



# City Council

## Regular Meeting

~ Minutes ~

Council Chambers  
Tyler, TX 75703  
[www.CityofTyler.org](http://www.CityofTyler.org)

Cassandra Brager

Wednesday, January 25, 2017

9:00 AM

Council Chambers

**Internet website <http://www.cityoftyler.org> and Cable Access Channel 3**

### AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to assure that City Council Meetings are accessible to disabled persons. If any special assistance or accommodations are needed 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. Delay or interruption of the proceedings will not be tolerated.

### Invocation

9:00 AM Meeting called to order on January 25, 2017 at Council Chambers, 212 North Bonner, Tyler, TX.

Attendee Name	Title	Status	Arrived
Mark Whatley	Councilman	Present	
Martin Heines	Mayor	Present	
Edward Moore		Present	
Darryl Bowdre		Present	
John Nix		Present	
Don Warren	Councilman	Present	
Linda Sellers	District 1 Central	Present	

### Approval of Minutes

2. Wednesday, December 14, 2016

## Employee Awards, Recognitions, Service

Date of Hire	First Name	Last Name	Title	Department	Years of Service
12/16/1996	Kenneth	Gardner	Police Officer X	Police	20
12/16/1996	Phillip	Johnson	Police Officer X	Police	20
12/16/1996	Chad	Kersey	Police Officer X	Police	20

## Zoning Items

**Z-1 Z16-027 APOLONIO MOLINA (1007 BORDER AVENUE) Request that the City Council consider approving a zone change from "PMF", Planned Multi-Family Residential District to "R-1D", Detached and Attached Single-Family Residential District.**

**Z-2 Z16-028 OMEGA MINISTRIES OF TYLER, INC. (202 NORTH PARKDALE DRIVE) Request that the City Council consider approving a zone change from "RPO", Restricted Professional Office District to "C-1", Light Commercial District**

**Z-3 Z16-029 HARGIS JA PARTNERSHIP #2 LP (2320 EAST COMMERCE STREET) Request that the City Council consider approving a zone change from "M-1", Light Industrial District to "M-2", General Industrial District.**

## Citizen/Staff/Consultant Presentations

**P-1 Request that the City Council consider receiving a presentation of updates to the Capital Improvements Program for this fiscal year.**

## Adoption of Resolutions

**R-1 Request that the City Council consider adoption of a Resolution authorizing the City Manager to execute a Memorandum of Understanding Agreement with The Chariot Bus Lines regarding the continuation and the enhancement of transportation services for the elderly and disabled in the Athens, Murchison, Brownsboro, Chandler, and Tyler Airport areas with shuttle services connecting with the Tyler Transit system**

**R-2 Request City Council consider approving a Resolution suspending the proposed tariff and schedule of rates filed by Liberty Utilities (aka Tall Timbers Utility Company, Inc.) and authorizing the City to intervene in related dockets before the Public Utility Commission.**

## Adoption of Ordinances

**O-1 ZA16-002 UNIFIED DEVELOPMENT CODE (20 YEAR CITY LIMITS) Request that the City Council consider approving an Ordinance making an uncontestable finding that all territory included within the City of Tyler since December 31, 1996 is part of the City**

## Miscellaneous Items

**M-1 Request that the City Council approve the Memorandum of Understanding between The University of Texas at Tyler and the City of Tyler for the Innovation Pipeline.**

***M-2 Request that the City Council consider authorizing the City Manager to enter an agreement with The C.T. Brannon Corporation for design of the Legacy Trails Phase I project for \$487,565.00***

## **Consent Agenda**

**(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 an expenditure to Insituform Technologies, LLC in the amount of \$220,980 for sanitary sewer system replacements using the pipe bursting technique.***

***C-A-2 Request that the City Council authorize the capital expenditure of \$57,374.00 to Jay Martin Company, Inc. of Bedford, Texas, for replacement of one (1) Hydrogritter Separator at the Southside Wastewater Treatment Plant.***

***C-A-3 Request that the City Council consider authorizing the City Manager to award a construction contract in the amount of \$3,293,637.25 to A.E. Shull & Company for the Troup Highway Booster Pump Station project.***

***C-A-4 Request that the City Council consider authorizing the City Manager to execute Work Order #2 in the amount of \$252,000 with KSA Engineers, Inc. for construction phase services for the Troup Highway Booster Station project***

***C-A-5 Request that the City Council consider authorizing the City Manager to approve payment in the amount of \$41,728.81 to Flair Data Systems, Inc. for the purchase of fiber optic switches at the Lake Tyler Raw Water Pump Station and Lake Tyler Maintenance Complex.***

***C-A-6 Request that the City Council authorize the City Manager to execute all necessary agreements for the purchase of property at 415 North Bonner Street***

***C-A-7 Request that the City Council consider authorizing the City Manager to sign the First Amendment to the Chapter 380 Reimbursement /Development Agreement between The City of Tyler and Tyler Broadway/Centennial LP (Retail Connection).***

## **City Manager's Report**

### **Recess for Executive Session**

**As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may consider the following:**

1. Pending or contemplated litigation involving Owens v. Chatelain and City of Tyler;
2. Pending or contemplated litigation involving Williams v. City of Tyler et al.

Litigation is, by its nature, an on-going process, and questions may arise as to trial

tactics, 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 subjects listed above

## **Adjournment**