

**MINUTES OF THE TELECONFERENCE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
March 25, 2020**

A regular teleconference called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 25, 2020 at 9:00 a.m. in the City Council Chambers, 2<sup>nd</sup> floor of City Hall, and by toll free number 903-363-0651, Tyler, Texas, with the following present:

Mayor:	Martin Heines
Mayor Pro Tem:	Bob Westbrook
Councilmembers:	Linda Sellers
	Vacant
	Broderick McGee
	Shirley McKellar
	Vacant
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Chief Financial Officer:	Keidric Trimble
Community Development Block Grant Manager:	Dustin Wilson
Police Chief:	Jimmy Toler
Managing Director of Planning & Economic Development:	Heather Nick
City Engineer:	Lisa Crossman
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Sellers.

**MINUTES**

**Request that the City Council consider approval of the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on January 22, 2020.**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

**PRESENTATION**

**P-1 Tyler 1st Comprehensive Plan Five-Year Update Request that the City Council receive a presentation of the final draft of the Tyler 1st Comprehensive Plan.**

**Heather Nick, Managing Director of Planning & Economic Development - Gave a brief presentation of the final draft of the Tyler 1<sup>st</sup> Comprehensive Plan.**

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**P-2 Request that the City Council consider hearing a presentation and approving the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2019 as presented by Gollob Morgan Peddy PC.**

**Kevin Cashion, Gallob, Morgan and Peddy & Company** – Gave a brief presentation on the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2019 as presented by Gollob Morgan Peddy PC.

Motion by Councilmember Sellers; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

## **ZONING**

**Z-1 Z20-001 MGD RP LLC (307 EAST FORD STREET)**  
**Request that the City Council consider approving a zone change from "R-2", Two-Family Residential District to "R-1D", Single-Family Attached and Detached District. (O-2020-28)**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

**Z-2 S20-001 VINE STREET LLC (1604 SOUTH VINE AVENUE)**  
**Request that the City Council consider approving a Special Use Permit for an indefinite period of time to grant a variance to reduce the required 300 feet distance separation from the property lines of 1604, 1610, 1630 South Vine Avenue, 912, 914 West Glenwood Boulevard, 1607 Talley Avenue, 917 West 5th Street, and a public school to 160 feet in order to be eligible for a Texas Alcoholic Beverage Commission license to sell alcohol. (O-2020-29)**

Steve Roosth,- Called in through the teleconference in support of this item.

Motion by Councilmember Sellers; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

**Z-3 Z20-003 TEXAN ROOT HOMES (824 AND 826 FRANKLIN STREET, 1533 NORTH PALACE AVENUE, 809 HARMONY STREET, AND 1524 TEXAS COLLEGE ROAD)**  
**Request that the City Council consider approving a zone change from "C-1", Light Commercial District to "R-1D", Single-Family Attached and Detached District. (O-2020-30)**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

**Z-4 Z20-004 TIMOTHY JONES (1309 SOUTH LYONS AVENUE)**

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**Request that the City Council consider approving a zone change from "R-2", Two-Family Residential District to "R-1D", Single-Family Attached and Detached District. (O-2020-31)**

Motion by Councilmember McKellar; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

**Z-5 PD20-004 CITY OF TYLER/WILLIAM HERSEY (512 AND 520 WEST ERWIN STREET)**

**Request that the City Council consider approving the zone change from "DBAC", Downtown Business, Arts, and Cultural District to "PMXD-2", Planned Mixed-Use District 2 with a final site plan. (O-2020-32)**

Motion by Councilmember McGee; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

### MISCELLANEOUS

**M-1 Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change Order in the amount of \$45,315.68 and the release of final retainage to Jacobe Brothers Construction for the Fire Station No. 1 project, pending authorization of the Half Cent Sales Tax Board.**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

**M-2 Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change Order in the amount of \$24,880.37 and the release of final retainage to Garrett and Associates for the Fire Station No. 4 project, pending authorization of the Half Cent Sales Tax Board.**

Motion by Councilmember Sellers; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

**M-3 Request that the City Council consider authorizing the City Manager to execute a construction contract with J2 Construction Services, LLC for the construction of the Cecil Drive Drainage Improvement project in the amount of \$141,159.00, pending authorization of the Half Cent Sales Tax Board.**

Motion by Councilmember McGee; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

**M-4 Request that the City Council consider authorizing the City Manager to execute an engineering contract with Adams Engineering for the Academy Avenue Extension project in the amount of \$82,505, pending authorization of the Half Cent Sales Tax Board.**

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Motion by Councilmember McGee; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

- M-5 Request that the City Council consider authorizing the City Manager to execute an engineering contract with Elledge Engineering Corporation for the Shiloh Road Channel Reconstruction project in the amount of \$51,250, pending authorization of the Half Cent Sales Tax Board.**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

- M-6 Request that the City Council consider authorizing the City Manager to execute a contract with L. S. Equipment Co., Inc., for the 2020 Seal Coat Program in the amount of \$931,060.05.**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

- M-7 Request that City Council consider authorizing the City Manager to execute a contract with D.E.A.A. Corporation and Cactus Abatement & Demolition for substandard structures demolition program through Community Development Block Grant Funds.**

Motion by Councilmember Sellers; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

- M-8 Request that the City Council consider authorizing the City Manager to enter into an agreement with Toole Design, to develop a Transit Route Study for the Area Tyler Metropolitan Planning Organization in the amount of \$119,500.**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

- M-9 Request that the City Council consider authorizing the City Manager to enter into an agreement with Walter P. Moore, to develop a Master Street Plan update for the Tyler Area Metropolitan Planning Organization in the amount of \$150,000.**

Motion by Councilmember McGee; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

## **RESOLUTION**

- R-1 Request the City Council consider adopting a Resolution authorizing the Tyler City Manager on behalf of the Police Department to apply for and accept if awarded the COPS Hiring Grant in the amount of \$250,000, which will fund two new officer positions at 75 percent of the approved entry-level salaries and fringe benefits of each newly and or rehired full time officer, up to \$125,000.00 per officer position, over the three year (36 month) grant period. (R-2020-13)**

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Motion by Councilmember McKellar; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

- R-2 Request that the City Council consider adoption of a Resolution postponing the May 2nd, 2020 election and moving said election to the next uniform election date on the 26th day of May / 3rd day of November, 2020. (R-2020-14)**

Nick Pesina sent in a public participation form urging City Council to postpone the municipal election and resolve to hold the elections no later than July 14, 2020.

Motion by Councilmember McKellar to petition the Governor to move the election to July 14, 2020; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as amended.

- R-3 Request that the City Council consider adoption of a Resolution ratifying and approving the extension of the Mayor's Proclamation and Declaration of Disaster/Emergency Conditions for the City of Tyler as a result of COVID-19. (R-2020-15)**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

### **ORDINANCE**

- O-1 Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 18 by amending and clarifying junked vehicle provisions. (O-2020-33)**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

- O-2 Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 3, Civil Service Classification Plan by amending the Civil Service Classification Plan and number of authorized Civil Service positions for Fiscal Year 2019-2020, by establishing the promotional rank of Fire Senior Captain, with no other changes to the Civil Service Classifications at this time. (O-2020-34)**

Motion by Councilmember McKellar; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 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.)

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- C-A-1** Request that the City Council consider authorizing the Mayor to execute an updated Memorandum of Understanding with the American Red Cross to assist the City of Tyler in providing Shelter and Mass Care for members of the public affected by emergency situations.
- C-A-2** Request that the City Council consider adopting a Resolution to authorize the application for and acceptance of Federal Transit Administration 5339 Grant Funds passed to the State and awarded to City of Tyler (COT) in the amount of \$239,899 and \$59,975 in Transportation Development Credits (TDC). This Resolution also accepts any grant amendments and additional TDC funds to increase the grant funding levels and reduce the local match requirements. (R-2020-16)
- C-A-3** Request that the City Council consider adopting the updated Title VI policy for the Tyler Transit System.
- C-A-4** Request that the City Council consider ratifying staff action awarding the service contract for the 2020 Citywide heating, ventilation and air conditioning (HVAC) maintenance services for various City buildings to Aire-Serv of Smith County.
- C-A-5** Request that City Council consider authorizing the City Manager to renew the three-year Bid No. 19-020 to all bidders in accordance to the attached Bid Tabulation Sheet as Primary, Secondary and so forth, to furnish all necessary materials, equipment, superintendence, and labor for mowing and ground maintenance at various parks, facilities and median right-of-ways.
- C-A-6** Request that the City Council consider authorizing the City Manager to approve the agreement with IPS Group to implement the full conversion of the Downtown parking meters.
- C-A-7** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 720 S. Ross within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-17)
- C-A-8** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2107 Moore within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-18)
- C-A-9** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2105 Moore within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-19)
- C-A-10** Request that the City Council consider authorizing the City Manager to approve the release of final retainage in the amount of \$32,585.90 to AAA Sanitation, Inc. for the Broadway Avenue Drainage Improvements.

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Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

**CITY MANAGER'S REPORT**

On February 28<sup>th</sup> the City staff started preparing for the COVID-19 pandemic.

**ADJOURNMENT**

Motion by Mayor Pro Tem Westbrook to adjourn the meeting at 10:36 am; seconded by Councilmember McKellar; motion carried 5 - 0 & meeting adjourned.

  
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MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
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CASSANDRA BRAGER, CITY CLERK

