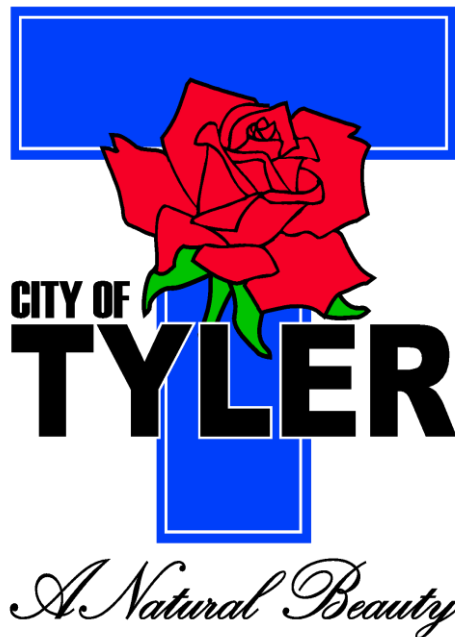


# **CITY COUNCIL AGENDA**

**Wednesday, November 16, 2011  
9:00 a.m.**



**Barbara Bass, Mayor  
Sam Mezayek, District 1  
Donald Sanders, District 2  
Ralph Caraway, District 3  
Martin Heines, District 4  
Mark Whatley, District 5  
Jason Wright, District 6**



# CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL  
212 North Bonner  
Tyler, Texas 75702  
Wednesday, November 16, 2011  
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 persons with disabilities. If any individual needs special assistance or accommodations 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.

## Icon Legend

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

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **MINUTES**

- a. Minutes 11 09 2011

## **ZONING**



### **Z-1 APPLICATION S11-11-001 ORLENE MAYFIELD (2501 MADISON AVENUE)**

Request that the City Council consider a special use permit for a one-chair beauty salon on property zoned "R-1B", Single-Family Residential District.



### **Z-2 APPLICATION Z11-11-001 COLUMBUS W. JACKSON (1113 SOUTH FRANCIS AVENUE)**

Request that the City Council Consider changing the zoning from "R-2", Two-Family Residential District to "R-1B", Single-Family Residential District.

### **Z-3 APPLICATION Z11-11-002 DOUBLE D RENTALS (1428 & 1430 DUNCAN STREET)**

Request that the City Council Consider changing the zoning from "M-2", General Industrial District to "R-1B", Single-Family Residential District.

### **Z-4 APPLICATION Z11-11-004 VILLAS OF HOLLYTREE**

Request that the City Council Consider changing the zoning from "PMF", Planned Multi-Family District to "PXR", Planned Mixed Residential District with final site plan.

## **PUBLIC HEARINGS**

### **H-1 APPLICATION A09-11-007 MANSION CREEK ANNEXATION**

Request that the City Council conduct a public hearing and consider public input on the proposed annexation of Mansion Creek. The proposed annexation area consists of territory lying adjacent to and contiguous to the present boundary limits of the City of Tyler, approximately 15 acres of land contained in Lots 1-39 of the Final Plat of Mansion Creek as recorded in Cabinet E, Slide 32B of the Plat Records of Smith County, Texas.

## **ORDINANCE**

**O-1** Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 15 to adopt a proposed gas franchise ordinance with Atmos Energy Corporation on the second of three required readings.

**O-2** Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 7, Article III., and Chapter 18, Article II. authorizing the City Manager, under certain circumstances, to waive and approve the release of weed/debris liens and demolition liens up to the amount of \$10,000 or up to any dollar amount when an applicant completes paperwork with the City Development Services Department verifying certain criteria.

- O-3** Request that the City Council consider approving an Ordinance amending the City of Tyler Code Chapter 19, "Utilities", to amend Division 2, Section 19-170, "Public barge docks;" Division 5, Section 19-201, "Leases – applicable fees," Section 19-205, "Leasehold construction and location," and Section 19-206, "Water and sanitation;" and Division 6, Section 19-220, "Miscellaneous Fees," and Section 19-221, "Fees application to lease.
- O-4** Request that the City Council consider adoption of an Ordinance accepting a petition from the City of Tyler to include certain City of Tyler- owned areas around and including Lake Tyler and Lake Tyler East, that are not within the existing extraterritorial jurisdiction of another city, to be included within the City of Tyler Extraterritorial Jurisdiction.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider authorizing the City Manager to execute a contract with Ballard & Braughton Engineering PLLC, to provide engineering services for the Palace Avenue Improvements Project for a total contract amount not to exceed \$199,523.
- M-2** Request that the City Council consider authorizing the City Manager to execute a contract with Johnson & Pace Incorporated, to provide engineering services for the City Wide Miscellaneous Sidewalk Improvements Project for a total contract amount not to exceed \$255,878.05.
- M-3** Request that the City Council consider authorizing the City Manager to execute an interlocal agreement with the Texas Department of Transportation (TxDOT) for the ability to place a gateway monument sign in TxDOT right-of-way.
- M-4** Request that the City Council consider authorizing the City Manager to purchase playground equipment for City Park, Glass Recreation Center, Griffith Park, and Lindsey Park from Game Time Playground Company, a member of the US Communities (USC) Purchasing Cooperative totaling \$86,307.44.
- M-5** Request that the City Council consider adoption of an updated Resolution approving the continued participation in the Texas State DIR (Department of Information Resources) Program and General Services Commission Local Government Purchasing Program, and authorizing the City Manager to renew several annual leases for technology equipment including computers, software, and telephones from approved vendors previously obtained through this program for Fiscal Year 2011-2012.

## **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 approving partial acceptance and releasing partial retainage in the amount of \$178,787.34 to Reynolds and Kay, Ltd for the Highway 69 and Interstate 20 Water Improvements project.

- C-A-2** Request the City Council authorize the expenditure of \$99,755 for Mandated Water Quality Assessment Fee to the Texas Commission on Environmental Quality.
- C-A-3** Request that the City Council consider authorizing the City Manager to purchase a monument sign, plants (trees, shrubs, and roses), and mulch/soil in the amount of \$56,716.00 to complete the median project along Gentry Parkway.
- C-A-4** Request that the City Council consider authorizing the City Manager to purchase one half ton extended cab CNG powered truck.

## **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 551.071 "Litigation" deliberation regarding the following:

1. Possible or contemplated litigation relating to the resolution of extraterritorial jurisdiction boundaries with the City of Whitehouse
2. Possible or contemplated litigation relating to the resolution of extraterritorial jurisdiction boundaries with the City of Winona
3. Possible contemplated litigation involving TTUC (Algonquin)
4. Possible contemplated litigation involving Guinn Farms subdivision street conditions

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**