

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
January 10, 2018**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 10, 2018 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: Don Warren  
Councilmembers: Linda Sellers  
Darryl Bowdre  
Ed Moore  
John Nix  
Bob Westbrook

City Manager: Edward Broussard  
City Attorney: Deborah G. Pullum (absent)  
Deputy City Attorney: Steve Kean  
Sr. Assistant City Attorney: Sharon Roberts  
Airport Manager: Davis Dickson  
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  
Project Engineer: Kyle Dykes  
Police Chief: Jimmy Toler  
Managing Director of Culture, Recreation and  
Tourism Services: Stephanie Rollings  
Director of Solid Waste & Transit Services: Russ Jackson  
Managing Director of Planning &  
Economic Development: Heather Nick  
Managing Director of Utilities and Public Works: Scott Taylor  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Bowdre

**MINUTES**

Motion by Councilmember Nix; seconded by Councilmember Sellers to correct the vote for M-1 on the December 13, 2017 minutes to 6-0-1; motion carried 7 - 0 & approved as corrected.

**PRESENTATIONS**

**P-1 Request that the City Council consider hearing a presentation from NET Health about Lighten Up East Texas and the It's Time Texas Community Challenge.**

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**Terrence Ates, Director of Community Outreach for NETHealth** – Gave a brief presentation concerning the Lighten Up East Texas and the It's Time Texas Community Challenge.

**P-2 Request that the City Council consider hearing a presentation from President Michael Tidwell of the University of Texas at Tyler regarding their strategic plan.**

**President Michael Tidwell of the University of Texas at Tyler** - Gave a presentation regarding the University of Texas at Tyler strategic plan.

## **ZONING**

**Z-1 PD17-035 CHAPEL WOODS DEVELOPMENT LTD (3695 OLD OMEN ROAD) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District and "R-1B", Single-Family Residential District to "PUR", Planned Unit Residential District with final site plan. (O-2018-1)**

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

**Z-2 PD17-036 SAM SCARBOROUGH (412, 414, 420, AND 428 SOUTH FLEISHEL AVENUE AND 413, 417, 421, AND 425 CRESTWAY DRIVE) Request that the City Council consider approving a zone change from "POD", Planned Office District to "PMF", Planned Multi-Family Residential District with final site plan. (O-2018- 2)**

Spoke in opposition – Jacqueline Chubirka and Stephanie Barnett

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

**Z-3 Z17-041 STANLEY SMITH (5013 RICHMOND ROAD) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "RPO", Restricted Professional Office District. (Item withdrawn)**

## **MISCELLANEOUS**

**M-1 Request that the City Council consider authorizing the City Manager to execute a contract with Adams Engineering for the design, construction management, and construction inspection of the High Avenue drainage improvement project for an amount not to exceed \$72,319.00.**

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

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- M-2 Request that the City Council consider authorizing the City Manager to execute a contract with Adams Engineering for the design, construction management, and construction inspection of the Lakewood Drive improvement project for an amount not to exceed \$130,669.00.**

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

- M-3 Request that the City Council consider authorizing the City Manager to execute a contract with The CT Brannon Corporation for the design, construction management, and construction inspection of the Cambridge Road improvement project for an amount not to exceed \$622,239.00.**

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

- M-4 Request that the City Council consider authorizing the City Manager to execute a contract with The CT Brannon Corporation for the design, construction management, and construction inspection of the West Mud Creek, Tributary M-3 drainage project for an amount not to exceed \$50,000.00.**

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

- M-5 Request that the City Council consider authorizing the City Manager to execute a contract with The CT Brannon Corporation for the design, construction management, and construction inspection of the Robert E. Lee drainage improvement project for an amount not to exceed \$47,000.00.**

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

- M-6 Request that the City Council consider authorizing the City Manager to execute an agreement with Skyrme & Associates, with a total contracted cost of \$29,600.00, for Regulatory Employees Creating Astounding Customer Experiences (ACE) training and coaching for City employees to foster more supportive relationships with developers, contractors and citizens.**

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

- M-7 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the quarter ending September 30, 2017.**

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

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**ORDINANCE**

- O-1 Request that the City Council consider adopting an Ordinance amending the Fiscal Year 2017-2018 Budget to provide funding to complete various CDBG, HOME and Housing Choice Voucher Program activities, Airport Project Grant, Homeland Security Grant, and purchases not completed by September 30, 2017 as anticipated. (O-2018-3)**

Motion by Councilmember Westbrook; seconded by Councilmember Bowdre; 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 award various vendors for the Annual Price Agreement for Frontload and Rolloff Containers per Bid No. 18-010.**
- C-A-2 Request that the City Council consider authorizing the City Manager to execute an Agreement for Access across City-owned property at Lake Tyler to Delta Plus Corporation.**
- C-A-3 Request that the City Council consider authorizing the City Manager to cancel the purchase of a Bucket Truck from Caldwell Country Chevrolet. Also request that the City Council consider authorizing the City Manager to purchase vehicles and equipment from the various purchasing cooperatives selected.**
- C-A-4 Request that the City Council consider authorizing the City Manager to authorize repairs to the Fun Forest Park's swimming pool mechanical system to meet regulation code and safe usage in the amount of \$28,025.00 to Aqua-Rec, Inc.**
- C-A-5 Request that the City Council consider authorizing the City Manager to make an amendment to the original Agreement for Management of the Tyler Transit System for related administrative services.**
- C-A-6 Request that the City Council consider authorizing the City Manager to execute a Memorandum of Understanding (MOU) with Rubicon Global, LLC regarding the implementation of a Waste Services Software Technology for Tyler's Solid Waste Collection.**
- C-A-7 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending September 30, 2017.**
- C-A-8 Request that the City Council consider approving the subdivision of a 38.301 acre tract on Lake Tyler East.**

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**C-A-9** Request that the City Council consider approving the final acceptance and release of retainage in the amount of \$4,212.90 for a final contract amount of \$42,129.00 to Solid Bridge Construction, LLC. for construction of the Sunnybrook Headwall Repair project.



**C-A-10** Request that the City Council consider approving the final acceptance and release of retainage in the amount of \$5,094.80 for a final contract amount of \$50,948.00 to Capps-Capco Construction, Inc. for construction of Black Fork Creek Tributary D-2 Retaining Wall Repairs.



**C-A-11** Request that the City Council consider authorizing the City Manager to execute the Final Reconciliation Change Order with Reynolds & Kay, Ltd decreasing the total contract amount by \$91,732.94, for the 2015 Runway 4-22 Rehabilitation Project 2 at Tyler Pounds Regional Airport.



**C-A-12** Request that the City Council consider receiving a patronage dividend refund check in the amount of \$33,702.35 from FirstChoice Cooperative and a rebate check in the amount of \$5,475.03 from BuyBoard Cooperative Purchasing.

**C-A-13** Request that the City Council consider authorizing the City Manager to purchase cat cages for the Tyler Animal Shelter.

**C-A-14** Request that the City Council consider adopting a Resolution agreeing to provide defense and indemnity to certain City employees who are defendants in a lawsuit brought against them as a result of actions taken in their official capacities as City employees. (R-2018-1)

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

## **BOARD APPOINTMENTS**

**B-1** Request that City Council consider appointments to the Historical Preservation Board and the Zoning Board of Adjustments.

Motion by Councilmember Westbrook to appoint David Dobbs to the Zoning Board of Adjustments; seconded by Councilmember Bowdre; motion carried 7 - 0 & approved as presented.

Motion by Mayor Pro Tem Warren to appoint Zachary Sabota to the Historical Preservation Board; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

**B-2** Request that City Council consider appointments and/or re-appointments to the City of Tyler Tax Increment Reinvestment Zone No. 1 Board of Directors. Also consider reappointment of a Chair to City of Tyler Tax Increment Reinvestment Zone No. 1 Board of Directors.

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It is recommended that the City Council appointment Kathy Harry, Sidney Green, and Tanya Redic to the City of Tyler Tax Increment Reinvestment Zone No. 1 Board of Directors. Also recommend reappointment of Dean Cagle to Chair of the City of Tyler Tax Increment Reinvestment Zone No. 1 Board of Directors.

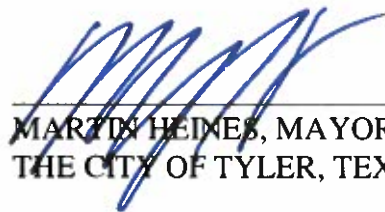
Motion by Councilmember Nix to take the recommendations; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

**CITY MANAGER'S REPORT**

1. Hollytree drive extension expects to be open in the next two to three months.
2. Ashmore Channel has all the concrete, walls and channels are in place, and the system is back to pre-disaster drainage capacity.
3. John Soules Sr. donated a bathroom facility to Lindsey Park.

**ADJOURNMENT**

Motion by Councilmember Bowdre to adjourn the meeting at 11:03 am; seconded by Councilmember Moore; motion carried 7 - 0 & meeting adjourned.

  
MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

