

MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
May 27, 2020

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, May 27, 2020 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Martin Heines(via teleconference)
Mayor Pro Tem:	Bob Westbrook
Councilmembers:	Linda Sellers(via teleconference)
	Vacant
	Broderick McGee
	Shirley McKellar
	Vacant
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Sr. Assistant City Attorney:	Sharon Roberts(via teleconference)
Airport Manager:	Davis Dickson
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
Compliance Engineer:	Paul Neuhaus
Director of Solid Waste & Transit Services:	Russ Jackson
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin(via teleconference)
Managing Director of Planning & Economic Development:	Heather Nick
Director of Utilities:	Jimmie Johnson
Manager, Water Utilities System, Operation & Maintenance:	Tim Moore
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McGee.

MINUTES

Motion by Councilmember McKellar to approve the April 8, 2020 minutes; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

HEARING

H-1 Request that the City Council conduct a public hearing and consider adopting an Ordinance amending Tyler City Code Chapter 15 to adopt a proposed Electric

Power Franchise Ordinance with Oncor Electric Delivery Company, LLC, on the first of three readings. Pulled from the agenda.

ZONING

Z-1 S20-002 WAGNER REBECCA JEAN ROGERS (2512 ALTA MIRA DRIVE, 2903, 2905, 2909, 2914, 2918, 2922, 2934 SANTA ELENA DRIVE, 2506, 2508, 2514, 2520 MALABAR DRIVE, 2900, 2902, 2908, 2912, 2918, 2924-2936 MEDINA DRIVE) Request that the City Council consider approving a Special Use Permit amendment for an event venue. (O-2020-48)

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

Motion by Councilmember McKellar to put item Z-1 back on the agenda; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

Motion by Councilmember McKellar to approve the item; seconded by Councilmember McKellar; motion carried 5-0 & approved as presented.

Z-2 Z20-015 O'SULLIVAN JOHN (115 SOUTH CENTER AVENUE) Request that the City Council consider a zone change from "M-1", Light Industrial District to "DBAC", Downtown Business Arts and Culture District. (O-2020-49)

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

Z-3 Z20-017 SCHUBLE RENEE S (231 WEST CUMBERLAND ROAD) Request that the City Council consider approving a zone change from "AG", Agricultural District, to "R-1A", Single-Family Residential District. (O-2020-50)

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

Z-4 TABLED ITEM. Z20-013 MASTER CUSTOM HOMES INC (2603 GARDEN VALLEY ROAD AND 1403 SHAWNEE BOULEVARD)

Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District, and "R-1B", Single-Family Residential District, to "R-1D", Single-Family Detached and Attached Residential District. This item was previously tabled at the City Council meeting on April 22, 2020. Table item for 30 days.

Motion by Councilmember McGee to table the item for 30 days; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

RESOLUTION

- R-1 Request that the City Council consider adoption of a Resolution ratifying submission of an application for Federal Aviation Administration CARES Act Grant Funds totaling \$1,218,343.00 to fund the Tyler Pounds Regional Airport's operating expenses; and also authorizing acceptance of the grant funds and authorizing the City Manager to take all necessary actions associated therewith. (R-2020-35)**

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

- R-2 Request that the City Council consider adopting a resolution ratifying and authorizing the filing of the application for and acceptance of the Coronavirus Aid Relief, and Economic Security (CARES) Act, Coronavirus Relief Funds (CRF), including all understandings and assurances contained therein, and directing and authorizing the City Manager to act in connection with the application, and to provide such additional information as may be required. (R-2020-36)**

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

PRESENTATION

- P-1 Request that the City Council receive a presentation relating to the historical, present, and planned activities of the Consent Decree response by Tyler Water Utilities, in partnership with Pipeline Analysis and KSA Engineers.**

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to renew Work Order No. 1, with a maximum cost of \$1,000,000 per year, for support of Consent Decree requirements and the Wastewater Collection System's Capacity, Management, Operations, and Maintenance Program (CMOM).**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 4 - 0 & approved as presented without Councilmember Sellers vote.

- M-2 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending March 31, 2020.**

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

- M-3 Request that the City Council consider authorizing the award of the Buy Board Purchasing Cooperative quote for playground equipment, picnic tables and benches for Emmett J Scott Park and Woldert Park to May Recreation Equipment & Design, L.P., of Tyler, Texas, to furnish all necessary materials, equipment, superintendence, and labor for an amount not to exceed \$161,452.00.**

Motion by Councilmember McKellar to accept playground number four because it has more dimensions and she wants the equipment in the primary colors; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

BOARD APPOINTMENTS

- B-1 Request that the City Council consider appointing a member to the Main Street Board and nominating and appointing a Chair.**

Motion by Mayor Heines to appoint LaToya Young as the new member and appoint Stan Anderson as the Chair; seconded by Councilmember Sellers; 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.)

- C-A-1 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending March 31, 2020.**
- C-A-2 Request that the City Council ratify the City Manager signing an Easement and Right-of-Way Agreement with Oncor Electric Delivery Company LLC, granting, selling and conveying an easement and right-of-way to provide commercial electrical power to the FAA's new localizer. This easement involves a tract of land that is 0.179 acres located within the airfield of Tyler Pounds Regional Airport.**
- C-A-3 Request that the City Council consider ratifying the Letter of Agreement between EAN Holdings, LLC dba National Rent-A-Car and Tyler Pounds Regional Airport that establishes temporary procedures due to the COVID-19 health crisis.**
- C-A-4 Request that the City Council ratify the Letter of Agreement (LOA) with the Airport Rental Car Concessionaires and Tyler Pounds Regional Airport that establishes temporary procedures due to the COVID-19 health crisis.**
- C-A-5 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 800 Britton within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-37)**

- C-A-6** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2506 N Border within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-38)
- C-A-7** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 715 W 25th St within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-39)
- C-A-8** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1125 Marcellus within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-40)
- C-A-9** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1210 W Houston within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-41)
- C-A-10** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1616 S Englewood within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-42)
- C-A-11** Request that the City Council consider adoption of a Resolution to authorize continued participation by the City of Tyler with the Steering Committee of Cities Served by Oncor, and authorize the annual assessment payment of \$0.07 cents per capita to the Steering Committee. (R-2020-43)
- C-A-12** Request that the City Council consider adopting a Resolution authorizing the City of Tyler's continued participation with the Atmos Cities Steering Committee, and authorizing the payment of five cents per capita (\$5,450.00) to the Atmos Cities Steering Committee to fund regulatory and associated activities related to Atmos Energy Corporation. (R-2020-44)

Motion by Mayor Heines to approve the entire consent agenda; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. The Parks Recreation department will continue to utilize the Governor's Open Texas guidelines for athletic events and will open parks for practices beginning on May 31, 2020; allowing games to begin on June 15, 2020.
2. The Library will be opening its doors to the public on June 1, 2020. You can currently continue to do the ordering and having library materials delivered to your car; but, we will be opening the library for people to come in and utilize it on June 1, 2020.
3. At Lake Tyler we are still working on some of the different events that people are asking about. We are looking to the Texas Parks and Wildlife for guidance they have, as people have asked about fishing tournaments and other major events out there, and we have

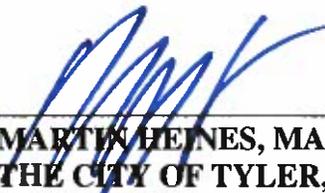
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asked them to hold off on or postpone until we have better guidance on how to best utilize those facilities.

4. Construction continues around Tyler. Work is ongoing at Fun Forest Park. The concrete deck has been poured and there's still some lower level work being done along with some fencing and clean up.
5. The Capital Improvement Programs -MLK Blvd corridor enhancement project has completed sidewalks from Broadway to North Moore Street; and the storm sewer improvements at the intersection of MLK and North Parkdale Dr. are now underway. The Courtney Miller Drainage Project has been completed. The Cambridge Rd improvement project is going through a condemnation procedure for right away acquisition for the remaining property and the base repairs for asphalt streets in Irish Meadows are under way.
6. In May City Council made some amendments to the Legacy Trails phase two-grant application and, because of those amendments made to the grant application to change the scope of the project, we may have been successful in getting the project approved by TX DOT for funding. The Texas Department of Transportation Public Transportation Division has identified the Legacy Trails extension to be included for funding for on conditional projects list for anticipated fiscal year 2021 -2022 transportation alternative set aside grants. They will recommend a project to the Texas Transportation Committee when funding becomes available. This project would take Legacy Trails from Old Jacksonville highway and Loop 323 up to curve around and go all the way to the Rose Center and into that area.
7. Governor Abbott yesterday issued a proclamation expanded additional services and activities that can open under phase two.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 10:33 am; seconded by Councilmember McGee; motion carried 5 - 0 & meeting adjourned.



MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



The seal is circular with a double-line border. The outer ring contains the text "CITY OF TYLER" at the top and "TEXAS" at the bottom. The inner circle features a central emblem with a scale of justice and the word "SEAL" above it. Below the emblem, the words "CITY CLERK" are written.