

**MINUTES OF THE REGULAR CALLED MEETING OF  
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
March 9, 2022**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 9, 2022 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:	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
Asst. City Manager:	Heather Nick
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Planning Manager:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
Police Chief:	Jimmy Toler
Director of Utilities:	Kate Dietz
City Clerk:	Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Westbrook.

**MINUTES**

- M-1** Motion by Councilmember Westbrook to approve the January 26, 2022 minutes; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

**PRESENTATION**

- P-1** Request that the City Council consider receiving a presentation relating to the historical, present, and planned activities of the Consent Decree response by Tyler Water Utilities.

**Jim Forbes Jr.** Gave an update concerning the Consent Decree.

**ORDINANCE**

- O-1** Request that the City Council consider adopting an Ordinance canceling the election for the Mayor at Large and the Tyler City Councilmembers for Districts Two, Four

and Six scheduled for May 7, 2022, and declaring the unopposed candidates for the Mayor at Large and the Tyler City Councilmembers for Districts Two, Four and Six elected to office. (O-2022-21)

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

### MISCELLANEOUS

**M-1 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending December 31, 2021.**

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 authorizing the City Manager to approve a reconciliation change order that will decrease the contract amount by 1.9 percent (\$51,921.36), and of the release of the final payments and retainage in the amount of \$131,004.30 to T-Construction, LLC, and \$26,239.98 to AAA Sanitation, Inc., for the Sanitary Sewer Rehabilitation - Point Repair Package.**
- C-A-2 Request that the City Council consider renewing the Annual Price Agreement for Fuel per Bid 21-027 to Mansfield Service Partners of Tyler, Texas (previously known as O'Rourke Petroleum) from April 14, 2022 through April 14, 2023.**
- C-A-3 Request that the City Council consider authorizing the City Manager to renew Action Cleaning of Tyler as the primary vendor for wash bay chemicals and repair, and award AAA Sanitation as primary vendor to clean the wash bay grit trap.**
- C-A-4 Request that the City Council consider authorizing the City Manager to renew Crow Towing as primary vendor for light and heavy duty towing and award Liberty Towing Services as primary for motorcycle towing as per Bid 21-023 Annual Price Agreement for Wrecker Services.**
- C-A-5 Request that the City Council consider authorizing the City Manager to renew the contract with Office Pride of East Texas to provide janitorial services to Oakwood Complex in the amount of \$32,700.00 annually.**
- C-A-6 Request that the City Council consider authorizing the City Manager to renew Hydraulic Power as primary and American Hydraulic as secondary for Vehicle Services hydraulic services per Bid 21-028.**
- C-A-7 Request that the City Council consider authorizing the City Manager to renew multiple vendors for the Annual Price Agreement for Automotive and Equipment parts per Bid 21-026.**

- C-A-8 Request that the City Council consider authorizing the City Manager to renew multiple vendors for the Annual Price Agreement for various categories of automotive and truck services and repairs per Bid 21-024.**
- C-A-9 Request that the City Council consider ratifying the appointment of Darin Jennings as the City Engineer.**
- C-A-10 Request that the City Council consider authorizing the City Manager to ratify a reconciliation change order that will decrease the contract amount by \$18,811.58 and the release of final retainage payment in the amount of \$20,221.96 to C & A Construction for the Consent Decree Group 2 Sanitary Sewer Re-Routes Standard Bid, 21-051.**
- C-A-11 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending December 31, 2021.**
- C-A-12 Request that the City Council consider authorizing the City Manager to execute a Release and Termination of Drainage Easement for a drainage easement located across the residential properties at 2301 and 2509 Debby Drive.**

Motion by Councilmember Curtis to approve the entire consent items; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.

#### **CITY MANAGER'S REPORT**

- 1.** Ratification of the appointment of Darin Jennings as City Engineer.
- 2.** The Tyler Parks and Rec Department is beginning renovations to Noble E. Young Park, located at 3125 Seaton St. For the duration of the project, the park will be closed out of concern for safety. Noble E. Young Park will be receiving a new pavilion, restrooms, a walking trail, playground equipment and outdoor exercise equipment that includes some ADA-compliant pieces. These renovations will be paid for by the Community Development Block Grant Program and should be completed by August 2022.
- 3.** The Parks Department is making improvements to the medians around the loop.
- 4.** Tyler Parks and Rec was one of 41 organizations across the state to be named a recipient of the 2022 Texas Parks and Wildlife Department's CO-OP (Community Outdoor Outreach Program). We will receive \$16,345 to fund the Outdoor Adventure Series at Glass Rec Center. This is the third time the Outdoor Adventure Series has received funding from this grant totaling more than \$60,000.
- 5.** With the start of 2022, the library began holding Pop Up Programs for kids with a special emphasis on providing fun activities and challenges for children that visit after school!

#### **EXECUTIVE SESSION** –City Council convened into executive session at 9:32 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:

##### **Executive Item**

Under Tex. Gov't Code Section 551.074 "Personnel Matters" deliberation regarding the following: The employment, duties and evaluation of the City Manager.

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

City Council reconvened from executive session at 10:41 am with the motion by Councilmember Curtis to amend the City Manager's employment contract to reflect the annual salary in the amount of \$260,000.00 to be applied on October 1, 2021 and the deferred compensation deposit in the amount of \$19,500 plus all taxes that accrue on that amount to be paid on or about April 8, 2022, all other employment contract terms to remain the same; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.

**ADJOURNMENT**

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



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

**ATTEST:**



CASSANDRA BRAGER, CITY CLERK

