

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
March 12, 2025**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 12, 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: Heather Nick
City Attorney: Deborah G. Pullum (absent)
Deputy City Attorney: Steve Kean
Senior Asst. City Attorney: Alesha Buckner
Planning Director: Kyle Kingma
Chief Information Officer: Benny Yazdanpanahi
City Fire Chief: David Coble
City Librarian: Ashley Taylor
Police Chief: Jimmy Toler
Director of Utilities: Kate Dietz
Director of Parks & Recreation: Leanne Robinette
Senior Management Analyst: Blake Cathey
Nikki Ingram: Project Engineer
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Mayor Warren.

MINUTES

Motion by Councilmember Wynne to approve the January 22, 2025, minutes; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

RESOLUTION

R-1 Request that the City Council consider adoption of a Resolution approving adoption of the updated Parks, Recreation & Open Space Master Plan and Resolution for the City of Tyler. **(R-2025-19)**

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

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to execute a contract with Lonestar Tactical Buildings, LLC in the amount of \$ 129,712.86 for the purchase of two Fire Class A Portable Burn Structures pursuant to RFQ 25-014.

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

- M-2** Request that the City Council consider authorizing the City Manager to execute a professional services contract in the amount of \$1,085,100 with Pape Dawson Consulting Engineers, LLC, for the 2025 Golden Road Water Treatment Plant Filters and Clarifier Rehabilitation Project and adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt. **(R-2025-20)**

Motion by Councilmember Curtis; seconded by Councilmember Nichols; 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 amend the Engineering Services Agreement with KSA Engineers, Inc. for the Westside Wastewater Treatment Plant Administration Building project to increase the total contract cost by \$65,000.00 for a new total cost of \$532,700.00 for additional construction phase services that were incurred during construction.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase one (1) BraunAbility ProMaster New England Wheels van body for the Transit Department from Model 1 Commercial Vehicles, Inc., for \$215,654.85 through the State of Oklahoma contract SW0797C FY25. **(Item pulled)**
- C-A-3** Request that the City Council consider authorizing the City Manager to enter into a contract with Aire-Serv of Smith County to provide City Wide Heating, Ventilation and Air Conditioning (HVAC) Maintenance and Repairs for all City of Tyler facilities in the amount of \$650,174.00 over the next five (5) years.
- C-A-4** Request that the City Council consider authorizing the City Manager to award a contract in the amount of \$65,002.00 to CRS Commercial Roofing for roof restoration coating at the Tyler Development Services Facility at 423 W. Ferguson, Tyler TX.
- C-A-5** Request that the City Council consider authorizing the City Manager to purchase dog kennels for the Animal Services Department from Midmark for a total cost of \$51,169.57.
- C-A-6** Request that the City Council consider authorizing the City Manager to approve the reconciliation change order final payment and release of the retainage in the amount of \$59,577.33. to McInnis Brothers Construction, Inc. for the Shiloh Road Elevated Storage Tank Site Improvements Project.

- C-A-7** Request that the City Council consider moving the regularly scheduled City Council meeting from April 23, 2025, to April 30, 2025. The second regularly scheduled meeting date in April falls on the date that the City Council will be attending the Tyler Economic Development Corporation (TEDC) meeting in Huntsville, Alabama.
- 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 \$3,469,986.23 and the release of final retainage payment in the amount of \$442,246.50 to Insituform Technologies, LLC for 24" to 42" Sanitary Sewer Cured in Place Pipe (CIPP), Bid 21-071.

Motion by Councilmember Curtis to approve the consent items except C-A-2; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as amended to not include C-A-2.

CITY MANAGER'S REPORT

1. One of the projects that was approved with this year's budget and that sometimes gets asked about is the South Glenwood Ground Storage Tank demolition project. And so, this project, which will remove the South Glenwood Ground Storage Tank that is out of service, is still on track. Bids will be open for the demolition and removal on Tuesday, March 11, with the intent to award at the Council meeting on Wednesday, April 9. Construction is estimated to begin in early June and be completed by early August.
2. Also, for our downtown improvement project, bids were due for the downtown improvement project, which will include the west side of the Square and then also the improvements to the streets and to the sidewalk portions around the Square. So, they were due on last Tuesday, March 4, but no bids were submitted. We did inquire about the bid opening previously and expected two bidders based on continued inquiries. Our Engineers at Halff and Associates have been following up with potential contractors on issues that kept them from bidding. Several issues were the difficulty of getting subcontractors for electrical work and other specialties, cost fluctuations on steel and other materials, and phasing to keep access to all businesses on the Square open. Staff is working with Fitzpatrick Architects and Halff Engineering on options for bidding quickly and also talking to Smith County about potential options related to different ways that we can kind of look at this project.
3. And then finally, Tyler Water Utilities is moving forward with the taste and odor study out of the Lake Palestine Water Treatment Plant with its pilot testing treatment technologies to improve the water quality and address taste and odor concerns. If you all may remember, this was also an item that was in this year's budget. And so that one has been an interesting, as far as a pilot study, that has been looking at ways to remove the geosmin and the taste that comes with that from Lake Palestine and really, as far as improve the quality of the water that's put out at the Lake Palestine Water Treatment Plant. So, expect further updates on that as that pilot study continues.

EXECUTIVE SESSION – City Council convened into executive session at 9:28 am

Executive Session Item Under Tex. Gov't Code Section 551.071, 'Litigation', to deliberate pending or contemplated litigation or settlement offer involving:

Luis Pabon v. City of Tyler lawsuit; Cause No. 24-0702-A.

Litigation is, by its nature, an ongoing process, and questions may arise as to trial tactics, or settlement offers which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation and or settlement offers related to the litigation matters listed above.

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

City Council reconvened from executive session at 9:44 am with the following action.

Motion by Councilmember Nichols to approve the settlement agreement for the lawsuit. Luis Pabon vs the City of Tyler. Cause number 24-0702-A, in the amount of 190,000.00; seconded by Councilmember Curtis; motion carried 7 - 0 & approved as presented.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 9:45 am; 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

