

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
September 28, 2022**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, September 28, 2022 at 9:00 a.m. in the City Council Chambers, 2nd 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 (absent) Brad Curtis
City Manager:	Edward Broussard
Asst. City Manager:	Heather Nick
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Planning Director:	Kyle Kingma
Chief Information Officer:	Benny Yazdanpanahi
City Librarian:	Ashley Taylor
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 Pro Tem Wynne.

MINUTES

Motion by Councilmember Curtis to approve the August 24, 2022 minutes; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

AWARDS

A-1 Request that the City Council consider recognizing the following employee for his 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. He represents 20 years of service with the City of Tyler.

Daniel Allee, Director of Building Services & GIS, 20 years of service

ZONING

September 28, 2022

- Z-1** **ZA22-001 UNIFIED DEVELOPMENT CODE**
Request that the City Council consider adopting an Ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by re-adopting regulations relating to tax abatements for historical landmarks. (O-2022-89)
- Motion by Councilmember Curtis; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.
- Z-2** **S22-006 GENECOV INVESTMENTS LTD (5201 STEEL ROAD)**
Request that the City Council consider adoption of an Ordinance approving the Special Use Permit for one year for storage and equipment purposes only. (O-2022-90)
- Motion by Councilmember McGee; seconded by Councilmember Curtis; motion carried 5 - 0 & approved as presented.
- Z-3** **S22-008 DIANA LICEA (2347 SARASOTA DRIVE)**
Request that the City Council consider adoption of an Ordinance approving the Special Use Permit to allow for continued use of the property as a one-chair beauty salon in addition to use as a single-family residence. (O-2022-91)
- Motion by Mayor Pro Tem Wynne; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.
- Z-4** **Z22-055 PACESETTER HOMES & CONSTRUCTION LLC (902 AND 906 DUCKENFIELD AVENUE)** 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 Residential District. **(O-2022-92)**
- Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.
- Z-5** **Z22-056 SCHULZ BLUE RIDGE LLC (8620 OLD JACKSONVILLE HIGHWAY)**
Request that the City Council consider adoption of an Ordinance approving a zone change from “AG”, Agricultural District to “C-1”, Light Commercial District. (O-2022-93)
- Motion by Councilmember Hene; seconded by Mayor Pro Tem Wynne; motion carried 6 - 0 & approved as presented.

RESOLUTION

- R-1** **Request that the City Council consider adoption of a Resolution authorizing the City Manager, on behalf of the Tyler Police Department, to apply for and accept grant funding from the Office of the Governor, Public Safety Office – Criminal Justice Division, in an amount not to exceed \$ 105,250.00 for the fiscal year of 2022-2023. All**

September 28, 2022

grant funding will be utilized to purchase bullet-resistant shield equipment for the Tyler Police Department. (R-2022-29)

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

- R-2 Request that the City Council consider adopting a Resolution authorizing the Police Department to participate with other law enforcement agencies in the submission of a grant request from The Texas Automobile Burglary & Theft Prevention Authority for its twenty-ninth year of funding in the East Texas Auto Theft Task Force and authorize the City Manager to enter into a working agreement regarding the same. (R-2022-30)**

Motion by Councilmember Curtis; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to enter into a contract with McGriff Insurance Services (McGriff) for Property and Casualty Insurance in the amount of \$954,199, Hibbs Hallmark and Company for Cyber Insurance in the amount of \$38,567, Innovative Risk Management for Third Party Claim Administration in the amount of \$39,859 and Bosworth and Associates for the purchase of Special Events Liability Insurance with a deposit premium of \$2,000 for Fiscal Year 2022-2023 with 2 one-year renewal options.**

Motion by Councilmember Curtis; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

- M-2 Request that the City Council consider authorizing the City Manager to enter into a contract with Hibbs Hallmark and Company for Excess Workers Compensation Insurance in the amount of \$128,274 and Claims Administrative Services for Third Party Claim Administration in the amount of \$45,500 for Fiscal Year 2022-2023 with 2 one-year renewal options.**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

- M-3 Request that the City Council consider authorizing the City Manager to enter into a Statement of Work (SOW) Agreement with AXON Enterprise, Inc. for the purchase of in-car videos systems, body worn cameras, Tasers, Flock readers, supporting hardware & software, related services and training, for public safety personnel, in an amount not to exceed \$2,604,499.50. This contract is a five-year contract covering Fiscal Years 2023-2027.**

Motion by Mayor Pro Tem Wynne; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

BOARD APPOINTMENTS

September 28, 2022

B-1 Request that the City Council consider making appointments and re-appointments to various City Boards.

Airport Advisory Board

Motion by Councilmember Hene to appoint Bryan Matus and reappoint Jerry Irwin and C. Perry Marshall; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

Board of Adjustments

Motion by Councilmember Curtis to reappoint Timothy Hunt and Brent Brevard and move them both as regular members and appoint Jason Trimble; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

Civil Service Commission

Motion by Councilmember Hene to reappoint Steven Brown and Lee Correa; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

Library Board

Motion by Councilmember Curtis to reappoint Glenda Malone and appoint Toni Ferrell; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

Keep Tyler Beautiful Board

Motion by Councilmember McKellar to reappoint Kristen Brice and appoint Hawley Towns, Joseph Byrum, Justin Heuer and Steven Simmons. Also, appoint Kristina Suberbielle as Chair; seconded by Mayor Pro Tem Wynne; motion carried 6 - 0 & approved as presented.

Neighborhood Revitalization Board

Motion by Mayor Pro Tem Wynne to appoint Ambra Phillips, Dorinda Williams and Jamie Mims as members and appoint Vickie Jackson as Chair; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

Tyler Parks Board

Motion by Councilmember Hene to appoint Conner Fisher and Jammeshia Burgess and reappoint Brittany Childs and Shwana Flowers; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

Planning & Zoning Commission

September 28, 2022

Motion by Councilmember Curtis to reappoint John Landes, Beth Whitney and David Hudson and reappoint David Hudson as Chair; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

Northeast Texas Public Health District

Motion by Councilmember Curtis to reappoint Allison Pollan; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

Traffic Safety Board

Motion by Councilmember Curtis to reappoint James Volberding and Matthew Vechione, Dustin Wilson and Jason Waller. Also appoint James Volberding as Chair; seconded by Councilmember McGee; motion carried 6 - 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 award the various annual price agreements for Asphalt /Street Materials, Utility Cut Base Repair Material, and Herbicide Treatment for Drainage and Roadsides for one year beginning October 1, 2022.**
- C-A-2 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order in the amount of \$3,706.06 and approve the release of final payment and retainage in the amount of \$21,923.34 to Reynolds & Kay, LTD, for the Holly Park Drainage Improvements project.**
- C-A-3 Request that City Council consider authorizing the City Manager to purchase (3) three Mack trucks with McNeilus frontload bodies for a total purchase cost of \$494,808 through the Interlocal Purchasing System (TIPS).**
- C-A-4 Request that the City Council consider awarding sealed bids opened August 23, 2022, to the listed vendors for the annual price agreements and for the purchase of various water and wastewater treatment chemicals for the fiscal year October 1, 2022, through September 30, 2023.**
- C-A-5 Request that the City Council consider approving an Interlocal Agreement with Smith County 911 Emergency Communications District for cost sharing of aerial photography and participation in the Smith County Geographic Information Systems (GIS) Consortium effort.**
- C-A-6 Request that the City Council consider authorizing the City Manager to purchase (1) New England Wheels Frontrunner Lone Star Pro Master 3500 Conversion Van from Creative Bus Sales, through the Oklahoma Contract, in the amount of \$211,825.85.**

September 28, 2022

- C-A-7 Request that the City Council consider approving the updated Family Self-Sufficiency Program’s FY 2021-2022 Annual Plan based on new HUD regulations regarding Family Selection Procedures.**
- C-A-8 Request that the City Council consider authorizing the City Manager to enter into a contract with PREMA, Inc. to assist with GIS data updates.**
- C-A-9 Request that the City Council consider authorizing the City Manager to apply for and accept seventeenth year funding under the Comprehensive Traffic Enforcement Grant Program administered by the Texas Department of Transportation.**
- C-A-10 Request that the City Council consider authorizing the City Manager to approve the price increase of \$7,887 per bus for the purchase of (4) Low Floor Fixed Route Buses. The new total purchase cost is \$749,636.**
- C-A-11 Request that the City Council consider authorizing the City Manager to purchase (15) Fifteen 2023 Ford Interceptor Utility Vehicles for police patrol units for the City of Tyler Police Department from Tyler Ford for a total cost of \$685,089.45.**
- C-A-12 Request that the City Council consider declaring certain City of Tyler Information Technology Services equipment as surplus and authorize for disposal.**
- C-A-13 Request that the City Council consider authorizing the City Manager to execute the contract with Hi-Lite Airfield Services, LLC Sourcewell Contract #062817-HLA for the Removing and Repainting Runway 4-22 Pavement Markings Project at Tyler Pounds Regional Airport for an amount not to exceed \$245,000.00.**
- C-A-14 Request that the City Council consider authorizing the City Manager to execute Amendment No. 1 to Work Order No. 7 with KSA Engineers in an amount not to exceed \$502,767.60 to provide construction administrative services for Taxiway Alpha Rehabilitation Project at Tyler Pounds Regional Airport.**
- C-A-15 Request that the City Council consider authorizing the City Manager to award City of Tyler Bid No. 22-031 to Reynolds & Kay, LLC for an amount not to exceed \$6,930,292.34 for the construction of the Taxiway Alpha Rehabilitation Project at Tyler Pounds Regional Airport.**
- C-A-16 Request that the City Council consider ratifying acceptance of a FY 2023 Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program (RAMP) Grant totaling \$50,000.00 for general maintenance programs at Tyler Pounds Regional Airport.**

Motion by Mayor Pro Tem Wynne to approve the entire consent agenda; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

CITY MANAGER’S REPORT

1. George Roberts gave a brief update on COVID and encouraged everyone to get their booster shots.

September 28, 2022

2. The first of which I want to congratulate our Communications Department. They received an Award of Excellence from the City County Communications and Marketing Association known as Three C.M.A. for our Rose and Weed podcast under the most innovative communication category.

3. On our Parks Department, a few things to note coming up. We have our public meeting regarding the P.T. Cole Park's renovations and that'll be hosted next week on October 3, at 5:30 p.m. at P.T. Cole Park. P.T. Cole Park is going to be through our Community Block Grant funds, receiving new playground equipment, new quarter mile walking trail, a new spray ground, a new pavilion, two new half basketball courts, parking areas, and general upgrades to the restroom facility and grounds over there. And so, the purpose of the meeting is to display renderings of the new amenities and address any concerns, questions, or recommendations from the neighbors around P.T. Cole Park.

4. Park Service Day was hosted by Keep Tyler Beautiful back on Saturday, September 17, at various parks across Tyler. More than 150 volunteers came out to help complete service projects at City Park, Gassaway Park, Hillside Park, Fun Forest Park, Winters Park, and Woldert Park. We'd like to thank all of our sponsors and a special thanks to Councilman McKellar for coming out to speak to the volunteers. And also at Park Service Day, Keep Tyler Beautiful awarded long-term volunteer 92-year-old Jim Chuning with a Difference-Maker Award for his years of service to Keep Tyler Beautiful and the City of Tyler. Jim has attended almost every service event hosted by Keep Tyler Beautiful and Tyler Trees Committee since moving to Tyler 22 years ago. According to his daughter, he's only ever missed for back surgery or when he was ill, so that was amazing.

5. Construction started a few weeks ago on the wastewater treatment plant chlorination and de-chlorination system upgrades. And so, these improvements to the system at the south side waste water treatment plant where you'll see the work going on will consist of rehabilitation improvements to the chlorination, de-chlorination building, installation of a chlorination and sulfur-dioxide scrubber, replacement upgrades to the chlorination chemical and sulfur-dioxide feed equipment, and replacement upgrades to the electrical and control equipment components of the chlorination, de-chlorination systems. And so, the project's expected completion date is September of 2023, so you'll see that going on down there for the next year.

6. Just a special note that I want to make about our call to serve difference that our employees make to our community. And this was on Tuesday September 20th, a library patron approached our Circulation Supervisor Brenda Choy with a personal request. The patron had a scheduled doctor's appointment with the diagnosis of cancer with no family or local friends to be by her side. Brenda being a trusted and familiar face was her thought of seeking of comfort and friendship. Brenda, having a heart of gold, accompanied the woman to her doctor's appointment and assisted her in seeking necessary information along the way. Thankfully, the woman has been reconnected with family and the resources that she will need to assist her further in her journey. And so, we thank Brenda just for her call to serve difference, her heart that she has, and just the impact that she makes not only on this woman, but on so many of the people that come through the library. And so, we're very grateful for Brenda and the work that she does.

September 28, 2022

ADJOURNMENT

Motion by Councilmember McGee to adjourn the meeting at 9:59 am; seconded by Councilmember McKellar; motion carried 6 - 0 & meeting adjourned.

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

A T T E S T:

CASSANDRA BRAGER, CITY CLERK