

**MINUTES OF THE TELECONFERENCE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
September 9, 2020**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, September 9, 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(via teleconference)
	Vacant
	Broderick McGee
	Shirley McKellar
	Vacant

City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Sr. Assistant City Attorney:	Regina Y. Moss
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
Compliance Engineer:	Paul Neuhaus
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Managing Director of Planning & Economic Development:	Heather Nick
Planning Manager:	Kyle Kingma
Water Business Office Manager:	Jim Yanker
City Engineer:	Lisa Crossman
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember McGee.

**MINUTES**

Motion by Mayor Pro Tem Westbrook to approve the minutes for the July 8, 2020 minutes; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

**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.**

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George Roberts – Gave a brief update regarding the COVID-19 in Tyler and Smith County.

## HEARING

- H-1 Request that the City Council conduct the second of three public hearings 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 third of three readings.**

**City Council went into a public hearing at 9:45 am  
City Council closed the public hearing at 9:46 am with no one coming forward to speak.**

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

## RESOLUTION

- R-1 Request that the City Council consider adopting a Resolution calling an election for November 3, 2020 due to the postponement of the May 2, 2020 Election 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. (R-2020-82)**

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

## ORDINANCE

- O-1 Request that the City Council consider adopting an Ordinance amending and updating fees and other applicable adjustments to Tyler City Code Chapter 6 relating to Buildings and Structures, Chapter 16 relating to Solid Waste Disposal Regulations, and Chapter 19 relating to Water and Sewer. (O-2020-85)**

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

- O-2 Request that the City Council consider conducting a public hearing, adopting the Fiscal Year 2020-2021 proposed budget ordinance and consider amending the Fiscal Year 2019-2020 budget by roll-call vote, and consider authorizing the City Manager to execute the outside agency contracts for Fiscal Year 2020-2021. (O-2020-86) City Council opened the floor for a public hearing at 10:05 am and closed the public hearing at 10:07 with no one coming forward to speak.**

Motion by Mayor Pro Tem Westbrook to adopt the proposed fiscal year 2020-2021 annual budget, adopt the fiscal year 2019-2020 budget amendments and authorize the City Manager

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to execute particular outside agency contracts budgeted for fiscal year 2020-2021; motion seconded by Councilmember McKellar.

Mayor at Large – Martin Heines - Aye  
District 1 – Councilmember Linda Sellers – Aye  
District 2 – Councilmember Broderick McGee – Aye  
District 3 – Councilmember McKellar - Aye  
District 5- Mayor Pro Tem Westbrook – Aye

Motion by Councilmember McGee to ratify the property tax increase reflected in the fiscal year 2020-2021 budget; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

Mayor at Large – Martin Heines - Aye  
District 1 – Councilmember Linda Sellers – Aye  
District 2 – Councilmember Broderick McGee – Aye  
District 3 – Councilmember McKellar - Aye  
District 5- Mayor Pro Tem Westbrook – Aye

**O-3 Request that the City Council consider adopting an ordinance setting the property tax rate for Fiscal Year 2020-2021 at \$.259000 per \$100 valuation. (O-2020-87)**

Motion by Mayor Pro Tem Westbrook to adopt the proposed property tax rate of 0.259000 per \$100 dollars of appraised value; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

Mayor at Large – Martin Heines - Aye  
District 1 – Councilmember Linda Sellers – Aye  
District 2 – Councilmember Broderick McGee – Aye  
District 3 – Councilmember McKellar - Aye  
District 5- Mayor Pro Tem Westbrook – Aye

**MISCELLANEOUS**

**M-1 Request that the City Council consider authorizing the City Manager to execute a construction contract with Reynolds & Kay, Ltd. for the construction of the Arbor Oaks Drainage and Street Improvements project in the amount of \$1,485,062.00.**

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

**M-2 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$4,492,700, with KSA Engineers, Inc. for the Consent Decree Group 3 Remedial Measures Implementation.**

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Motion by Councilmember McGee; seconded by Councilmember McKellar; 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 City Manager to ratify Change Order No. 1 in the amount of \$15,275.00, approving a Reconciliation Change Order in the amount of \$10,194.15 and approving the release of final retainage to J2 Construction Services, LLC for the Cecil Avenue Drainage Improvements project.**
  
- C-A-2 It is recommended that the City Council consider authorizing the City Manager to award an annual contract to Aqua Metric Sales Company for the purchase of water meters, transceiver units, and register units during Fiscal Year 2020-2021.**
  
- C-A-3 It is recommended that the City Council consider authorizing the City Manager to declare Tyler Water Utilities scrap brass, copper, water meters, ductile iron, cast iron and miscellaneous metals as surplus and award Bid Number 20-067, to Tyler Iron & Metal Co. Inc. of Tyler, Texas for the fiscal year beginning October 1, 2020.**
  
- C-A-4 Request that the City Council consider authorizing the City Manager to utilize various vendors as sole source for parts and service during Fiscal Year 2020-2021.**
  
- C-A-5 Request that the City Council consider authorizing the City Manager to approve the agreements with various cooperative groups, whereby the City of Tyler can take full advantage of purchasing any and all items available through the cooperatives for the fiscal year beginning October 1, 2020 through September 30, 2021.**
  
- C-A-6 Request that the City Council consider authorizing the City Manager to award the various annual price agreements to the vendors listed for Office Furniture, Copy Paper, DI Fittings, DI Pipe, Water Meter Boxes / Lids, Water and Sewer New Install and Repair Products and Office Supplies for the fiscal year beginning October 1, 2020.**
  
- C-A-7 It is recommended that the City Council consider authorizing the City Manager to award the purchase of Conbraco/Apollo Double Check Detector Assemblies to MacArthur Gauge, Incorporated during the Fiscal Year 2020-2021.**

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**C-A-8 Request that the City Council consider authorizing the City Manager to execute the Interlocal Elections Contract with Smith County to perform the November 3, 2020 election services for the conduction of an election due to the postponement of the May 2, 2020, City of Tyler election to elect a Mayor at Large and City Council members for single member districts numbers 2, 4 and 6 .**

Motion by Mayor Pro Tem Westbrook to approve the entire consent agenda; second by Councilmember McGee; motion carried 5 - 0 & approved as presented.

**CITY MANAGER'S REPORT**

1. Parks Service Day is scheduled for September 26th. Due to COVID-19, all volunteers must pre-register before the event and a location will be assigned to them. There will not be any opening/closing ceremonies this year, but we will still provide lunch and t-shirts.
2. The Art Mural on Loop 323 across from Tyler Legacy High School is finally getting repainted. The original 19 artists were invited that painted the Hillside Art Wall were invited and seven artists have actually committed to help with the new mural. They will begin painting this Saturday and right now the wall is being pressure washed in order to prepare for this weekend.
3. The airport administration worked closely with TSA to coordinate the installation of a new full body scanner.
4. The City of Tyler will convert its disinfection process to free chlorine for a period of approximately one month beginning Sept. 14 and ending on October 12, 2020. The City of Tyler currently uses chloramines (a combination of free chlorine and ammonia) to disinfect its drinking water supply prior to customer distribution. This is a reliable disinfection process that has been recommended by the Texas Commission on Environmental Quality (TCEQ) for systems predominantly treating surface waters, such as those in the Tyler water system.

**ADJOURNMENT**

Motion by Mayor Heines to adjourn the meeting at 10:34 am; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & meeting adjourned.

  
MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

