

**MINUTES OF THE TELECONFERENCE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 13, 2021**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 13, 2021 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Don Warren
Mayor Pro Tem:	Broderick McGee
Councilmembers:	Linda Sellers
	James Wynne
	Shirley McKellar
	Bob Westbrook
	Brad Curtis
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Assistant City Attorney:	James Craig
Airport Manager:	Davis Dickson
Managing Director of Administrative Services:	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 Pastor Orenthia Mason.

MINUTES

Motion by Councilmember Westbrook to approve the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on October 28 and November 11, 2020; seconded by Mayor Pro Tem McGee; motion carried 7 - 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 Public Health District.

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George Roberts, Chief Executive Officer and Dr. Paul McGaha-Smith County Health Authority gave an update regarding COVID-19 in Tyler and Smith County.

ZONING

- Z-1 A20-003 MOBILE INVESTMENTS AND PROPERTY RENTALS LLC (4818 COUNTY ROAD 219)**
Request that the City Council consider approving adoption of an ordinance providing for the voluntary annexation of a 5.84 acre tract of land lying adjacent to the present boundary limits of the City of Tyler located east of the southeast intersection of Haverhill Drive and County Road 219. Also consider recommending:
- A. The new boundary of the City Limits.**
 - B. The new boundary of the City Council District #4.**
 - C. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.**
 - D. Amendment of the Future Land Use Guide to reflect Single-Family Residential Medium/High Density.**
 - E. Establishment of original zoning of 5.84 acres of "NR", Neighborhood Residential District. (O-2021-1)**

Motion by Councilmember Wynne; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

- Z-2 C20-010 MLEANDRO REALTY LLC (UNIMPROVED PORTION OF BARNES STREET)**
Request that the City Council consider approving the closure of an unimproved portion of Barnes Street. (O-2021-2)

Motion by Mayor Pro Tem McGee; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

- Z-3 Z20-049 JOSE CASTELLANOS (2704 AND 2706 CALLOWAY ROAD)**
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District.

Motion by Councilmember Westbrook to approve the motion; seconded by Mayor Pro Tem McGee; motion carried 7 - 0 & approved as presented.

Shalora Logan, 2321 North Lake Trail, Denton, TX.-Stated that she is the owner of the property and was against the zoning.

Motion by Councilmember Sellers to table this item for up to 30 days; seconded by Councilmember McKellar; motion carried 7-0 & approved as presented.

Motion by Councilmember Westbrook to withdraw his motion to approve item Z-3; seconded by Mayor Pro Tem McGee; motion carried 7 - 0 & approved as presented.

- Z-4 Z20-051 JACKHARP 310 VINE LLC (310 SOUTH VINE AVENUE)**

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Request that the City Council consider approving a zone change from "AR", Adaptive Reuse District to "DBAC", Downtown Business Arts and Culture District. (O-2021-3)

Motion by Mayor Pro Tem McGee; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

**Z-5 Z20-053 CUSTOM BLACK STALLION HOMES (816 MORRIS STREET)
Request that the City Council consider approving a zone change from "C-1", Light Commercial District to "R-1B", Single-Family Residential District. (O-2021-4)**

Motion by Councilmember McKellar; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

Z-6 PD20-023 WJDS PROPERTIES LLC (6216, 6218, 6219, 6221, 6222, 6224, 6225, AND 6227 VILLA ROSA WAY) Request that the City Council consider approving a "PMF", Planned Multi-Family Residential District site plan amendment. (O-2021-5)

Motion by Councilmember Westbrook; seconded by Mayor Pro Tem McGee; motion carried 7 - 0 & approved as presented.

RESOLUTION

R-1 Request that the City Council consider adoption of a Resolution approving a Public Improvement District (PID) Policy, which sets forth criteria for determining establishment of a PID and which outlines petition requirements. (R-2021-1)

Motion by Mayor Pro Tem McGee; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

R-2 Request that the City Council consider adoption of a Resolution accepting a petition from Bellwood 323 2019 LP to create a Public Improvement District (PID) and consider establishing a public hearing date regarding the creation of the District. (R-2021-2)

Terry Bonner, 1110 S Academy and 3101 Hwy 31 E, Tyler, Texas- Spoke on Social Justice Concerns.

Motion by Mayor Pro Tem McGee; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider approving a minor amendment to the 2020-2024 Consolidated Plan and Program Year 2020 Annual Action Plan.

Motion by Councilmember Wynne; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

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M-2 Request that the City Council consider authorizing the City Manager to execute a construction contract with Garrett Associates for the construction of the Neighborhood Services Renovations Phase 1 project in the amount of \$323,083.00.

Motion by Councilmember McKellar; seconded by Mayor Pro Tem McGee; motion carried 7 - 0 & approved as presented.

M-3 Request that the City Council consider authorizing the City Manager to execute a construction contract with Solid Bridge Construction LLC for the construction of the storm sewer repair at 3521 South Broadway in the amount of \$186,830.00.

Motion by Councilmember Sellers; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

M-4 Request that the City Council consider authorizing the City Manager to execute Change Order Number 7 with Joe R. Jones Construction, Inc. increasing the total contract amount by \$183,835.31, for the 2019 Federal Aviation Administration Improvement Project FAA AIP Project No. 3-48-0215-41-2018 2019 Instrument Landing System (ILS) Relocation Construction Project at Tyler Pounds Regional Airport.

Motion by Councilmember Wynne; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

BOARD APPOINTMENTS

B-1 Request that the City Council consider appointment or reappointment of three members of the City of Tyler Tax Increment Reinvestment Zone No. 1 Board, and also consider appointment or reappointment of a Chair.

Motion by Councilmember Westbrook to reappoint Dean Cagle, Fred Carl, Billy Hibbs and appoint Dean Cagle as Chair; seconded by Councilmember Curtis; motion carried 7 - 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 accept and authorize the City Manager to sign the acceptance letter for the Bureau of Justice Assistance (BJA) FY 20 Coronavirus Emergency Supplemental grant from the Office of Justice Programs in the amount of \$99,436, with no City match required.

C-A-2 Request to receive a patronage dividend refund check in the amount of \$1,984.49 from FirstChoice Cooperative and a rebate check in the amount of \$34,428.00 from BuyBoard, the Local Government Purchasing Cooperative.

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- C-A-3 Request that the City Council ratify the expenditure of \$91,198.80, for the Mandated Public Water System Fee to the Texas Commission on Environmental Quality for Fiscal Year 2021.**
- C-A-4 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1520 West Oakwood within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2021-3)**
- C-A-5 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 810 West Mims within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2021-4)**
- C-A-6 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1723 North Confederate within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2021-5)**
- C-A-7 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 9067 County Road 427 within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2021-6)**
- C-A-8 Request that the City Council consider approving a reimbursement of \$59,288.06 for right-of-way (ROW) sanitary sewer easement clearing work to A.E. Shull & Company, as part of its "On-Call and Maintenance Contract", to be paid out of operating funds.**
- C-A-9 Request that the City Council consider ratifying execution of the annual Interlocal Agreement with the Northeast Texas Public Health District (NETPHD) for City support services to the District.**

Motion by Councilmember Westbrook to approve the entire Consent Agenda; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Hats off and a deep appreciation to our Public Safety, Streets and Traffic crews during this most recent snow and ice storm. A deeper appreciation for these men and women who jumped in at a moment's notice and took care of our people in Tyler so that they could enjoy their snow day.
2. The Parks Department has 4 out of 10 new bicycle fixed stations that have been installed and the others are coming. Arbor Day is coming up this weekend. In addition, the Glass Recreation Center is having their yearly membership drive and offering annual memberships for only \$25.00.
3. The Police Department has done an amazing job on recruitment and hiring recently. The department is at 100% staffing for authorized positions, which is an amazing feat for any Police Department nowadays.

EXECUTIVE SESSION- City Council convened into Executive Session at 10:42 am. **The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code. Notice is hereby given that the City Council may go into Executive Session in accordance with the following provision of the Government Code:**

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Executive Item

Under Texas Gov't Code Section 551.072 "Real Estate" deliberation regarding the following:

Discuss the purchase, exchange, sale, lease or value of real properties, the public discussion of which would have a detrimental effect on the negotiating position of the City.

Any final action to be taken by the City Council will be taken in open session.

City Council reconvened from Executive Session at 11:03 with the motion by Councilmember Curtis to authorize the City Manager to execute all documents necessary to purchase the property located at 621 W Ferguson St. Tyler, TX.; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

ADJOURNMENT

Motion by Councilmember Westbrook to adjourn the meeting at 11:06 am; seconded by Councilmember McKellar; motion carried 7 - 0 & meeting adjourned.



DONALD P WARREN, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

