

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 25, 2017**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 25, 2017 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:	John Nix
Councilmembers:	Mark Whatley Linda Sellers Darryl Bowdre Ed Moore Don Warren
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Assistant City Attorney:	Terrance Garmon
Managing Director for Administration:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
City Engineer:	Carter Delleney
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation, and Tourism Services:	Stephanie Franklin
Director of Solid Waste & Transit Services:	Russ Jackson
Vehicle/Equipment Services Manager:	Leroy Sparrow
Managing Director of Planning & Economic Development:	Heather Nick
Director of Utilities:	Lisa Crossman
Managing Director of Utilities and Public Works:	Greg Morgan
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Bowdre.

MINUTES

- a. Minutes of the Regular Called Meeting of the City of Tyler, Texas on December 14, 2016.

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

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 Service Awards

We would like to recognize the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and

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for

the special contribution you make to our organization. Each employee represents 20 years of service with the City of Tyler.

Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
12/16/1996	Kenneth	Gardner	Police Officer X	Police	20
12/16/1996	Phillip	Johnson	Police Officer X	Police	20
12/16/1996	Chad	Kersey	Police Officer X	Police	20

ZONING



Z-1 Z16-027 APOLONIO MOLINA (1007 BORDER AVENUE) Request that the City Council consider approving a zone change from “PMF”, Planned Multi-Family Residential District to “R-1D”, Detached and Attached Single-Family Residential District. (O-2017-10)

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

Z-2 Z16-028 OMEGA MINISTRIES OF TYLER, INC. (202 NORTH PARKDALE DRIVE) Request that the City Council consider approving a zone change from “RPO”, Restricted Professional Office District to “C-1”, Light Commercial District. (O-2017-11)

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



Z-3 Z16-029 HARGIS JA PARTNERSHIP #2 LP (2320 EAST COMMERCE STREET) Request that the City Council consider approving a zone change from “M-1”, Light Industrial District to “M-2”, General Industrial District. (O-2017-12)

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

PRESENTATION

P-1 Request that the City Council consider receiving a presentation of updates to the Capital Improvements Program for this fiscal year.

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Council members received a presentation regarding the Capital Improvements Program for this fiscal year by City Engineer - Carter Delleney, Director of Culture, Recreation and Tourism - Stephanie Franklin, and Director of Utilities and Public Works - Lisa Crossman.

RESOLUTION



- R-1** Request that the City Council consider adoption of a Resolution authorizing the City Manager to execute a Memorandum of Understanding Agreement with The Chariot Bus Lines regarding the continuation and the enhancement of transportation services for the elderly and disabled in the Athens, Murchison, Brownsboro, Chandler, and Tyler Airport areas with shuttle services connecting with the Tyler Transit system. (R-2017-1)

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

- R-2** Request City Council consider approving a Resolution suspending the proposed tariff and schedule of rates filed by Liberty Utilities (aka Tall Timbers Utility Company, Inc.) and authorizing the City to intervene in related dockets before the Public Utility Commission. (R-2017-2)

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

ORDINANCE



- O-1** ZA16-002 UNIFIED DEVELOPMENT CODE (20 YEAR CITY LIMITS) Request that the City Council consider approving an Ordinance making an uncontestable finding that all territory included within the City of Tyler since December 31, 1996 is part of the City. (O-2017-13)

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

MISCELLANEOUS

- M-1** Request that the City Council approve the Memorandum of Understanding between The University of Texas at Tyler and the City of Tyler for the Innovation Pipeline.

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

- M-2** Request that the City Council consider authorizing the City Manager to enter an agreement with The C.T. Brannon Corporation for design of the Legacy Trails Phase I project for \$487,565.00.

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Eric Neil Oldham, 18178 CR Noonday – Conveyed concerns regarding safety along the trail, the accuracy of cost estimates, adequate parking along the trail, and nearby powerlines.

Kyle Dykes, City Project Engineer – Stated that the cost is based on past estimates and Brannon Corporation has included in the scope of service the parking issues.

Motion by Councilmember Sellers; 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 an expenditure to Insituform Technologies, LLC in the amount of \$220,980 for sanitary sewer system replacements using the pipe bursting technique.
- C-A-2** Request that the City Council authorize the capital expenditure of \$57,374.00 to Jay Martin Company, Inc. of Bedford, Texas, for replacement of one (1) Hydrogritter Separator at the Southside Wastewater Treatment Plant.
- C-A-3** Request that the City Council consider authorizing the City Manager to award a construction contract in the amount of \$3,293,637.25 to A.E. Shull & Company for the Troup Highway Booster Pump Station project.
- C-A-4** Request that the City Council consider authorizing the City Manager to execute Work Order #2 in the amount of \$252,000 with KSA Engineers, Inc. for construction phase services for the Troup Highway Booster Station project.
- C-A-5** Request that the City Council consider authorizing the City Manager to approve payment in the amount of \$41,728.81 to Flair Data Systems, Inc. for the purchase of fiber optic switches at the Lake Tyler Raw Water Pump Station and Lake Tyler Maintenance Complex.
- C-A-6** Request that the City Council authorize the City Manager to execute all necessary agreements for the purchase of property at 415 North Bonner Street.
- C-A-7** Request that the City Council consider authorizing the City Manager to sign the First Amendment to the Chapter 380 Reimbursement /Development Agreement between The City of Tyler and Tyler Broadway/Centennial LP (Retail Connection).

Motion by Councilmember Bowdre to approve the entire consent agenda; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

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CITY MANAGER'S REPORT

1. Feedback on NETHealth regarding food trucks- 16 people on the roundtable and permits issued to 16 new food trucks.
2. Davis Dickson retirement party this Friday from 2-4.

EXECUTIVE SESSION – City Council convened into executive session at 10:29 am

Executive Item No. 1:

Under section 551.071 "Litigation" deliberation regarding the following:

1. Pending or contemplated litigation involving Owens v. Chatelain and City of Tyler;
2. Pending or contemplated litigation involving Williams v. City of Tyler et al.

City Council reconvened from executive session at 10:40 am with no action taken.

Adjournment

Motion by Councilmember Whatley to adjourn the meeting at 10:40 am; seconded by Mayor Pro Tem Nix; motion carried 7 - 0 & meeting adjourned.



MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

