

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 11, 2023**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 11, 2023 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:	James Wynne
Councilmembers:	Stuart Hene
	Shirley McKellar
	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
Deputy City Attorney:	Steve Kean
Director of Organizational Development:	Regina Y. Moss
Interim Main Street Director:	Amber Rojas
Planning Director:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
City Librarian:	Ashley Taylor
Police Chief:	Jimmy Toler
City Engineer:	Darin Jennings
Director of Utilities:	Kate Dietz
Parks Director:	Leanne Robinette
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McKellar.

MINUTES

Motion by Mayor Pro Tem Wynne to approve the November 9, 2022 minutes; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

ZONING

Z-1 Z22-070 GENECOV DMLT LTD (2311 EAST SOUTHEAST LOOP 323)
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-2023-1)

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

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- Z-2** **Z22-065 RENTERIA JUAN JOSE ARELLANO (2924 AND 2926 OLD NOONDAY 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 District. (O-2023-2)**
- Motion by Councilmember McGee; seconded by Mayor Pro Tem Wynne; motion carried 7 - 0 & approved as presented.
- Z-3** **Z22-066 DWIGHT DAVID PATTERSON (434 SOUTH CHILTON AVENUE) Request that the City Council consider adoption of an Ordinance approving a zone change from “R-MF”, Multi-Family Residential District to “AR”, Adaptive Reuse District. (O-2023-3)**
- Motion by Councilmember McGee; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.
- Z-4** **Z22-067 CUSTOM BLACK STALLION HOMES LLC (315 NORTH BEVERLY AVENUE) 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 District. (O-2023-4)**
- Motion by Mayor Pro Tem Wynne; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.
- Z-5** **PD22-023 MOTHER FRANCES REGIONAL HOSPITAL (2850 CROW ROAD) Request that the City Council consider adoption of an Ordinance approving a zone change from “AG”, Agricultural District, to “PMF”, Planned Multi-Family District with a Final Site Plan. (O-2023-5)**
- Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.
- Z-6** **PD22-024 THE BLUE PINNACLE GROUP LLC AND THE CUMBERLAND GAP LTD (1701 BALSAM GAP, 2.87 ACRE PORTION OF 1666 WEST CUMBERLAND ROAD AND 3.91 ACRES OF 804 WEST CUMBERLAND ROAD) Request that the City Council consider adoption of an Ordinance approving the zone change from “AG”, Agricultural District, “C-1”, Light Commercial District and “PCD”, Planned Commercial District and “PMF”, Planned Multi-Family District to “PMF”, Planned Multi-Family District with a final site plan. (O-2023-6)**
- Motion by Councilmember Hene; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.
- Z-7** **S22-018 PARK TAE WAN (3251 SOUTH BROADWAY AVENUE) Request that the City Council consider adoption of an Ordinance approving the Special Use Permit with the shared parking agreement and food trucks designated to the northern area of the property for a period of one year. (O-2023-7)**

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Motion by Councilmember Hene to approve the item with a caveat of the food trucks not having to be up in the circle; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

PRESENTATION

P-1 Request that the City Council consider receiving an updated presentation on the progress of the Consent Decree Program for Tyler Water Utilities.

Jim Forbes, Pipeline Analysis Gave a brief update on the progress of the Consent Decree Program.

MISCELLANEOUS

M-1 Request that the City Council consider ratifying all City Staff actions related to and authorizing the City Manager to take all actions necessary to accept and expend, the 2022 Assistance to Firefighters Grant funds in the amount of \$82,863.63 for the purchase of washer/extractor units for the Tyler Fire Department.

David Coble, Fire Chief – Stated that he is requesting that the City Council consider ratifying all City Staff actions related to and authorizing the City Manager to take all actions necessary to accept and expend, the 2022 Assistance to Firefighters Grant funds in the amount of \$91,150.00 for the purchase and installation of washer/extractor units for the Tyler Fire Department. This is a 90/10 Matching Grant from the federal government. They'll be contributing \$82,863.63 leaving the City of Tyler responsible for \$8,286.37.

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

M-2 Request that the City Council consider authorizing the City Manager to execute an engineering services contract, in the amount of \$327,350, with KSA Engineers, Inc. for the Shackleford Creek Lift Station Improvements project.

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

M-3 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$263,000, with Langan Engineering and Environmental Services, Inc. for the Private Lateral Program for Consent Decree Group 2 projects, and to approve a Resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2023-1)

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

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- M-4** Request that the City Council consider authorizing the City Manager to sign the Chapter 380 Economic Development Incentive Agreement between the City of Tyler and NORF Development for rehabilitation of the Carlton Hotel at 106 E Elm, Downtown Tyler, Texas. Item was moved and approved after executive session
- M-5** Request that City Council consider authorizing funds for a construction contract with Fritcher Construction Services for the construction of the Stagecoach Drive Drainage Improvements project in the amount of \$1,882,990.50.

Motion by Councilmember Curtis; seconded by Councilmember 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 ratify the expenditure of \$97,605.55, for the Mandated Public Water System Fee to the Texas Commission on Environmental Quality.
- C-A-2** Request that the City Council consider authorizing the City Manager to receive a patronage dividend refund check in the amount of \$2,355.28 from FirstChoice Cooperative and a rebate check in the amount of \$20,078.00 from BuyBoard, The Local Government Purchasing Cooperative.
- C-A-3** Request that the City Council consider adopting a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Recreational Trails Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.
- C-A-4** Request that the City Council consider authorizing the City Manager to execute an Agreement for Access across City-owned property located near 14618 Northwest Road to Matthew Cates and Annie Cates.

Motion by Councilmember Westbrook to approve the entire consent agenda ; seconded by Mayor Pro Tem Wynne; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. We just completed year two of our traffic signal timing study and as part of this ITF Master Plan. We're re-timing traffic signals every year in order to make sure our signal timings are up to date and adequately address current traffic patterns. The year two Traffic Signal Re-timing Project included 18 signalized intersections along Front Street, Broadway, 4th Street, and 5th Street. The new signal timings were implemented in late August and we now have our final report which shows before and after results. Overall, we've seen reductions in delay of 32% on Broadway Avenue, 6% on Front Street, 25% on 4th Street, and 28% on 5th Street. These delays result in an estimated reduction of

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- 86,000 vehicle hours of delay over 10 years and savings of \$2.8 million peak period delay annually.
2. A few other items of note. Tyler Municipal Court is preparing a Warrant Amnesty Program in advance of the annual Statewide Warrant Sweep in March. During the month of February, the court will encourage those with outstanding warrants to clear their warrants ahead of the sweep in order to avoid the risk of arrest. And so, it will be in effect from February 1 to February 28. This allows defendants an opportunity to clear their warrants ahead of the March Statewide Annual Warrant Sweep, obtain their valid driver's license, and also obtain or maintain their employment depending upon the necessity of a cleared driver's license.
 3. One of things of news this today you probably saw this morning about the FA software issue. And so, we did check with Tyler Pounds field. There was a delay this morning from our six o'clock flight of about two hours, but they are taking off and everything is back to normal over there at Tyler Pounds field. And so, we're glad to have that going on, but we're kind of sorry about the hiccup that we experienced along with the rest of the nation this morning.
 4. And also, ending the year, we saw some major weather events with the winter weather prep and response that was needed for weekly into Christmas. And then, also tornado storm prep for New Year. And so, City Staff did an incredible job of stepping out and making sure we were ready in being prepared and getting out there to take care of those situations. And then, finally, I want to say a big thank you for the blue Santa program which I know a number of you all also took part in that. Sergeant Chuck Boyce leads with the Tyler Police Department and other departments and they did an incredible job. Over 350 children were served and I'm sure that they were able to have a wonderful Christmas. And the amount of smiles and happiness that the Tyler Police Department and Chuck were able to leave was incredible. And so, we're very grateful for that program and for the work they did.

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

Under Texas Gov't Code Section 551.087 "Economic Development", deliberation regarding the following:

Possible offer of financial or other incentive to a prospect, and to consider financial and other information about that prospect/project with which the City is conducting economic development negotiations that could lead to a partnership in Tyler.

City Council reconvened from executive session at 10:35 am with the following action

Motion by Councilmember Curtis to un-table item M-4 from the table; seconded by Councilmember Westbrook; motion carried 7 - 0 & item was un-tabled.

- M-4 Request that the City Council consider authorizing the City Manager to sign the Chapter 380 Economic Development Incentive Agreement between the City of Tyler and NORF Development for rehabilitation of the Carlton Hotel at 106 E Elm, Downtown Tyler, Texas.**

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

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 10:39 am; seconded by Councilmember Curtis; motion carried 7 - 0 & meeting adjourned.



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

ATTEST:


CASSANDRA BRAGER, CITY CLERK

