

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
March 27, 2019**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 27, 2019 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: Martin Heines  
Mayor Pro Tem: Linda Sellers  
Councilmembers: Don Warren  
Broderick McGee  
Ed Moore  
John Nix  
Bob Westbrook

City Manager: Edward Broussard  
Deputy City Attorney: Steve Kean  
Assistant City Attorney: Regina Moss  
Managing Director of Administrative Services/HR: ReNissa Wade  
Chief Financial Officer: Keidric Trimble  
Chief Information Officer: Benny Yazdanpanahi  
City Fire Chief: David Coble  
Director of Neighborhood Services: Raynesha Hudnell  
Police Chief: Jimmy Toler  
Chief Building Official: Tim Johnson  
Managing Director of Culture, Recreation and  
Tourism Services: Stephanie Franklin  
Director of Solid Waste & Transit Services: Russ Jackson  
Managing Director of Planning &  
Economic Development: Heather Nick  
Environmental Compliance Engineer: Paul Neuhaus  
City Engineer: Lisa Crossman  
Managing Director of Utilities and Public Works:  
Director of Utilities: Jimmie Johnson  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Westbrook.

**MINUTES**

Motion by Councilmember Warren to approve the January 23, 2019 and February 13, 2019 minutes; seconded by Mayor Pro Tem Sellers; motion carried 7 - 0 & approved as presented.

**AWARDS**

**A-1** We would like to recognize 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.

**Service Awards**

| Date of Hire | First Name | Last Name | Title           | Department | Years of Service |
|--------------|------------|-----------|-----------------|------------|------------------|
| 3/31/1999    | Shawn      | Wilson    | Fire Captain II | Fire       | 20               |
| 3/19/1984    | Dwayne     | Parrish   | Fire Captain IV | Fire       | 35               |

**A-2** Request that the City Council consider recognizing a City employee as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

Gail Yeiser-Wunch was recognized as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

**HEARING**

**H-1** Request that the City Council:

- 1. Conduct public hearing to consider creation of Homeland Title/Reinvestment Zone #13**  
Mayor Heines opened the public hearing at 9:07 am and closed it at 9:08 am
- 2. Adopt an Ordinance creating the Reinvestment Zone (O-2019-23)**
- 3. Consider approval of request for tax abatement and authorize the City Manager to sign all documents necessary to implement the tax abatement agreement.**

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

**PRESENTATION**

- P-1 Request that the City Council consider hearing a presentation and approving the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2018 as presented by Gollob Morgan Peddy PC.**

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

**RESOLUTIONS**

- R-1 Request that the City Council receive a presentation and consider a Resolution adopting the final draft of the regional pedestrian and bicycle master plan called Active Tyler as a guide for making decisions for the future growth and development of pedestrian and bicycle infrastructure in the City of Tyler. (R-2019-14)**

**Jared Draper, Toole Design Group** – Gave a brief update on the master plan called Active Tyler.

**Carlos Leguizamo, 2301 Glenview Ave** – Spoke in favor of the project.

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

- R-2 Request that the City Council conduct a public hearing to consider adoption of a Resolution authorizing tax-exempt financing by the Oglesby Education Facilities Corporation for the benefit of Cumberland Academy, with no financial obligation to the City of Tyler. (R-2019-15)**

Mayor Heines opened up the public hearing on both Items R-2 and R-3 at 9:43 am

Motion by Councilmember Westbrook; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

- R-3 Request that the City Council conduct a public hearing to consider adoption of a Resolution authorizing tax-exempt financing by the Creedmoor Education Facilities Corporation for the benefit of Cumberland Academy, with no financial obligation to the City of Tyler. (R-2019-16)**

**William Frazier, 1720 Jeff Davis Dr.** – Concerned about traffic and people parking in his driveway.

**Dustin Neuland, 1708 Jeff Davis Dr.** – Concerned about the traffic, the one entrance, and one exit out of the school.

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**Councilmember Nix** - Stated that Barbara Bass ask that City Council try and find some kind of resolution for the problem at Cumberland Academy. Councilmember Nix also read a letter from Jane and Ron Hightower, 1819 Jeff Davis Dr. concerning traffic, potholes and people turning into their driveway.

**Councilmember Nix** - Ask that Cumberland Academy find a way to control traffic when they are performing construction on their property.

**Norma Cotton, 17715 CR 223, Arp, Texas** – Stated that because of the construction they are not able to go around the building for a few weeks and had to cut out traffic flow.

**Mayor Heines** - Expressed a concern to Mrs. Cotton that it has always been a request for the Academy to handle their pick up and drop off on their site. Mr. Heines also asked Mrs. Cotton to commit to building another exit-entrance at Cumberland Academy and handle their parking.

**Norma Cotton** – Spoke on behalf of Cumberland Academy. Stated that Cumberland Academy would commit to building a second entrance at Cumberland Academy and to handling the pickup and delivery of students on site within the next 90 days. Also, agreed to discuss with the Texas Department of Transportation (TxDOT) and City of Tyler on where that entrance would be.

Mayor Heines closed the public hearing at 10:16 am.

Motion by Councilmember Westbrook; seconded by Councilmember Moore; motion carried 7-0 & approved as presented.

## **MISCELLANEOUS**

**M-1 Request that the City Council consider ratifying expenditures in the amount of \$101,973.92 for all work performed on the emergency repair and replacement of a collapsing sewer manhole and approximately 150 feet of a 6-inch sanitary sewer line located on Buckingham Place.**

Motion by Councilmember Warren; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

**M-2 Request that the City Council consider ratifying expenditures in the amount of \$139,571.81 for all work performed on the emergency repair and replacement of 900 feet of 10-inch sanitary sewer main and four manholes located on the north side of East Locust Street.**

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

**M-3 Request that the City Council award the “Multi-Sensor and Closed Circuit Television (CCTV) Recording of Large Diameter Wastewater (Sanitary Sewer) Lines”, City of Tyler Bid Number 19-017, to RedZone Robotics, Inc. for \$1,349,512.50.**

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

- M-4 Request that the City Council consider authorizing the City Manager to execute a contract with Reynolds and Kay for construction of the 2019 Seal Coat Program in the amount of \$566,002.32.**

Motion by Councilmember Warren; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

- M-5 Request that the City Council consider authorizing the City Manager to award the construction contract for the 2019 ONYX Seal Project to the lowest bidder Missouri Petroleum, LLC, in the amount of \$146,851.00.**

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

- M-6 Request that the City Council consider authorizing the City Manager to sign an Architectural and Design Agreement from The C.T. Brannon Corporation for an amount not to exceed \$24,000 to develop architectural and engineering plans for Lindsey Park bathroom repurpose project.**

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

- M-7 Request that the City Council consider authorizing the City Manager to accept a donation for the amount of \$223,162.97 from the East Texas Communities Foundation in conjunction with Tyler Area Ambucs for the Southside Park Renovation Project.**

Motion by Councilmember Nix; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

- M-8 Request that the City Council consider authorizing the City Manager to award Bid No. 19-025 for Southside Park renovations to Watson Commercial Construction, Ltd., of Tyler, Texas, to furnish all necessary materials, equipment, superintendence, and labor in an amount not to exceed \$223,162.97.**

Motion by Councilmember Nix; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented.

- M-9 Request that the City Council consider authorizing the City Manager to sign a permanent right-of-way use agreement with Pizzeria by Pietro's for the purpose of installing and maintaining outdoor restaurant seating in the City of Tyler right-of-way. (Mayor exits room prior to discussion.)**

Motion by Councilmember Warren; seconded by Councilmember Westbrook; motion carried

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6-0-1 & approved as presented.

Mayor enters.

## **BOARD APPOINTMENTS**

### **B-1 Request that the City Council consider making three appointments to the Historical Preservation Board.**

Motion by Councilmember Nix to appoint J. B. Smith and Rebecca Dunn until 2020; and Nancy Wrenn to represent Heart of Tyler; seconded by Councilmember McGee; 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 sign an Interlocal Agreement with Smith County so the Sheriff's Department can make application for and accept the Edward Byrne Memorial Justice Assistance Formula Grant for the Year 2019-2020.**

**C-A-2 Request that the City Council consider authorizing the City Manager to renew a wrecker contract, including rate increases, with local tow truck companies.**

**C-A-3 Request that the City Council consider authorizing the application for and acceptance of the Transportation Development Credits (TDCs) in the amount of \$105,000 for the purchase of three (3) new transit buses.**

**C-A-4 Request that the City Council consider authorizing the application for and acceptance of Federal Transit Administration (FTA) grant funds passed through to the Texas Department of Transportation (TxDOT) under the Section 5310 Mobility of Seniors and Individuals with Disabilities Grant in the estimated amount of \$714,000 along with the acceptance of \$101,959 in Transportation Development Credits (TDCs).**

**C-A-5 Request that the City Council consider extending the contract for UT Health Center (RFP 18-009) and Athens (RFP 18-011) Shuttle Services for another one year term.**

**C-A-6 Request that the City Council consider authorizing the City Manager to award multiple vendors for the annual price agreement for various parks and recreation facilities per City of Tyler Bid No. 19-021.**

**C-A-7 Request that the City Council consider authorizing the City Manager to award Line 50 of City of Tyler Bid No. 19-019, for demolition work at Fun Forest Park to**

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**Garrett and Associates General Contractors of Whitehouse, Texas, in the amount of \$38,270.**

**C-A-8 Request that the City Council consider adoption of a Resolution amending polling locations for a previously called Election for May 4, 2019 to fill the office of Tyler City Council Member for Single Member District No. 3, making provisions for and resolving other matters incident and related to such regular election, and reducing the number of voting locations related thereto. (R-2019-17)**

**C-A-9 Request that the City Council consider adopting a Resolution authorizing the City of Tyler's continued participation with the Atmos Cities Steering Committee, and authorizing the payment of five cents per capita (\$5,450.00) to the Atmos Cities Steering Committee to fund regulatory and associated activities related to Atmos Energy Corporation. (R-2019-18)**

Motion by Councilmember Westbrook; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented.

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

1. Transit has applied for Enhanced Mobility of Seniors & Individuals with Disabilities – Section 5310 Funds. These funds would allow Tyler Transit to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. In addition, this funding source allows Tyler Transit to assist private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.
2. The Second Annual Heart Hunt is happening on April 13. Main Street and Fit City Tyler invite you to explore Downtown in a fun and competitive scavenger hunt. Teams of 2, 3, or 4 will take on the Downtown Heart Hunt starting at 9 am. Teams will have one hour to get the most points by finding hearts around Downtown using hints and then uploading photos of the members with each heart onto social media with the hashtag #DowntownHunt.
3. On Tuesday, March 26 at 10 a.m., the City of Tyler, Tyler Pounds Regional Airport announced a new partnership with commercial air carrier Frontier with non-stop destinations to Denver, Colorado.

**Mayor allowed each City Council member to express appreciation to John Nix for his years of service and friendship while serving on City Council.**

### **ADJOURNMENT**

Motion by Councilmember Moore to adjourn the meeting at 11:02 am; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented.

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MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

