

CITY COUNCIL AGENDA

Wednesday, March 22, 2023
9:00 am



CITY COUNCIL

Donald P. Warren, Mayor
Stuart Hene, District 1
Broderick McGee, District 2
Dr. Shirley McKellar, District 3
James Wynne, District 4
Bob Westbrook, District 5
Brad Curtis, District 6



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL

City Hall, City Council Chambers
212 N. Bonner Avenue, 2nd Floor
Tyler, Texas

Follow us on Facebook Live at: <https://www.facebook.com/CityofTylerTexas/>
Wednesday, March 22, 2023
9:00 am

Internet website <http://www.cityoftyler.org> and Cable Access Channel 3

Please call (903) 531-1250 if you need assistance with interpretation or translation for this City meeting.

Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1250.

AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to ensure that City Council Meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to attend a City Council meeting, please contact the City Manager's Office at 903.531.1250, in advance so accommodations can be made.

COURTESY RULES

Thank you for your presence. The City Council appreciates your interest in Tyler City Government. To ensure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, Administrative Staff, News Media, Citizens and Visitors. If you wish to address the Council, obtain a speaker card from the receptionist's desk outside the Council Chambers, complete the information requested on the card, and deliver to the City Clerk before the meeting or as soon as you can. Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council. Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. Comments to the City Council should only be made from the podium. This will ensure that the comments are picked up by the microphones and are made a part of the official record. Delay or interruption of the proceedings will not be tolerated.

INVOCATION

PLEDGE OF ALLEGIANCE

MINUTES

Request that the City Council consider approving the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on February 22, 2023.

AWARDS

- A-1** Request that the City Council consider recognizing the following Infants at Work participants for their program participation. They represent 8 months of service with the City of Tyler.

Lucca Gary, Infants at Work - GIS, 4 months
Alyssa Tidwell, Infants at Work - Water, 4 months

ZONING

- Z-1** S23-002 SUPER DIAMOND EAGLE INC (1527 EAST 5TH STREET)
Request that the City Council consider adoption of an Ordinance approving a Special Use Permit to grant a variance to reduce the required 300 feet distance separation from the property line of Bell Elementary School and the property line of the subject property to 290 feet in order to be eligible for a Texas Alcoholic Beverage Commission (TABC) license to sell wine and beer. The applicant is appealing the denial decision of the Planning and Zoning Commission.
- Z-2** Z22-069 IMAM MAHFUZ & SHAKHAWAT H BHUIYAN & SAIFAR RASHID (2043 SHILOH ROAD)
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1D", Single-Family Residential District to "PMF", Planned Multi-Family Residential District with a final site plan.
- Z-3** PD23-004 DURHAMBUILT LLC (2403, 2409, 2413, 2417, 2421, 2503, AND 2511 SOUTH VINE AVENUE AND 2342, 2348 AND 2354 FRANKSTON HIGHWAY)
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with a final site plan.
- Z-4** PD23-005 DURHAMBUILT LLC (2645, 2727, AND 2765 SOUTH VINE AVENUE)
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with a final site plan.
- Z-5** PD23-003 ALLENS NUTECH INC (2698 SOUTH SOUTHEAST LOOP 323)
Request that the City Council consider adoption of an Ordinance approving a zone change from "RPO", Restricted Professional Office District to "PMXD-2", Planned Mixed Use District-2 with a final site plan.

- Z-6** PD22-022 EAST TEXAS VETERANS COMMUNITY COUNCIL (3212 CHANDLER HIGHWAY)
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District, "AR", Adaptive Reuse District, "RPO", Restricted Professional Office District, "M-1", Light Industrial District, and "M-2", General Industrial District to "PMXD-1", Planned Mixed-Use District-1 with a final site plan and final site narrative.

PRESENTATION

- P-1** Request that the City Council consider hearing a presentation and approving the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2022, as presented by Prothro, Wilhelmi, & Co.

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to award Bid No. 23-030 for the Pollard Park renovations to Smith Builders & Developers to furnish all necessary materials, equipment, superintendence, and labor in an amount not to exceed \$401,539.45.
- M-2** Request that the City Council consider awarding Bid No. 23-029 for the Annual Agreement for Audio and Video Professional Services Related to the W. T. Brookshire Conference Center to Video Magic Productions as the primary vendor, to furnish all necessary materials, equipment, superintendence, and labor. In addition, designating PC Productions as the secondary vendor and East Texas Productions as the tertiary.
- M-3** Request that the City Council consider authorizing the City Manager to execute a contract with KSA Engineers, Inc. for the Southside Wastewater Treatment Plant Aeration Basin and Final Clarifier Improvements project in the amount of \$1,745,800 and to approve a Resolution reserving the right to reimburse expenditures with proceeds of future debt.
- M-4** Request that the City Council consider authorizing the City Manager to enter into an agreement with HDR Engineering, Inc., to develop a Railroad Inventory and Analysis for the Tyler Area Metropolitan Planning Organization in the amount of \$150,000.
- M-5** Request that the City Council consider authorizing the City Manager to execute a contract with L. S. Equipment Co. Inc for the construction of the 2023 Seal Coat Program project in the amount of \$559,148.55.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider making an appointment to fill a vacancy on the Main Street Board.

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 Fuelman / Fleetcor the external fuel purchase agreement through Omnia Partners contract R211101.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase a mower for the Southside Waste Water plant from Lowe Tractor for \$13,581.57.
- C-A-3** Request that the City Council consider adopting a Resolution authorizing continued participation with the ATMOS Steering Committee of Cities and payment of \$0.05 cents per capita assessment.
- C-A-4** Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for Engineering services with KSA Engineers for engineering, planning, environmental, and construction phase services on an “as needed” basis in connection with the development and improvement for Tyler Pounds Regional Airport.
- C-A-5** Request that the City Council consider adopting a Resolution to authorize the application for and acceptance of Federal Transit Administration 5307 Grant Funds in the amount of \$2,056,121 to assist with the Transit Department's operating cost and \$150,142 in Transportation Development Credits. This Resolution also accepts any grant amendments and additional TDC funds to increase the grant funding levels and reduce the local match requirements.
- C-A-6** Request that the City Council consider declaring Lot 8 Block: 272-B surplus property and authorize the City Manager to dispose of this property through a bidding process.
- C-A-7** Request that the City Council consider declaring a 0.029-acre portion of Lot: 1 Block: 864 surplus property and authorizing the City Manager to dispose of this property through a bidding process.
- C-A-8** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will increase the contract amount by \$20,288 and the release of final retainage payment in the amount of \$81,326.65 to Utility Service Co., Inc. for Glenwood Elevated Storage Tank Rehabilitation.
- C-A-9** Request that the City Council consider adopting a Resolution appointing Valerie B. Smith, MD, MPH, FAAP, as the Smith County Local Health Authority and authorizing Mayor Warren to sign the required State of Texas Certificate of Appointment.

CITY MANAGER’S REPORT

ADJOURNMENT