

**MINUTES OF THE TELECONFERENCE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
July 22, 2020**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, July 22, 2020 at 9:00 a.m. in the City Council Chambers, 2<sup>nd</sup> floor of City Hall, Tyler, Texas, with the following present:

Mayor: Martin Heines  
Mayor Pro Tem: Bob Westbrook  
Councilmembers: Linda Sellers (teleconference)  
Vacant  
Broderick McGee  
Shirley McKellar  
Vacant

City Manager: Edward Broussard  
City Attorney: Deborah G. Pullum  
Managing Director of Administrative Services/HR: ReNissa Wade  
City Fire Chief: David Coble  
Community Development Block Grant Manager: Dustin Wilson  
Managing Director of Culture, Recreation and  
Tourism Services: Stephanie Franklin  
Managing Director of Planning &  
Economic Development: Heather Nick  
City Engineer: Lisa Crossman  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Mayor Pro Tem Westbrook.

**ZONING**

**Z-1 C20-006 CHILDRENS ADVOCACY CENTER OF SMITH COUNTY (UNIMPROVED PORTION OF RIGHT-OF-WAY) Request that the City Council consider approving the closure of an unimproved portion of right-of-way bound by South Vine Avenue and West 10th Street. (O-2020-64)**

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

**Z-2 C20-005 HILAND DAIRY FOODS COMPANY (UNIMPROVED ALLEY RIGHT-OF-WAY) Request that the City Council consider approving the closure of an unimproved alley right of-way off of North Horace Avenue. (O-2020-65)**

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

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**Z-3 Z20-024 HILAND DAIRY FOODS COMPANY LLC (1309 EAST LOCUST STREET, 205 AND 213 NORTH HORACE AVENUE) Request that the City Council consider approving a zone change from “R-2”, Two-Family Residential District to “M-1”, Light Industrial District. (O-2020-66)**

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

**Z-4 Z20-025 QOZ ENTERPRISES INC AND AVISO INVESTMENTS LLC (405 AND 411 NORTH CENTER AVENUE, 406, 416, AND 424 EAST LINE STREET) Request that the City Council consider approving a zone change from “R-2”, Two-Family Residential District to “DBAC”, Downtown Business, Arts, and Culture District. (O-2020-67)**

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

**Z-5 Z20-027 ROOSTH HEIRS 870 LLC (617 NIBLACK PLACE) Request that the City Council consider approving a zone change from “R-2”, Two-Family Residential District to “R-1B”, Single-Family Residential District. (O-2020-68)**

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

## **PRESENTATION**

**P-1 Request that the City Council consider receiving a presentation about the 2020 Census.**

Nancy Rangel – Gave a brief presentation concerning the 2020 Census.

**P-2 Request that the City Council consider receiving a presentation on the Capital Improvements Program funded by the Half Cent Sales Tax program and to consider adopting the Half Cent Sales Tax 2020-2021 Annual Work Program in conjunction with the 2020-2021 Corporate Budget.**

**P-3 Request that the City Council receive a presentation from the Chief Information Officer and the Director of Marketing and Communications regarding the Information Technology Department's 2020 Initiative including four-point technology improvements.**

## **ORDINANCE**

**O-1 Request that City Council consider awarding the sale of \$5,575,000\* City of Tyler, Water and Sewer System Revenue Refunding Bonds, New Series 2020 to the winning bidder. The Series Bonds will be used to refund the callable and remainder \$5,575,000 of the Water and Sewer System Bonds, New Series 2011 for savings. (O-2020-69)**

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

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**O-2 Request that the City Council consider adopting an ordinance amending City Code Chapter 8 by adopting new rental fees for the Fun Forest Pool Facility. (O-2020-70)**

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

## **HEARING**

**H-1 Request that the City Council hold a final public hearing to obtain citizen input on the 2020-2024 Community Development Block Grant and HOME Investment Partnership Program Consolidated Plan and 2020 Annual Action Plan and consider approval of submission of the plans to the Department of Housing and Urban Development.**

City Council went into a public hearing at 10:24 am

City Council closed the public hearing with no one coming forward to speak at 10:27 am

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

## **MISCELLANEOUS**

**M-1 Request that the City Council consider ratifying City staff action authorizing payment to Dixon Services Inc. in the amount of \$25,010.00 for settlement of easements and right-of-way for the Cambridge Road Improvements project.**

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

**M-2 Request that the City Council consider ratifying expenditures in the amount of \$594,183.82 for work performed by A.E. Shull & Company and expenditures in the amount of \$9,427.35 for work performed by KSA Engineers, Inc. for the emergency repair of a storm drain channel located behind 5602 Regents Row.**

Motion by Councilmember McKellar; seconded by Councilmember McGee; 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 Gracon Construction, Inc. for the construction of the Southside Wastewater Treatment Plant Improvements in the amount of \$3,369,750.00.**

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

**M-4 Request that the City Council consider authorizing the City Manager to award the "Group 2 Traditional Gravity Main Remedial Work" to A.E. Shull & Company as part of its "On Call" contract (also referred to as "IDIQ"), and to use approximately \$4,169,800 from Fund 519 Utility Revenue Bond funds, for work related to the Consent Decree, to**

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reimburse A.E. Shull & Company for said work, as approved by City Council on November 13, 2019 as part of item R-2. (Pulled from the agenda)

**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 adopting a Resolution agreeing to the sale of certain tracts of land located at 1104 Cambridge Bend within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-65)**

**C-A-2 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1114 Cambridge Bend within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-66)**

**C-A-3 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2200 Robbins within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-67)**

**C-A-4 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1028 Britton within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-68)**

**C-A-5 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 4197 Bellwood within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-69)**

**C-A-6 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 814 West Morris within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-70)**

**C-A-7 Request that the City Council consider approving the Smith County 9-1-1 Communications District Proposed FY 2020-2021 District Operating Budget.**

**C-A-8 Request that the City Council consider authorizing the City Manager to execute a Personal Services Contract with Charles H. Samson, III for design and project management of City of Tyler capital improvement projects in the amount of \$50,000.**

**C-A-9 Request that the City Council consider passing a resolution authorizing the City Manager to accept and sign Texas Historical Commission Certified Local Government Grant Contract Number TX-20-10027 in the amount of \$400.00 with no local match for the purpose of funding annual training of City staff and Historic Preservation Board members. (R-2020-71)**

**C-A-10 Request that the City Council consider declaring certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and authorize for auction.**

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**C-A-11 Request that the City Council consider authorizing the application for and acceptance of a Texas Department of Transportation (TxDOT) grant for Urban State Funds in the amount of \$409,126 which can serve as local match for other grants related to transit services provided by Tyler Transit.**

**C-A-12 Request that the City Council consider ratifying expenditures in the amount of \$104,259.67 for an emergency purchase of two Envirosight Rover X Zoom Cameras for two camera trucks.**

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

### **CITY MANAGER'S REPORT**

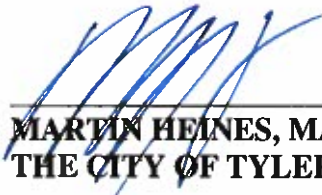
1. Starting next month we will have NeT Health come in monthly and do a presentation and discussion on the status of the COVID-19 pandemic and what is going on in the community.
2. A couple of road projects that are happening is on Grande there is an issue that we're working on. AE Shull continues to work on the storm drain repair on East Grande between Rhones Quarter Road and Hwy 110. They have completed the repair under the road and have moved on to repair the median and what that means is that they would open 1 eastbound Lane for through traffic as of this past Monday, then the east bound lane closed for the workers to make the repair in the median. AE Shull is looking to have the median and everything completed and open by the end of this week.
3. On the Martin Luther King Jr. Blvd corridor enhancements project the construction of the sidewalk is about 50% complete and construction of the storm sewer near North Parkdale Drive is about 75% complete, the Union Pacific Railroad has replaced their railroad crossing on MLK and they are waiting for proposal to replace several damaged signal poles at Palace.
4. Now even though COVID-19 going on and just so much of everything kind of shut down or kind of put in quarantine mode, Keep Tyler Beautiful is continuing to work with the community for volunteer efforts. Last week, they hosted a two day event for 26 volunteers from Hands up Network, they had students from Flint Baptist students Ministry that took on five beautification projects as part of their summer camp experience and these paintings include 30 plus feet of concrete steps of Fun Forest pool that they painted and the green metal building at Hillside Park soccer field. This week Keep Tyler Beautiful hosted a three day event for 20 young volunteers from Trinity Lutheran Church and this volunteer groups served over 135 service hours with hands on projects including litter cleanup at Southside Trails and Parks and restoring flower beds at the Goodman Museum and removing weeds from the native plant garden.
5. We worked with the County on jury selection, we used the Rose Garden center last week. They needed it in order for Judge Kennedy to select the grand juries and with that we needed to have a place large enough here in Tyler with Smith County in order to host that so we were able to do that at the Rose Garden Center where we installed portable metal detectors, temperature checks, social distancing directions on the floor and a mocked up courtroom.

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6. One of the things that have been of concern for us has been with seniors in our community. Now with the Senior Center shut down and the concern about especially the adverse impact the COVID-19 has on the seniors, we've been very careful, by asking them to stay at home as much as possible. But this is a group that does need to have some type of socialization and so one of the things that the library staff has taken on as a special project and that is to ask the public to drop off letters or just submit letters for the Tyler Senior Center folks to cheer up their days. So we're going to take those and make sure that those get out to our senior citizens who are part of our different programs.
7. As a last note to continue in the programs we have is Texure size. It's a program for many of our seniors in our city. They get their exercise from it, it's an opportunity for them to get up to do dancing and also get exercise at the same time. We had a resident reach out to us, she was having issues viewing the program on channel 3, so Bob Mauldin went to the rescue for this one. We want to give him a special thank you for his called to serve spirit, he copied the program to a DVD and personally delivered it out to her where she lives close out to the airport. Sadly, the equipment is too old to play the DVD, but we do appreciate Bob taking that on, volunteering to put that together for her knowing that she wanted to be able to just participate with that more, and so we appreciate that thought and actions that he put into that.

**ADJOURNMENT**

Motion by Mayor Pro Tem Westbrook to adjourn the meeting at 10:46 am; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

  
MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

