

REGULAR CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Regular Session on March 3, 2020 at Kyle City Hall with the following persons present:

Mayor Travis Mitchell	Michael Kloss
Mayor Pro Tem Rick Koch	Brian Ziegler
Council Member Dex Ellison	
Council Member Tracy Scheel	
Council Member Robert Rizo	
Council Member Alex Villalobos	
Council Member Michael Tobias	
Scott Sellers, City Manager	
James Earp, Assistant City Manager	
Paige Saenz, City Attorney	
Jerry Hendrix, Chief of Staff	
Samantha Armbruster, Comm. Dir.	
Jennifer Vetrano, City Secretary	
Leon Barba, City Engineer	
Yvonne Gil-Vallejo, Project Manager	
Diana Torres, Economic Dev Director	
Lauren Lyons, Economic Dev Coordinator	
Perwez Moheet, Finance Director	
Sandra Duran, HR Director	
Adrian Gooden, IT Technician	
Paul Phelan, Library Director	
Jesus Hernandez, Library Assistant	
Judy Thomas, Library Assistant	
Lily Coy-Johnson, Library Assistant	
Briseida Torres, Library Assistant	
Cara Waits, Assistant Library Director	
Joel Ysla, Library Assistant	
Sandra Bailey, Library Assistant	
Michael Lynch, Library Assistant	
Mariana Espinoza, PARD Director	
Howard Koontz, Community Dev Director	
Jeff Barnett, Chief of Police	
Harper Wilder, Director of Public Works	

I. Call Meeting to Order

Mayor Mitchell called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited. Mayor Mitchell asked the city secretary to call roll.

Present were: Mayor Mitchell, Mayor Pro Tem Koch, Council Member Ellison, Council Member Scheel, Council Member Rizo, Council Member Villalobos, and Council Member Tobias. A quorum was present.

II. Approval of Minutes

1. City Council Meeting Minutes - October 1, 2019. ~ *Jennifer Vetrano, City Secretary*
2. City Council Special Meeting Minutes - October 4, 2019. ~ *Jennifer Vetrano, City Secretary*
3. City Council Special Meeting Minutes - October 8, 2019. ~ *Jennifer Vetrano, City Secretary*
4. City Council Special Meeting Minutes - October 15, 2019. ~ *Jennifer Vetrano, City Secretary*

Mayor Mitchell brought forward the minutes for discussion.

Mayor Mitchell moved to approve the minutes of the October 1, 2019 Council Meeting, the minutes of the October 4, 2019 Special Council Meeting, the minutes of the October 8, 2019 Special Council Meeting, and the minutes of the October 15, 2019 Special Council Meeting. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

III. Citizen Comment Period with City Council

Mayor Mitchell opened citizen comments at 7:05 p.m.

Michael Kloss was called to speak as registered. He recommended a get Kyle clean and keep Kyle clean initiative. He spoke about how the program would be designed. He spoke about the location, in the area of Gregg-Clarke Park, Wallace Middle School, and along Center Street and Stagecoach.

Diana Torres, Director of Economic Development, introduced her new staff member, Lauren Lyons.

Mayor Mitchell, without objections, suspended the Rules of Council, to open up for Council commentary.

With no one else wishing to speak, Mayor Mitchell closed citizen comments at 7:15 p.m.

IV. Appointments

5. Appointments to the Economic Development & Tourism Board. ~ *Diana Torres, Director of Economic Development*
 - Eddie Brown
 - Colby Machaud (re-appointment)

Mayor Mitchell brought forward Item No. 5 for discussion. Mr. Brian Ziegler, Chair of the Economic Development and Tourism Board presented the item. Council Member Villalobos left the dais at approximately 7:16 p.m. and did not return.

Council Member Scheel moved to approve the appointment of Eddie Brown and the reappointment of Colby Machaud to the Economic Development & Tourism Board. Council Member Rizo seconded the motion.

There was discussion on the motion. Mayor Mitchell stated that Mr. Machaud has been on the board for three years now, and he thanked Mr. Brown for his willingness to serve.

All votes aye; motion carried 6-0. Council Member Villalobos was absent for the vote.

V. Presentation

6. TMLDA Award. ~ *Paul Phelan, Director of Library Services*

Mayor Mitchell brought forward Item No. 6 for discussion. Mr. Phelan presented the item. No action was taken.

7. Heroes Memorial Park Update. ~ *Dex Ellison, Alex Villalobos, and Robert Rizo, Council Members*

Mayor Mitchell brought forward Item No. 7 for discussion. Council Member Ellison presented the item along with Council Member Rizo. No action was taken.

8. Task force update on Police Headquarters Construction. ~ *Jeff Barnett, Chief of Police*

Mayor Mitchell brought forward Item No. 8 for discussion. Chief Barnett presented the item. No action was taken.

9. CIP/Road Projects and Consent Agenda Presentation. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 9 for discussion. Mr. Barba presented the item. No action was taken.

VI. Consent Agenda

Mayor Mitchell asked if there were any items to be pulled from the Consent Agenda. There were none. Mayor Mitchell brought forward Item Nos. 10, 11, 12, and 13.

10. Approve a professional services agreement with BURGESS & NIPLE, INC., Austin, Texas, in an amount not to exceed \$981,560.00 to provide construction phase services for the City's wastewater treatment plant expansion project. ~ *Leon Barba, P.E., City Engineer*

11. Approve Amendment No. 8 to ESPEY CONSULTANTS, INC. dba RPS, Austin, Texas, in the amount of \$99,209.85 for a total contract amount not to exceed \$931,000.85 for additional engineering services associated with the Southside Wastewater Improvements Project. ~ *Leon Barba, P.E., City Engineer*

12. Approve amendment No. 2 to STATESIDE RIGHT OF WAY SERVICES, LLC., Fort Worth, Texas, in the amount of \$18,000.00 for a total contract amount not to exceed \$67,000.00 for acquiring easements associated with the Southside Wastewater Improvements Project. ~ *Leon Barba, P.E., City Engineer*

13. Approve Plum Creek Phase 1, Section 11-I Final Plat (SUB-19-0100) 9.049 acres; 2 lots located on the northwest corner of FM 1626 and Vaughn Drive. ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-0 to approve the final plat.

Council Member Ellison moved to approve Consent Agenda Item Nos. 10, 11, 12, and 13. Council Member Scheel seconded the motion. All votes aye; motion carried 6-0. Council Member Villalobos was absent for the vote.

VII. Consider and Possible Action

14. Consider a subdivision waiver request from EVO Entertainment for Section 41-136(b) to allow certain commercial lots to not have public street frontage. ~ *Howard J. Koontz, Director of Planning and Community Development*

Mayor Mitchell brought forward Item No. 14 for discussion. Mr. Koontz presented the item.

Council Member Scheel moved to approve a subdivision waiver request from EVO Entertainment for Section 41-136(b) to allow certain commercial lots to not have public street frontage. Council Member Rizo seconded the motion.

There was discussion on the motion. Mayor Mitchell asked whether there are other similar situations. Mr. Koontz affirmed, and stated that it is customary and usual to have pad sites such as this one. Council Member Ellison asked Mr. Koontz for clarification regarding his analysis that mentions EVO being overparked. Mr. Koontz explained the City of Kyle standard being formulated two different ways saying that some requirements were through the zoning district and some by use. He talked about the minimum and maximum spots allowed and said EVO has more parking than allowed. Discussion took place concerning parking structures. Council Member Ellison mentioned wanting the city to move toward more permeable parking structures in the future. Mr. Koontz mentioned existing provisions in the city's impervious surface Ordinance as it relates to parking.

All votes aye; motion carried 6-0. Council Member Villalobos was absent for the vote.

15. Consider and possible action to direct staff to initiate certain sign code amendments. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 15 for discussion and presented the item.

Mayor Mitchell moved to direct staff to initiate certain sign code amendments as discussed in this meeting and appoint Council Member Scheel and Mayor Mitchell to work with staff through the process. Council Member Scheel seconded the motion.

There was discussion on the motion. Mayor Pro Tem Koch requested to be included on the committee. Mayor Mitchell said he would like to make a friendly motion to amend the original motion to include Mayor Pro Tem Koch on the committee. There were no objections.

All votes aye; motion carried 6-0. Council Member Villalobos absent for the vote.

City Manager's Report: A Software glitch caused the City Manager's report to be omitted from the agenda. After approval from the City Attorney, it was verified that a report of upcoming social events would be acceptable. Mr. Sellers reported this Saturday would be the Great River Cleanup starting at 8:30 a.m. at Waterleaf Park and is part of the Keep Kyle Beautiful campaign. He said the following Saturday is Pi Day (March 14). He did not have specifics, but it will be from 12:00 p.m. - 6:00 p.m. downtown along the square. He mentioned there would be a model train exhibit at the Train Depot and activities on the square. Jerry Hendrix mentioned that Certified vendors will be there as well.

Mr. Sellers stated that it had been discussed to not have a meeting on Spring Break, but there are quite a few items that need to be discussed. Discussion took place about having a Special

meeting the week prior or push the process. Council Member Rizo requested the agenda to be prepared early.

VIII. Executive Session

16. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
 - o Green Trails HOA
 - o 104 S. Burleson Street
 - o Transportation Agreement
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
3. Personnel matters pursuant to Section 551.074.
4. Convene into executive session pursuant to Section 551.087, Texas Government Code, to deliberate regarding the offer of economic incentives to one or more business prospects that the City seeks to have locate, stay, or expand in or near the City.
 - o 104 S. Burleson Street

There was no executive session.

17. Take action on items discussed in Executive Session.

IX. Adjourn

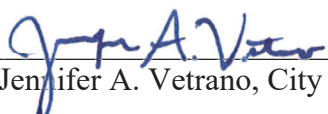
Council Member Ellison moved to adjourn. Council Member Rizo seconded the motion. All votes aye; motion carried 6-0. Council Member Villalobos absent for the vote.

With no further business to discuss, the City Council adjourned at 8:00 p.m.



Travis Mitchell, Mayor

Attest:



Jennifer A. Vetrano, City Secretary