

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
November 8, 2017**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, November 8, 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:	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
Sr. Assistant City Attorney:	Sharon Roberts
Assistant City Attorney:	Regina Moss
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Information Officer:	Benny Yazdanpanahi
Airport Manager:	Davis Dickson
City Engineer:	Carter Delleney
Code Enforcement Manager:	Chris Lennon
Director of Neighborhood Services:	Raynesha Hudnell
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
Deputy City Clerk:	Patricia Peralta

INVOCATION

The Invocation was given by Councilmember Bowdre.

MINUTES

Motion by Councilmember Bowdre: to approve the August 30, 2017, September 13, 2017 and September 27, 2017 minutes; seconded by Councilmember Moore: motion carried 7 - 0 & approved as presented.

AWARDS

- A-1 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.**

Chris Lennon was recognized as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

ZONING



- Z-1 ZA17-002 UNIFIED DEVELOPMENT CODE (BIANNUAL REVIEW) Request that the City Council consider approving an ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by amending regulations related to fencing standards and materials, front-yard fences, driveway gates, subdivision design and improvements, platting of remainder tracts, tree credits, streets and thoroughfares and definitions. (O-2017-101)**

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

- Z-2 A17-006 TYLER ECONOMIC DEVELOPMENT COUNCIL Request that the City Council consider adopting an ordinance providing for the voluntary annexation of approximately 68.2 acres of land lying adjacent to the present boundary limits of the City of Tyler located west of the northwest intersection of Highway 155 North and County Road 334. Also consider recommending: (O-2017-102)**

- A. The new boundary of the City Limits**
- B. The new boundary of the Extraterritorial Jurisdiction**
- C. The new boundary of the City Council District #3**
- D. Amendment of the Land Use Guide to reflect Industrial/Manufacturing**
- E. Establishment of original zoning of 68.2 acres of "M-1", Light Industrial District**

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

- Z-3 A17-007 TYLER ECONOMIC DEVELOPMENT COUNCIL Request that the City Council consider adopting an ordinance providing for the voluntary annexation of approximately 50.8 acres of land lying adjacent to the present boundary limits of the City of Tyler located west of the northwest intersection of Highway 155 North and County Road 334. Also consider recommending: (O-2017-103)**

- A. The new boundary of the City Limits**
- B. The new boundary of the Extraterritorial Jurisdiction**
- C. The new boundary of the City Council District #3**
- D. Amendment of the Land Use Guide to reflect Industrial/Manufacturing**

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E. Establishment of original zoning of 50.8 acres of "M-1", Light Industrial District

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

Z-4 S17-007 DR. DOMETRIUS D HILL (3213 SEATON STREET) Request that the City Council consider approving a Special Use Permit for the operation of a private community center. Item tabled

Motion by Councilmember Sellers to table this item for 30 days, seconded by Councilmember Bowdre; motion to table carried 7 - 0.

Z-5 C17-004 SCOTT AND HEATHER GARRISON (CRAFTDALE DRIVE) Request that the City Council consider approving the closure of an unimproved portion of Craftdale Drive. (O-2017-104)

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

Z-6 C17-005 LUIS LEANDRO (BLAIR STREET) Request that the City Council consider approving the closure of an unimproved portion of Blair Street. (O-2017-105)

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

Z-7 Z17-038 KEYLAN INVESTMENT LP (310 SOUTH VINE AVENUE) Request that the City Council consider approving a zone change from "RPO", Restricted Professional Office District to "R-MF", Multi-Family Residential District. (O-2017-106)

Motion by Councilmember Bowdre; seconded by Councilmember Nix; motion carried 6 - 1 - & approved as presented. Mayor Pro Tem Warren voted nay.

Z-8 PD17-030 LLOYD NICHOLS (1414 AND 1416 GOLDEN ROAD) Request that the City Council consider approving a zone change from "R-1D", Single-Family Detached and Attached Residential District to "PXR", Planned Mixed Residential District with final site plan. (O-2017-107)

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

PRESENTATION

P-1 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, second, and third quarters of the 2017 policy year.

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

Recessed for a break at 10:55 am
Reconvened at 11:02 am

HEARING

H-1 Request that the City Council consider a public hearing for citizen participation and move to approve the Substantial Amendment to 2016 Annual Action Plan and reprogramming of Community Development Block Grant Allocation.

Public hearing opened at 11:04 am – no one spoke on the item; public hearing closed at 11:04 am

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

RESOLUTION

R-1 Request that the City Council consider adopting a Resolution nominating Sanderson Farms, Incorporated for designation of a State of Texas Double Jumbo Enterprise Zone Project. (R-2017-46)

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

R-2 Request that the City Council consider authorizing the City Manager to execute Work Order No. 1 for engineering services in the amount of \$500,000 with KSA Engineers, Inc. for the 2018 Southside Outfall Sewer Line Routing and Concept Design project and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2017-47)

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

ORDINANCE

O-1 Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 3, Civil Service Classification Plan and number of authorized Civil Service positions for Fiscal Year 2017-18, and amending provisions related to Seniority Pay. (O-2017-108)

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

- O-2** Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 12 to add a Lost Ticket Fee of \$75.00 to airport parking fees, and consider adding a new section establishing increased Airport Security Identification Badge fees and fees for security gate cards, at Tyler Pounds Regional Airport. (O-2017-109)

Motion by Mayor Pro Tem Warren; to adopt the ordinance with the modification that the Lost Ticket Fee be \$50.00; seconded by Councilmembers Sellers; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

- M-1** Request that the City Council consider the award of bids for the reconstruction/new construction of two (2) single family dwellings, and authorize the City Manager to sell Housing Infill Program properties located on Buckley to the approved contractor.

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

Mayor Heines exits

- M-2** Request that the City Council consider approving a tax abatement agreement with Estes McClure & Associates, Inc. and authorize the City Manager to sign all documents necessary to implement the tax abatement agreement.

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

Mayor Heines enters.

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 a four-year pool plan agreement to Document Solution, authorized Xerox dealer, for forty-four multifunction color copier, printer and fax machines for the new total four-year lease cost of \$366,192.

- C-A-2** Request that the City Council consider authorizing the City Manager to purchase department issued officer body armor vests from Nardis Public Safety in an amount not to exceed \$37,000.00 during Fiscal Year 2017-2018.

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- C-A-3** Request that the City Council consider authorizing the City Manager to purchase department issued officer uniforms from Nardis Public Safety in an amount not to exceed \$27,000.00 during Fiscal Year 2017-2018.
- C-A-4** Request that the City Council consider authorizing the City Manager to approve purchasing goods through Buy Board Purchasing Cooperative (Buy Board) as well as the Houston Galveston Area Cooperative (HGAC), whereby the City of Tyler can take full advantage of purchasing any and all items available through the cooperatives. Also request that the City Council consider authorizing the City Manager to purchase vehicles and equipment from the various purchasing cooperatives selected.
- C-A-5** Request that the City Council consider declaring certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and authorize for auction.
- C-A-6** Request that the City Council authorize the City Manager to purchase a Kubota Tractor with City specified option from the lowest bidder, Rose Country Tractor.

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

CITY MANAGER'S REPORT

Downtown Tyler is a part of small business Saturday
Legacy trails construction expected to start by the first of the year

RECESS FOR EXECUTIVE SESSION - City Council convened into executive session at 11:38 a.m.

Executive Item No. 1:

Under Texas Government Code Section 551.071 "Litigation" deliberation regarding the following:

Pending or contemplated litigation or settlement offer involving Liberty Utilities Corp. (Tall Timbers) v. City of Tyler.

City Council reconvened from executive session at 12:18 p.m. to take action in open session on Executive Item No. 1:

- ES - 1** Request that the City Council authorize the City Manager to execute the Stipulated Agreement resolving the Liberty Utilities (Tall Timbers Sewer) Corporation contested rate case, before the Public Utility Commission.

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

City Council recessed again at 12:20 p.m. for continued deliberations on Executive Item

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No. 2

Executive Item No. 2:

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

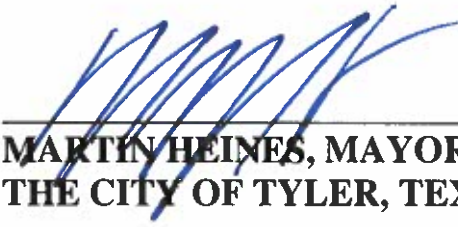
Discuss the purchase, exchange, sale, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City, related to the development of municipal facilities.

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

City Council reconvened from executive session at 12:44 p.m. No action was taken on Executive Item No. 2.

ADJOURNMENT

Motion by Councilmember Bowdre to adjourn the meeting at 12:45 p.m.; seconded by Mayor Pro Tem Warren; motion carried 7-0 and meeting adjourned.



MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

