

February 26, 2025

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
February 26, 2025**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, February 26, 2025 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: Stuart Hene
Councilmembers: Brad Curtis
Shirley McKellar
Petra Hawkins
James Wynne
Lloyd Nichols

City Manager: Edward Broussard
Deputy City Manager: Stephanie Franklin
Asst. City Manager: Keidric Trimble
City Attorney: Deborah G. Pullum
Deputy City Attorney: Steve Kean
Senior Asst. City Attorney: Alesha Buckner
Director of Organizational Development: Regina Y. Moss
Planning Director: Kyle Kingma
City Fire Chief: David Coble
Police Chief: Jimmy Toler
City Engineer: Darin Jennings
Director of Utilities: Kate Dietz
Director of Solid Waste, Transit: Leroy Sparrow
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Mayor Pro Tem Hene

MINUTES

Motion by Councilmember Wynne to approve the January 8, 2025 minutes; seconded by Councilmember McKellar; 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. They represent 235 years of service with the City of Tyler.

Patrick Mayo, Fire Senior Captain II, 20 Years of Service
Christopher Potts, Fire Driver Engineer III, 20 Years of Service
Michael Woelfel, Firefighter XII, 25 Years of Service
Aaron Lowry, Fire Senior Captain II, 25 Years of Service
J. Craig Williams, Police Officer XIV, 25 Years of Service
Clint Gardner, Police Officer XIV, 30 Years of Service

James McCraw, Police Officer XIV, 30 Years of Service
D Mike Saxion, Police Sergeant IV, 30 Years of Service
A Brad Langford, Police Officer XIV, 30 Years of Service

ZONING

Z-1 Z24-044 AMY L BASS (3393 WEST GRANDE BOULEVARD)
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-2025-9)**

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

Z-2 C24-009 DAVID ZAVALA (A PORTION OF PEGUES AVENUE)
Request that the City Council consider adoption of an Ordinance approving the closure of an unimproved street right-of-way for Pegues Avenue, adjacent to 1522 North Bois D'Arc Avenue. **(O-2025-10)**

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

RESOLUTION

R-1 Request that the City Council consider adoption of a Resolution authorizing the City Manager to approve an Interlocal Agreement Regarding Utility Services between the City of Tyler and East Texas Municipal Utility District of Smith County defining water service areas and an agreement to negotiate consent to annexations. **(R-2025-14)**

Joe Freeland, Matthews and Freeland - Gave a brief background on the East Texas Municipal Utility District (ETMUD).

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

ORDINANCE

O-1 Request that the City Council consider adopting an Ordinance canceling the election for Tyler City Councilmember for District Five scheduled for May 3, 2025, and declaring the unopposed candidate for Tyler City Councilmember for District Five elected to office. **(O-2025-11)**

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

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to execute a professional services contract in the amount of \$240,000.00 with HDR Engineering, Inc., for the Lake Palestine Water Treatment Plant Variable Frequency Drive (VFD)

Replacement Project and adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt. **(R-2025-15)**

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

- M-2** Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending December 31, 2024.

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

- M-3** Request that the City Council consider approving the appointment of two Alternate Tyler Municipal Court Judges by the Presiding Judge.

Motion by Councilmember McKellar to appoint Kristina Ross & Tab Beall as Alternate Tyler Municipal Court Judges; seconded by Mayor Pro Tem Hene; motion carried 7-0 & approved as presented.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider appointing Max Slicker as the Chair of the Construction Board of Adjustments and Appeals.

Motion by Councilmember Curtis to appoint Max Slicker as the Chair of the Construction Board of Adjustments and Appeals.

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 reviewing and accepting the Investment Report for the quarter ending December 31, 2024.

- C-A-2** Request that the City Council consider adoption of a Resolution authorizing and amending the application for and acceptance of Federal Transit Administration Section 5339 FY23 and FY24 Bus and Bus Facilities Grant in the amount of \$412,019.00 along with the acceptance of \$65,484 in Transportation Development Credits (TDC). **(R-2025-16)**

- C-A-3** Request that the City Council consider authorizing the City Manager to execute a second contract amendment in the amount of \$5,717.09, with KSA Engineers, Inc., for additional services related to the Earl Campbell Gravity Sewer Main project.

- C-A-4** Request that the City Council consider adopting a Resolution authorizing the City Manager to execute the application for and acceptance of Federal Transit Administration (FTA) Grant Funds under the Section 5307 Fiscal Year 2023 in

the amount of \$2,616,893 and Fiscal Year 2024 in the amount of \$2,523,956, for a total amount of \$5,140,893, to assist with the Transit Department's operating cost. This Resolution also accepts any grant amendments and funds to increase the grant funding levels and reduce the local match requirements. **(R-2025-17)**

- C-A-5** Request that the City Council consider authorizing the City Manager to purchase two (2) BraunAbility ProMaster van bodies for the Transit Department from Model 1 Commercial Vehicles, for \$338,685.70 through the State of Oklahoma contract SW0797C FY25.
- C-A-6** Request that the City Council consider authorizing the City Manager to execute the Interlocal Agreement with Smith County related to Smith County's Stormwater Management Plan (SWMP).
- C-A-7** Request that the City Council consider authorizing the City Manager to execute the Reconciliation Change Order with Reynolds & Kay, LTD. for the Storm Main Replacement project, Bid No. 24-041, increasing the approved contract amount by \$75,580.20 (20.7%), from \$ 364,781.00 to \$440,361.20, and approve the release of retainage, pending approval by the Half Cent Sales Tax Board.
- C-A-8** Request that the City Council consider authorizing the City Manager to ratify staff's action in the approval of KSA Engineers providing services to update the Risk and Resiliency and Emergency Response Plan as required by the Environmental Protection Agency (EPA) to comply with the American Water Infrastructure Act in the amount of \$107,500.
- C-A-9** Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change order in the amount of \$29,998.80 under budget and approve the release of retainage in the amount of \$25,937.68 to Striping Technology, LP. for the Traffic Signal Installations - Various Locations Project
- C-A-10** Request that the City Council consider authorizing the City Manager to approve the purchase of one excavator from ASCO Supply Company through Sourcewell contract #011723-HTI for a purchase price of \$145,407.52.
- C-A-11** Request the City Council consider authorizing the City Manager to approve the purchase of one RTV from Lowe Tractor for Lake Palestine water plant for a total purchase price of \$10,538.76 through Sourcewell Contract #031121.
- C-A-12** Request that the City Council consider adoption of a Resolution to authorize continued participation by the City of Tyler with the Steering Committee of Cities served by Atmos, and authorize the annual assessment payment of \$0.05 cents per capita to the Steering Committee. **(R-2025-18)**

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

CITY MANAGER'S REPORT

1. The Keaton Avenue Drainage Improvement Project is progressing despite rain and cold weather. The sanitary sewer work next to the Wynnwood Drive is complete so channel work can commence upstream towards Keaton Avenue and Fry Avenue. Reynolds and Kay is working on the junction where the two channels from Shepherd Lane and Fry Avenue intersect so that multiple crews can work on the channels in order to minimize erosion and speed up productivity. Also on drainage, the pre-construction meeting for the West Mud Creek restoration next to the Glenwood Church of Christ was held last week, and we plan to begin work on that during the first week of April to have better working conditions. Wet ground from rains from this time of year should dry out faster, which is pretty important since we're working on the creek itself.
2. One of the things you may have seen on Saturday morning was a lot of our UT Tyler students about the community. I know just walking through Pollard Park, I saw some there working on cleaning up the park and planting trees. And so, with that, we also had quite a few that came downtown. Main Street assisted in organizing and hosting projects for the East Texas Big Event, which sent students out to serve Tyler in different areas. In downtown Tyler, students cleaned the Fair Plaza parking garage, Downtown Square, surrounding streets, and the railroad. Other projects included serving at the East Texas Brewing Company, the Foundry Coffee House, the Smith County Historical Society, the Tyler Public Library, Discovery Science Place, and Callan Photography. So, we're proud to have our college students out and about as far as giving back to our great community.
3. And finally, tomorrow at 1:30 p.m. at the Rose Center complex, we will have the official designation of Tyler as a Veteran-friendly community. This is something that has been worked on by our own Councilman Nichols and also along with the Chamber of Veterans Affairs community. And we're very proud to be able to get this designation to be able to once again show that Tyler is a great place for veterans to come and live and to have their businesses.

EXECUTIVE SESSION – City Council convened into executive session at 9:58 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 Tex. Gov't Code section 551.074 "Personnel Matters" deliberation regarding the following:

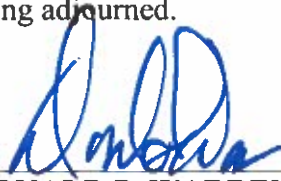
The employment, duties, and evaluation of the City Manager. Any final action to be taken by the City Council will be taken in open session.

City Council reconvened from executive session at 10:18 a.m. with the following action

Motion by Mayor Pro Tem Hene to approve the City Manager's compensation be adjusted to provide \$295,250.00. This annual salary rate shall be effective from October 1, 2024. To make a one-time contribution of \$31,000.00 plus any taxes that are accrued on said payment, to the Manager's Deferred Compensation plan on or about March 21, 2025; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 10:22 a.m.; seconded by Councilmember Nichols; motion carried 7 - 0 & meeting adjourned.



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

ATTEST:



CASSANDRA BRAGER, CITY CLERK

