

**MINUTES OF THE REGULAR CALLED MEETING OF  
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
January 10, 2024**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 10, 2024 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:	Brad Curtis
Councilmembers:	Stuart Hene
	Shirley McKellar
	Broderick McGee
	James Wynne
	Lloyd Nichols

City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Airport Manager:	Stephen Thompson
Interim Main Street Director:	Amber Rojas
Planning Director:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
City Engineer:	Darin Jennings
Traffic Engineer:	Cameron Williams
Director of Utilities:	Kate Dietz
Parks Director:	Leanne Robinette
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Hene.

**MINUTES**

**Request that the City Council consider approving the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on November 8, 2023 and a Special Called meeting held on November 30, 2023.**

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

**AWARDS**

**A-1** Request that the City Council consider accepting the “Distinguished Budget Presentation Award” for its Fiscal Year 2022-2023 Budget document from the Government Finance Officers Association of the United States and Canada.

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**ZONING**

- Z-1**      **Z23-038 NEDWOL PROPERTIES LLC (2441, 2443, 2445, AND 2447 MOSAIC WAY)**  
**Request that the City Council consider adoption of an Ordinance approving a zone change from “M-1”, Light Industrial District to “C-1”, Light Commercial District. (O-2024-01)**  
Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.
- Z-2**      **PD23-023 JLLB HOLDINGS LLC (5038 PALUXY DRIVE)**  
**Request that the City Council consider adoption of an Ordinance approving a zone change from “C-1”, Light Commercial District to “PUR”, Planned Unit Residential District with Final Site Plan. (O-2024-02)**  
Motion by Councilmember Nichols; seconded by Mayor Pro Tem Curtis; motion carried 7 - 0 & approved as presented.
- Z-3**      **C23-008 PSS JOINT VENTURE (AN UNIMPROVED PORTION OF RIECK ROAD)**  
**Request that the City Council consider adoption of an Ordinance approving the closure of a portion of Rieck Road. (O-2024-03)**  
Motion by Councilmember Hene; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.
- Z-4**      **C23-009 ROUSE JESSE ROBERT JR (AN UNIMPROVED PORTION OF EDNA STREET AND REEDER LANE)**  
**Request that the City Council consider adoption of an Ordinance approving the closure of a portion of Edna Street and Reeder Lane. (O-2024-04)**  
Motion by Councilmember Nichols; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.
- Z-5**      **Z23-036 DENNIS JOSEPH A & ELIZABETH ANNE (512 SOUTH FLEISHEL AVENUE)**  
**Request that the City Council consider adoption of an Ordinance approving a zone change from “RPO”, Restricted Professional Office District to “R-2”, Two-Family Residential District. (O-2024-05)**  
Motion by Councilmember Wynne; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.
- Z-6**      **Z23-037 ROBLES JOSE EMILIANO & ANA BERTHA (1709 OLD OMEN ROAD)**  
**Request that the City Council consider adoption of an Ordinance approving a zone change from “POD”, Planned Office District to “R-1B”, Single-Family Residential District. (O-2024-06)**  
Motion by Councilmember Wynne; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

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**Z-7 PD23-024 SHACKELFORD CREEK LAND COMPANY LLC (9506, 9507, 9512, 9513, 9519, 9520, 9525, 9530, 9531, 9537, 9538, 9543, 9546, 9549, 9554, 9555, 9560, 9561, 9566, 9567, 9570, 9573, 9574, 9578, 9581, 9582, 9586, 9590, 9594, 9602, AND 9606 FRIEDLANDER WAY AND 2000, 2001, 2005, 2006, 2010, 2011, 2014, 2017, 2020, 2023, 2026, 2029, 2030, 2032, 2035, 2041, 2044, 2047, 2050, 2053, 2056, 2059, 2062, 2065, 2068, 2069, 2072, 2075, 2078, 2079, 2082, 2083, 2086, 2087, 2090, 2091, 2095, AND 2099 LOCKLEAR LN, AND 8.40 ACRE PORTION OF 1067 MARSH FARM ROAD)**  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1D", Single-Family Detached and Attached Residential District to "PUR", Planned Unit Residential District with a final site narrative. **(O-2024-07)**

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

**Z-8 PD23-025 C&O ACQUISITIONS LLC AND BEXAR TRIPLE JEOPARDY LLC (220 AND 240 SOUTH SOUTHWEST LOOP 323)**  
Request that the City Council consider adoption of an Ordinance approving a "PCD", Planned Commercial District final site plan amendment. **(O-2024-08)**

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

**Z-9 Z23-043 C&O ACQUISITIONS LLC (3809 WEST ELM STREET)**  
Request that the City Council consider adoption of an Ordinance approving a zone change from "PCD", Planned Commercial District to "R-1A". Single-Family Residential District. **(O-2024-09)**

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

**Z-10 Z23-039 RENTAL CONNECTIONS LLC (1100, 1120, AND 1122 WEST FIFTH STREET)**  
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "C-2", General Commercial District. **(O-2024-10)**

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

## **PRESENTATION**

**P-1 Request that the City Council consider receiving a presentation on the 2023-2024 Annual Work Plan.**

## **ORDINANCE**

**O-1 Request that the City Council consider adoption of an ordinance updating and amending Tyler City Code Chapter 1 related to policies and procedures governing the Disability Issues Review Board. **(O-2024-11)****

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Motion by Mayor Pro Tem Curtis; 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 part 2 of the professional services contract, in the amount of \$2,379,480 with Fitzpatrick Architects and Halff for the Downtown Improvement project.**

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

**M-2 Request that the City Council consider authorizing the City Manager to execute an engineering services contract, in the amount of \$247,320.00 with Shermco Industries Inc for the Golden Road Water Treatment Plant Electrical Assessment.**

Motion by Councilmember Hene; seconded by Councilmember McKellar; 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 execute a Personal Services Contract with Mr. Robin Smart for construction inspection services for City of Tyler streets and capital improvement projects in the amount of \$50,000.**

**C-A-2 Request that the City Council ratify the expenditure of \$ 90,743.10, for the mandated public water system fee to the Texas Commission on Environmental Quality.**

**C-A-3 Request that the City Council consider authorizing the City Manager to execute an additional services agreement with Halff Associates, Inc. in the amount of \$23,000 for the Shiloh Road Improvements and Widening preliminary engineering report.**

**C-A-4 Request that the City Council consider amending and adopting a Resolution authorizing the application for and acceptance of Federal Transit Administration (FTA) Grant Funds passed through the Texas Department of Transportation (TxDOT) under the Section FY21-5339 Bus and Bus facilities Grant in the amount of \$201,174 along with the acceptance of \$40,235 in Transportation Development Credits (TDC). (R-2024-01)**

**C-A-5 Request that the City Council consider amending and adopting a Resolution authorizing the application for and acceptance of Federal Transit Administration (FTA) Grant Funds passed through the Texas Department of Transportation (TxDOT) under the Section FY21-5339 Bus and Bus facilities Grant in the amount of \$186,507 along with the acceptance of \$37,302 in Transportation Development Credits (TDC). (R-2024-02)**

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- C-A-6** Request that the City Council consider authorizing the City Manager to add Addendum 1 to Downtown Janitorial contract with Office Pride Janitorial to provide janitorial services to six City of Tyler downtown facilities in the amount of \$447,216.00 over the next five (5) years. Addenda 1 would add Transit Building at \$65,265.00 over the next four (4) years remaining of the contract for a total of \$512,481.00.
- C-A-7** Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with MHS Planning & Design, LLC.
- C-A-8** Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with H.W. Lochner, Inc.
- C-A-9** Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with HDR Engineering, Inc.
- C-A-10** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will reduce the contract amount by \$63,159.52 and the release of final retainage payment in the amount of \$244,955.54 to A.E. Shull and Company for Consent Decree Capacity Work Group 1 Implementation Standard Bid, 22-033.
- C-A-11** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will reduce the contract amount by \$69,380.40 and the release of final retainage payment in the amount of \$145,824.48 to Southern Trenchless Solutions for Consent Decree Group 5 Manhole Rehabilitation, Bid 23-007.
- C-A-12** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will reduce the contract amount by \$490,672.14 and the release of final retainage payment in the amount of \$101,908.84 to T Gray Utility AIMS, LLC for Consent Decree Group 4 Manhole Specialty Bid 22-016.
- C-A-13** Request that the City Council consider authorizing the City Manager to execute a contract amendment with Elledge Engineering in the amount of \$61,000 for additional services related to the FM 756 Utility Relocate Project.

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

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

1. Cameron Williams was busy during the end of the year. He's busy all the time. Especially at the end of the year. The Grande Boulevard reverse curve. This was something that y'all, as Council, had taken action upon back in 2023. So, the final safety improvements for the Grande reverse curve between Holly Tree Drive and Old Jacksonville Highway were installed in mid-December, and those improvements included LED curve warning system, white profile pavement markings next to the curve, and a wide yellow profile marking in both directions along the center two-way left turn lane. The profile markings have raised bumps that drivers can feel when they start to drift out of the traffic lane. The LED curve warning system and pavement markings complement the high friction surface that was

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installed earlier in the Fall. These improvements were recommended as part of the Grande reverse curves safety study, and the improvements are targeted at addressing wet weather conditions and improving the visibility of the curve, especially at night, in order to improve safety. Also, in that kind of same area, with just construction on the new traffic signal on Grande Boulevard and old Noonday Road began in early December.

Construction has progressed, with most underground conduit and traffic signal pole foundations installed. The next step, after the concrete for the foundation is cured, will be the installation of traffic signal poles. In the meantime, the contractor is completing similar work at the intersection of West Gentry Parkway and W. Martin Luther King Jr.

Boulevard the existing traffic signal is also being reconstructed. And then also for traffic operations, we have on the intelligent traffic system year three master plan with the installation of 13 new traffic cabinets, for where we can require new electric service pedestals. So, staff, Karl Seydler, Senior Traffic Signal Technician, has created a parts list design and laid out locations for the new pedestals, prepared the foundation, ran the conduit, and poured the concrete foundation. You may even see him downtown doing some of the work at some of those locations. This will save the city approximately \$10,000 for each intersection, with a total savings of \$40,000.

2. Also, the Mayfair Building construction is moving along; all the walls are up, and painting is going on in the interior of the building. Anticipated completion is towards the end of either January or February, with the grand opening now scheduled for Thursday, April 4th. So that is one we are very excited about. As we begin 2024, NEThealth has begun its FitCity Tyler Health and Wellness Expo and Lighten up East Texas kickoff. So on this past Saturday, the annual lighten-up East Texas weight loss challenge kicked off at the W.T. Brookshire Conference Center and it was relaunched for the first time following COVID. This included a health expo to the top event to provide participants with access to a variety of resources for their health and wellness journey. An estimated 300 visitors attended the expo, most of whom joined the Lighten p East Texas challenge throughout the month. People throughout the East Texas areas continue to sign up through their employers and other public weigh-in locations. Special thank you to Mayor Warren for stopping by to say hello and visit the different vendors that were there. As a reminder, the City of Tyler is encouraging employees to also participate. We will be having our own weigh-in sessions and prizes. So, from now until January 31st, if you visit the Glass Recreation Center to weigh in and get signed up, you also get entered to win some awesome prizes along with it.
3. We're also monitoring coming the end of this weekend as well as the beginning of next week; we're monitoring the weather conditions that are expected due to freezing temperatures from Sunday, January 14th, evening to Wednesday, January 17th, midday. Our emergency services are already making sure that they're fully prepared; our streets and traffic services, water and wastewater, and solid waste are all getting as far as doing their preparations for this. We will be closed, of course, on Monday, January 15th, due to the Martin Luther King Junior holiday, but we will also be sending out quite a bit of information to residents and businesses to make sure that they are also prepared. We're probably expecting to see about 44 to 48 hours of freezing temperatures during that time period. So, it won't be quite what you've had and seen with winter storm Urie, but it is something that we want to make sure people are preparing and getting ready for just as the city will be to assist those in need.

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**ADJOURNMENT**

Motion by Councilmember McKellar to adjourn the meeting at 9:53 am; seconded by Councilmember Wynne; motion carried 7 – 0 & meeting adjourned.



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

**ATTEST:**

  
**CASSANDRA BRAGER, CITY CLERK**