

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
July 24, 2019**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, July 24, 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:	Bob Westbrook
Councilmembers:	Linda Sellers
	Don Warren
	Broderick McGee
	Shirley McKellar
	Chris Sudduth (absent)
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Sr. Assistant City Attorney:	Sharon Roberts
Interim Main Street Director:	Amber Rojas
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
Operations Manager of Neighborhood Services:	Prentice Butler
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Vehicle/Equipment Services Manager:	Leroy Sparrow
Managing Director of Planning & Economic Development:	Heather Nick
City Engineer:	Lisa Crossman
Director of Utilities:	Jimmie Johnson
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Sellers.

**MINUTES**

Motion by Mayor Pro Tem Westbrook to approve the May 22, 2019 and June 12, 2019 minutes; seconded by Councilmember Warren; motion carried 6 - 0 & approved as presented

**AWARDS**

**A-1** We would like to recognize 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. This employee represent 30 years of service with the City of Tyler.

**Service Awards**

Date of Hire	First Name	Last Name	Title	Department	Years of Service
07/21/1989	Juan	Landeros	Crew Leader	Parks	30

**ZONING**

**Z-1 PD19-015 SIDAR BUILDERS (610 SOUTH BAXTER AVENUE) Request that the City Council consider approving a zone change from “R-1B”, Single-Family Residential District to “PUR”, Planned Unit Residential District with final site plan. (O-2019-53)**

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

**Z-2 PD19-017 LIGHTFOOT ANTHONY (1017 MCCLENNY DRIVE) Request that the City Council consider approving a zone change from “AG”, Agricultural District to “PMF”, Planned Multi-Family Residential District with a final site plan. (O-2019-54)**

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

**Z-3 Z19-015 TYLER JUNIOR COLLEGE (1020 AND 1024 MAGNOLIA DRIVE, 1210 EAST LAKE STREET AND 1019 BAXTER AVENUE) Request that the City Council consider approving a zone change from “R-1B”, Single-Family Residential District to “INT”, Institutional District. (O-2019-55)**

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

**Z-4 Z19-017 MCMILLIN LENARD (2051 EAST GRANDE BOULEVARD AND 2314 ROY ROAD) Request that the City Council consider approving a zone change from “AG”, Agricultural District to “R-MF”, Multi-Family Residential District. (O-2019-56)**

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

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- Z-5 Z19-018 IM & AY LLC (1625 NORTH NORTHWEST LOOP 323 AND 3400 VAN HIGHWAY) Request that the City Council consider approving a zone change from “M-1”, Light Industrial District to “C-1”, Light Commercial District. (O-2019-57)**

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

## **RESOLUTION**

- R-1 Request that the City Council consider the adoption of the 2020 Parks and Open Space Master Plan and approve the required Texas Parks and Wildlife Resolution accepting the Plan. (R-2019-35)**

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

- R-2 Request that the City Council consider adopting a Resolution ratifying the submission of a Transportation Alternative and Safe Routes to School (TA/SRTS) grant application for the City of Tyler Legacy Trails project to be filed with the Texas Department of Transportation and committing the local matching funds. (R-2019-36)**

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

## **HEARING**

City Council went into the public hearing at 9:38 am

With no one coming forward to speak at the public hearing, City Council closed the public hearing at 9:44 am.

- H-1 Request that the City Council conduct a public hearing to obtain citizen comment for the Fiscal Year 2019-2020 Community Development Block Grant (CDBG) and HOME Programs and Action Plan.**

## **ORDINANCE**

- O-1 Request that the City Council consider adopting an Ordinance approving the Housing Choice Voucher Program’s Fiscal Year 2019-2020 Annual Plan. (O-2019-58)**

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

- O-2 Request that the City Council consider approving an Ordinance prohibiting the use of designated groundwater from beneath the property whose address includes 1700 East Duncan Street, which contains approximately 37.712 acres of land in Tyler, Texas, to facilitate the certification of said property with a Municipal Setting Designation by the**

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**Texas Commission on Environmental Quality, pursuant to the Texas Solid Waste Disposal Act; and providing an effective date. (O-2019-59) (Carrier retains liability).**

Motion by Councilmember Warren; seconded by Councilmember Sellers; motion carried 6 - 0 & approved as presented.

- O-3 Request that the City Council consider either authorizing the City Manager to enter into an agreement with Blue Duck Express, D.B.A. Blue Duck Scooters, adopting a 30 day limited-scope scooter pilot program with associated ordinance or to adopt an ordinance prohibiting Shared Active Transportation Systems (SATS) from operating on public roadways and sidewalks within the City of Tyler. (O-2019-60)**

**Billy Yates, Asst. Police Chief** – Gave a brief presentation on prohibiting Shared Active Transportation Systems from operating on public roadways and sidewalks within the City of Tyler.

**Elizabeth Houston, 209 W Woodlawn Ave., President of Blue Duck** – Gave reasons why the City of Tyler should try the Blue Ducks.

Motion by Councilmember Warren to adopt an ordinance prohibiting Shared Active Transportation Systems (SATS) from operating on public roadways and sidewalks within the City of Tyler and to direct staff to continue to work on alternate pilot programs, and to encourage all colleges and universities in Tyler, Texas to participate in said program; seconded by Mayor Pro Tem Westbrook; motion carried 6 - 0 & approved as presented with additional wording.

Mayor exits

- O-4 Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 1 to create a Main Street Board, to establish the Main Street Board as a Periodic Board and amending the definition of City Officer in the Ethics Ordinance to include members of the Main Street Board. (O-2019-61)**

Motion by Councilmember Warren; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

## **MISCELLANEOUS**

- M-1 Request that the City Council consider receiving a presentation on the new Downtown Revitalization Grant Program and open the program to begin receiving applications.**

Motion by Councilmember Sellers; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

- M-2 Request that the City Council consider authorizing the City Manager to execute a lease of 110 N College Ave, Suite 105 for \$6,147 a month from 2019 to 2024 and \$6,621 a**

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month from 2024 to 2029 to serve as a collaborative office space to include a Visitor's Center, Main Street Offices and Art Gallery.

Motion by Councilmember Sellers; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

**M-3 Request that the City Council consider authorizing the City Manager to execute a new service agreement with Heart of Tyler, Incorporated.**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

**M-4 Request that City Council consider allowing bond funds related to the Consent Decree to be used to reimburse A. E. Shull and Company as part of their "On Call" Contract, for Consent Decree "Miscellaneous Manhole Work", BOND-CD-001-MH08 manhole rehabilitation project for \$342,317, and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2019-37)**

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

**M-5 Request that City Council consider authorizing the City Manager to award the construction contract for the 2019 Waterline Replacement Project to the lowest bidder, W. M. Miller Construction Company, Inc. in the amount of \$2,099,727.75.**

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

## **BOARD APPOINTMENTS**

**B-1 Request that the City Council consider approving nominations to the Tyler One Half Cent Sales Tax Corporation Board from District No. 3.**

Motion by Councilmember McKellar to appoint Pastor John Walton; 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 sign a "Letter of Engagement for Professional Audit Services" with Gollob Morgan Peddy PC to perform the Fiscal Year 2018-2019 Annual Audit.**

**C-A-2 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at East Nutbush, described as Lot 8, Block 671G,**

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City of Tyler, Abstract #166200 Radio Hts Subdivision, within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2019-38)

- C-A-3** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 806 Clark Street within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2019-39)
- C-A-4** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at South Beverly, described as part of Lot 8, Block 3, New City Block 148, Wimberly, Douglas, Phillips Addition, within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2019-40)
- C-A-5** Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change Order and the release of final payment in the amount of \$24,116.22 to A.E. Shull and Company for the Sewer Improvements from Pinecrest to Tanglewood project.
- C-A-6** Request that the City Council consider authorizing the City Manager to purchase of a Ford F450 for the Fire Department from the low bidder, Grande Ford San Antonio. Grande Ford, BuyBoard contract 521-16.
- C-A-7** Consider awarding award the bid for the demolition and clearance of eleven (11) substandard structures in Project #19-033 to D.E.A.A. Corporation for the amount of \$55,320.00.

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

### CITY MANAGER'S REPORT

No report

### ADJOURNMENT

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar to adjourn the meeting at 11:20am; motion carried 6-0 & meeting adjourned.

  
MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

