

CITY COUNCIL AGENDA

**Wednesday, December 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
Mark Whatley, District 5
Charles Alworth, District 6**



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL
212 North Bonner
Tyler, Texas 75702
Wednesday, December 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
- Citizen/Staff/Consultant Presentations
- Public Hearings
- 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
3. Minutes

July 8, 2009	August 26, 2009	October 14, 2009
July 22, 2009	September 9, 2009	November 11, 2009
August 12, 2009	September 23, 2009	

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 Service Awards

We would like to recognize the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. These employees represent over **125** years of service with the City of Tyler.

Date of Hire	First Name	Last Name	Title	Department	Years of Service
10/02/1989	Dexter	Cook	Fire Captain I	Fire Department	20 Years
11/20/1989	Joey	Wiggins	Fire District Chief	Fire Department	20 Years
11/27/1989	Lara	Mason	Fire Inspector/Investigator Chief Treatment Plant	Fire Department	20 Years
11/20/1989	Steven	Matlock	Operator	Water Department	20 Years
11/20/1989	Les	Schminkey	Fire Captain II	Fire Department	20 Years
10/01/1989	Thomas	Giorgio	Police Lieutenant II	Police Department	25 Years

A-2 New Hires Recognitions

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

John	Perdue	Code Services Officer	Code Enforcement
Sheldon	Voudrie	Code Services Officer	Code Enforcement
Eric	Rozell	Firefighter Recruit	Fire Department
Robyn	Perdue	Circulation Technician	Library
Lara	Tabri	Collections Associate	Library
Stephanie	Vickers	Custodian	Parks Department
McKinley	Washington	Custodian	Parks Department
Lee	Davis	Police Recruit	Police Department
Ayasha	Eddins	Police Recruit	Police Department
Joseph	Cassin	Police Recruit	Police Department
Johnathan	Dickard	Police Recruit	Police Department
Amanda	McCollum	PS Telecommunicator	Police Department
Mariano	Rivas	Truck Driver	Street Department
William	Alexander	Truck Driver	Streets Department

Roy	German	Traffic Marker I	Traffic Engineering
Scott	Bullard	Plant Operator I	Water Department
Donald	Burleson	Plant Operator I	Water Department
Kevin	Miller	Plant Mechanic I	Water Department
David	Mata	Utilities Lab Analyst	Water Department

A-3 Request that the City Council consider accepting the “Certificate of Achievement Award for Excellence in Financial Reporting” from the Government Finance Officers Association of the United States and Canada for the City of Tyler’s Fiscal Year 2007 2008 Comprehensive Annual Financial Report.

ZONING

Z-1 APPLICATION Z11-09-006 JAMR PROPERTIES, LLC (2215 Roy Road)
 Request that the Planning and Zoning Commission consider recommending a zoning change from “AG”, Agricultural District to “R-1A”, Single-Family Residential District, “RPO”, Restricted Professional Office District and a Special Use Permit for a special event center.

Z-2 F12-09-011 THE HILLCREST AVENUE ADDITION, FINAL PLAT
 Request that the City Council consider approving a two lot plat including a waiver of \$3,361 in escrow costs.

Z-3 F12-09-018 WOLDERT’S BROADWAY ADDITION, FINAL PLAT
 Request that the City Council consider approving a two lot plat including a waiver of right-of-way dedication along Broadway Avenue.

PRESENTATIONS



P-1 Request that the City Council hear a presentation regarding the draft outcomes of the Industry Growth Initiative.






P-2 Request that the City Council hear a presentation on the status of the City’s Lean Sigma initiative.

ORDINANCE

O-1 Request that the City Council consider adopting an Ordinance amending the Fiscal Year 2009-2010 Budget to provide funding to complete various construction projects, motor vehicle purchases and other purchases not completed by September 30, 2009 as anticipated.

MISCELLANEOUS

- M-1** Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending September 30, 2009.
- M-2** Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the fiscal year ending September 30, 2009.
- M-3** Request that the City Council consider accepting a donation in the amount of \$318,018.13 from the estate of Joyce Kathryn Findley willed to the Tyler Public Library to be held in a separate donation account for the use of the Tyler Public Library.
-  **M-4** Request that City Council consider accepting a donation in the amount of \$225,000 from Mr. Brandon Steele for the renovation of the former Liberty Theatre in downtown Tyler.
-  **M-5** Request that the City Council consider authorizing the City Manager to execute an annual agreement with the Tyler Economic Development Council (TEDC) for services related to economic development.
-  **M-6** Request City Council consider authorizing the City Manager to execute a Professional Services Agreement with Wisenbaker, Fix & Associates in an amount not to exceed \$200,000 for preliminary engineering services related to the routing, design and future construction of the new, relocated Southside Wastewater Treatment Plant and related outfall sewer line.

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 authorize the expenditure of \$72,882.85 for Mandated Water System Fee to the Texas Commission on Environmental Quality (TCEQ).
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase technology equipment for the Municipal Court from Broadcast Works, in the amount of \$50,616, to enhance the efficiency and effectiveness of the Court Trial process.
- C-A-3** Request that the City Council consider approving the purchase of two T3 electric mobility platforms from sole source vendor, John Wright Associates, for \$25,734 by utilizing grant funds from the Justice Assistance Grant (JAG) program.
- C-A-4** Request that the City Council consider adopting an Ordinance amending Chapter 1, "General Provision", Article IX., "Disability Issues Review Board", by renumbering Sections 1-90 and 1-91.

- C-A-5** 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 in his capacity as a City employee.
- C-A-6** Request that the City Council consider adopting an Ordinance amending Chapter 12, "Airport and Transit", relating to adding a provision to affirm current Transit fees.
- C-A-7** Request that the City Council consider adopting an Ordinance amending Chapter 4, "Offenses and Miscellaneous Provisions", updating and clarifying the Burglary Alarm provisions.
- C-A-8** Request that the City Council consider authorizing the City Manager to execute an Interlocal Agreement with the City of Troup to provide building inspection services for the City of Troup.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider making an appointment to the Parks Board.

CITY MANAGER'S REPORT

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 551.087 "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

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

The annual performance evaluation and review of City Manager.

ADJOURNMENT