

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
May 23, 2018**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, May 23, 2018 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Martin Heines
Mayor Pro Tem:	Linda Sellers
Councilmembers:	Don Warren
	Broderick McGee (Absent)
	Ed Moore
	John Nix
	Bob Westbrook
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Assistant City Attorney:	Regina Moss
Airport Manager:	Davis Dickson
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
Director of Neighborhood Services:	Raynesha Hudnell
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
Water Business Office Manager:	Jim Yanker
Managing Director of Utilities and Public Works:	Scott Taylor
Traffic Engineer:	Peter Eng
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Mayor Pro Tem Sellers.

AWARDS

A-1 We would like to recognize the following employee for her 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. She represents 30 years of service with the City of Tyler.

May 23, 2018

Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
5/11/1988	Pauline	Eng	Resource Librarian	Library	30

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.

City Council recognized Jose Parga, Rose Garden Superintendent as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

PRESENTATIONS

P-1 Request that the City Council receive a presentation recognizing the Tyler Police Department's eighth accreditation award by the Commission on Accreditation for Law Enforcement Agencies as presented by Regional Program Manager Randy Scott.

P-2 Request that the City Council consider accepting the "Tree City USA Growth Award" from the Arbor Day Foundation.

P-3 Request that City Council considers receiving a presentation on an opportunity to refinance approximately \$9,725,000 in bonds from the Water and Sewer System Series 2009 revenue bond issue at a lower interest cost to gain a net present value benefit savings of about \$600,724 and the issuance of approximately \$9,115,000 in new Water and Sewer System revenue bonds.

Russ Adams – Gave a presentation on an opportunity to refinance approximately \$9,725,000 in bonds from the Water and Sewer System Series 2009 revenue bond issue at a lower interest cost to gain a net present value benefit savings of about \$600,724 and the issuance of approximately \$9,115,000 in new Water and Sewer System revenue bonds.

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

HEARINGS

H-1 Request that the City Council conduct a public hearing and consider adoption of a Resolution authorizing tax-exempt financing by the Milford Higher Education Facilities Corporation for the benefit of Cumberland Academy, with no financial obligation to the City of Tyler.

City Council open into public hearing at 9:38 a.m. No citizens came forward to speak on the item.

May 23, 2018

Norma Cotton – Speaker representing Cumberland Academy made a statement regarding an initial traffic study performed by Cumberland and ongoing new traffic study.

Mayor Heines – brought forth concerns about interior road and interior access issues that have impacted Paluxy and Jeff Davis roadways.

Art Reilly, Jr. – Speaker for Cumberland Academy stated he is retained to design two Phases of Development at the High School and has met with City staff last Fall and in March. Reilly stated that when he submitted plans for the Performing Arts Center, staff asked for a new Traffic Impact Analysis (TIA), as the former one did not meet current needs. He advised that Cumberland Academy has retained a firm to conduct a new TIA.

Councilmember Nix – Stated that the Cumberland Academy original TIA had inaccuracies, including issues with foot traffic on and off the campus. City staff is aware of multiple occasions of students walking across Paluxy where there is no crossing. Councilmember Nix stated that on any given day there are twenty-plus vehicles backed up blocking the entrance to Roy Road and North Road, and the amount of complaints are staggering.

Councilmember Nix stated that he is recommending that the City Council table this request until the last meeting in June. Cumberland Academy representatives have previously commented that the City Council should not approve items if we think that the current plan or information we have is not accurate. Councilmember Nix stated that the City Council challenged the original TIA, and the engineers who performed it said our concerns were not valid, but they have now been proven to be valid. Councilmember Nix concluded that no one wants to endanger kids. Traffic congestion is a problem, but the kids walking down the street and crossing Paluxy and Roy with no crossing is a serious issue.

The public hearing ended at 9:48 a.m.

Motion by Councilmember Nix to table item until the June 27, 2018 meeting; seconded by Councilmember Moore; motion carried 6 - 0 & item tabled.

ZONING

Z-1 PD18-008 SIMON PROPERTY GROUP TEXAS, LP (4601 SOUTH BROADWAY AVENUE) Request that the City Council consider approving a “PCD”, Planned Commercial Development District site plan amendment. (O-2018-42)

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

Z-2 PD18-009 CFR HOLDINGS (7321 TULE CREEK LANE) Request that the City Council consider approving a zone change from “R-1B”, Single-Family Residential District to “PUR”, Planned Unit Residential District with site narrative. (O-2018-43)

May 23, 2018

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



Z-3 Z18-018 BRANNON HENRY (1401 NORTH PALACE AVENUE) Request that the City Council consider approving a zone change from "C-1", Light Commercial District to "R-1B", Single-Family Residential District. (O-2018-44)

Motion by Councilmember Moore; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.



Z-4 Z18-019 BRANNON HENRY (1435 NORTH PALACE AVENUE) Request that the City Council consider approving a zone change from "C-1", Light Commercial District to "R-1B", Single-Family Residential District. (O-2018-45)

Motion by Councilmember Moore; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

Z-5 Z18-020 BISHOP THOMAS K. GORMAN CATHOLIC SCHOOL (1405 EAST SOUTHEAST LOOP 323) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "INT", Institutional District. (O-2018-46)

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

MISCELLANEOUS

M-1 Request that the City Council consider accepting the annual review of City of Tyler abatements regarding Centene, Crest Process Systems, Fresenius, Hood Packaging, Trane, and VME Process Systems.

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

M-2 Request that the City Council consider authorizing the City Manager to execute a Memorandum of Understanding with the Tyler Area Metropolitan Planning Organization and the Texas Department of Transportation.

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

M-3 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 first quarter of the 2018 policy year and take action with regards to any health insurance plan design changes. No action taken on this item

May 23, 2018

Lance Pendley – McGriff – Gave a brief presentation regarding the current state of Health Benefits from the City's benefits consultant McGriff, Seibel's and Williams for the first quarter of the 2018 policy year and options for Council to consider with regards to any future health insurance plan design change.

M-4 Request that the City Council consider authorizing the City Manager to award the construction contract for the 2018 Seal Coat Program to the lowest bidder Reynolds and Kay, Limited, in the amount of \$639,776.18.

Motion by Councilmember Westbrook; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.

M-5 Request that the City Council consider authorizing City staff to advertise for bids for the construction of the 2018 Asphalt Enhancement Program.

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

M-6 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the quarter ending March 31, 2018.

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

RESOLUTIONS

R-1 Request that the City Council consider adopting a resolution finding that ONCOR Electric Company's requested increases to its electric transmission and distribution rates and charges within the City should be denied and finding that the City's reasonable rate case expenses shall be reimbursed by the Company. (R-2018-11)

Motion by Councilmember Nix; seconded by Councilmember Westbrook; motion carried 6 - 0 & approved as presented.

R-2 Request that the City Council consider adopting a Resolution authorizing the Police Department to participate with other law enforcement agencies in the submission of a grant request from The Texas Automobile Burglary & Theft Prevention Authority for twenty-sixth year funding in the East Texas Auto Theft Task Force, and authorize the City Manager to enter into a working agreement regarding the same. (R-2018-12)

Motion by Councilmember Nix; seconded by Councilmember Westbrook; 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 award multiple vendors for the annual price agreement for Wrecker Service per Bid #18-030.
- C-A-2** Request that the City Council consider authorizing the City Manager to award multiple vendors the annual price agreement for various categories of automotive and truck services and repairs per Bid No. 18-025.
- C-A-3** Request that the City Council consider authorizing the City Manager to enter into a contract with D & C Cleaning, Inc. doing business as DNC Facility Services to provide janitorial services to Oakwood Complex buildings in the amount of \$25,536.00 annually.
- C-A-4** Request that the City Council consider authorizing the City Manager to award a new agricultural lease with Johnny Oden at Tyler Pounds Regional Airport.
- C-A-5** Request that the City Council consider ratifying a new Hanger Operator Lease at Tyler Pounds Regional Airport with Cavender Investment Properties F, Ltd, for the period May 21, 2018, through May 20, 2038, with two five-year renewal options.
- C-A-6** Request that the City Council consider ratifying a new Fixed Base Operator Lease at Tyler Pounds Regional Airport with Pinnacle Racing, LLC for the period May 21, 2018 through May 20, 2038, with two five-year renewal options.
- C-A-7** Request that the City Council consider ratifying execution of Non-Federal Reimbursable Agreement #AJW-FN-CSA-16-SW-000226-A1 between the Federal Aviation Administration (FAA) and the City of Tyler for relocation of underground communications cable needed for the rehabilitation of Runway 4-22 in the amount of \$28,325.21. FAA Grant 37 will reimburse 90 percent of the proposed fees. Half Cent Sales Tax to fund the 10 percent local share in an amount not to exceed \$2,832.52.
- C-A-8** Request that the City Council consider authorizing the City Manager to sign Amendment No. 1 to Work Order No. 1 with KSA Engineers in an amount not to exceed \$24,100.00 to provide additional engineering services for the 2018 Taxiway Charlie/Foxtrot Rehabilitation Project at Tyler Pounds Regional Airport. Federal Aviation Administration Grant 40 will reimburse 90 percent of the proposed fees. Half Cent Sales Tax to fund the 10 percent local share in an amount not to exceed \$2,410.00.

May 23, 2018

- C-A-9** Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending March 31, 2018.
- C-A-10** Request that the City Council consider authorizing the City Manager to execute construction change order 1 and change order 2, to be reimbursed to Texas Department of Transportation for the Legacy Trails project.
- C-A-11** Request that the City Council consider authorizing the City Manager to execute a Meter Reading Services Agreement with Craig Bonner Company to provide unread meter reading services for the Water Business Office.

Motion by Councilmember Westbrook to approve the entire consent items; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Hollytree south utility project is almost finalized; about 4 weeks from final completion.
2. City has been receiving contractor requests to conduct construction prior to ordinance time limits
3. East Texas Woods & Water Foundation project at Faulkner Park

ADJOURNMENT

Motion by Councilmember Warren to adjourn the meeting at 11:18 am; seconded by Mayor Pro Tem Sellers; motion carried 6 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

