

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
March 22, 2023**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 22, 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 (absent)
	Brad Curtis

City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
Asst. City Manager:	Heather Nick
Deputy City Attorney:	Steve Kean
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Director of Organizational Development:	Regina Y. Moss
Airport Manager:	Stephen Thompson
Planning Director:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
City Engineer:	Darin Jennings
Director of Utilities:	Kate Dietz
Parks Director:	Leanne Robinette
Director of Solid Waste, Transit:	Leroy Sparrow
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McGee.

MINUTES

Motion by Mayor Pro Tem Wynne to approve the February 22, 2023 minutes; seconded by Councilmember Curtis; motion carried 6 - 0 & approved as presented.

AWARDS

A-1 Request that the City Council consider recognizing the following Infants at Work participants for their program participation. They represent 8 months of service with the City of Tyler.

Lucca Gary, Infants at Work - GIS, 4 months
Alyssa Tidwell, Infants at Work - Water, 4 months

ZONING

Z-1 S23-002 SUPER DIAMOND EAGLE INC (1527 EAST 5TH STREET)

Request that the City Council consider adoption of an Ordinance approving a Special Use Permit to grant a variance to reduce the required 300 feet distance separation from the property line of Bell Elementary School and the property line of the subject property to 290 feet in order to be eligible for a Texas Alcoholic Beverage Commission (TABC) license to sell wine and beer. The applicant is appealing the denial decision of the Planning and Zoning Commission.

Kyle Kingma, Planning Director- Stated that this item is for a Special Use Permit to allow for a distance variance for a T.A.B.C. or a Texas Alcohol and Beverage Commission Permit. The code requires a minimum distance of 300 feet between a place that sells alcohol and a school. And so, the applicant has requested the variance to reduce the distance from 300 feet to 290 feet as the property is within 290 feet of Bell Elementary which is to the southwest of this property. This property is located along East 5th Street across from T.J.C. or Tyler Junior College. To the south is developed with single-family homes and then to the southwest is, again, Bell Elementary School. This is the proposed layout of the building which is currently under construction, if you've been in the area. The convenience store is located at the rear, south side of the property with the gas station pumps on the north side there. Here's a picture of the area and you can see the elementary school to the southwest. There is a church across the street. Across 5th Street, which is the way distance requirement, which is also a 300 foot distance requirement. However, it's measured differently than a school. A school is from property line to property line in a direct line, so as the crow flies. The distance requirement from a church is 300 feet, but it's a door to door measurement and straight lines through the property line. So, this is how you'd measure for a school. This property is less than 300 feet, so it requires a variance to be able to issue an Alcohol Permit to sell beer and wine on premise. If you were to measure this distance from door to door as if it were a church, you can see it's well outside the 300 feet. It's just over 1200 feet away as somebody would walk through that area to the door of the school. And for a church, this is how that would be measured, from the door of the business in a straight line and to the door of the church. When you do this, it's outside 300 feet, so what I'm trying to convey is that the church is not subject to the distance discrepancy. Largely due to the building being set back so far away from 5th Street. The U.D.C. does allow the City Council to grant a variance to the distance requirement. The City has done that in the past for places to sell alcohol within 300 feet of schools. When that's being evaluated, the City Code and also State Law allows the City Council to waive that requirement if they feel that is not in the best interest of that area or if it's not serving its intended purpose. We did receive one notice in opposition from a neighbor to the east who was concerned about the sale of alcohol next to Tyler Junior College as well as the school. And then, we did receive a letter back from Tyler Independent School District who was not opposed to the variance, not in favor of it, but no opposed to it. They did state a concern about making sure there's no underage sale of alcohol, e-cigarettes, or any tobacco to minors. That's the general concern that they had. This would not allow for that. They would still have to follow the law on that. And so, with that, the Planning & Zoning Commission met earlier this month to review this request. They voted 4-0 to deny the request. Generally, they were concerned about the distance to the church on the north side even though it's outside of the 300 feet as we measured. It is still across the road from

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the church and Tyler Junior College. One thing to note is that the distance requirement from schools applies to K through 12. The school is post-secondary. The applicant wasn't in attendance at that meeting, so they weren't able to discuss how the criteria are met in order to justify the variance. I believe there is representative here today from the applicant to do that. And so, the applicant has appealed that denial from P&Z.

Councilmember McKellar – Asked if the 300 feet is set up by the City or is it set up by T.A.B.C. (Texas Alcohol and Beverage Commission)?

Kyle Kingma, Planning Director – Stated, “Yes, it's from the T.A.B.C. It's the minimum State Law requirement.

Mayor Pro Tem Wynne – Asked did the applicant know the rules when they built the convenience store? I would've looked at the way that I situated my store or done some background work to see what variance or what I needed to sell alcohol.

Kyle Kingma, Planning Director- Stated that his understanding is yes, that they were aware of--I don't think this is the first convenience store that they've built. They may have been aware of that requirement. They did obtain a permit for the convenience store. That is separate from the permit for alcohol. But, generally, that information is conveyed whenever the question is asked. “Can I sell alcohol from this location?” We do convey that it has to be 300 feet from all those protected uses.

Mayor Warren- Stated that in all my time being on Council--and now, I recall this issue coming up a number of times. Do you remember how many times, in general, that we've approved this? I think we've approved more than we've denied, right?

Kyle Kingma, Planning Director – Stated for public schools, yeah. I'm not aware of any time we've denied any request from a public school. I know we've had instances for churches, being too close to churches. Some of those have been denied over the years. I would say at least five instances we've had for schools.

Edward Broussard, City Manager: Stated that some of those were restaurants because restaurants that serve alcohol have the same T.A.B.C. restrictions that convenience stores do. So, the one that comes to mind--the last one that I can think of was the place across from Tyler Legacy High School is Torchy's.

Kyle Kingma, Planning Director- Stated Bubba's 33 was the most recent one, a lot if not all of them were for restaurants.

Councilmember McGee: Asked if we were talking about 10 feet?

Mayor Warren – Stated that he can understand Dr. Crawford's position on the e-cigarettes and he's on this bandwagon of not wanting his kids--a school--having access to that and I'm totally behind him 100%.

Kyle Kingma, Planning Director Yeah.

Mayor Warren – Stated that's State Law. They can't buy them unless they're 21 and I don't see kids from Bell buying e-cigarettes.

Councilmember Curtis - Yeah. So, it's just the school that's the trigger in this case in the ordinance, right?

Kyle Kingma, Planning Director - Stated that is correct.

Mayor Warren Stated that it sounds like he was for this, but if T.I.S.D. or T.J.C. were opposed to it, really opposed to it.

Kyle Kingma, Planning Director Right. Correct.

Mayor Warren – Stated and we don't.

Kyle Kingma, Planning Director Yeah, they're not.

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Sirajuddin Khawaja, 1509 E. Oaks Rd. Garland, Tx. – Stated before starting this work, he went to the City office and asked them: we're buying this property and we want to build a convenience store, could you check it please? Is everything okay? And orally they said yes and after constructing the building, then again, when we applied for the beer license--then, also, one time I went there and I asked the gentleman who was sitting there. I don't know his name. I asked him that time for that license and he checked me in the computer and he said, "Yeah. Everything is okay. There's no problem."

The thing is that the access to the store itself is facing on the other side of the school. There's a fence behind that. There's houses. Then, there is a street and then, if somebody had to come from the school to that store, they'd have to go all round and then get to this one. Those accesses will have cameras outside to make sure everything is working fine. And this permit is for off premise, so nobody is allowed legally to drink on the premise, so there shouldn't be any issue of people drinking on the premise because they have the camera and they can immediately call law enforcement to come and take care of those people. So, I think they have these other locations where they know how to handle this situation.

Mayor Warren – Stated Okay. Thank you, sir. I think you all know the direction I'm leaning, but I'm only one guy up here.

Councilmember Curtis – Asked what is the process for this? How is this supposed to happen if somebody is applying for this, where in the process would they find out if you're wanting to sell alcohol you're too close to a public school?

Kyle Kingma, Planning Director – Stated that would be part of their due diligence to understand that they're going to develop the property in knowledge of the City Ordinance. If they came and talked to us, I don't know exactly how that happened. But, we would've conveyed to them that the distance requirement is 300 feet.

Councilmember Curtis- Asked If somebody else comes in to develop a piece of property and it's a convenience store, where in the process should they say hey, we're going to sell alcohol? And then is it the City that would say well, if that's the case.

Kyle Kingma, Planning Director – Stated that if they say they're going to sell alcohol, then we would convey that they would have to meet the 300 feet requirements of the schools and churches. Most of the time, that doesn't come up until they're actually submitting for an Alcohol License, regardless. For every Alcohol Permit that's issued by T.A.B.C. and the City, we do have to review that for the 300 feet requirement, so it's just that in this case and other cases, when we do that check, that review, we identify that it's within 300 feet. But, the actual review does not take place until the application for the license. So, there is some responsibility on the applicant to identify that. It seems like the distance requirement from the church or the way they have the building set back seems to be trying to meet that distance requirement. But, you can't really modify the property as easily to stay away from the school.

Councilmember McKellar - So, they have not gone through the process of going through the 60 day notice so that people can say they want or don't want to have that in that area, right? They're not at that level yet?

Kyle Kingma, Planning Director – Stated that's a separate process. That's just through T.A.B.C. for them to get to that step, they have to have the City Clerk sign off saying that it meets the City's distance requirements. The 60 day notice thing, again, that's a separate process. That's not through the City.

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Councilmember McKellar - So, I guess my question would be that why are they applying for that now when they have not gotten to the point where they have applied with T.A.B.C. and done all the requirements to get the license after the store opens or gets ready to open?

Kyle Kingma, Planning Director – Stated that he was not sure on where they were in their process.

Heather Nick, Assistant City Manager- Stated that when they apply for the T.A.B.C. permit knowing that they have the correct zoning and that they are able to meet our city requirements so this is part of the checklist.

Councilmember Hene Stated I noticed that the P&Z Commission by a 4 to 0 vote denied the request. Is that because the applicant did not show up or was that because of other reasons?

Kyle Kingma, Planning Director -The discussion that took place was--there were questions like what about the church, what about T.J.C.? And so, the response of that was, you know, does this not measure the same for the church? If it was a property line to property line to the church, then that would be too close as well and if T.J.C. applied to that then that would be too close as well. I don't recall there being discussion that the applicant is not here, but generally if there is concerns from the commission and there's nobody to speak to that, then that's one outcome that may happen, the denial. I don't speak for the Planning Commission, but I think there was no--the general area was considered--all pieces were considered in this request and there was no discussion as to why the requirement shouldn't be applied here.

Sirajuddin Khawaja, 1509 E. Oaks Rd. Garland, Tx. Stated that this is for the on premise, not for the off premise. This 60 day notice that you were talking about. That the store needs to place in front of the store before they even decide to do that. It is for the on premise application, not for the off premise. If somebody is on the premise, then they have to put this notice for 60 days and will allow people to come and drink inside the store and if somebody has any objections, then it is for the on premise and this application is for off premise, so this is not a requirement for the 60 days notice.

Councilmember McKellar – Stated and this is for the 300 feet is also during that process?

Sirajuddin Khawaja, 1509 E. Oaks Rd. Garland, Tx. – Stated that three hundred feet is the question, yes. It's for the school. There are certain places in Smith County. The store is just against--and kind of that is the school entrance and the store is all the time there been allowed by city. So, in this condition, we see that it's all the way in the back and if somebody needs to come to the store, they will have to go around and come to the front which is...the back of the school is also a playground and the back of that store is also an empty place where there's nothing. So, there's a fence, requirement from the city to the store that involves 10 feet distance to the store. Then, the store is facing to the other side of this school.

Councilmember McKellar- Stated I've seen your facility. It's being built.

Mayor Pro Tem Wynne – Stated that he had been contacted by a couple of the neighbors and they read the results of the P&Z meeting and they just wanted to let me know that they were not for a Special Use Permit. I questioned them why they didn't fill out a protest card and they didn't really have a great answer for that. They felt like one of their neighbors was their voice, but they just said if it didn't make it through Planning & Zoning, why would we want to do anything else with it?

Councilmember Curtis: It would be interesting here to hear a little bit more of a history of what we've done on this. But, it's only Bell Elementary that's in question and I understand that we're talking about 10 feet, but the ordinance does have a number. The number is 300,

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so I think that's the trigger for P&Z. That's all they need to consider, whether there's a special use or variance and such, that's for us to decide. I do think the applicant makes a good point that even though the property line is less than 300, the actual distance that somebody would travel is probably going to be down the street and much further than 300. Initially, before hearing the--it sounds the history has been more to grant these special use permits. I was against it, but I would consider, as we've done on the others, where it took for a period of time for review, for a year or something like that and we can see if there's any issues. Or are they always for a period of time?

Kyle Kingma, Planning Director – Stated that since this would essentially be a variance request, that would be indefinite. Once the variance is granted then it can be renewed.

Mayor Warren – Stated that he recalled the grocery store on 31 and the Loop they made the application to sell beer and wine inside that store and it was too close to Jones Boshears School. We granted that application. Plyler on 5th Street. We granted that one. There was a restaurant down Cork that was too close to a school. We granted that one and I can think of one example after another where we've given people the right to sell beer and wine and given them the ability to have a business model that may be better, may be worse because of the sale of beer and wine. And, personally, I'd hate to take that right away because of 10 feet when we have given people that right in the past, this has set a precedent of having some tolerance and not just saying we're 10 feet short, we're not giving it.

Mayor Warren - Opposed so, 5 to 1 to deny the permit.

Motion by Mayor Pro Tem Wynne to deny the permit; seconded by Councilmember Hene; motion carried 5 - 1 & motion denied as presented.

Z-2 **Z22-069 IMAM MAHFUZ & SHAKHAWAT H BHUIYAN & SAIFAR RASHID (2043 SHILOH ROAD) Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1D", Single-Family Residential District to "PMF", Planned Multi-Family Residential District with a final site plan. (O-2023-22)**

Adam Reeves, 3930 Glade Road, Colleyville, Texas, - Stated that he was here with Tempest Development representing the applicant on this project. Gave a brief overview of where the project started.

Lloyd Nichols, 1930 Stonehill Dr. Tyler – Stated Stonegate, what they are concerned about is if you look at the outline, the top of the property. Everybody knows Shiloh Road, how you're up on the top and you go down to the bottom of that big hill. The top of the property that we're talking about, there's a 64 foot drop between the top and the bottom of that property. With that shape there on the bottom piece on the south end pointing towards Stone Gate, what we need is more than the usual engineering that the City does on drainage. We need retention ponds. We need dragon teeth. We need spillways. The amount of water coming down and you're taking all of that land out of that sponge soaking up water. You're going to put it on concrete. If you look to the right of Shiloh Village, City Manager, City Engineer, and us a few years back walked it. They took Shiloh Village with traditional engineering for the 36-inch pipe out back and it took out 30 feet of Stone Gate's spillway that we had to demolish and the road is pretty washed up down there. And as most of you know, on Paluxy you follow the creek over and you had to do a ton of work. The City had to spend

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a lot of money on where the water goes under--is it West Mud Creek, I believe. It goes underneath Paluxy there. So, the water intensity coming off this property is going to be big. We're okay with developing it and everything that Adam spoke of, but we need the City to think outside the box on minimizing the flow of this water and head south into that creek with non-traditional that we do here. We usually do it to our current standards, but it needs to be to the next level

Councilmember Curtis, Stated that is a good point. Of course, the intention is that when the required drainage and site work on the construction project is approved that there is no downstream impact. I don't know that in reality that's always true, so I think that's a good point and it could also be very possible that once this passes, it goes to engineering and a developer could say that's too expensive, I'm not doing that. It's certainly happened before, so I think both individuals that spoke did a good job. Based on what I heard and I would emphasize that, yes, this is an unusual case and there's a lot of elevation change for Tyler on this and we do not want to negatively impact citizens that are already in the neighborhood. But, I would move to approve Z-2.

Motion by Councilmember Curtis; seconded by Councilmember McGee; motion carried 6 - 0 & approved as presented.

- Z-3 PD23-004 DURHAMBUILT LLC (2403, 2409, 2413, 2417, 2421, 2503, AND 2511 SOUTH VINE AVENUE AND 2342, 2348 AND 2354 FRANKSTON HIGHWAY) Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with a final site plan. (O-2023-23)**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

- Z-4 PD23-005 DURHAMBUILT LLC (2645, 2727, AND 2765 SOUTH VINE AVENUE) Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with a final site plan. (O-2023-24)**

Motion by Councilmember McGee; seconded by Mayor Pro Tem Wynne; motion carried 6 - 0 & approved as presented.

- Z-5 PD23-003 ALLENS NUTECH INC (2698 SOUTH SOUTHEAST LOOP 323) Request that the City Council consider adoption of an Ordinance approving a zone change from "RPO", Restricted Professional Office District to "PMXD-2", Planned Mixed Use District-2 with a final site plan. (O-2023-25)**

Motion by Councilmember Curtis; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

- Z-6 PD22-022 EAST TEXAS VETERANS COMMUNITY COUNCIL (3212 CHANDLER HIGHWAY) Request that the City Council consider adoption of an Ordinance**

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approving a zone change from "R-1A", Single-Family Residential District, "AR", Adaptive Reuse District, "RPO", Restricted Professional Office District, "M-1", Light Industrial District, and "M-2", General Industrial District to "PMXD-1", Planned Mixed-Use District-1 with a final site plan and final site narrative. (O-2023-26)

Travis Gladhill, Camp V, 18488 Bluebird Circle, Flint, Texas – Stated what they have planned here is more usage of the property that Camp V sits on. All of their lots as you would say are basically zoned differently and what they are wanting to do is have all of them under one specific zoning for that multi-purpose piece of property. They have plans for transitional housing for veterans. That is going to be complete with a full plan that they are in the process of developing right now where it's not just a place to stay, but a place to grow and get them back on their feet with a plan, with employment, with financial stability. At Camp V, they'll strive to cover the four pillars of wellness, that being social, mental, physical, and financial wellness and they have done a great job since opening their doors in 2019 to the point where in 2022, they closed out the year averaging 340 veterans assisted a month. Now that they are in 2023, that number has only grown. For the past two months, they have already closed 400 veterans assisted a month. So, what this property is also going to allow them to do is have more ribbon cuttings. And then, also include a chapel and education center for veterans and their family members along with a memorial park and basically more parking for those ribbon cuttings.

Motion by Councilmember McKellar; seconded by Councilmember Hene; motion carried 6 - 0 & approved as presented.

PRESENTATION

P-1 Request that the City Council consider hearing a presentation and approving the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2022, as presented by Prothro, Wilhelmi, & Co.

Walter Welhelmi and A.J. Evans, Prothro Wilhelmi & Co. – Gave a brief presentation over the Comprehensive Annual Financial Report.

Motion by Mayor Pro Tem Wynne; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to award Bid No. 23-030 for the Pollard Park renovations to Smith Builders & Developers to furnish all necessary materials, equipment, superintendence, and labor in an amount not to exceed \$401,539.45.

Motion by Councilmember Curtis to approve and add an add alternate amount of \$34,000.00 making the total \$435,539.45; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

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- M-2 Request that the City Council consider awarding Bid No. 23-029 for the Annual Agreement for Audio and Video Professional Services Related to the W. T. Brookshire Conference Center to Video Magic Productions as the primary vendor, to furnish all necessary materials, equipment, superintendence, and labor. In addition, designating PC Productions as the secondary vendor and East Texas Productions as the tertiary.**

Motion by Councilmember McGee; seconded by Mayor Pro Tem Wynne; motion carried 6 - 0 & approved as presented.

- M-3 Request that the City Council consider authorizing the City Manager to execute a contract with KSA Engineers, Inc. for the Southside Wastewater Treatment Plant Aeration Basin and Final Clarifier Improvements project in the amount of \$1,745,800 and to approve a Resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2023-14)**

Motion by Councilmember Curtis; seconded by Mayor Pro Tem Wynne; motion carried 6 - 0 & approved as presented.

- M-4 Request that the City Council consider authorizing the City Manager to enter into an agreement with HDR Engineering, Inc., to develop a Railroad Inventory and Analysis for the Tyler Area Metropolitan Planning Organization in the amount of \$150,000.**

Motion by Councilmember McKellar; seconded by Councilmember Curtis; motion carried 6 - 0 & approved as presented.

- M-5 Request that the City Council consider authorizing the City Manager to execute a contract with L. S. Equipment Co. Inc for the construction of the 2023 Seal Coat Program project in the amount of \$559,148.55.**

Motion by Councilmember McGee; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

BOARD APPOINTMENTS

- B-1 Request that the City Council consider making an appointment to fill a vacancy on the Main Street Board.**

Motion by Councilmember Curtis to appoint Andy Bergfeld as a Heart of Tyler representative; seconded by Councilmember McKellar; motion carried 6 - 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.)

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- C-A-1 Request that the City Council consider authorizing the City Manager to award Fuelman / Fleetcor the external fuel purchase agreement through Omnia Partners contract R211101.
- C-A-2 Request that the City Council consider authorizing the City Manager to purchase a mower for the Southside Waste Water plant from Lowe Tractor for \$13,581.57.
- C-A-3 Request that the City Council consider adopting a Resolution authorizing continued participation with the ATMOS Steering Committee of Cities and payment of \$0.05 cents per capita assessment. (R-2023-13)
- C-A-4 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for Engineering services with KSA Engineers for engineering, planning, environmental, and construction phase services on an “as needed” basis in connection with the development and improvement for Tyler Pounds Regional Airport.
- C-A-5 Request that the City Council consider adopting a Resolution to authorize the application for and acceptance of Federal Transit Administration 5307 Grant Funds in the amount of \$2,056,121 to assist with the Transit Department's operating cost and \$150,142 in Transportation Development Credits. This Resolution also accepts any grant amendments and additional TDC funds to increase the grant funding levels and reduce the local match requirements. (R-2023-15)
- C-A-6 Request that the City Council consider declaring Lot 8 Block: 272-B surplus property and authorize the City Manager to dispose of this property through a bidding process.
- C-A-7 Request that the City Council consider declaring a 0.029-acre portion of Lot: 1 Block: 864 surplus property and authorizing the City Manager to dispose of this property through a bidding process.
- 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 \$20,288 and the release of final retainage payment in the amount of \$81,326.65 to Utility Service Co., Inc. for Glenwood Elevated Storage Tank Rehabilitation.
- C-A-9 Request that the City Council consider adopting a Resolution appointing Valerie B. Smith, MD, MPH, FAAP, as the Smith County Local Health Authority and authorizing Mayor Warren to sign the required State of Texas Certificate of Appointment. (R-2023-16)

Councilmember Hene – Stated that he had the privilege of working with Dr. Smith for the past 5 to 6 years serving on the Board at St. Paul where she has been for 14 to 15 years and she's just an amazing person. And it's a privilege to now have her working with the local health authority and working with George. And so, I appreciate her stepping up to handle this position. So, I just wanted to recognize her and thank her and have this pulled from the consent.

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George Roberts, NETHEALTH- Introduced Dr. Smith.

Motion by Councilmember Hene to approve C-A-9; seconded by Councilmember McGee; motion carried 6 - 0 & item approved.

Motion by Councilmember Curtis to approve consent items C-A-1 through C-A-8; seconded by Councilmember McKellar; motion carried 6 - 0 & items approved.

CITY MANAGER'S REPORT

Shiloh Road is a project that we're really starting to move forward on. Staff and our consultant Halff & Associates have continued to make progress on the Shiloh Road Preliminary Engineering Report. One on one meetings with adjacent property owners have been conducted and refinements to preliminary alignments and cross-sections have been discussed. We had a second round of stake holder meetings on March 9 which provided updates to the property owners what were over there as well as to get additional feedback on the project. We've taken the comments and are making additional changes to the proposed alignment of Shiloh Road. Moving forward, a public meeting is tentatively scheduled for April with a goal of wrapping up the Preliminary Engineering Report in May or June.

One of the things upcoming, we have the W. T. Brookshire Conference Center Grand Opening coming up soon. But, one of the things that we do as far as our partnership with Brookshire's beyond just that wonderful adventure, is our Fire Department works with them on their facility that they have at the Loop and Old Jacksonville Highway. And so, last week, the Tyler Fire Department and Brookshire's Grocery Company personnel joined forces to plan and prepare for emergencies at their main center to conduct response and exposure training over a three day period. From this training, two exercises were planned and will be conducted later for this month as well as training with our community partners is invaluable as they know their facilities better than anyone else. This type of training helps our Tyler Fire Department members become familiar with the locations of hazards, layout of the property and how to coordinate with on-scene personnel. This will ensure a safe and swift response to hazards that may arise and threaten our community at this or other facilities.

Leroy is with us and so he can come up and I know just as we continue with our response from the winter storms to kind of give a brush pickup, but we did bring back our contractors that were working with us. They had to go do other jobs, but Leroy was able to get them back on the scene and they started up this past weekend with collections again.

Leroy Sparrow, Director of Solid Waste - So, yes, our vendor came back Monday and as of now, we're about 80% complete. About 2,300 tickets out of the 2,700 and about 450 that remain, so we feel pretty confident. It's nice having those four trucks out there running and helping us get it all cleaned up. And this is a great example, I was out there Saturday helping them and probably took about 15 tickets, picked up about 30 in the same area. So, there's still some that don't have tickets, but we kind of got the vendors. Let's clean it up. If you see it out there, just get it picked up so we can try and get it all cleaned up.

Mayor Warren – Stated that the Azalea Trails opens up at 10 o'clock Friday morning. We really wanted the limbs and stuff picked up all over the city, but we wanted to also pick up in the

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Azalea District just for all the visitors that come in to have a beautiful view, so thank you for taking care of that.

Edward Broussard, City Manager - Just a couple of final notes. I noticed that she avoided us today, but today is Deborah Pullum's birthday and so, she's watching on here and probably yelling at the screen--for all the stuff we did wrong. Happy birthday to Deborah.

Mayor Warren – Stated that Broderick McGee was awarded as the Gospel Musician of the Year.

Edward Broussard, City Manager -And then, we also recognize Heather Nick. Today is her 19th year of working with the City of Tyler, her work anniversary. And so, we are very proud of her and for the work and just the talents and the heart she shares with our community.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 10:41 am; seconded by Councilmember McGee; motion carried 6 - 0 & meeting adjourned.

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

ATTEST:

CASSANDRA BRAGER, CITY CLERK

