

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

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 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:	Heather Nick
Asst. City Manager:	Keidric Trimble
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Planning Director:	Kyle Kingma
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
City Librarian:	Ashley Taylor
Police Chief:	Jimmy Toler
City Engineer:	Darin Jennings
Traffic Engineer:	Cameron Williams
Director of Utilities:	Kate Dietz
Director of Parks & Recreation:	Leanne Robinette
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McKellar.

MINUTES

Motion by Councilmember Wynne to approve the February 12, 2025 minutes; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

AWARDS

A-1 Request that the City Council consider accepting the Texas Municipal Library Directors Association 2024 Achievement of Excellence in Libraries Award.

PRESENTATION

P-1 Request that the City Council consider hearing a presentation and approving the Annual Comprehensive Financial Report for the fiscal year ending on September 30, 2024, as presented by Gollob Morgan Peddy.

Kevin Cashion, Gollob Morgan Peddy- Gave a brief presentation concerning the Annual Comprehensive Financial Report for the fiscal year ending on September 30, 2024.

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

P-2 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 presentation on the progress of the Consent Decree Program for Tyler Water Utilities

ZONING

Z-1 PD25-005 ALLEN ROBERT H TESTAMENTARY TRUST ET AL (CUMBERLAND PARK DEVELOPMENT AT SOUTH BROADWAY AVENUE, CUMBERLAND ROAD, CENTENNIAL PARKWAY AND MARKET SQUARE BOULEVARD)

Request that the City Council consider adoption of an Ordinance approving the concept plan amendment for the Cumberland Park Development currently zoned 'AG', Agricultural District, 'RPO', Restricted Professional Office District, and 'PCD', Planned Commercial Development District. **(O-2025-12)**

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

Z-2 PD24-036 ALLEN ROBERT H TESTAMENTARY TRUST ET AL (240 CENTENNIAL PARKWAY AND APPROXIMATELY 90 ACRES OF LAND EAST OF CENTENNIAL PARKWAY)

Request that the City Council consider adoption of an Ordinance approving a zone change from 'AG', Agricultural District, 'RPO', Restricted Professional Office District, and 'PCD', Planned Commercial Development District to 'PMF', Planned Multi-Family District with final site plan. **(O-2025-13)**

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

Z-3 Z25-002 NEW DOOR PROPERTIES LLC (1204 KENNEDY ROAD)

Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-1B', Single-Family Residential District to 'R-1D', Single-Family Detached and Attached Residential District. **(O-2025-14)**

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

Z-4 Z25-001 REGINALD JENKINS (2120 NORTH GASTON AVENUE)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-1B', Single-Family Residential District to 'R-1D', Single-Family Detached and Attached Residential District. **(O-2025-15)**

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

RESOLUTION

R-1 Request that the City Council consider adoption of a Resolution authorizing submission of an application by the Tyler Fire Department for and acceptance of grant funding through the Office of the Texas Governor's (OOG) Homeland Security Grant Division (HSGD) and for grant funding through the State Homeland Security Program (SHSP), as managed by the East Texas Council of Governments, to be used to support programs and projects aimed at maintaining and/or enhancing the City of Tyler's emergency preparedness and response capabilities. **(R-2025-21)**

Motion by Mayor Pro Tem Hene; 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 Capital Improvements Project contract, in the amount of \$151,198.92, with Advanced Water Well Technologies for the Well Survey Phase 2 Project (Buyboard Contract #672-22) and adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt. **(R-2025-22)**

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

M-2 Request that the City Council consider authorizing the City Manager to execute a contract for the "Group 9 Cleaning & Closed-Circuit Television (CCTV) Recording of Wastewater Lines, Basin 13", Bid No #25-018, with Pro-Pipe, Inc for \$1,516,869.87.

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

M-3 Request that the City Council consider authorizing the City Manager to enter into an agreement with MHS Planning & Design to prepare Stewart Park design plans, in the amount of \$67,500.00.

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

M-4

Request that the City Council consider ratifying City Staff's previous execution of an indefinite right-of-way use agreement and easement with ATDL Ferguson, LLC, dba The Gardens at West Oak for the purpose of utilizing designated parking spaces in the City of Tyler public right-of-way on West Erwin Street and West Ferguson Street, Tyler, Texas.

William Hersey, Managing Member of West Oak Property Development –

Stated that they were excited to get back to work. It's been a little bit since they had been building in downtown, so they are excited. He stated that the way that Greg Mitchell and The Benchmark has put this together with the City, there's a great flow in the area. It's going to increase traffic. There's going to be a 201-unit apartment complex, six buildings. Amenities- I know Mayor Warren, loves his pickleball court, so they included one of those. They will also have an indoor golf facility; they are excited about that. Pool, obviously, with a gated community.

Councilmember Wynne – Asked if the extra parking is needed because of the number of units or guests, or just because it's always nice to have extra parking?

William Hersey – Stated they always want to maximize the ability for their tenants to have extra parking. With that, it made sense to go ahead and just redo all the curb scape and take care of having additional parking for the units. So, this is part of their master plan to have all of those in there.

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

BOARD APPOINTMENTS

B-1

Request that the City Council consider making appointments to fill vacancies on the Disability Issues Review Board, Historical Preservation Board, Parks Board and the Main Street Board.

Disability Issues Review Board appointed

- *Robert Ogden - Chair
- *Juanita Fletcher
- *Neisha Lestage
- *Craig Ellis
- *Patricia Glass
- *Mary Kahrhoff
- *Jeremy Flowers

Historical Preservation Board

Stuart Bannan

Parks Board

Denice Smith

Main Street Board

Lindsay Durr for Heart of Tyler

Motion by Councilmember McKellar to approve the slate of members recommended; seconded by Councilmember Curtis; 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 approve the reconciliation change order final payment and release of the retainage in the amount of \$31,640.00 to N.G. Painting, L.P., for the Shiloh Road Elevated Storage Tank Rehabilitation project.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase two (2) BraunAbility Voyager ADA (Americans with Disabilities Act) Minivans for Transit Department from Model 1 Commercial Vehicles, Inc., for a total of \$195,623.70 through the State of Oklahoma contract SW0797C FY25.
- C-A-3** Request that the City Council consider authorizing the City Manager to execute The reconciliation Change Order with Hartbeat Construction for the Repair of Stormwater Inlet Boxes - 2024 project, Bid No. 24 -016, increasing the approved contract amount by \$20,934.50, from \$320,449.50 to \$341,384.00, and approve the release of retainage.
- C-A-4** Request that the City Council consider authorizing the City Manager to purchase five RTVs (Rough Terrain Vehicles) from Lowe Tractor for \$11,579.85 each to replace units for the Parks Department with the option to purchase additional units as needed for fiscal year 2025 for a total purchase price of \$57,899.25 through Sourcewell Contract #031121.
- C-A-5** Request that the City Council consider authorizing the City Manager to ratify the underground fuel storage tank project change orders for a total of \$476,396.21.
- C-A-6** Request that the City Council consider authorizing the City Manager to execute Work Order No. 3 with MHS Planning and Design, LLC., in an amount not to exceed \$130,075, to provide final design and construction administration services for the 2025 Pedestrian Access Improvement Project.
- C-A-7** Request that the City Council consider authorizing the City Manager to purchase one (1) rearload garbage truck from Doggett Freightliner to replace unit 15780 through Tips Contract #230802 for a purchase price of \$258,118.35.
- C-A-8** Request that the City Council consider authorizing the City Manager to execute the

Second Amendment to the Interlocal Agreement for Computer Support Services between the City of Tyler and the City of Whitehouse.

C-A-9 Request that the City Council consider adopting a Resolution amending the polling locations and giving Notice of an Election for a previously called Election for May 3, 2025, to fill the offices of Tyler City Council Members for Districts No. 1 and 3, making provisions for and resolving other matters incident and related to such regular election, and reducing the total number of voting locations throughout Smith County. **(R-2025-23)**

C-A-10 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$242,500.00, with Halff Associates, Inc. for Consent Decree Field Management.

C-A-11 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$148,750.00, with Halff Associates, Inc. for Sanitary Sewer Line Relocation.

C-A-12 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will reduce the contract amount by \$9,849.64 and release of final retainage payment in the amount of \$13,547.10 to Hartbeat Construction, for Private Lateral Group 2 Program Construction.

C-A-13 Request that the City Council authorize the City Manager to ratify expenditures in the amount of \$126,702.32 by Advanced Water Well Technologies for all work performed on the number 3 pump and motor emergency rehabilitation at the Lake Tyler Raw Water Pump Station.

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

CITY MANAGER'S REPORT

1. So, Spring is in the air. I mean, the weather is wonderful outside, and the Great Tyler Cleanup is coming up to give you an opportunity to get out and pick up some trash. That's coming up on April 12th, and the focus this year is on the significant anniversaries we have with TxDOT's 40th anniversary of the Adopt-a-Highway program, which began here in Tyler, and Keep Tyler Beautiful's 30th anniversary of this year. In fact, you can learn more about this on our Roses and Weeds podcast that just came out last week - features Katherine Kroemer from TxDOT and Casey Williams, our Keep Tyler Beautiful Coordinator. They focused on litter and highlighted programs like the Adopt-a-Highway and Adopt-a-Spot program that you can do here in Tyler.
2. If you get a chance, with all the work that's been going on at W.E. Winters Park, our new mural installation has been done over there in the bathroom. It's a vibrant and meaningful addition to the ongoing park revitalization. While the park is still under construction, the mural has been completed. The mural's theme revolves around pollinators. The artwork was created by artist Hilly Shirley, who is known for his distinctive airbrush style.
3. Switch things over to the Airport. The Airport is moving through a site study and process for the construction of a new air traffic control tower. This is kind of one of the pieces that we look at for the Airport that would be critical in future years and decades. So, at this stage, local controllers recently reviewed or provided the opportunity to compare three potential sites using virtual reality technology. After validating models of the Airport in each potential

site location, a team of Engineers and FAA personnel conducted comparisons and evaluated criteria such as runway and taxiway visibility, different sun reflectivity scenarios, and night time operations. The site identified as the most advantageous in terms of safety, efficiency, cost, and future expansion will then move forward into the design phase. The Airport will be competing for construction funding with the hope of initiating construction sometime in the near future.

4. And then finally, Fire Departments from all over Texas are assisting with the wildfires in Texas, from Panhandle extending down to the Hill Country. The Tyler Fire Department, which is new to the TIFMAs program, has sent a member to join up with a Texarkana team fighting one of the largest wildfires in Texas history. Fire Senior Captain Daniel Bailey is on a 14-day deployment in the Panhandle before returning to Tyler. So, we're proud of him and hope he is safe out there and all come back to all of us.

Councilmember Hene – Mentioned the Great Tyler Cleanup is on April 12th. Right after that event, you could go to another park and do a battle of badges. This is a softball game between the Fire Department and the Police Department.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 10:08 am; seconded by Councilmember Nichols; motion carried 7 - 0 & meeting adjourned.



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

A T T E S T:



Cassandra Brager, CITY CLERK

