

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
April 27, 2022**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 27, 2022 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
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	April Earley
Airport Manager:	Stephen Thompson
Planning Manager:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
Traffic Engineer:	Cameron Williams
Interim Utilities Director:	Doug Box
Chief Building Official:	Tim Johnson
Manager, Water Utilities System, Operation & Maintenance:	Tim Moore
City Clerk:	Cassandra Brager

INVOCATION

MINUTES

Motion by Councilmember Westbrook to approve the March 23, 2022 minutes; seconded by Councilmember Wynne; 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 90 years of service with the City of Tyler.

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Joy Fry, Administrative Secretary, 30 years of service
Christopher Sharp, Police Officer XI, 20 years of service
Tiffany Dunkley, Customer Service Supervisor, 20 years of service
Arturo Martinez, Semi-Skilled Laborer, 20 years of service

ZONING

- Z-1 PD22-004 MT CALVARY BAPTIST CHURCH (804 AND 806 DUCKENFIELD AVENUE) Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "PMF", Planned Multi-Family Residential District with a site narrative. (O-2022-35)**
- Motion by Councilmember McGee; seconded by Mayor Pro Tem McKellar; motion carried 7 - 0 & approved as presented.
- Z-2 Z22-018 CROSS DEVELOPMENT CC TYLER LLC (4171 FRANKSTON HIGHWAY) Request that the City Council consider adoption of an Ordinance approving a zone change from "PCD", Planned Commercial District to "C-2", General Commercial District. (O-2022-36)**
- Motion by Councilmember McGee; seconded by Mayor Pro Tem McKellar; motion carried 7 - 0 & approved as presented.
- Z-3 Z22-013 MCKALE GEORGE & CLARA FIRESTONE (2707 SHILOH ROAD) Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "C-2", General Commercial District. (O-2022-37)**
- Gerrett Van Moanen, 2707 Shiloh Road** – Stated that he was part of the ownership of this property and this zone change would afford them the opportunity to build a prominent self-storage structure on that road.
- Motion by Councilmember Westbrook; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.
- Z-4 Z22-021 AVIRETT RICHARD B & THERESA DIANE (5502 MYERS STREET) Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "C-1", Light Commercial District. (O-2022-38)**
- Motion by Councilmember Westbrook; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.
- Z-5 Z22-012 MASK HULDIE (3221 WALTON ROAD) Request that the City Council consider adoption of an Ordinance approving a zone change from "M-1", Light Industrial District to "R-1D", Single-Family Detached and Attached Residential District. (O-2022-39)**

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

- Z-6** **Z22-016 CHAVEZ MIGUEL (1213 EAST COMMERCE STREET)**
Request that the City Council consider adoption of an Ordinance approving a zone change from "M-1", Light Industrial District to "R-1A", Single-Family Residential District. **(O-2022-40)**

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

- Z-7** **Z22-019 LEANDRO LUIS H (2900 FRANKSTON HIGHWAY)**
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "R-1B", Single-Family Residential District. **(O-2022-41)**

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

- Z-8** **PD22-005 OVERLAKE HENDERSON LP (5604 DONNYBROOK AVENUE)**
Request that the City Council consider adoption of an Ordinance approving a "PCD", Planned Commercial District Final Site Plan Amendment. **(O-2022-42)**

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

- Z-9** **Z22-020 MLEANDRO REALTY (1940 WALTON ROAD)**
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District. **(O-2022-43)**

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

- Z-10** **Z22-011 STEELE REAL ESTATE HOLDINGS LLC (5855 OLD JACKSONVILLE HIGHWAY AND 5745 KPE WAY)** Request that the City Council consider adoption of an Ordinance approving a zone change from "AG", Agricultural District to "C-2", General Commercial District. **(O-2022-44)**

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

- Z-11** **Z22-014 KITTRELS VILLAGE LLC (15577 COUNTY ROAD 164)**
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "R-MF", Multi-Family Residential District. **(O-2022-45)**

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

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- Z-12** **Z22-015 TYLERTEX HOLDINGS LLC (7906 AND 7716 NEIGHBORS ROAD)**
Request that the City Council consider adoption of an Ordinance approving a zone change from “R-1B”, Agricultural District to “C-2”, General Commercial District. (O-2022-46)
- Bill Richardson, 7566 Neighbors Rd** – Stated that he had spoken with the developers this morning and he was ok for now with the development, but he is concerned, five years from now what will be built in his back yard.
- Motion by Councilmember Hene; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.
- Z-13** **Z22-007 C AND M MEATS INC (2205 JONES STREET AND 2300 EAST FRONT STREET)** Request that the City Council consider adoption of an Ordinance approving a zone change from “R-1B”, Single-Family Residential District and “C-1”, Light Commercial District to “PMF”, Planned Multi-Family District with final site plan. (O-2022-47)
- Motion by Mayor Pro Tem McKellar to take item off of table; seconded by Councilmember McGee; motion carried 7-0 & item ready for discussion.
- Motion by Councilmember Wynne; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.
- Z-14** **C22-001 C AND M MEATS INC (PORTIONS OF EPPERSON AVENUE AND MAGGIE STREET)** Request that the City Council consider adoption of an Ordinance approving the closure of unimproved portions of Epperson Avenue and Maggie Street. (O-2022-48)
- Motion by Mayor Pro Tem McKellar to take item off of table; seconded by Councilmember Wynne; motion carried 7-0 & item ready for discussion.
- Motion by Councilmember Wynne; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.
- Z-15** **PD22-001 CITY OF TYLER (14790 COUNTY ROAD 1145/OLD PLEASANT RETREAT ROAD/7.85 ACRES OF LAND)** Request that the City Council consider adoption of an Ordinance approving a zone change from “M-1”, Light Industrial District to “PMXD-1”, Planned Mixed Use District-1 with a site narrative. (O-2022-49)
- Motion by Councilmember McGee; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.
- Z-16** **S22-001 CITY OF TYLER (14790 COUNTY ROAD 1145/OLD PLEASANT RETREAT ROAD/7.85 ACRES OF LAND)** Request that the City Council consider adoption of an Ordinance approving a Special Use Permit to allow for an outdoor amphitheater. (O-2022-50)

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

MISCELLANEOUS

M-1 Request that the City Council consider approving the extension of a 16" diameter waterline to provide retail water service to the John Soules Foods plant located at 10150 FM 14, Tyler, Texas as well as an engineering contract with C. T. Brannon Corporation for a cost of not to exceed \$412,090.

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

M-2 Request that the City Council consider authorizing the City Manager to execute a contract with T Gray Utility AIMS, LLC in the amount of \$2,528,849.00 for the Consent Decree Group 4 Manhole Specialty Bid 22-016.

Motion by Councilmember Curtis; 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 authorizing the City Manager to award a contract in the amount of \$127,500.00 to Myriad Roofing Inc. for roof cleaning and restorative coating at the Tyler Pounds Field Regional Airport East Terminal and Tower.

C-A-2 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order for the Cleaning and Closed Circuit Television (CCTV) Recording of Wastewater (Sanitary Sewer) Lines, Phase 5 Project, Bid No. 19-011.

C-A-3 Request that the City Council consider authorizing the City Manager to approve the Annual Price Agreement for Tires, Emergency Tire Service, and Fleet Checks per Bid 22-025.

C-A-4 Request that the City Council consider authorizing the City Manager to ratify staff payment of \$54,821.43 to Reynolds and Kay for the emergency water line repair of the 24-inch water line repair at the intersection of Donnybrook and Loop 323.

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

CITY MANAGER'S REPORT

1. Streets and Stormwater department went out and cleared out about 350 to 400 trees that were cut as far as blocking roadways, tied up in power lines. They did a great job with

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- working with Oncor and some other utility systems. Also, Solid Waste crew have been doing an incredible job of picking up brush throughout the community.
2. Traffic operations had over 28 intersections that lost power or had damage to them. Traffic Department were able to get back out there and get all of those intersections back up so traffic could move along normally.
 3. Parks and Recreation: The Glass Recreation Center hosted its Annual Easter Egg Hunt on this past Thursday (4/14) at Lindsey Park. Over 1,000 families were in attendance. The Glass Recreation was able to provide over 3,000 eggs for this year's hunt and over 500 kids participated. A special thank you goes to our very own Tyler Police Department, Municipal Court, and Water Business Office, for being a part of this fun event!
 4. 8th grade students from All-Saints Episcopal School had the opportunity to present their ideas to improve Tyler to city officials on Friday.

"Our Voices for a Better City" was a collaboration between All-Saints and the University of Texas at Tyler. Nine groups of students presented their ideas to an audience of city officials including Tyler Mayor Don Warren, City Manager Ed Broussard, and Deputy Manager Stephanie Franklin at Liberty Hall.

The students have engaged in a semester of design-based work to investigate ways to better the city. UT Tyler students have served as guides for the All-Saints 8th grade students and then worked with city of Tyler officials to develop plans for improvement. Some of the topics include traffic mitigation, services for the homeless, park beautification and programs for animal services.

"We want to get a sense of the younger voices in the community to determine what sort of ideas do they have to improve Tyler," said Dr. Rick Helfers with the University of Texas at Tyler Social Science Department.

EXECUTIVE SESSION City Council convened into executive session at 10:05 am

Executive Item No. 1:

Under Texas Government Code Section 551.071 "Litigation" deliberation regarding the following:

1. Pending or contemplated litigation or settlement offer involving Liberty Utilities (Tall Timbers) and Liberty Utilities (Woodmark) Sewer Corp vs. City of Tyler, Texas and Rose City Municipal Utility District

City Council reconvened from executive session at 10:51 with no action taken.

ADJOURNMENT


Motion by Councilmember McGee to adjourn the meeting at 10:52 am; seconded by Mayor Pro Tem McKellar; motion carried 7 - 0 & meeting adjourned.

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

ATTEST:



CASSANDRA BRAGER, CITY CLERK

