

**MINUTES OF THE TELECONFERENCE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
August 12, 2020**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, August 12, 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
Mayor Pro Tem:	Bob Westbrook
Councilmembers:	Linda Sellers
	Vacant
	Broderick McGee
	Shirley McKellar
	Vacant
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Sr. Assistant City Attorney:	Regina Y. Moss
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
Compliance Engineer:	Paul Neuhaus
Police Chief:	Jimmy Toler
Traffic Engineer:	Cameron Williams
Director of Solid Waste & Transit Services:	Russ Jackson
Planning Director:	Kyle Kingma
City Clerk:	Cassandra Brager

INVOCATION – Mayor Pro Tem Westbrook

MINUTES

Motion by Mayor Pro Tem Westbrook to approve the June 10, 2020 minutes; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

ZONING

Z-1 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 “PUR”, Planned Unit Residential District. This item was previously tabled at the City Council meeting on April 22, 2020, May 27, 2020 and June 26, 2020. (O-2020-71)

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Motion by Mayor Pro Tem Westbrook to un-table the item from previous meeting; seconded by Councilmember McGee; motion carried 5 - 0 & item un-tabled and ready for discussion.

Jake Fears, 121 S. Main St Henderson, Texas – Stated that he was here representing the Developer and in support of the PUR presented today.

Michael Gazette, 100 E. Ferguson – Stated that he was here representing the Developer and he was for the project and would request that the City Council approve this project today to allow work to begin.

Gaylord Hughey, 305 Ferrell Place – Stated that he was here representing Willow Brook Country Club and that the club supports the development but it needs to protect its property. Mr. Hughey stated that this is a drainage and siltation issue and it's very common in the community. Hughey stated that they have a resolution that they would like to present to the Council. He stated that there was some allegation among the Engineers that there was some siltation run off associated with this part of this development, so they filed the protest accordingly. Hughey stated that they were tied up on one technical issue which has to do with what, if anything, can be done inside a natural Greenbelt. The Club wants the Council's clarification on whether it is going to be a natural Greenbelt, and whether or not they can go in and disturb the surface. Hughey stated that in the Club's estimation, it would defeat the purpose of the Greenbelt, which is to slow the run off, and catch the siltation, coupled with a drainage ditch that you will see on the plat. Hughey stated that the Club wants the development to go forward and they want to get Mr. Wasson started out there, but again the Club needs the Council's guidance.

Jack Wasson, 1265 Roma Dr., Frisco, TX 75036 – Owner and Developer of the property in discussion today. Mr. Wasson stated that this site plan for Garden Valley North has been put on hold for several months in order for them to work with the Planning Department to come up with a PUR property that Planning could support and that would allow development to proceed. Wasson stated that he spent a lot of time working back and forth with City staff, and everyone agreed that this was a good site plan. Wasson stated that the Greenbelt property is at least 2000 feet north of the property that is being considered, and the engineer will acknowledge that there is no water run off issue that effects Willow Brook in any possible way. The water that discharges from this property goes in a completely different direction. Wasson stated the issue with this property is that it is fifty (50) units. He said the lender anticipates the day when they will sell these units, and that's why they have subdivided it and provided for individual ownership of each unit. Wasson stated that these townhomes match Garden Valley South, which is fifty-four (54) units at this point. This project has the same floorplan, and the same building plan as Garden Valley South, which has already been approved by the Planning and Zoning Commission, has been platted, and has been approved by the City Council. Wasson stated that they are now here about Garden Valley North, which would double the size. He stated that his lender felt that the project was too small, the fifty (50) townhomes was not sufficient. He said that when the opportunity presented itself to acquire the property directly across the street, the lender strongly recommended that they increase the number of units and make this a hundred and ten (110) to a hundred and twenty (120) units.

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

Councilmember McGee exited the Council Chambers

PRESENTATION

P-1 Request that the City Council consider receiving an update regarding COVID-19 in Tyler and Smith County from the Northeast Texas Health Department.

Mr. George Roberts- Northeast Texas Public Health District- Gave a brief update on the COVID-19 pandemic in Tyler and Smith County.

Bob Brewer, 1800 DeCharles – Spoke concerning the COVID-19 pandemic.

City Council recessed at 10:18 am

City Council reconvened from recess at 10:30 am

P-2 Request that the City Council:

- 1) Consider receiving a presentation of the Fiscal Year 2020-2021 Proposed Budget;**
- 2) Consider voting to schedule public hearings on the proposed property tax rate and the proposed budget on the agendas for the August 26, 2020 City Council Meeting, and;**
- 3) Consider voting to place proposals to adopt an ad valorem tax rate and adopt the final fiscal year 2020-2021 budget as action items for the September 9, 2020 City Council Meeting.**

Motion by Councilmember Sellers to schedule a public hearing on the proposed property tax rate and the proposed budget on the agenda for the August 26, 2020 City Council meeting; seconded by Councilmember McKellar; motion carried 4 - 0 & approved as presented.

Motion by Mayor Pro Tem Westbrook to place proposals to adopt an ad valorem tax rate of 25.90 cent per hundred and adopt the final fiscal year 2020-2021 budget as action items for the September 9, 2020 City Council meeting; seconded by Councilmember McKellar; motion carried 4 - 0 & approved as presented.

RESOLUTION

R-1 Request that the City Council consider adopting a Resolution authorizing the Police Department to participate with other law enforcement agencies in the submission of a grant request from The Texas Automobile Burglary & Theft Prevention Authority for twenty-ninth year funding in the East Texas Auto Theft Task Force, and consider authorizing the City Manager to enter into a working agreement regarding the same. (R-2020-72)

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Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar; motion carried 4 - 0 & approved as presented.

R-2 Request that the City Council consider adoption of a Resolution calling an election for November 3, 2020 to fill the offices of the Mayor at Large and Tyler City Council Members for Single Member District Numbers 2, 4, and 6 on the Tyler City Council and calling for a joint election with Smith County. Pulled from the agenda

R-3 Request that the City Council consider adoption of a Resolution appointing members to the Rose City Municipal Utility District Board of Directors and also rescinding prior City appointments. (R-2020-73)

Motion by Mayor Heines to appoint Mayor Pro Tem and Councilmember Sellers; seconded by Mayor Pro Tem Westbrook; motion carried 4 - 0 & approved as presented.

Councilmember McGee rejoined the City Council meeting via virtual attendance.

MISCELLANEOUS

M-1 Request that the City Council consider receiving a presentation on the Citywide Intelligent Transportation System (ITS) Master Plan and consider authorizing the purchase of Applied Information's "Connected School Beacon System" from Paradigm Traffic in the amount of \$222,762.

Cameron Williams, Traffic Engineer – Gave a brief update on the Citywide Intelligent Transportation System Master Plan.

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

M-2 Request that the City Council consider authorizing the City Manager to execute a contract with Reynolds and Kay, LTD in the amount of \$1,058,407.00 for the Open Cut Re-route Package DP06, BOND-CD-001-GM06 Standard Bid, 20-034.

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

M-3 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending June 30, 2020.

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

ORDINANCE

O-1 Request that the City Council consider adoption of an ordinance amending Tyler City Code, Chapter 19 by revising and expanding the existing Private Lateral Ordinance. (O-2020-72)

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

O-2 Request that the City Council consider receiving a presentation on the Family Self-Sufficiency and Housing Choice Voucher Program's FY 2020-2021 Annual Plans and the 2020-2025 Five-Year Housing Agency Plan, and consider adoption of an ordinance related to approval thereof. (O-2020-73)

Motion by Councilmember McKellar; 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 authorizing the Mayor to accept SC-9-1-1 District participation funding for part of the computer purchase for Computer Aided Dispatch (CAD) for Tyler Police Department in the total amount of \$250,000 with an annual payment of \$50,000 awarded to the City of Tyler.

C-A-2 Request that the City Council consider approving Amendment No. 1 with Schaumburg and Polk, Inc. in the amount of \$64,500.00 for additional design work for the Melinda and Donna Street Reconstruction project.

C-A-3 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1911 North Border within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-74)

C-A-4 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1112 Lollar within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-75)

C-A-5 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 402 Liberty within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-76)

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C-A-6 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1521 North Palace within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-77)

C-A-7 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 326 Parkdale within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-78)

C-A-8 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2200 Moore within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-79)

C-A-9 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1115 Old Noonday within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2020-80)

C-A-10 Request that the City Council consider authorizing the City Manager to sign an Inter-local Agreement with Smith County so the Sheriff's Department can make application for and accept the Edward Byrne Memorial Justice Assistance Grant (JAG) for the Fiscal Year 2020-2021.

C-A-11 Request that the City Council consider authorizing the City Manager to execute a Release and Termination of Sewer Line Easement for a sanitary sewer easement located across the proposed Legacy Crossing Subdivision, located near Lake Placid Road and Old Noonday Road.

C-A-12 Request that the City Council consider authorizing the City Manager to execute a Partial Release and Termination of Drainage Easement for a portion of a drainage easement located across the residential property at 5602 Regents Row.

C-A-13 Request that the City Council consider authorizing the City Manager to execute an Agreement for Professional Engineering Services with Halff Associates, Inc., with a not-to-exceed fee of \$75,000, for engineering review services.

C-A-14 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending June 30, 2020.

C-A-15 Request that the City Council consider approving a contract with Traylor & Associates for consulting services relating to any grant applications, grant fund receipts, or grant fund management related to the COVID-19 pandemic.

C-A-16 Request that the City Council consider ratifying the purchase of three Ford Fusions with the option to purchase one additional unit from Tyler Ford in the amount of \$20,842 each as per Bid 20-006.

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C-A-17 Request that the City Council consider authorizing the City Manager to approve the reconciliation change order that will increase the contract amount by 1.3 percent (\$20,687.10) and the release of final retainage payment in the amount of \$82,955.26 to Reynolds & Kay, Ltd. for the DP06 Sanitary Sewer Rehabilitation - Open Cut Package Project, Bid No. 19-038.

C-A-18 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will decrease the contract amount by 17.8 percent (\$57,127.00) and the release of final retainage payment in the amount of \$13,196.93 to Quadex Lining Systems, LLC for the DP01 Sanitary Sewer Rehabilitation Cured-In-Place-Pipe (CIPP) Package Project, Bond-CD-001-GM04/BuyBoard Contract 19-2018.

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

CITY MANAGER'S REPORT

No City Managers report

ADJOURNMENT

Motion by Councilmember Sellers to adjourn the meeting at 12:22 pm; seconded by Councilmember McKellar; motion carried 5 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

