



# City Council

## Regular Meeting

~ Minutes ~

Council Chambers  
Tyler, TX 75703  
[www.CityofTyler.org](http://www.CityofTyler.org)

Cassandra Brager

Wednesday, October 26, 2016

9:00 AM

Council Chambers

**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

9:00 AM Meeting called to order on October 26, 2016 at Council Chambers, 212 North Bonner, Tyler, TX.

Attendee Name	Title	Status	Arrived
Mark Whatley	Councilman	Present	
Martin Heines	Mayor	Present	
Edward Moore		Present	
Darryl Bowdre		Present	
John Nix		Present	
Don Warren	Councilman	Present	
Linda Sellers	District 1 Central	Present	

### Approval of Minutes

2. Wednesday, September 28, 2016

## Employee Awards, Recognitions, Service

### A-1 Service Awards

#### Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
10/01/1986	Steve	Sharron	Assistant Police Chief	Police	30

**A-2 Request that the City Council consider accepting the “Distinguished Budget Presentation Award” for its Fiscal Year 2015-2016 Budget document from the Government Finance Officers Association of the United States and Canada**

**A-3 Request that the City Council consider accepting the Texas Municipal League 2016 Excellence Award for City Spirit**

### Zoning Items

**Z-1 N16-001 CITY OF TYLER (PORTION OF SUNNYBROOK DRIVE TO OLD SUNNYBROOK DRIVE) Request that the City Council consider approving a thoroughfare name change from Sunnybrook Drive to Old Sunnybrook Drive on a section of road approximately 550 feet in length beginning at the west terminus of West 8th Street and continuing south until its terminus into the previous alignment with Sunnybrook Drive**

**Z-2 N16-002 CITY OF TYLER (PORTIONS OF FRANKSTON HIGHWAY AND SUNNYBROOK DRIVE TO SOUTH VINE AVENUE) Request that the City Council consider approving a thoroughfare name change from Frankston Highway and Sunnybrook Drive to South Vine Avenue on a section of road approximately 750 feet in length beginning at the west terminus of West 7th Street and continuing south to the intersection of Frankston Highway, Earl Campbell Parkway, and Sunnybrook Drive**

**Z-3 N16-003 CITY OF TYLER (PORTION OF SOUTH PALACE AVENUE TO OLD PALACE AVENUE) Request that the City Council consider approving a thoroughfare name change from South Palace Avenue to Old Palace Avenue on a section of road approximately 370 feet in length beginning at the intersection of West Houston Street and South Palace Avenue west of the five-way intersection of West Houston Street, South Palace Avenue and South Vine Avenue, continuing north until its present terminus**

**Z-4 PD16-012 ESTATE OF RUBY MCCLENNY KIRBY (8406 CAMBRIDGE ROAD) Request that the City Council consider approving a zone change from “R-2”, Two-Family Residential District to “PMF”, Planned Multi-Family Residential District with final site plan**

**Z-5 PD16-014 BD2 INVESTMENTS (2902 EAST FRONT STREET) Request the City Council consider approving a “PCD”, Planned Commercial Development District site plan amendment**

**Z-6 Z16-012 HOWARD DICKERSON (5102 OLD JACKSONVILLE HIGHWAY) Request that the City Council consider approving zone change from “C-1”, Light Commercial District to “R-1A”, Single-Family Residential District**

**Z-7 F16-026 FLINT CANYON ADDITION, FINAL PLAT** Request that the City Council consider approving a 20 lot subdivision containing approximately 12.03 acres of land located west of the northwest intersection of Farm-to-Market Road 2493 and County Road 148 and a waiver of escrow in the amount of \$135,601 for street improvements to County Road 148

## **Public Hearings**

**H-1** Request that the City Council conduct a public hearing and consider adoption of an ordinance renewing the designation of City of Tyler Reinvestment Zone No. 3/Trane at 6200 Troup Highway, Tyler, Texas

## **Consent Agenda**

(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 execute a Release and Termination of Sewer Line Easement for a sewer main located east of Fannin Avenue

**C-A-2** Request that the City Council consider authorizing the City Manager to execute a new agricultural lease to Brian J Arnold at Tyler Pounds Regional Airport

**C-A-3** Request that the City Council consider authorizing the City Manager to execute the amendment and renewal of an Agricultural Lease to Charlie Rand at Tyler Pounds Regional Airport

**C-A-4** Request that the City Council consider authorizing the City Manager to enter into the biannual contract with Focused Advocacy for services during legislative and interim sessions

## **Appointments to Boards**

**B-1** Request that the City Council appoint the Chief of Police, Jimmy Toler, to the Animal Care Advisory Board in the "municipal official" position of the Board

**B-2** Request that City Council consider making appointments to the Civil Service Commission, Disability Issues Review Board, Keep Tyler Beautiful Board and the Traffic Safety 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:

Executive Item No. 1:

Under section 551.071 "Litigation" deliberation regarding the following:

1. Pending or contemplated litigation involving Environmental Protection Agency v. City of Tyler.

**Any final action to be taken by the City Council will be taken in open session.**

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**