

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
February 28, 2018**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, February 28, 2018 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

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| 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 |
| Deputy City Attorney: | Steve Kean |
| Managing Director of Administrative Services/HR: | ReNissa Wade |
| Chief Information Officer: | Benny Yazdanpanahi |
| Police Chief: | Jimmy Toler |
| Project Engineer: | Kyle Dykes |
| 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 Sellers to approve the January 24, 2018 minutes; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

ZONING

**Z-1 N18-001 CITY OF TYLER (TEXAS COLLEGE ROAD TO WEST 34TH STREET)
Request that the City Council consider approving a thoroughfare name change from Texas College Road to West 34th Street on a section of road beginning at West Northwest Loop 323 continuing southeast into alignment with West 34th Street. (O-2018-21)**

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

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Z-2 Z18-002 CREED ENTERPRISES LLC (2002 PARKLEN STREET) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District. (O-2018-22)

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

Z-3 Z18-003 GLORY REAL ESTATE (6045 HAVENS TRAIL) Request that the City Council consider approving a zone change from "R-1B", Single-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District. (O-2018-23)

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

Z-4 Z18-004 JOSE VARGAS (3330 OLD JACKSONVILLE HIGHWAY) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "RPO", Restricted Professional Office District. (O-2018-24)

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

Z-5 Z18-005 PRESTON SHUMWAY (528 AND 532 TROUP HIGHWAY) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District. (O-2018-25)

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

Z-6 Z18-006 WESLEY METHODIST CHURCH (2107 WOODLAWN STREET) Request that the City Council consider approving a zone change from "R-1B", Single-Family Residential District to "C-1", Light Commercial District. (O-2018-26)

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

Z-7 Z18-007 HABITAT FOR HUMANITY (2401, 2403, 2405, AND 2407 TENNEHA AVENUE) Request that the City Council consider approving a zone change from "R-2", Two-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District. (O-2018-27)

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

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to execute separate Interlocal Agreements with both Smith County and Tyler Junior College, providing for each entity's participation in Tax Reinvestment Zone No. 4.

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

- M-2** Request that the City Council consider accepting a presentation regarding the current state of Health Benefits from the City's benefits consultant McGriff, Seibels and Williams for the fourth quarter of the 2017 policy year and consider authorizing the City Manager to contract for additional services related to health benefits audit in an amount not to exceed \$30,000.

Motion by Councilmember Sellers; seconded by Councilmember 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 that the City Council consider authorizing the City Manager to purchase a replacement vehicle for the Fire Department. Also, request that the City Council re-ratify the purchase of camera van for the Water Department.
- C-A-2** 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 \$42,745.10 to Reynolds & Kay, LTD. for the Lake Palestine Raw Water Pump Station Erosion Control project.
- C-A-3** Request that the City Council consider authorizing the City Manager to execute Easement and Right of Way Agreements across City-owned property to relocate electrical service lines on Lots 68, 69 and 70 in the Peninsula West Subdivision at Lake Tyler.
- C-A-4** Request that the City Council consider releasing retainage to Reynolds and Kay, LTD. for the 2016 Asphalt Enhancement Program.
- C-A-5** Request that the City Council consider releasing retainage to Reynolds and Kay, LTD. for the 2017 Asphalt Enhancement Program.
- C-A-6** Request that the City Council authorize the City Manager to execute a Services Agreement with Fire Recovery USA, LLC, for the purpose of assisting the Tyler Fire Department in the collection, recovery and billing of services for fire-related inspections and permits.

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

CITY MANAGER'S REPORT

1. Tyler Water Utilities - The Lake Tyler Whitehouse Dam Improvements project, under oversight of Lisa Crossman, received the 2018 National Award for Engineering Excellence from the American Council of Engineering Companies.
2. Transit - The Americans with Disabilities Act (ADA) Visual/Audible Announcing System has been installed on all fixed route buses. This device will keep the City in compliance with Federal Transit Administration (FTA) ADA compliance regulations. The driver is supposed to announce the next traffic stop or important transfer spots, and now the system will automatically provide the announcements both visually and audibly.
3. Fire Department will have a Federal Emergency Management Agency (FEMA) Integrated Emergency Management Course. Next week, we will have a three-day Integrated Emergency Management training here in Tyler. Tyler is fortunate to be one of only 10 cities or counties in Texas to hold this training over the past 20 years.
4. Park Improvements (Southside Park, Hillside Park, Faulkner Park).

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:50 am.

Executive Item No. 1:

Under Tex. Gov't Code section 551.074 "Personnel Matters" deliberation regarding the following:

1. The employment, duties and evaluation of the City Manager.

Any final action to be taken by the City Council will be taken in open session.

(Councilman Warren – left chambers just prior to reconvening into open session.)

ADJOURNMENT

City Council reconvened from executive session at 11:39 am with no action taken.

Motion by Councilmember Bowdre to adjourn the meeting at 11:40 am; seconded by Councilmember Nix; motion carried 6 - 0 & meeting adjourned.



**MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS**

ATTEST:



CASSANDRA BRAGER, CITY CLERK

