

**MINUTES OF THE REGULAR CALLED MEETING OF  
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
October 26, 2022**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 26, 2022 at 9:00 a.m. in the City Council Chambers, 2<sup>nd</sup> floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Don Warren
Mayor Pro Tem:	James Wynne
Councilmembers:	Stuart Hene
	Shirley McKellar
	Broderick McGee
	Bob Westbrook
	Brad Curtis

City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Planning Director:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
City Librarian:	Ashley Taylor
Compliance Engineer:	Paul Neuhaus
Police Chief:	Jimmy Toler
Director of Utilities:	Kate Dietz
Director of Solid Waste, Transit:	Leroy Sparrow
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Mayor Warren.

**MINUTES**

Motion by Councilmember Westbrook to approve the minutes of the September 28, 2022 meeting; seconded by Mayor Pro Tem Wynne; motion carried 7 - 0 & approved as presented.

**AWARDS**

**A-1 Request that the City Council consider recognizing 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. They represent 55 years of service with the City of Tyler.**

**Judy Minor, Court Technician, 30 years of service  
Robert Hanna, Commercial Equipment Operator, 25 years of service**

**A-2 Request that the City Council consider accepting the Texas Association of Municipal Information Officers Award of Excellence for the 2021-2022 Annual Report and the 3CMA Award of Excellence for the Roses and Weeds Podcast.**

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- A-3 **Request that the City Council consider accepting the "Municipal Excellence" awards in the categories of Public Safety for the Homeless Outreach Coordinator position and Management Innovations for the Infants at Work program, by the Texas Municipal League.**
- A-4 **Request that the City Council consider accepting the 2022 Champions for Children Corporate Champion Award for the City's effort in supporting employees with newborn children through the Infants at Work program.**

**Julie Goodgame, Director of Marketing and Communication**- Gave a brief presentation on each award presented to the city and the City Council accepted each award as presented.

## **ZONING**

- Z-1 **Z22-059 CK JONES DEVELOPERS LLC (817 WEST 29TH STREET)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-2", Two-Family Residential District to "NR", Neighborhood Residential District. (O-2022-95)**
- Motion by Councilmember McKellar; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.
- Z-2 **PD22-020 BELLWOOD 323 2019 LP (800 BELLWOOD GOLF CLUB ROAD, 4698, 4799, AND 5202 BELLWOOD ROAD, 1471, 1531, 1699, 1757, 1801, 1847, AND 1873 SOUTH SOUTHWEST LOOP 323, AND 3752 AND 3753 EARL CAMPBELL PARKWAY)  
Request that the City Council consider adoption of an Ordinance approving a "PCD", Planned Commercial District Narrative Amendment. (O-2022-96)**
- Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.
- Z-3 **Z22-062 TYLER BLUE RIDGE, LLC (A 1.45 ACRE PORTION OF 804 WEST CUMBERLAND ROAD)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "PCD", Planned Commercial District to "RPO", Restricted Professional Office District. (O-2022-97)**
- Motion by Councilmember Hene; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.
- Z-4 **Z22-060 NICKOLAS PENCIS (422 REEVES STREET)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-MF", Multi-Family Residential District to "R-1B", Single-Family Residential District. (O-2022-98)**
- Motion by Mayor Pro Tem Wynne; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

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**Z-5 PD22-018 HIBBS FINANCIAL CENTER LTD (714 SHELLEY DRIVE)**  
Request that the City Council consider adoption of an Ordinance approving a zone change from “RPO”, Restricted Professional Office District and “C-1”, Light Commercial District to “PCD”, Planned Commercial District with Final Site Plan. **(O-2022-99)**

Motion by Councilmember Henc; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

**Z-6 Z22-058 ARELLANO GERMAN & ROCIO RENTERIA ESPINOSA (1823 EAST LAWRENCE STREET)**  
Request that the City Council consider adoption of an Ordinance approving a zone change from “R-1B”, Single-Family Residential District, to “R-1D”, Single-Family Detached and Attached District. **(O-2022-100)**

Motion by Mayor Pro Tem Wynne; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

**Z-7 Z22-061 SANTOYO ELVIRA (1914 AND 1916 EAST LAKE STREET)**  
Request that the City Council consider adoption of an Ordinance approving a zone change from “R-1A”, Single-Family Residential District, to “R-1D”, Single-Family Detached and Attached District. **(O-2022-101)**

Motion by Mayor Pro Tem Wynne; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

**Z-8 A22-006 CHRISTOPHER AND BRANDI SWELLING (A 1.48 PORTION OF 14143 COUNTY ROAD 192)**  
Request that the City Council consider adoption of an ordinance providing for the voluntary annexation of approximately 1.48 acres of land lying adjacent to the present boundary limits of the City of Tyler located northwest of the intersection of Three Lakes Parkway and Hillcross Cove. Also consider recommending:  
A. The new boundary of the City Limits.  
B. The new boundary of the City Council District #2.  
C. The new boundary of the Tyler Extraterritorial Jurisdiction.  
D. That the City Manager be authorized to sign a written agreement for provision of City services per the Texas Local Government Code Section 43.0672.  
E. The Future Land Use Guide to reflect Mixed Use Center.  
F. Establishment of Original zoning of 1.48 acres of “C-1”, Light Commercial District. **(O-2022-102)**

Motion by Councilmember McGee; seconded by Mayor Pro Tem Wynne; motion carried 7 - 0 & approved as presented.

**Z-9 A22-007 WERNER-TAYLOR LAND & DEVELOPMENT LP (A 2.13 ACRE PORTION OF 14697 COUNTY ROAD 192)**  
Request that the City Council consider adoption of an ordinance providing for the voluntary annexation of approximately 2.13 acres of land lying adjacent to the present

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boundary limits of the City of Tyler located south of the intersection of Crosslake Boulevard and Ravine Court. Also consider recommending:

- A. The new boundary of the City Limits.
- B. The new boundary of the City Council District #2.
- C. The new boundary of the Tyler Extraterritorial Jurisdiction.
- D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
- E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density.
- F. Establishment of Original zoning of 2.13 acres of "R-1B", Single-Family Residential District. (O-2022-103)

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

### MISCELLANEOUS

- M-1      Request that the City Council consider authorizing the City Manager to execute a contract with Halff Associates Inc. for the 2023 Water Main Improvements project in the amount of \$98,500.

Motion by Councilmember Hene; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

- M-2      Request that the City Council consider authorizing a training agreement between Tyler Police Department and Tyler Junior College Law Enforcement Academy

Motion by Councilmember McKellar; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

### 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 purchase one (1) new high pressure sewer jetting truck from Kinloch through the Sourcewell contract 101221-VTR for a purchase price of \$181,711.00.
- C-A-2      Request that the City Council consider authorizing the City Manager to approve the Annual Price Agreement for Tires, Emergency Tire Service, and Fleet Checks per Bid 22-025.
- C-A-3      Request that the City Council consider authorizing the City Manager to renew multiple vendors for the Annual Price Agreement for Automotive and Equipment parts per Bid 21-026.

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- C-A-4** Request that the City Council consider renewing the Annual Price Agreement for Fuel per Bid 21-027 to Mansfield Service Partners of Tyler, Texas (previously known as O'Rourke Petroleum) from October 1, 2022, through September 30, 2023.
- C-A-5** Request that the City Council consider authorizing the City Manager to renew multiple vendors for the Annual Price Agreement for various categories of automotive and truck services and repairs per Bid 21-024.
- C-A-6** Request that the City Council consider authorizing the City Manager to renew Hydraulic Power as primary and American Hydraulic as secondary for Vehicle Services hydraulic services per Bid 21-028.
- C-A-7** Request that the City Council consider authorizing the City Manager to renew the contract with Office Pride of East Texas to provide janitorial services to the Oakwood Complex in the amount of \$32,700.00 annually.
- C-A-8** Request that the City Council consider authorizing the City Manager to renew Crow Towing as primary vendor for light and heavy duty towing and award Liberty Towing Services as primary for motorcycle towing as per Bid 21-023 Annual Price Agreement for Wrecker Services.
- C-A-9** Request that the City Council consider authorizing the City Manager to renew Action Cleaning of Tyler as the primary vendor for wash bay chemicals and repair, and award AAA Sanitation as primary vendor to clean the wash bay grit trap.
- C-A-10** Request that the City Council consider authorizing the City Manager to renew Etex Enviro- Care Lawn service to maintain the Oakwood Complex lawn maintenance.
- C-A-11** Request that the City Council consider authorizing the City Manager to approve purchasing goods through the various purchasing cooperatives listed whereby the City of Tyler can take full advantage of purchasing any and all items available through the cooperatives. It is also recommended that the City Council consider authorizing the City Manager to utilize various purchasing cooperatives and various vendors as sole source for parts and service from October 1, 2022, to September 30, 2023.
- C-A-12** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order for the 2110 Border Avenue Inlet Box Repair, BuyBoard Contract 635-21.
- C-A-13** Request that the City Council consider authorizing the City Manager to purchase a tractor for the Airport from Lowe Tractor for \$73701.24.
- C-A-14** Request that the City Council consider authorizing the City Manager to execute a contract with Lytx, Inc. for the renewal of the annual managed subscription services for DriveCam video recorders in the amount of \$64,715.54 per year for an additional five years.
- C-A-15** Request that the City Council consider authorizing the City Manager to approve the winning bidder of sealed bid 22-051 Central Point Group of Tyler, Texas to upfit 15 patrol units at a cost of \$19,847.23 (a total cost of \$297,708.45).

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- C-A-16** Request that the City Council consider adoption of a Resolution denying ONCOR Electric Company's requested increase to its system-wide transmission and distribution rates within the City and finding that the City's reasonable rate case expenses shall be reimbursed by the Company. **(R-2022-33)**
- C-A-17** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will increase the contract amount by \$339,238.96 and the release of final retainage payment in the amount of \$98,583.83 to IPR South Central Group 2 Specialty Gravity Main and Manhole, Bid Number 20-032.
- C-A-18** Request that the City Council consider cancelling the regularly scheduled City Council meetings of November 23, 2022, and December 28, 2022.
- C-A-19** Request that the City Council consider authorizing the City Manager to purchase playground equipment and splash pad equipment for P.T. Cole Park through the Buy Board Purchasing Cooperative from Kraftsman Commercial Playgrounds & Water Parks in the amount of \$132,112.65 for the playground equipment and \$150,420.43 for the splash pad equipment.

Motion by Councilmember Westbrook; seconded by Mayor Pro Tem Wynne; motion carried 7 - 0 & approved as presented.

#### **CITY MANAGER'S REPORT**

1. Our United Way Chairman, Andy Erbaugh, kicked off the 2022 United Way Drive for City employees on Wednesday. Our 2021 United Way Campaign ended up generating \$23,929 pledged from City of Tyler employees to assist our neighbors in this community through various programs and services. We intend to surpass that amount with this year's drive!
2. We just got through with Rose Festival and had a great time. Council did a great job in the parade and being in different activities. Our Police Department, Parks Department were outstanding in handling the different traffic, the different activities that were going on. We had the Rose Festival Arts and Crafts Fair out at Bergfeld Park that had a record number as far as booths out there and vendors. And so, we're very excited about how Rose Festival went and just the great way that it portrayed our community
3. It is an opportunity to go to the Texas Downtown Facebook page and vote for downtown Tyler as the Downtown National Historic District as a finalist for the 2022 Best Economic Game Changer with the Texas Downtown Association. It is one where you have the opportunity to go vote for different programs, so go forth and this is to make sure downtown Tyler continues to be on the map in regards to places to go here in Texas.
4. Also, with Martin Luther King Jr. Boulevard, we were able to do some striping and some changing of that one. I'm very excited about just how that came out with the bike lines, being able to narrow down the lanes of traffic there to be able to encourage for the pedestrian and bicycle traffic as well. And also the center turn lane that went into that and so, our Traffic Department was able to put that together and we were very glad of how that went.
5. Finally, a story I would like to share from our Police Department about just outstanding services provided by Tyler Police Officer Chris Mackey. Officer Mackey was dispatched to a major traffic accident on Walton Road and Frankston Highway on September 30. Officer Mackey was the first on-scene and he quickly realized there

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were multiple persons with injuries involved. He triaged all the victims and started treating the most seriously injured, the driver. He saw she was in and out of consciousness and started having convulsions. Officer Mackey was able to pick her up out of the car, carry her out of the roadway, place her in recovery position, and held her spine until E.M.S. got there. The lady was coughing up blood during the time and possibly had a lung injury. According to E.M.S., she would have probably suffocated or possibly become seriously injured if she had not been provided immediate aid. Officer Mackey's professionalism and quick thinking in a high stress situation was exemplary. Officer Mackey is a credit to the City of Tyler and Tyler Police Department and should be commended for his actions. And so, just as we have a call to serve spirit and Chris Mackey demonstrated that with the actions that he took on that scene to jump into that immediately. And so, just wanted to share that as the Mayor was talking about earlier kind of the Years of Service Awards, we have incredible employees doing incredible things. And so, we are very grateful for them.

**EXECUTIVE SESSION** City Council convened into executive session at 9:42 am

**Under Texas Gov't Code 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.**

City Council reconvened from executive session at 10:08 am with no action taken.

**ADJOURNMENT**

Motion by Councilmember McKellar to adjourn the meeting at 10:08 am; seconded by Councilmember Curtis; motion carried 7 - 0 & meeting adjourned.

  
DONALD P WARREN, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

