

**MINUTES OF THE TELECONFERENCE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
May 12, 2021**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, May 12, 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
Stuart Hene

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
Organizational Development: Regina Y. Moss
Chief Financial Officer: Keidric Trimble
Chief Information Officer: Benny Yazdanpanahi
City Fire Chief: David Coble
City Librarian: Ashley Taylor
Planning Manager: Kyle Kingma
Police Chief: Jimmy Toler
Interim Utilities Director: Doug Box
Managing Director of Culture, Recreation and
Tourism Services: Stephanie Franklin
Director of Solid Waste & Transit Services: Russ Jackson
Vehicle/Equipment Services Manager: Leroy Sparrow
Managing Director of Planning &
Economic Development: Heather Nick
City Engineer: Lisa Crossman
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McKellar.

MINUTES

Motion by Councilmember Sellers to approve the February 24, 2021 minutes; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

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ELECTIONS

E-1 Request that the City Council consider canvassing the election returns of the City Council Election held May 1, 2021, for Districts No. 1, 3, and 5 and adopting an Ordinance declaring the results. (O-2021-38)

District No. 1, For City Councilmember

Greg Grubb 233 Votes

Stuart Hene 766 Votes

District No. 3, For City Councilmember

Shirley J McKellar 345 Votes

Dalila Reynoso 183 Votes

District No. 5, For City Councilmember

Kenith Freeman 69 Votes

Bob Westbrook 278 Votes

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

E-2 Request that a Certificate of Election and the Oath of Office be administered to the re-elected City Councilmembers for Districts 3 and 5.

Judge Amy McCullough administered the oath of office to the re-elected Councilmember Shirley McKellar and Councilmember Bob Westbrook.

E-3 Request that a Certificate of Election and the Oath of Office be administered to the newly elected City Councilmember for District No. 1.

Judge Amy McCullough administered the oath of office to the newly elected Councilmember Stuart Hene.

(Note: New City Councilmembers take their seats on the dias)

E-4 Request that the City Council consider electing a Mayor Pro Tem.

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

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ZONING

- Z-1 C21-005 PINKERTON DONALD R FAMILY TRUST (PORTION OF MAGGIE STREET AND EPPERSON AVENUE)
Request that the City Council consider approving the closure of unimproved portions of Maggie Street and Epperson Avenue. (O-2021-39)**

Motion by Councilmember Wynne; seconded by Councilmember 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.**

George Roberts and Dr. McGaha, Northeast Texas Public Health District – Gave an update regarding COVID-19 in Tyler and Smith County.

Bob Brewer -1800 DeCharles, Tyler, Texas – Spoke concerning COVID-19.

- P-2 Request that the City Council consider hearing a presentation on the status of parks capital improvement projects and approving the addition of the 5-Year Implementation Schedule to the current Parks, Recreation, and Open Spaces Master Plan.**

Leanne Robinette, Parks Manager – Gave a presentation on the status of parks capital improvement projects and approving the addition of the 5-Year Implementation Schedule to the current Parks, Recreation, and Open Spaces Master Plan.

RESOLUTION

- R-1 Request that the City Council consider adopting a Resolution nominating MCWANE, INC. (d/b/a Tyler Pipe) for award of a State of Texas Enterprise Zone Project designation. (R-2021-29)**

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

ORDINANCE

- O-1 Request that the City Council consider adopting of an Ordinance amending Tyler City Code Chapter 14, “Animals” by clarifying animal nuisance regulations, including distance and setback requirements for confining fowl. (O-2021-40)**

Nikki Aubuchon, 403 W 1st St. – Spoke in favor of the ordinance.

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

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to execute a construction contract with Solid Bridge Construction for the construction of the Briarwood Estates Channel Improvements project in the amount of \$139,675.00.

Motion by Councilmember McGee; seconded by Councilmember Curtis; motion carried 7 - 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., for the construction of the 2021 Asphalt Enhancement Project in the amount of \$3,375,506.40.

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

M-3 Request that the City Council consider authorizing the City Manager to execute a contract amendment with Langan Adams (formerly Adams Engineering) for additional construction phase services for the Martin Luther King Improvements project in the amount of \$33,000.00.

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

M-4 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$390,430, with KSA Engineers, Inc. for the Consent Decree Program Management Assistance.

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

M-5 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending March 31, 2021.

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

M-6 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending March 31, 2021.

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

M-7 Request that the City Council consider authorizing the City Manager to sign the Memorandum of Understanding with Smith County for the use of office space at the Cotton Belt Building for Parks Administration during the Rose Complex construction.

Motion by Mayor Pro Tem McKellar; seconded by Councilmember McGee; 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 consider conducting the annual investment policy review and approval of an Ordinance amending Tyler City Code Chapter 2 adopting the investment policy. (O-2021-41)

C-A-2 Request that the City Council consider authorizing the City Manager to execute a letter of agreement for professional advisory services with Valley View Consulting for a two year period, expiring June 30, 2023, effective July 1, 2021 with an option to extend this agreement in additional one or two year increments upon satisfactory completion of the next two years of service.

C-A-3 Request that the City Council consider declaring certain City of Tyler vehicles to be surplus property and approve an inter-local agreement authorizing the sale of these vehicles to the City of Frankston.

C-A-4 Request that the City Council consider declaring a list of forfeiture items from Tyler Police as surplus and ready to be auctioned.

C-A-5 Request that the City Council consider authorizing the City Manager to purchase (1) New Gilig Low Floor Fixed Route Bus and (4) New Arboc Buses for a total purchase of \$1,108,918.

C-A-6 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-7 Request that the City Council consider authorizing the City Manager to purchase a camera system upgrade for Tyler Transit's Revenue Vehicle Fleet at a cost not to exceed \$65,000 from CWI Digital Systems.

C-A-8 Request that the City Council consider authorizing the City Manager to execute an Easement and Right-of-Way agreement with Oncor to install electrical lines on City-owned property at Lake Tyler.

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

CITY MANAGER'S REPORT

- 1.** Smith County Appraisal District released the 2021 appraisal role.
- 2.** Tyler Police Boat for Lake Tyler - The Police Department would like to give a special Thank You to the Tyler Water Utilities Department for assisting them with a new initiative at the Tyler Police Department. They have provided them with a boat (spare) that will be transitioned into the "first" Tyler Police Department Lake Patrol. The boat is currently in transition and will hopefully be on the water soon. The members of the Priority Response will be attending training with the Game Wardens to learn inspection operations and water safety courses. Once they are trained, they will continue to work with Game Wardens to improve safety on the water. Historically, we have worked around the lake and did not have the capability to go out onto the water. This required us to rely on others for assistance.

Chief Toler would also like to thank A/C Russell Jacks and Lt. Jason Burton for their efforts in this project. They have fully cleaned and removed items from the boat that will be updated / upgraded. The boat is currently being serviced (steering and engine). The next step will be to have it painted before being striped "Tyler Police" graphics. Next Steps" Emergency equipment (red and blue lights), radio reprogramming, and safety equipment will be added to the boat. There is a lot excitement around this project and we look forward to being on the water. Police Department – Boat lake patrol.

- 3.** Tyler PD (621 W. Ferguson) Updates - There has been a lot going on at the 621 W. Ferguson (AT&T Building) since the property was purchased. Department employees have done a lot of work cleaning out the rooms (old cubicles, carpet removal, disposal). In addition, contractors have completed the electrical drops throughout the building, installed computer wire and switch racks, and installed lighting in the tall garage area. Next Steps: 1. Roof (Thank you to Gary Smith for his efforts). 2. Fiber boring (scheduled) 3. Garage Door Install (ordered), 4. Interior Paint (Bid / upcoming), 4. Flooring (Bid / upcoming). In addition, we have started using the cover to secure our patrol vehicles (waiting to be marked) and some equipment. As the vehicles are moved out, we will move more items under cover. A special Thank You to A/C Russell Jacks, Sgt. Jeff Rackliff, Det. Jamie Tarrant, Det. Rebekah Hutson, and Det. John Stone for hard work on moving this great project forward. They have put in a ton of "Sweat Equity."
- 4.** The Tyler Parks and Recreation Department will be celebrating the renovation and official opening of Woldert Park with a ribbon-cutting event on Thursday, May 13 at 5 p.m. at Woldert Park, 701 W. 32nd St.

ADJOURNMENT

Motion by Councilmember Westbrook; seconded by Mayor Pro Tem McKellar to adjourn the meeting at 10:45 am; motion carried 7 - 0 & meeting adjourned.

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

ATTEST:

Cassandra Brager
CASSANDRA BRAGER, CITY CLERK

