

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
September 11, 2019**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, September 11, 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
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Airport Manager:	Davis Dickson
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Managing Director of Planning & Economic Development:	Heather Nick
Water Business Office Manager:	Jim Yanker
City Engineer:	Lisa Crossman
Director of Utilities:	Jimmie Johnson
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Fire Chief David Coble.

**MINUTES**

Motion by Councilmember Sellers to approve the July 10, 2019 minutes; seconded by Councilmember Sudduth; motion carried 7 - 0 & approved as presented.

**HEARING**

**H-1 Request that the City Council consider conducting a second public hearing on the proposed Fiscal Year 2019-2020 Annual Budget and on the proposed property tax rate of \$0.2599 per \$100 of taxable property value and consider taking action to adopt the proposed tax rate and Fiscal Year 2019-2020 Annual Budget on September 25, 2019.**

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**City Manager, Edward Broussard** – Gave a brief presentation on the proposed Fiscal Year 2019-2020 Annual Budget and on the proposed property tax rate of \$0.2599 per \$100 of taxable property value.

The Mayor introduced the Cumberland High School Student Government Council.

**Carla Bermudez – 7200 Paluxy Dr** – Spoke on the traffic issues at Cumberland Academy.  
**Charles Ford, 18389 Briarwood Dr., Kemp, Tx 15143** – Speaking in opposition of the rental increase at the Senior Center from \$30 to \$60 hour.

**Nelda Avent, 1177 Garden Park Circle** – Spoke in opposition of the rental increase at the Senior Center.

## **PRESENTATION**

**P-1** Request that the City Council consider receiving a presentation on an opportunity to issue approximately \$20,845,166 in bonds to facilitate regulatory compliance in the sewer system and provide general guidance to staff regarding authorization to proceed with this opportunity to issue revenue bonds.

**Steven Adams, Bond Consultant**-Gave a brief update regarding authorization to proceed with an opportunity to issue revenue bonds.

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

## **RESOLUTION**

**R-1** Request that the City Council consider adopting a resolution approving the continued receipt of the City's share of bingo prize fees in accordance with new state legislation, directing all licensed organizations conducting bingo in the local jurisdiction to send said share of bingo prize receipts to the City on a quarterly basis, and authorizing the City Manager or his designee to make all required notifications to effect the receipt of said fees. (R-2019-48)

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

## **MISCELLANEOUS**

**M-1** Request that the City Council consider approving and authorizing the City Manager to enter into a contract with McGriff, Seibels and Williams for the total purchase price of \$683,183 for Property and Casualty Insurance, Hibbs Hallmark and Company for Cyber Insurance in the amount of \$12,200, Innovative Risk Management for Third Party Claim Administration in the amount of \$32,320; and Bosworth and Associates for the purchase of Special Events Liability Insurance with a deposit premium of \$2,000

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for Fiscal Year 2019-2020 with 2 one-year renewal options.

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

**M-2 Request that the City Council consider approving and authorizing the City Manager to enter into a contract with Hibbs Hallmark & Company for the purchase price of \$89,802 for Excess Workers Compensation Insurance and Claims Administrative Services for Third Party Claim Administration in the amount of \$29,500 for the City of Tyler for Fiscal Year 2019-2020 with 2 one-year renewal options.**

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

**M-3 Request that the City Council consider authorizing the City Manager to execute a contract with Aqueous Engineering for the design, construction management, and construction inspection of the Hidden Palace Development project in the amount of \$76,653 using Community Development Block Grant (CDBG) funding.**

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

**M-4 Request that the City Council consider ratifying staff action authorizing the purchase of a Zetron MAX Fire Station Alerting System from Stolz Telecom, in the amount of \$176,359.68 from the Half Cent Sales Tax Funds, for Fire Station 1 and Fire Station 4.**

Motion by Councilmember Sellers; seconded by Councilmember Sudduth; motion carried 7 - 0 & approved as presented.

**M-5 Request that the City Council consider authorizing the City Manager to execute a contract with C.T. Brannon Corporation for the design, construction management, and construction inspection of the Pabst and Bow Storm Sewer Repair project in the amount of \$52,180 using the Half Cent Sales Tax Fund.**

Motion by Councilmember Warren; seconded by Mayor Pro Tem Westbrook; 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 the City Council consider adopting an Ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2019 rate review mechanism ("RRM") filing. (O-2019-73)**

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- C-A-2** Request that the City Council consider authorizing the City Manager to execute Change Order No. 1 with A.E. Shull and Company, increasing the total contract amount by \$81,425.50 for the Right-of-Way Maintenance, Clearing, and Improvement Contract, Bid No. 19-010.
- C-A-3** Request that the City Council consider authorizing the City Manager to execute a Release and Termination of Sewer Line Easement for a sewer easement located across Lot 2 of The Woods, Unit 3 Subdivision on Calloway Road.
- C-A-4** Request that the City Council consider authorizing the City Manager to execute a Release and Termination of Sewer Line Easement for a sewer easement located across multiple lots in the Copper Creek Addition Subdivision near Chimney Rock Drive.
- 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 \$30,524.75 to A.E. Shull & Company for various Sewer Creek Crossing Replacement projects.
- C-A-6** 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 \$7,231.84 to Missouri Petroleum LLC for the 2019 ONYX Sealcoat Project.
- C-A-7** Request that the City Council consider ratifying expenditures in the amount of \$64,686.37 for all work performed on the emergency repair to a 42-inch and 24-inch sanitary sewer main located north of 2811 Public Road.
- C-A-8** Request that the City Council consider ratifying staff action authorizing the approval of a Commercial Service Order and Agreement with Suddenlink for Fire Station No. 1 and Fire Station No. 4 in the amount of \$50,981.59.

Motion by Mayor Pro Tem Westbrook to approve the entire consent agenda; seconded by Councilmember Sudduth; motion carried 7 - 0 & approved as presented.

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

1. Police - NNO Kick-off Event (Bergfeld Park): We had a great National Night Out Kick-off Event Saturday at Bergfeld Park. There were over 50 booths and approximately 450-500 people that attended the event. We want to thank everyone that organized (Community Response Unit), worked, or attended the event. It was a wonderful start to our upcoming National Night Out on October 1.
2. Streets focus this past week has been on medians. Our crews have completed cleaning and sweeping all medians and intersections on the Loop including the intersection at Hwy 271. Moving forward we have scheduled median work one week a month to keep excessive build-up of debris from happening.

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3. Social Media Engagement: Bob Mauldin and the communications team continue to do an amazing job of using video to educate and inform the public. As of today, the most recent "Walking with Bob" co-starring Sgt. Matt Leigeber has been viewed almost 15,000 times. In addition, the recent episode of "Your Friendly Neighborhood Thief" has been viewed over 19,000 times. The use of video and social media have become a valuable tool and we look forward to seeing what they will come up with next.
4. Grant Awarded to Library for Children's Early Childhood Literacy Kits - The Tyler Public Library was awarded a grant this summer from the East Texas Communities Foundation. The focus of the grant is to support the library's early childhood literacy resource: Early Literacy Kits (ELKs.). These kits contain books, a music CD, and developmentally appropriate toys for toddlers and preschoolers all in a tote size bag for check out by library patrons. Since they were first added to the library in 2016, the ELKs have been popular among patrons with kits on average being checked out 32 times for three-week loans and some kits having circulated 55 to 60 times.

**EXECUTIVE SESSION** – City Council convened into executive session at 10:20 am.

Executive Item No. 1:

Under Texas Gov't Code Section 551.072 "Real Estate" deliberation regarding the following:

Discuss the purchase, exchange, sale, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City.

**City Council reconvene from executive session at 10:53 am with no action taken from executive session.**

**ADJOURNMENT**

Motion by Councilmember Sudduth to adjourn the meeting at 10:53 am; seconded by Mayor Pro Tem Westbrook; motion carried 7-0 & meeting adjourned.

  
MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

