

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 26, 2016**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 26, 2016 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
Deputy City Attorney: Steve Kean
Airport Manager: Davis Dickson
Main Street Director: Beverly Abell
Managing Director for Administration: ReNissa Wade
Chief Financial Officer: Keidric Trimble
City Engineer: Carter Delleney
City Fire Chief: Les Schminkey
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
Interim Managing Director for Utilities
/Public Works: Gordon Mayer
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Dr. Stuart Baskin, Reverend of First Presbyterian Church of Tyler.

MINUTES

- a. **Minutes of the Regular Called Meeting of the City of Tyler, Texas on September 28, 2016.**

Motion by Councilmember Whatley to approve the September 28, 2016 minutes; 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 employee for his years of service and commitment to the City

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of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. He represents 30 years of service with the City of Tyler.

Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
10/01/1986	Steve	Sharron	Assistant Police Chief	Police	30

A-2 Request that the City Council consider accepting the “Distinguished Budget Presentation Award” for its Fiscal Year 2015-2016 Budget document from the Government Finance Officers Association of the United States and Canada.

A-3 Request that the City Council consider accepting the Texas Municipal League 2016 Excellence Award for City Spirit.

ZONING

Z-1 **N16-001 CITY OF TYLER (PORTION OF SUNNYBROOK DRIVE TO OLD SUNNYBROOK DRIVE)** Request that the City Council consider approving a thoroughfare name change from Sunnybrook Drive to Old Sunnybrook Drive on a section of road approximately 550 feet in length beginning at the west terminus of West 8th Street and continuing south until its terminus into the previous alignment with Sunnybrook Drive. (O-2016-94)

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

Z-2 **N16-002 CITY OF TYLER (PORTIONS OF FRANKSTON HIGHWAY AND SUNNYBROOK DRIVE TO SOUTH VINE AVENUE)** Request that the City Council consider approving a thoroughfare name change from Frankston Highway and Sunnybrook Drive to South Vine Avenue on a section of road approximately 750 feet in length beginning at the west terminus of West 7th Street and continuing south to the intersection of Frankston Highway, Earl Campbell Parkway, and Sunnybrook Drive. (O-2016-95)

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

Z-3 **N16-003 CITY OF TYLER (PORTION OF SOUTH PALACE AVENUE TO OLD PALACE AVENUE)** Request that the City Council consider approving a thoroughfare name change from South Palace Avenue to Old Palace Avenue on a section of road approximately 370 feet in length beginning at the intersection of West

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Houston Street and South Palace Avenue west of the five-way intersection of West Houston Street, South Palace Avenue and South Vine Avenue, continuing north until its present terminus. (O-2016-96)

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

Councilmember Whatley abstains from Z-4 and exits the Council chambers prior to discussion.

Z-4 PD16-012 ESTATE OF RUBY MCCLENNY KIRBY (8406 CAMBRIDGE ROAD) Request that the City Council consider approving a zone change from "R-2", Two-Family Residential District to "PMF", Planned Multi-Family Residential District with final site plan. (O-2016-97)

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

Councilmember Whatley re- enters Council chambers following vote on Z-4.

Z-5 PD16-014 BD2 INVESTMENTS (2902 EAST FRONT STREET) Request the City Council consider approving a "PCD", Planned Commercial Development District site plan amendment. (O-2016-98)

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

Z-6 Z16-012 HOWARD DICKERSON (5102 OLD JACKSONVILLE HIGHWAY) Request that the City Council consider approving zone change from "C-1", Light Commercial District to "R-1A", Single-Family Residential District. (O-2016-99)

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

Z-7 F16-026 FLINT CANYON ADDITION, FINAL PLAT Request that the City Council consider approving a 20 lot subdivision containing approximately 12.03 acres of land located west of the northwest intersection of Farm-to-Market Road 2493 and County Road 148 and a waiver of escrow in the amount of \$135,601 for street improvements to County Road 148. (O-2016-100)

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

HEARING

Mayor Heines opened up the public hearing at 9:25 am

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H-1 Request that the City Council conduct a public hearing and consider adoption of an ordinance renewing the designation of City of Tyler Reinvestment Zone No. 3/Trane at 6200 Troup Highway, Tyler, Texas. (O-2016-101)

No one came forward to speak on H-1.

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

Mayor Heines closed the public hearing at 9:28 am with no one present to comment on the public hearing.

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 execute a Release and Termination of Sewer Line Easement for a sewer main located east of Fannin Avenue.



C-A-2 Request that the City Council consider authorizing the City Manager to execute a new agricultural lease to Brian J Arnold at Tyler Pounds Regional Airport.

C-A-3 Request that the City Council consider authorizing the City Manager to execute the amendment and renewal of an Agricultural Lease to Charlie Rand at Tyler Pounds Regional Airport.

C-A-4 Request that the City Council consider authorizing the City Manager to enter into the biannual contract with Focused Advocacy for services during legislative and interim sessions.

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

BOARD APPOINTMENTS

B-1 Request that the City Council appoint the Chief of Police, Jimmy Toler, to the Animal Care Advisory Board in the "municipal official" position of the Board.

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

B-2 Request that City Council consider making appointments to the Civil Service Commission, Disability Issues Review Board, Keep Tyler Beautiful Board and the Traffic Safety Board.

Motion by Councilmember Warren to appoint Stuart Hene to the Civil Service Commission; seconded by Mayor Pro Tem Nix; motion carried 7 - 0 & approved as presented.

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Motion by Councilmember Whatley to re-appoint Margaret Rapp and appoint Michael Cichowicz, Dorinda Williams, and Larry Goddard to the Disability Issues Review Board; seconded by Mayor Pro Tem Nix; motion carried 7 - 0 & approved as presented

Motion by Mayor Pro Tem Nix to appoint Kelby Hill to the Keep Tyler Beautiful Board; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented

Motion by Mayor Pro Tem Nix to appoint Chad Maddux to the Traffic Safety Board; seconded by Councilmember Bowdre; motion carried 7 - 0 & approved as presented

CITY MANAGER'S REPORT

1. **Municipal Court Roundtable beginning their inception & duties.**
2. **Annual Fall Festival at Glass Center; many events at Liberty Hall.**
3. **November 5th "Day of the Dead" event.**

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:38 am.

Executive Item No. 1:

Under section 551.071 "Litigation" deliberation regarding the following:

1. Pending or contemplated litigation involving Environmental Protection Agency v. City of Tyler.

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

City Council reconvened into open session at 10:15 am with no action taken.

ADJOURNMENT

Motion by Mayor Pro Tem Nix to adjourn the meeting at 10:16 am; seconded by Councilmember Whatley; motion carried 7 - 0 & meeting adjourned.

ATTEST:


CASSANDRA BRAGER, CITY CLERK

