

# CITY COUNCIL AGENDA

**Wednesday, April 27, 2022  
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, April 27, 2022  
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 March 23, 2022.

## **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. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. They represent 90 years of service with the City of Tyler.

Joy Fry, Administrative Secretary, 30 years of service  
Christopher Sharp, Police Officer XI, 20 years of service  
Tiffany Dunkley, Customer Service Supervisor, 20 years of service  
Arturo Martinez, Semi-Skilled Laborer, 20 years of service

## **ZONING**

- Z-1** PD22-004 MT CALVARY BAPTIST CHURCH (804 AND 806 DUCKENFIELD AVENUE)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "PMF", Planned Multi-Family Residential District with a site narrative.
- Z-2** Z22-018 CROSS DEVELOPMENT CC TYLER LLC (4171 FRANKSTON HIGHWAY)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "PCD", Planned Commercial District to "C-2", General Commercial District.
- Z-3** Z22-013 MCKALE GEORGE & CLARA FIRESTONE (2707 SHILOH ROAD)  
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.
- Z-4** Z22-021 AVIRETT RICHARD B & THERESA DIANE (5502 MYERS STREET)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "C-1", Light Commercial District.
- Z-5** Z22-012 MASK HULDIE (3221 WALTON ROAD)  
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 Residential District.
- Z-6** Z22-016 CHAVEZ MIGUEL (1213 EAST COMMERCE STREET)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "M-1", Light Industrial District to "R-1A", Single-Family Residential District.

- Z-7** Z22-019 LEANDRO LUIS H (2900 FRANKSTON HIGHWAY)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "R-1B", Single-Family Residential District.
- Z-8** PD22-005 OVERLAKE HENDERSON LP (5604 DONNYBROOK AVENUE)  
Request that the City Council consider adoption of an Ordinance approving a "PCD", Planned Commercial District Final Site Plan Amendment.
- Z-9** Z22-020 MLEANDRO REALTY (1940 WALTON 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 Residential District.
- Z-10** Z22-011 STEELE REAL ESTATE HOLDINGS LLC (5855 OLD JACKSONVILLE HIGHWAY AND 5745 KPE WAY)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "AG", Agricultural District to "C-2", General Commercial District.
- Z-11** Z22-014 KITTRELS VILLAGE LLC (15577 COUNTY ROAD 164)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "C-1", Light Commercial District to "R-MF", Multi-Family Residential District.
- Z-12** Z22-015 TYLERTEX HOLDINGS LLC (7906 AND 7716 NEIGHBORS ROAD)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1B", Agricultural District to "C-2", General Commercial District.
- Z-13** Z22-007 C AND M MEATS INC (2205 JONES STREET AND 2300 EAST FRONT STREET)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1B", Single-Family Residential District and "C-1", Light Commercial District to "PMF", Planned Multi-Family District with final site plan.
- Z-14** C22-001 C AND M MEATS INC (PORTIONS OF EPPERSON AVENUE AND MAGGIE STREET)  
Request that the City Council consider adoption of an Ordinance approving the closure of unimproved portions of Epperson Avenue and Maggie Street.
- Z-15** PD22-001 CITY OF TYLER (14790 COUNTY ROAD 1145/OLD PLEASANT RETREAT ROAD/7.85 ACRES OF LAND)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "M-1", Light Industrial District to "PMXD-1", Planned Mixed Use District-1 with a site narrative.
- Z-16** S22-001 CITY OF TYLER (14790 COUNTY ROAD 1145/OLD PLEASANT RETREAT ROAD/7.85 ACRES OF LAND)  
Request that the City Council consider adoption of an Ordinance approving a Special Use Permit to allow for an outdoor amphitheater.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider approving the extension of a 16" diameter waterline to provide retail water service to the John Soules Foods plant located at 10150 FM 14, Tyler, Texas as well as an engineering contract with C. T. Brannon Corporation for a cost of not to exceed \$412,090.
- M-2** Request that the City Council consider authorizing the City Manager to execute a contract with T Gray Utility AIMS, LLC in the amount of \$2,528,849.00 for the Consent Decree Group 4 Manhole Specialty Bid 22-016.

## **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 a contract in the amount of \$127,500.00 to Myriad Roofing Inc. for roof cleaning and restorative coating at the Tyler Pounds Field Regional Airport East Terminal and Tower.
- C-A-2** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order for the Cleaning and Closed Circuit Television (CCTV) Recording of Wastewater (Sanitary Sewer) Lines, Phase 5 Project, Bid No. 19-011.
- C-A-3** Request that the City Council consider authorizing the City Manager to approve the Annual Price Agreement for Tires, Emergency Tire Service, and Fleet Checks per Bid 22-025.
- C-A-4** Request that the City Council consider authorizing the City Manager to ratify staff payment of \$54,821.43 to Reynolds and Kay for the emergency water line repair of the 24-inch water line repair at the intersection of Donnybrook and Loop 323.

## **CITY MANAGER'S REPORT**

### **EXECUTIVE SESSION**

Executive Item No. 1:

Under Texas Government Code Section 551.071 "Litigation" deliberation regarding the following:

1. Pending or contemplated litigation or settlement offer involving Liberty Utilities (Tall Timbers) and Liberty Utilities (Woodmark) Sewer Corp vs. City of Tyler, Texas and Rose City Municipal Utility District

## **ADJOURNMENT**