

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
JANUARY 28, 2009**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 28, 2009 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: Mark McDaniel  
City Attorney: Gary Landers  
Deputy City Attorney: Steve Kean  
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 Librarian: Chris Albertson  
City Police Chief: Gary Swindle  
Communications Director: Susan Guthrie  
Director of Parks and Recreation: John Webb  
Director of Planning and Zoning: Barbara Holly  
Director of Utilities & Public Works: Greg Morgan  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Caraway.

Motion by Mayor Pro Tem Alworth to approve the minutes for the November 19, 2008 meeting; seconded by Councilman Sanders; motion carried 7 - 0 & approved as presented.

**ZONING**

**Z-1 Z01-09-002A CHARLES MILLER**



**Request that the City Council consider changing the zoning from “R-1B”, Single Family Residential District to “R-1D”, Single Family Detached and Attached Residential District on Lot 12 of NCB 275A, one lot totaling approximately 0.14 acres located three lots west of the southwest intersection of Donnybrook Avenue and Dodge Street (307 Dodge Street). (O-2009-2)**

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



**Z-2 Z01-09-003A APOLONIO MOLINA**

**Request that the City Council consider changing the zoning from “R-1B”, Single Family Residential District to “R-1D”, Single Family Detached and Attached Residential District on Lot 14A of NCB 210, one lot totaling approximately 0.14 acres located one lot south of the southeast intersection of Gentry Parkway and Border Avenue (829 Border Avenue). (O-2009-3)**

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



**Z-3 Z01-09-004A GEORGIA SMITH**

**Request that the City Council consider changing the zoning from “R-1A”, Single Family Residential District to “R-1B”, Single Family Residential District on Lot 17 of NCB 773F, one lot totaling approximately 0.172 acres located two lots west of the northwest intersection of West 34th Street and Grand Avenue. (O-2009-4)**

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

**PRESENTATIONS**



**P-1 Request that the City Council consider designating Henry Marsh Bell as a Half Mile of History recipient.**

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

**RESOLUTION**



**R-1 Request that the City Council consider adopting a Resolution initiating annexation proceedings, authorizing a service plan, and setting the dates, times and places for public hearings on the proposed annexation of approximately 3.9 acres of land located along the south side of Briarwood Drive, 1,275 feet from the southwest intersection of Loop 323 SSW and Briarwood Drive, known as 4010, 4016, 4110, 4116, 4122 and 4128 Briarwood Drive. (R-2009-2)**

Motion by Councilman Sanders; seconded by Councilman Moran; motion carried 7 – 0 & approved as presented.

**R-2 Request that the City Council consider adopting a Resolution declaring a cemetery at Goss Street and State Highway 155 to be abandoned, not maintained and a public nuisance, and declaring that the City of Tyler is taking possession and control of said cemetery, and also authorizing the City Manager to execute a related Memorandum of Understanding with St. Louis Baptist Church for maintenance and repair of the cemetery. (R-2009-3) ©**

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Motion by Mayor Pro Tem Alworth; seconded by Councilman Sanders; motion carried 6 - 0- 1 & approved as presented.

**Caraway abstain**

**(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 to apply for a National Endowment for the Arts (NEA) grant in the amount of \$20,000 to conduct a reading incentive program under the NEA *The Big Read: Creating a Nation of Readers* initiative to be called “The Big Read Tyler” and authorize the City Manager to accept the grant and sign all required assurances and contracts to the award and authorize expenditures of the funds. ©**

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

## **APPOINTMENTS TO BOARDS**

**B-1 Request that the City Council consider making an appointments to the Tyler Historical Preservation Board, Keep Tyler Beautiful Board and the Parks Board.**

### **TYLER HISTORICAL BOARD**

Motion by Councilman Simons; seconded by Councilman Smith; motion carried 7 - 0 to appoint the following board member:

Michael Carmichael

### **PARKS BOARD**

Motion by Councilman Smith; seconded by Councilman Caraway; motion carried 7 - 0 to appoint the following board member:

John Adkins

### **KEEP TYLER BEAUTIFUL BOARD**

Motion by Mayor Pro Tem Alworth; seconded by Councilman Caraway; motion carried 7 - 0 to appoint the following board member:

Ruth A. Wofford

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**CITY MANAGER’S REPORT**

1. *Tyler 21 Steering Committee today at the Women’s Bldg. at noon*
2. *Employee contest for internal motto, roll out in Feb.*
3. *Annual Report advance preview*
4. *Monthly CIP report hand out*
5. *Audit committee meet right after CC meeting today.*

**RECESS FOR EXECUTIVE SESSION** - City Council convened into executive session at 9:23 am

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

-under Section 551.072 “Real Estate”, deliberation regarding the following:

Discuss the purchase, exchange, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City, related to the development of municipal facilities and encouragement of private investment.

-under section 551.087 “Economic Development” deliberation regarding the following:

Possible offer of financial or other incentive to a business prospect and to consider financial information about that prospect with which the City is conducting economic development negotiations that could lead to a development in Tyler

City council reconvened from executive session at 9:58 am with no action taken.

**ADJOURNMENT**

Motion by Mayor Pro Tem Alworth; seconded by Councilman Sanders; to adjourn the meeting at 9:58 am; motion carried 7 - 0 & meeting adjourned.

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

**A T T E S T:**

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**CASSANDRA BRAGER, CITY CLERK**