

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
December 13, 2017**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, December 13, 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
Managing Director of Administrative Services/HR:	ReNissa Wade
Airport Manager:	Davis Dickson
Manager for Organizational Development:	Kristi Boyett
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Engineer:	Carter Delleney
City Fire Chief:	David Coble
Director of Neighborhood Services:	Raynesha Hudnell
Operations Manager of Neighborhood Services:	Prentice Butler
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
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 Moore to approve the October 11, 2017, October 25, 2017 and November 8, 2017 minutes; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented

AWARDS

December 13, 2017

- A-1** Request that the City Council 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 for the special contribution you make to our organization. They represent 130 years of service with the City of Tyler.

Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
11/16/1987	William	Davis	Fire Captain IV	Fire	30
11/16/1987	Kenneth	Scheid	Fire Captain IV	Fire	30
11/16/1987	Kelly	Shirley	Fire Captain IV	Fire	30
12/01/1997	Gary	Cannon	Utilities Construction Inspector	Storm Water	20
12/08/1997	Alan	Lowery	Fire/Driver/Engineer	Fire	20

- 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 Manager presented Kyle Kingma as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

- A-3** Request that the City Council consider accepting the "Certificate of Achievement for Planning Excellence" from the American Planning Association – Texas Chapter.

ZONING

- Z-1** **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.

Carry King, 4411 Richmond Rd. Spoke in opposition to this zoning because of the traffic coming into the area.

Brad Newberry, 701 Dorchester Dr. - Representative of the applicant.

Motion by Councilmember Sellers to table the item for 30 days; seconded by Councilmember Westbrook; motion carried 5 - 2 & item tabled.

- Z-2** **Z17-040 DENNIS WALKER (601 MOORE AVENUE)** Request that the City Council consider approving a zone change from "R-MF", Multi-Family Residential District to "R-1A", Single-Family Residential District. (O-2017-110)

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

- Z-3 N17-001 LENARD MCMILLIN (PORTION OF MARSH FARM ROAD to OLD MARSH FARM ROAD AND OLD MILL RUN) Request that the City Council consider approving a thoroughfare name change from Marsh Farm Road to Old Marsh Farm Road and Old Mill Run on a section of road beginning approximately 1,800 feet east of the intersection with County Road 122 and terminating into the Toll 49 right-of-way. (O-2017-111)**

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

- Z-4 PD17-011 ROBERTO ANTONIO SERRANO (507 AND 509 MAPLE STREET) Request that the City Council consider approving a zone change from "R-2", Two-Family Residential District to "PXR", Planned Mixed Residential District with final site plan. (O-2017-112)**

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

- Z-5 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 for an indefinite period of time. (O-2017-113)**

Dr. Dometrius Hill, 108 Chickadee St. Whitehouse, Tx. – Spoke in favor of the zoning change.

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

HEARING

- H-1 Request that the City Council consider a public hearing for citizen participation for the Neighborhood Services Department's Consolidated Annual Performance Evaluation Report.**

Public Hearing opened at 9:46 – No one came forward to speak on this item.
Public Hearing closed at 9:46

ORDINANCE

- O-1 Request that the City Council consider adopting an Ordinance amending the FY 2017-2018 Technology Fund budget to provide funding to purchase servers, Court Incode, and Police Brazos ticket book software. (O-2017-114)**

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

RESOLUTION

- R-1 Request that the City Council authorize the City Manager to approve purchasing goods through the National Joint Powers Alliance Cooperative Agreement, enter a capital lease with Prosperity Bank, and enter a contract with Tyler Technologies for the lease/purchase of Incode and Brazos Ticket book software. (R-2017-48)**

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

MISCELLANEOUS

- M-1 Request that the City Council consider awarding a Medical & Pharmacy Stop-Loss contract to Voya for the calendar year starting January 1, 2018 with two additional one-year renewal options. Councilmember Sellers against**

Lance Pendley, McGriff – Gave a brief presentation concerning the Medical & Pharmacy Stop Loss contract.

Motion by Mayor Pro Tem Warren; seconded by Councilmember Bowdre; motion carried 6-0-1 & approved as presented

- M-2 Request that the City Council consider authorizing the City Manager to execute a contract with Fitzpatrick Architects for the design, construction management, and construction observation of two new Fire Stations.**

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

- M-3 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 Martin Luther King, Jr. Boulevard improvement project for the not to exceed amount of \$306,188.00.**

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

- M-4 Request that the City Council consider authorizing the City Manager to execute a contract between the City of Tyler and A&G Septic Tank Service for the renovation of Lindsey Park's Soccer Fields' North Restroom Septic System, totaling \$49,980.00, to include parts, installation, and labor.**

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Motion by Councilmember Nix to table this item for 60 days; seconded by Councilmember Bowdre; motion carried 7 - 0 & item tabled for 60 days.

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 Trailer Mounted Sewer Camera through the HGAC purchasing cooperative.
- C-A-2** Request that City Council consider ratifying an expenditure, in the amount of \$132,692.90 for the Mandated Water Quality Assessment Fee to the Texas Commission on Environmental Quality.
- C-A-3** 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 \$18,701.39 to Reynolds & Kay, Ltd. for the Lake Tyler Concession Road Repair project.
- C-A-4** Request that the City Council consider authorizing the City Manager to execute Work Order No. 9, in the amount of \$88,000, with Elledge Engineering Corporation for design of various sewer creek crossing repairs and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2017-49)
- C-A-5** Request that the City Council consider authorizing the City Manager to execute a Release and Termination of Sewer Line Easements, for sewer easements located on Lots 6, 8, and 9 at the southeast corner of SSE Loop 323 and Hwy 31 E.
- C-A-6** Request that the City Council consider authorizing the City Manager to award a construction contract in the amount of \$261,200.00 to Maguire Iron, Inc. for the Well 12 and Well 17 Ground Storage Tank Rehabilitation project.
- C-A-7** Request that the City Council consider ratifying an emergency repair not to exceed a total of \$47,219.96 for Wait Mechanical, Inc., to replace the Airport's commercial terminal boilers and provide a temporary boiler to maintain heat in the terminal until the arrival of the replacement.
- C-A-8** Request that the City Council consider ratifying the acceptance of a grant in the total amount of \$82,421.70 from the Office of the Governor's Fiscal Year 2018 State Homeland Security Program (SHSP), and authorize the City Manager's approval for the purchase of the equipment specified.
- C-A-9** 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 drainage structure replacement across West Mud Creek Tributary C at Robertson Avenue for a not to exceed amount of \$113,616.00.

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- C-A-10** Request that the City Council consider authorizing the City Manager to declare Tyler Water Utilities scrap brass, copper, water meters, ductile iron, cast iron and miscellaneous metals as surplus and award Bid Number 18-007, to Tyler Iron & Metal Co. Inc. of Tyler, Texas.
- C-A-11** Request that the City Council consider approving the 2017 Certified Property Tax Roll.
- C-A-12** Request that the City Council consider approving the final acceptance and release of retainage in the amount of \$32,081.74 for a final contract amount of \$321,792.40 to Capps-Capco Construction, Inc. for construction of the Lake Street Culvert Replacement project.
- C-A-13** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1328 West 34th Street within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2017-50)
- C-A-14** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2923 Roosevelt Street within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2017-51)
- C-A-15** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 608 West Morris within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2017-52)
- C-A-16** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1026 Britton Avenue within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2017-53)
- C-A-17** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1324 West 34th Street within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2017-54)
- C-A-18** Request that the City Council consider authorizing the City Manager to purchase vehicles from the lowest bidder.
- C-A-19** Request that the City Council consider adopting a Resolution authorizing the filing of one (1) application with the East Texas Council of Governments (ETCOG) for a Regional Solid Waste Grant, and authorizing the acceptance and use of any grant(s) if awarded, authorizing the acceptance of any increases in grant funding levels, and authorizing the City Manager or his designee to take all actions needed to receive and expend grant funds. (R-2017-55)

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