

**MINUTES OF THE REGULAR CALLED MEETING OF  
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
April 24, 2024**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 24, 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
Asst. City Manager:	Heather Nick
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Airport Manager:	Stephen Thompson
Planning Director:	Kyle Kingma
Strategic Planner:	Blake Cathey
City Fire Chief:	David Coble
Project Engineer:	Nikki Ingram
Project Engineer:	Tiffany Currie
Police Chief:	Jimmy Toler
Director of Utilities:	Kate Dietz
Director of Parks & Recreation:	Leanne Robinette
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember McKellar.

**MINUTES**

Motion by Mayor Pro Tem Curtis to approve the March 27, 2024 minutes; seconded by Councilmember 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. They represent 70 years of service with the City of Tyler.

Billy Yates, Assistant Police Chief, 25 years of service

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Shawn Wilson, Fire Battalion Chief I, 25 years of service  
Heather Nick, Assistant City Manager, 20 years of service

**PRESENTATION**

**P-1 Request that the City Council consider receiving an updated presentation on the progress of the Consent Decree Program for Tyler Water Utilities.**

James Forbes, Pipeline Analysis, LLC- Gave an updated presentation on the progress of the Consent Decree Program.

**ZONING**

**Z-1 C24-001 NATURON PROPERTIES LLC (UNIMPROVED RIGHTS-OF-WAY OF NATURON DRIVE AND NATURON COURT)  
Request that the City Council consider adoption of an Ordinance approving the closure of the unimproved rights-of-way of Naturon Drive and Naturon Court. (O-2024-42)**

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

**Z-2 Z24-009 GOFF ZACAHRIAH (1004 WEST FIELDS STREET)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "R-1D", Single-Family Attached/detached Residential District. (O-2024-43)**

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

**Z-3 Z24-008 MULDER DOUGLAS (1005 SOUTH SOUTHEAST LOOP 323)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-2", General Commercial District to "R-MF", Multi-Family Residential District.**

Motion by Councilmember Wynne to table the item indefinitely; seconded by Mayor Pro Tem Curtis; motion carried 7 - 0 to table the item indefinitely.

**Z-4 Z24-010 BARBER ROBERT IRREVOCABLE TRUST (3819 OLD CHANDLER ROAD)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "C-1", Light Commercial District. (O-2024-44)**

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

**Z-5 Z24-006 VALDES JOSE LUIS JR (829 LINDSEY LANE)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "PMXD-1", Planned Mixed-Use District with final site narrative. (O-2024-45)**

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

- Z-6      Z24-007 KIRBY REX (901 NORTH HARRIS AVENUE)**  
**Request that the City Council consider adoption of an Ordinance approving a zone change from “C-1”, Light Commercial District to “DBAC”, Downtown Business, Arts and Culture District. (O-2024-46)**

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

### **RESOLUTION**

- R-1      Request that the City Council consider the adoption of a Resolution of Support for an affordable housing project proposal for Trailside Estates (15577 County Road 164/Mahar Road). (R-2024-25)**

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

### **ORDINANCE**

- O-1      Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 19, Articles VIII, IX, and X, in order to update quantifiable goals for water usage and water utility data as reported in the City’s 5-year Update to the Water Conservation and Emergency Demand Management Plan, as required by the Texas Commission on Environmental Quality and the Texas Water Development Board. (O-2024-47)**

**Stephanie Griffin, Halff and Associates-** Gave an update on the Water Conservation and Emergency Demand Management Plan.

**Petra Hawkins, 3844 Lamb Dr** – Asked if there was a measure in place for the elderly who needed water during the main water break that happened recently.

**Kate Dietz, Utilities Director** – Stated as far as specific measures water was available. It was just a boil water notice, so specifically, you could get water for consumption.

Motion by Councilmember Hene to adopt the Water Conservation plan as written with the exception for any future grammatical changes and or movements to possible appendixes that may be needed and or required; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

- O-2      Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 12 to adjust land rental rates at Tyler Pounds Regional Airport. (O-2024-48)**

Motion by Mayor Pro Tem Curtis; seconded by Councilmember Wynne; motion carried 7 - 0

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& 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 the first 5-year hanger/operator lease renewal option with Ron Farish, President of RFN, L.P., for Tract 8, located at Tyler Pounds Regional Airport.**
- C-A-2 Request that the City Council consider authorizing the City Manager to approve funds for a Personal Services Contract with Charles H. Samson, III, for design and project management of City of Tyler capital improvement projects in the amount of \$50,000.**
- C-A-3 Request that the City Council consider authorizing the City Manager to execute Change Order No. 1 for the Capital Improvement Project (CIP) drainage construction contract with Platinum Paving, LLC for the Off-System (Non-TxDOT) Crossing 01 project, Bid No. 23-046, increasing the contract amount from \$1,007,004.19 to \$1,234,542.48, funding the \$227,538.29 (22.6%) increase with Stormwater Capital Outlay Budget funds.**
- C-A-4 Request that the City Council consider authorizing the City Manager to execute an easement to Oncor for the new power service to the Westside Wastewater Treatment Plant Administration Building.**
- C-A-5 Request that the City Council consider authorizing the City Manager to execute a Commercial Airline Permit between American Airlines, Inc., and Tyler Pounds Regional Airport.**
- C-A-6 Request that the City Council consider authorizing the City Manager to purchase three (3) A-60 mowers for the Parks Department to replace units 15507 and 15512, from Kinloch Equipment through Buyboard contract #706-23 for a total purchase cost of \$169,650.00.**
- C-A-7 Request that the City Council consider authorizing the City Manager to execute an interlocal agreement between the City of Tyler and the Smith County 9-1-1 Emergency Services Communications District (SC911) for the provision of server storage located in an adequately maintained, accessible, and secure location located at 205 Shelly Dr., Tyler, Texas for no cost to the City for fifteen (15) years and renewable for two additional terms of five (5) years each.**
- C-A-8 Request that the City Council consider authorizing the City Manager to ratify the signed product proposal with Granicus to customize the City of Tyler's website address lookup widget.**

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


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**CITY MANAGER'S REPORT**

1. Thompson Ave and Barger St are finished! This was a Half Cent project that salvaged approximately 101,015 historic bricks for use elsewhere in the future. The storm drain system was failing over on Thompson St, so it was replaced, as were the water lines, water taps, and water services in that area, and the sewer main, sewer taps, and sewer services. We also added sidewalks, and improved other sidewalks in that area with the goals of not needing to cut this new asphalt pavement for years and encourage some redevelopment of this part of Tyler.
2. The Keaton Ave Draining project is also being funded by the Half Cent sales tax project and is out for bidding right now. The problem has been water over topping the channel (blue line) at Keaton Ave (red arrow) and flowing down Keaton Ave and back into the channel at Shepherd Ln. We will be diverting flows from the channel at Keaton Ave, down new storm drains in Keaton, and back into an enlarged concrete channel from Shepherd to Wynnwood Dr. We also will do some erosion repair in the natural channel between Keaton Ave and Bain Pl, and repair the masonry channel from Fry Ave. Keep your fingers crossed for some great bid pricing!
3. Water Main Line Break: Tyler Water Utilities had a line break that led to low pressures in the system on Monday morning, April 22. Beginning at 7:30 am, a portion of the City experienced little to no pressure based on a plug coming lose from a dead-end 18" water line at Earl Campbell and Loop 323. The break was isolated, and pressures are back up based on tank levels in the area. The area was determined based on the 16" line we saw lose pressure and the majority of the complaints coming from the area bounded by Eisenhower/Ambrose (with the exception of the Airport on 64) on the West, Loop 323 on the East, Highway 64 on the North and spur 364 on the south. There are approximately 3,404 connections that are affected by the leak. We have issued a boil water notice for the impacted area. We expect to be able to take samples as early as noon on Tuesday, as the repairs may be completed tonight. This will put us on a schedule to have the boil water notice lifted on Wednesday afternoon.

**ADJOURNMENT**

Motion by Councilmember McKellar to adjourn the meeting at 10:13 am; seconded by Councilmember McGee; motion carried 7 - 0 & meeting adjourned.

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

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

