

CITY COUNCIL AGENDA

Wednesday, September 9, 2009
9:00 a.m.



Barbara Bass, Mayor
Sam Mezayek, District 1
Donald Sanders, District 2
Ralph Caraway, District 3
Chris Simons, District 4
Vacant, District 5
Charles Alworth, District 6



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL

212 North Bonner

Tyler, Texas 75702

Wednesday, September 9, 2009

9:00 a.m.

Internet website <http://www.cityoftyler.org> and Cable Access Channel 3











AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to assure that City Council Meetings are accessible to disabled persons. If any special assistance or accommodations are needed in order to attend a City Council meeting, please contact the City Manager's Office at 903.531.1250, in advance so accommodations can be made.

COURTESY RULES

Thank you for your presence. The City Council appreciates your interest in Tyler City Government. To ensure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, Administrative Staff, News Media, Citizens and Visitors. If you wish to address the Council, obtain a speaker card from the receptionist's desk outside the Council Chambers, complete the information requested on the card, and deliver to the City Clerk before the meeting or as soon as you can. Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council. Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. Delay or interruption of the proceedings will not be tolerated.

Invocation
Approval of Minutes
Election Items
Employee Awards – Recognitions, Service
Pins and Certificates
Zoning Items
Public Hearings
Citizen/Staff/Consultant Presentations
Adoption of Resolutions
Adoption of Ordinances
Miscellaneous Items
Consent Agenda
Appointments to Boards
Tabled Items
City Manager's Report
Recess for Executive Session

Icon Legend	
	Business and Economy
	Downtown Master Plan
	Future Land Use
	Historic Preservation
	Housing, Neighborhoods and Community Identity
	North End Revitalization
	Parks, Open Spaces, Recreation and Lakes
	Public Facilities and Services
	Transportation and Circulation
	Tyler 21 Plan

1. Invocation
2. Pledge of Allegiance

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 Service Awards

25 Years

Diannia Jackson

May 1, 1984 to May 1, 2009

Diannia Jackson went to work for the City of Tyler on May 1, 1984 as a Communications Operator in the Police Department. On July 13, 1987 she was promoted to Police Communications Supervisor and on September 28, 1987 she became a Certified Police Officer. On October 9, 1995 she was promoted to Police Sergeant and on September 4, 1998 she was promoted to Police Lieutenant. On January 9, 2009 she was promoted to Assistant Chief, the position she currently holds. We are pleased to present Diannia with an award for her 25 years of service with the City of Tyler.

30 Years

Daniel Ledkins

August 20, 1979 to August 20, 2009

Daniel Ledkins went to work for the City of Tyler on August 20, 1978 as a Meter Reader in the Water Utilities Department and on October 4, 1982 he transferred to the Fire Department to become a Firefighter. On January 10, 1993 he was promoted to Fire/Driver/Engineer and on June 8, 2003 he was promoted to Fire Captain, the position he currently holds. We are pleased to present Daniel with an award for his 30 years of service with the City of Tyler.

Retirees

Brian Allen

January 14, 1988 to August 31, 2009

Brian Allen went to work for the City of Tyler on January 14, 1988 as a Police Officer in the Police Department, the position he held until his retirement. We are pleased to present Brian Allen with a proclamation for his 21 years of service with the City of Tyler.

John Martin

June 9, 2006 to August 28, 2009

John Martin went to work for the City of Tyler on June 9, 2009 as a Bus Driver in the Transit Department, the position he held until his retirement. We are pleased to present John Martin with a proclamation for his 2 years of service with the City of Tyler.

These employees represent over **78** years of service with the City of Tyler.

A-2 The following employees were hired by the City of Tyler during the month of August 2009. We would like to take this opportunity to welcome these new employees.

Russell	Rockett	Advanced IT Specialist II	Information Technology
Guillermo	Garcia	Lean Sigma Master Black Belt	Communications Dept.
Andrew	McCouston	Firefighter	Fire Department
Mathew	Ottaberry	Firefighter	Fire Department
Fredrick	Jones	Residential Equip. Operator	Solid Waste Department
Adam	Townzen	Residential Equip. Operator	Solid Waste Department
Hubert	Vance	Residential Equip. Operator	Solid Waste Department

ZONING

Z-1 APPLICATION Z08-09-045 TYLER BRN PROPERTIES, LTD.

Request that the Planning and Zoning Commission consider recommending a zoning change from “R-1D”, Single-Family Detached District to “PMF”, Planned Multifamily District on Lot 15B, 15C, 15D, and 15E of NCB 1100C, four lots totaling approximately 0.76 acres located at the end of Garrett Drive on the north side of the road (8338 Garrett Drive).

Z-2 APPLICATION S08-09-046 BARBARA STEWART

Request that the City Council consider a Special Use Permit on Lots 5 6 and 7, NCB 739 for a home based day care.



Z-3 APPLICATION Z09-09-055 ALINE WALLACE (1213 W CONNALLY STREET)

Request that the Planning and Zoning Commission consider recommending a zoning change from “R-2”, Two-Family Residential District to “R-1B”, Single Family Residential District on Lot 73B of NCB 665B, one lot totaling approximately 0.09 acres located west of the northwest intersection of Ross Avenue and Connally Street (1213 W Connally Street).

PUBLIC HEARINGS

H-1 Request that the City Council consider conducting this second public hearing on the proposed fiscal year 2009-2010 Budget and on the proposed property tax rate of \$0.204000 per \$100 of taxable property value.

PRESENTATIONS



P-1 Request that the City Council consider receiving a presentation on funding options for the Water and Sewer System capital improvements program that was initiated in February of 2008 with the issuance of \$5,150,000 out of an anticipated \$25,000,000 in revenue bonds and consider providing general guidance to staff regarding authorization to proceed with the second phase of obtaining CIP funding.

RESOLUTION

- R-1** Request that the City Council consider adopting a Resolution ordering Tall Timbers Utility Company, Incorporated to provide service to the Elk River Addition, Unit 1 and Harpers Ridge Addition, Unit 3.

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to enter into an Agreement between City of Tyler and University of Texas at Tyler for Use of Facilities as Medical Special Needs Shelter.



- M-2** Request that the City Council authorize the City Manager to execute a “Memo of Understanding” from Tyler Independent School District (TISD) for the use of Faulkner Park Girls Fast Pitch Softball Fields and adopt an ordinance amending the Fiscal Year 2008-2009 Budget.

- M-3** Request that the City Council consider authorizing the City Manager to purchase a parcel of land in Western Tyler from Tyler Economic Development Council (TEDC) in order to relocate Fire Station No. 5 for a purchase price of \$58,544.64 and other consideration.



- M-4** Request that the City Council consider approving a Certificate of Appropriateness for the proposed alteration of a Historic Landmark known as the Williams-Anderson House, located at 1313 W. Claude Street, Tyler, Texas.

- M-5** Request that the City Council consider the 2009-2010 Annual Work Program for the One-Half Cent Sales Tax Capital Improvement projects under review for the next 60 days as required by the Corporation bylaws.

- M-6** Request that the City Council consider authorizing the City Manager to award a construction contract for Drainage Improvements on Jeb Stuart Drive to the low bidder, East Texas Bridge, Incorporated in the amount of \$297,966.90.

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 authorizing the City Manager to apply for and accept third year funding for a Comprehensive Traffic Grant in the amount of \$114,001.80 from the Texas Department of Transportation (TxDot).

- C-A-2** Request that the City Council Consider authorizing the City Manager to approve an agreement with First Choice Cooperative whereby the City of Tyler can take full advantage of purchasing any and all items available through the Cooperative.

CITY MANAGER'S REPORT

- CMR-1.** Request that the City Council approve the City Manager's appointment of a new Assistant City Manager.
- CMR-2.** Request that the City Council consider alternative meeting schedules for November and December.

RECESS FOR EXECUTIVE SESSION

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:

1. Pending or contemplated litigation involving collection of hotel motel fees;
2. Pending or contemplated litigation involving condemnation of Tall Timbers/Algonguin sewer system in Southwest Tyler and in ETJ;

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

ADJOURNMENT