

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 27, 2021**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 27, 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:	Shirley McKellar
Councilmembers:	Stuart Hene
	James Wynne
	Broderick McGee
	Bob Westbrook
	Brad Curtis
City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Airport Director:	Stephen Thompson
Planning Manager:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
Director of Solid Waste, Transit:	Leroy Sparrow
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Westbrook.

MINUTES

Motion by Councilmember Westbrook to approve the September 8, 2021 minutes; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

AWARDS

A-1 Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. They represent 40 years of service with the City of Tyler.

Robert McComb, Traffic Sign Supervisor, 20 years of service
Terence Thedford, Fire Senior Captain I, 20 years of service

ZONING

Z-1 Z21-040 SANDHU INVESTMENTS LLC (6110 SOUTH BROADWAY AVENUE) Request that the City Council consider approving a zone change from “C-1”, Light Commercial District to “C-2”, General Commercial District. (O-2021-93)

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

Z-2 Request that the City Council consider approving a “PMXD-2”, Planned Mixed-Use District amendment, for one lot containing approximately 1.50 acres of land located southwest of the intersection of West Erwin Street and South Vine Avenue (700 West Erwin Street). (O-2021-94)

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

**Z-3 PREVIOUSLY TABLED ITEM
PD21-013 GAIL NOBLES AND SUSAN STANDEFER AND JILL SHELTON (1201, 1210 AND 1211 FISHER DRIVE) Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “PUR”, Planned Unit Residential District with final site plan. This request was previously tabled by the City Council on August 25, 2021 and September 22, 2021.**

Motion by Councilmember Hene to table the item indefinitely; seconded by Councilmember Westbrook; motion carried 7 - 0 & item tabled.

**Z-4 PREVIOUSLY TABLED ITEM
C21-010 GAIL NOBLES AND SUSAN STANDEFER AND JILL SHELTON (A PORTION OF FISHER DRIVE) Request that the City Council consider approving the closure of a portion of Fisher Drive. This item was previously tabled by the City Council on August 25, 2021 and September 22, 2021.**

Motion by Councilmember Hene to table the item indefinitely; seconded by Councilmember Westbrook; motion carried 7 - 0 & item tabled.

Z-5 Z21-039 CLYDE ELIZABETH VANDERPOOL HARVEY (1326 AND 1386 EAST GRANDE BOULEVARD) Request that the City Council consider approving a zone change from “AG”, Agricultural District to “C-2”, General Commercial District. (O-2021-95)

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

Z-6 Z21-038 TEXAN ROOT HOMES LLC (325 NORTH BEVERLY AVENUE) Request that the City Council consider approving a zone change from “C-2”, General Commercial District to “R-1D”, Single-Family Residential District. (O-2021-96)

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

Z-7

Z21-041 AMAYA JORGE A (505 SOUTH PALACE AVENUE)

Request that the City Council consider approving a zone change from “R-MF”, Multi-Family Residential District and “C-1”, Light Commercial District to “C-2”, General Commercial District. (O-2021-97)

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

HEARING

H-1

Request that the City Council consider conducting a public hearing and receiving public input on draft illustrative plan options for redistricting of single member Tyler City Council districts based on 2020 Census data.

Phillip Arnold, Bickerstaff Heath Delgado Acosta - Presented the 2021 Initial Assessment for City of Tyler Council Districts.

City Council opened up the public hearing at 9:46 am

Eleno Licea, 1201 Belmont Dr. – Stated that he had a couple questions and some comments on the proposed guidelines. His first question is on those guidelines that we’re supposed to adhere too, that you guys told us to, what resources is the city providing a citizen like myself to comply with because the city get the maps and the law firm and the software. What does the citizens get? Mr. Licea asked if the citizens would have access to the maps, law firm and software publicly? Would they sit down with us, because we may say, “Can we change District 3 this way, but what is that doing to the other district?” How do we comply with listing how much Hispanic? How much black? what resources is the city going to allow a private citizen to have to comply with? It’s simple for you guys to do that because you have all this stuff. What do we have?

Mr. Licea stated his other question is?

On the map for district four that looks like that's a pretty good move to get the area where Azalea Street and all of that past Donnybrook out of there, cause it's kind of just hanging out there. Then you put all of the North of McDonald Road in there, which if you're looking at your own guidelines those houses in there and those demographics are not homogeneous with district four those are \$1,000,000.00 homes, that's where the Hartleys live that's where I think the Manziel mansion is, those are not homogeneous homes, with what's on the east side of town. They are more homogeneous with the ones in the Azalea district. I will agree with that, but that's not really homogeneous. As far as McDonald Road being a divider, McDonald Road turns into just a regular road like you would walk on in any neighborhood. Most people think that him and his neighbor across the street vote for the same council person but it dead ends into a neighborhood. It becomes a big street when you go over that light right there by the park by the baseball park, but it does not do that in that neighborhood and you're splitting up a neighborhood. In his opinion when you put that population in there it's even further diluting the Hispanic vote. He does not know why any thought wasn't given

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to put in precinct 22, which is in Dr. McKellar's district over there and getting that out of her district. That's got a lot of Hispanic voting and he is not just saying that tailoring this only to Hispanic but that can be one of the guidelines. Putting that other portion of North McDonald Rd. does nothing to make that more competitive it makes it less competitive in his opinion. He would like to see what the demographic differences are in that district with this drawing as opposed to how it was. Is this retrogressive? I mean, the voting rights tells you that you have to compare the new one to the old one and he would like to see what the demographics are there? It may not be much of a difference but to him it appears that's going backwards? He stated that your fracturing the vote by not putting that portion of McKellar's district over there, so his question is, is there any thought to putting that area in North over in the Douglas area in district four and what resources will be provided to them to try to paint a picture for the Council that includes all the districts, because it's easy for Council to do but not so easy for the citizens.

Mike Starr 2725 Pecan– Spoke in opposition to the use of Voting Age Population as a review basis for plan options and suggested use of Citizen Voting Age Population instead.

Public Hearing closed at 10:08 a.m.

EXECUTIVE SESSION- City Council convened into executive session at 10:09 am. As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may go into executive session to consider the following:
-under section 551.071 "Consultations with Attorney" regarding the following:

Receive advice from counsel regarding the City's redistricting obligations

A governmental body may consult on legal matters that are not related to litigation or the settlement of litigation in an executive session with its attorney "on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts" with the Act.

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

City Council reconvened from executive session at 10:53 am with no action taken.

RESOLUTION

R-1 Request that the City Council consider adopting a Resolution appointing a City of Tyler representative to the Smith County Appraisal District Board of Directors. (R-2021-54)

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

R-2 Request that the City Council consider adopting a Resolution authorizing the City Manager or designee to execute and take all actions necessary to carry out a Purchasing /Financing agreement with Region Financial Corporation, for the purchase of Public

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Safety Radio Equipment from Motorola Solutions Inc. and H-GAC (Houston – Galveston Area Council) in the amount of \$2,036,236.08. (R-2021-55)

Motion by Mayor Pro Tem McKellar to approve the funds and if anything changes with the amount or contract then it will come back before City Council; 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 purchase a Pierce Custom Enforcer Aerial Platform Ladder truck for the Fire Department from Siddons Martin Emergency Group, Houston, Texas, HGAC contract number FS12-19.

Motion by Councilmember McGee; seconded by Mayor Pro Tem McKellar; 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 cancelling the regularly scheduled City Council meetings of November 24, 2021 and December 22, 2021.

C-A-2 Request that the City Council consider authorizing the City Manager to approve purchasing goods through The Interlocal Purchasing System (TIPS) and Buy Board Cooperative, whereby the City of Tyler can take full advantage of purchasing any and all items available through these cooperatives. Also, request that the City Council consider authorizing the City Manager to purchase solid waste trucks from the purchasing cooperatives as selected.

C-A-3 Request that the City Council consider authorizing the City Manager to purchase two (2) Elgin street sweepers from the selected vendor through Buyboard as part of the Fleet Replacement Program for FY2022. (pulled moved to next city council meeting)

C-A-4 Request that the City Council consider authorizing the City Manager to purchase two (2) John Deere Backhoes for \$136,164.80 each for a total of \$272,329.60 from Doggett Machinery Sourcewell Contract #032119-JDC.

C-A-5 Request that the City Council consider authorizing the City Manager to purchase one (1) new high pressure sewer jetting truck from Southwest International buy board contract 601-19 for a purchase price of \$220,703.00.

C-A-6 Request that the City Council consider authorizing the City Manager to execute the final lease renewal option for a five-year period from October 26, 2021 through October 25, 2026 for Agricultural Lease with Brian J. Arnold at the Tyler Pounds Regional Airport.

- C-A-7 Request that the City Council consider authorizing the City Manager to ratify the acceptance of the Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program (RAMP) Grant totaling \$50,000 for general maintenance programs at Tyler Pounds Regional Airport. The City's local share is \$50,000 which is budgeted in the 21/22 budget.**
- C-A-8 Request that the City Council consider authorizing the City Manager to execute the Renewal of an Agricultural Lease to Charlie Rand at Tyler Pounds Regional Airport.**
- 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.**
- C-A-10 Request that the City Council consider authorizing the City Manager to execute the Funding Amendment for FY2021-22 to the Northeast Texas Public Health District Cooperative Agreement.**
- C-A-11 Request that the City Council consider adopting a Resolution authorizing staff to file an application for Glass Recreation Center programming, with the Texas Parks and Wildlife Department (TPWD) for a Community Outdoor Outreach Program (CO-OP) Grant and authorizing the City Manager or designee to take all actions needed to receive and expend grant funds. (R-2021-56)**

Motion by Councilmember Westbrook to approve the consent items with the exception of C-A-3; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Saturday, October 23rd, the Oakwood Cemetery Restoration Committee had its annual "Spirits of Oakwood" historic walking tour through Oakwood Cemetery. Guests followed tour guides to visit gravesites and view reenactments of local historical figures. The event usually coincides with Azalea Trails in the spring, but was cancelled in 2020 and 2021 due to Covid-19. This year's fall return was deemed a great success. The Oakwood Cemetery Restoration Committee was organized in 1997, and has worked with the Tyler Parks Department since that time. Funds from the "Spirits of Oakwood" event are designated to help repair broken monuments and make further improvements within the cemetery. Next year's "Spirits of Oakwood" will resume its regular schedule in the spring of 2022 with the actual date to be determined.
2. Downtown has been selected as a Neighborhood Champion for Small Business Saturday again! Small Business Saturday was created by American Express in 2010. This nationwide program is meant to showcase how the community's small business are the core of every thriving neighborhood. This program was established for the Saturday after Thanksgiving to encourage people to Shop Small and bring more holiday shopping to small business. This year, Small Business Saturday is on Nov. 27. We will be encouraging our community to Shop Small on that Saturday and all season long. We will be working with Downtown businesses on promotion and engaging activities.
3. Tyler Police Department Employee Recognition - We are proud to announce that Lisa Blackmon was recognized as for her outstanding performance. She was recognized by the "Texas Association of Property and Evidence Inventory Technicians (TAPEIT)" as

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the property technician of the year. Great Job Lisa! The police department is proud of you and your accomplishments.

4. The Glass Recreation Center's new gym floor repairs were completed on Tuesday, Oct. 19. The multi-use courts include, basketball, volleyball and pickleball.

ADJOURNMENT

Motion by Mayor Pro Tem McKellar to adjourn the meeting at 11:17 am; seconded by Councilmember McGee; motion carried 7 - 0 & meeting adjourned.



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

ATTEST:


CASSANDRA BRAGER, CITY CLERK

