickson  
Budget/Human Resources Director: ReNissa Wade  
Development Services Engineer: Michael Wilson  
Chief Financial Officer: Daniel Crawford  
City Engineer: Carter Delleney  
City Fire Chief: Neal Franklin  
City Police Chief: Gary Swindle  
Director of Planning and Zoning: Barbara Holly  
Director of Solid Waste: Dan Brotton  
Fleet Administrator: Russ Jackson  
Director of Utilities & Public Works: Greg Morgan  
Street Operations Manager: Robin Smart  
Interim Traffic Engineer: Justin Smith  
Tyler Transit: Gary Rushing  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Caraway.

**ZONING**

**Z-1 APPLICATION Z11-08-100A PAUL MANZIEL**

**Request that the City Council consider changing the zoning from “C-2”, General Commercial District to “M-1”, Light Industrial District on Lot 22A , NCB 837C of the Southwest Loop Subdivision, First Amendment, totaling approximately 0.782 acres located six lots west of the southwest intersection of DC Drive and Loop 323 WSW (2126 Loop 323 WSW). (O-2008-145)**

Motion by Councilman Simons; seconded by Councilman Sanders; motion carried 7 - 0 & approved as presented.

**Z-2 APPLICATION C10-08-009B HIDDEN HOLLOW LANE**

**Request that City Council consider a request for the closure of an unimproved right-of-way known as Hidden Hollow Lane, extending northwest from the intersection of Old Noonday Road for approximately 1,920 feet, to the intersection of County Road 193. (O-2008-146)**

Motion by Councilman Sanders; seconded by Councilman Caraway; motion carried 7 - 0 & approved as presented.

**PRESENTATIONS**

**P-1 Presentation of official proclamation for Geographical Information Systems (GIS) Day.**

Dan Allee and Heather Nick were presented a proclamation for Geographical Information Systems Day.

**ORDINANCE**



**O-1 Request that the City Council consider adopting an ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by adding regulations related to the establishment of Historic District Overlays. (O-2008-147)**

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



**O-2 Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 2, re-adopting and revising current guidelines and criteria for tax abatement. (O-2008-148)**

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

**MISCELLANEOUS**



**M-1 Request that the City Council consider award of Bid Number 09-004 to Wall Enterprises for the construction of the Chamblee Rose Garden at the LeGrand Gardens. ©**

Motion by Mayor Pro Tem Alworth; seconded by Councilman Sanders; motion carried 7 - 0 & approved as presented.

**M-2 Request that the City Council consider authorizing the City Manager Designate to purchase four John Deere 310J Backhoe's from the Buy Board bidder Doggett Machinery Services, of Tyler, Texas for a total amount of \$284,260.00.**

Motion by Councilman Simons; seconded by Councilman Caraway; motion carried 7 - 0 & approved as presented.



- M-3** Request that the City Council consider authorizing the City Manager Designate to execute a contract with The Waters Consulting Group, Incorporated for a compensation and classification study. ©

Motion by Mayor Pro Tem Alworth; seconded by Councilman Moran; motion carried 7 - 0 & approved as presented.

**(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 authorizing the City Manager Designate to execute a lease to AT&T for a 5 foot strip on property occupied by the new Fire Station # 7 located at 344 Old Troup Highway. ©
- C-A-2** Request that the City Council consider authorizing the City Manager Designate to utilize the Buy Board Cooperative for various categories of automotive and truck tires for the Fiscal Year 2008-2009.
- C-A-3** Request that the City Council consider authorizing the City Manager Designate to utilize First Choice Cooperative to purchase various automotive/truck services and parts for the Fiscal Year 2008-2009.
- C-A-4** Request that the City Council consider authorizing the City Manager Designate to purchase one Saturn Vue Hybrid from the low bidder Saturn of Tyler, Texas for the amount of \$27,892.55.
- C-A-5** Request that the City Council consider authorizing the City Manager Designate to execute an Airport Business Permit for Helicopter Operations at Tyler Pounds Regional Airport to Texas Rotor and Wing. ©
- C-A-6** Request that the City Council consider authorizing the City Manager Designate to execute a Hangar/Operator Lease for Tract 4 at Tyler Pounds Regional Airport with the J.C. and Beverly Harder Family Trust. ©
- C-A-7** Request that the City Council consider approving the continued participation in the State Catalogue Purchasing Program and General Services Commission Local Government Purchasing Program for fiscal year 2008-2009 by adopting a resolution and authorizing the City to renew several annual leases for computer equipment from IBM previously obtained through this program. (R-2008-28)

Motion by Mayor Pro Tem Alworth; seconded by Councilman Sanders; motion carried 7 - 0 & approved as presented.

## **CITY MANAGER'S REPORT**

1. Wish City Council, staff and community a happy and safe Thanksgiving

November 19, 2008

**RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:28 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 or contemplated litigation involving Western Rim and/or Cascades developments

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

-under section 551.074 "Personnel matters" deliberation regarding the following:

**City Council reconvened from executive session at 10:16 am with the following actions:**

Motion by Mayor Pro Tem Alworth; seconded by Councilman Sanders; to announce a favorable performance evaluation for City Manager Bob Turner to result in him receiving the annual performance payment provided for in his contract; motion carried 7 - 0 & approved as presented.

Motion by Mayor Pro Tem Alworth; seconded by Councilman Caraway; to amend his employment contract to change title to City Manager Emeritus; award a 4% cost of living and eliminate the annual review and performance payment; motion carried 7-0 & approved as presented.

**ADJOURNMENT**

Motion by Mayor Pro Tem Alworth; seconded by Councilman Caraway; to adjourn the meeting at 10:19 am; motion carried 7 - 0 & meeting adjourned.

---

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

**A T T E S T:**

---

**CASSANDRA BRAGER, CITY CLERK**