

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

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

City Manager: Edward Broussard (absent)
Deputy City Manager: Stephanie Franklin
Asst. City Manager: Heather Nick
City Attorney: Deborah G. Pullum
Senior Asst. City Attorney: Alesha Buckner
Chief Information Officer: Benny Yazdanpanahi
City Fire Chief: David Coble
Operations Manager of Neighborhood Services: Prentice Butler
Police Chief: Jimmy Toler
City Engineer: Darin Jennings
Director of Utilities: Kate Dietz
Director of Parks & Recreation: Leanne Robinette
Strategic Planner: Blake Cathey
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Mayor Warren.

Each Councilmember gave accolades to Broderick McGee on a job well done as serving as Councilman for District 2.

ELECTION

E-1 Request that a Certificate of Election and the Oath of Office be administered to the newly elected City Councilmember for District 2.

Judge Derrick Choice administered the Oath of Office to the newly elected City Councilmember Petra Hawkins.

MINUTES

Motion by Councilmember Curtis to approve the May 22, 2024 minutes; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

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ORDINANCE

O-1 Request that the City Council consider adoption of an Ordinance approving an appointment to the Board of Directors of the Tax Increment Reinvestment Zone No. 4 (TIRZ No. 4). (O-2024-66)

Motion by Mayor Pro Tem Hene; to appoint Jay Ward; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to execute a Capital Improvements Contract in the amount of \$3,018,917.77 with A. E. Shull & Company for the construction portion of the FM 756 Utility Relocates project and adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2024-34)

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

M-2 Request that the City Council consider authorizing the City Manager to execute a contract for the Gilley & Greenbriar Lift Station Bypass Pumps, BuyBoard Contract #672-22, with Zone Industries for \$612,523.64.

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

M-3 Request that the City Council consider receiving a presentation on the Family Self- Sufficiency and Housing Choice Voucher Program's FY 2024-2025 Annual Plans and the 2025-2029 Five-Year Housing Agency Plan and consider adoption of an ordinance related to approval thereof. (O-2024-67)

Prentice Butler, Operations Manager of Neighborhood Services – Gave a brief presentation on the Family Self-Sufficiency and Housing Choice Voucher Program.

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

M-4 Request that the City Council consider accepting an in-kind donation totaling \$81,589 for a new pavilion located within the Tyler Municipal Rose Garden.

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Motion by Mayor Pro Tem 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 ratifying a payment of \$146,892.00 to CappsCapco Construction, Inc., for the replacement of the failed Jeff Davis culvert. (Pulled)**

- C-A-2 Request that the City Council consider authorizing the City Manager to ratify staff action in payment to A.E Shull in the amount of \$181,831.79 for the emergency repair and restoration of an 18" waterline on Loop 323 and Earl Campbell near Sam's Club.**

- C-A-3 Request that the City Council consider authorizing the City Manager to execute Amendment No. 1, Renewal No. 1, with a projected cost of \$ 1,572,389.00 for support of Consent Decree requirements and the Wastewater Collection System's Capacity, Management, Operations, and Maintenance (CMOM) Program.**

- C-A-4 Request that the City Council consider authorizing the City Manager to execute an Agreement for Access across City-owned property at Lake Tyler to Downs Commercial and Residential Investments, LLC.**

- C-A-5 Request that the City Council consider authorizing the City Manager to release a sanitary sewer easement across part of the property of My Garage Glenwood, LLC.**

- C-A-6 Request that the City Council consider authorizing the City Manager to release a sanitary sewer easement across part of the property of Deron Dacus.**

- C-A-7 Request that the City Council consider authorizing the City Manager to sell a permanent Easement to Atmos Energy for \$236,526.00 for the installation of a pipeline on City-owned property at Lake Tyler and to execute all documents necessary to accomplish the same.**

- C-A-8 Request that the City Council consider authorizing the City Manager to sell property to the Texas Department of Transportation for \$89,720.00 to construct/improve the Highway 756 project and execute all necessary documents to accomplish the same.**

Motion by Councilmember Wynne to approve all consent items except C-A-1; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

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CITY MANAGER'S REPORT

1. Starting with the good news first. We had a fireworks show, you all know, July 4th. Big success, lots of attendance, a lot of fun. Can't thank enough, you know, those departments, police, fire, parks, Solid Waste, all those folks that work on July 4th for their holidays, spending time out at Lindsey Park.
2. For the other news, you know, as we all know, Beryl came through with a vengeance in some of our areas. And we did have some damage that we cleaned up. Street departments, as the Mayor said, earlier worked through the night and ended up cleaning Shiloh and Paluxy Road, which was a breach on their erosion control. So, that road was covered, and they needed to clean it up before, you know, it was dangerous, and it was nighttime. So, great job to all of those folks who have worked, you know, throughout the week, including July 4th, on the storm. And we are still cleaning up from the previous storm, so we haven't caught up yet. The other thing I was going to have Kate come up and do a quick update on Lake Tyler because not only are we working inside the city limits, but her team has put together a great plan to also start to tackle Lake Tyler because we are going to do some significant cleaning out there.
3. **Director of Utilities Kate Dietz** - So, at Lake Tyler, just an update. Out there, there was significant damage and driveway clearing that needed to occur after the previous storm we had to go through. Lake Tyler's staff, which we have six full-time staff out at Lake Tyler, have been working to clear that right away since that storm event. They were concentrating on areas on streets that had high traffic, like Hill Creek. But they are currently putting in 12 hours a day per day to speed up the process, to try and get to more areas quicker. They will be working through this weekend. We also have Tyler Water Utilities Service Center has volunteered to come out to help us this weekend at 12 hours a day. Get some crews out there to speed up the process so we can see some good impact on some of the more residential streets as well. But there is significant work. And just like within the City, it will take some time to get it all done. There are a lot of trees out at Lake Tyler. So, and Leroy and Solid Waste has said that once the work orders that are within the City are taken care of in about two weeks, they may be able to come, or they will come out and help bring a brush truck and help us with that cleanup as well. So, you know, the process possibly could take about two to three months altogether. But there are brush piles. When there are brush piles, people deposit additional brush that was not, you know, initially ours to take care of. So, yeah. So, we all understand that.
4. Finally, Finance and Kiedric have done a great job working with a consultant that is going to help us with the FEMA reimbursement and, you know, getting a contractor in here as well during the emergency that we can call on who's gone through the big process and meets the FEMA requirements.

EXECUTIVE SESSION – City Council convened into executive session at 9:29 am

Under Texas Gov't Code Section 551.072 "Real Estate," the City Council will discuss the purchase, exchange, sale, lease, or value of real properties, the public discussion of which

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would have a detrimental effect on the negotiating position of the City. Any final action to be taken by the City Council will be taken in open session.

City Council reconvened from executive session at 9:45 am with no action taken.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 9:45 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

