

SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on August 1, 2020 and due to COVID-19, members attended virtually at <https://www.cityofkyle.com/kyletv/kyle-10-live> Spectrum 10; with the following persons present:

Mayor Travis Mitchell (v)	David Mendez
Mayor Pro Tem Rick Koch (v)	Gregory Miller
Council Member Dex Ellison (v)	
Council Member Tracy Scheel	
Council Member Robert Rizo	
Council Member Alex Villalobos	
Council Member Michael Tobias (v)	
Scott Sellers, City Manager	
James Earp, Assistant City Manager (v)	
Paige Saenz, City Attorney (v)	
Jerry Hendrix, Chief of Staff(v)	
Sarah Watson, Special Events Coordinator (v)	
Samantha Armbruster, Communications Dir. (v)	
Jennifer Holm, City Secretary	
Leon Barba, City Engineer (v)	
Diana Torres, Economic Dev Director (v)	
Perwez Moheet, Finance Director	
Andy Alejandro, Accounting Manager	
Sandra Duran, HR Director (v)	
Matt Dawson, IT Director	
Paul Phelan, Library Director	
Mariana Espinoza, PARD Director (v)	
Howard Koontz, Community Dev Director (v)	
Jeff Barnett, Chief of Police (v)	
Harper Wilder, Director of Public Works (v)	

I. Call Meeting to Order

Mayor Mitchell called the meeting to order at 8:05 a.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. Citizen Comment Period with City Council

1. Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

Mayor Mitchell opened citizen comments at 8:06 a.m. With no one wishing to speak, Mayor Mitchell closed citizen comments at 8:06 a.m.

VI. Executive Session

5. 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.
 - Legal advice to discuss public safety facility
 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.

Mayor Mitchell brought forward Executive Session out of order.

Council Member Scheel read into the record, "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. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071. Legal advice to discuss public safety facility."

The City Council convened into executive session at 8:08 a.m.

6. Take action on items discussed in Executive Session.

Mayor Mitchell moved to reconvene. Council Member Ellison seconded the motion. All votes aye; motion carried 7-0.

The City Council reconvened into open session at 10:06 a.m. Mayor Mitchell announced that no action took place in Executive Session and no action would be taken now.

III. Consider and Possible Action

2. Presentation and discussion on the City Manager's Proposed Budget for Fiscal Year 2020-2021 totaling approximately \$134.2 million for all City Funds including a no increase in proposed ad valorem tax rate, a 10.0% increase in water service rates, a 10.0% rate increase in wastewater service rates, no increase in storm drainage fees, a 2.5% increase in solid waste service (trash collection) charges per contract terms, no increases in other fees and charges, and the proposed addition of 25.0 full-time equivalent positions. ~ *J. Scott Sellers, City Manager*

Mayor Mitchell brought forward Item No. 2 for discussion. Mr. Sellers presented the Proposed Budget. He provided for Council Priorities, Overview of Proposed Budget, Budget Summary and Highlights, Capital Improvements Program, Debt Position, All Other City Funds, and Next Steps and Key Dates. Recess at 11:15 a.m. The City Council reconvened at 11:21 a.m. Budget discussions continued. The City Council recessed for lunch at 12:43 p.m. with plans to reconvene at 1:45 p.m. The City Council reconvened at 1:54 p.m. Council Member Villalobos recused himself at 1:55 p.m. for discussion on Colocation. Council Member Villalobos returned at 2:05 p.m. Budget discussions continued.

Mayor Mitchell moved to amend the proposed budget to remove the one new full-time code enforcement supervisor position proposed in the Police Department in the amount of \$66,548.00. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

Mayor Mitchell moved to amend the proposed budget to remove the one new full-time code enforcement position proposed in the Police Department in the amount of \$60,445.00. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

Mayor Mitchell moved to amend the proposed budget to remove the one new ROW (Right of Way) Foreman position proposed in the Public Works Department in the amount of \$68,427.00. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

Mayor Mitchell moved to amend the proposed budget to remove the two new fulltime Litter Abatement Technician positions proposed in the Public Works Department in the amount of \$113,933.00. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

Mayor Mitchell moved to amend the proposed budget to remove the lease costs for two trucks for the ROW Foreman position and the Litter Abatement crew proposed in the Public Works Department. Council Member Tobias seconded the motion. All votes aye; motion carried 7-0.

Mayor Mitchell moved to amend the proposed budget to remove the two zero-turn mowers proposed in the Public Works Department in the amount of \$24,000.00. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

Mayor Mitchell moved to reduce the number of units of utility in mules from 3-2 without changing the budgeted amount. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

There was discussion on the motion. Council Member Ellison asked whether this was specific to the Parks Department. Mayor Mitchell stated Public Works is already requesting a \$10,000.00 mule. He spoke of his desire for quality and felt the department would benefit from a four-seater and one or both having attachments and accessories useful for trails. Council Member Rizo stated that he can see a need for a four-seater. Mayor Mitchell asked whether Council would want to increase the budget to \$25,000.00. Mariana Espinoza stated she thought the four-seater would be beneficial for the parks department and that a third mule would be helpful. Mayor Mitchell continued discussing prices of three average priced mules to the comparable better quality four-seater with accessories, attachments, and fully equipped models. He said if they stayed with three mules, they needed in the budget, \$32,000.00 for a \$7,000.00 base model and 2 \$12,500.00 good mules. Council Member Rizo asked with current mules what it took the fleet count to. Mariana stated that there is one at Lake Kyle and one at Waterleaf. Mayor Pro Tem Koch stated that he would support that.

Mayor Mitchell withdrew his motion without objection.

Mayor Mitchell moved to amend the proposed budget to increase funding for the three Mule units from \$21,000.00 to \$32,000.00 proposed in the Parks and Recreation Department. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

Mayor Pro Tem Koch moved to amend the proposed budget to add two new full-time positions for videography and graphics in the proposed budget for the Communications Department in the amount of \$150,000.00. Mayor Mitchell seconded the motion.

Council Member Ellison asked whether they need more specific direction on those positions. Mr. Sellers stated that staff is good.

All votes aye; motion carried 7-0.

Mayor Mitchell moved to direct staff to bring back merit increase on the basis of two percent. Council Member Rizo seconded the motion.

There was discussion on the motion. Mayor Pro Tem Koch stated that he asked for numbers on this topic earlier in the week. He stated he believed it was provided on a higher percentage, and that it was provided on all staff and staff less department heads. He stated that the private sector is experiencing no raises. He would like to see the amounts for staff not including department heads. Council Member Scheel spoke about the hard times, and she would love to provide staff with raises, but it is hard knowing that constituents are not experiencing raises. Mr. Sellers stated that this budget does include pay parity as part of the three-year plan for getting positions caught up with comparable cities. Council Member Villalobos asked whether the 2% would be in addition to those parity amounts. He asked whether Council should consider an assessment before considering the 2%. Sandra Duran, Human Resources Director, spoke about the parity plan which adjust pay scales over a three-year period. Council Member Ellison asked for the \$150,000.00 from the first year, was it paid out, and how many employees did it impact. Ms. Duran stated that it impacted all the dispatchers, the supervisor and manager for dispatch, about six department heads, and a few other positions. For dispatch, she stated, they are still behind about \$3.00 per hour. Council Member Villalobos stated that if that amount is a 2-3% increase

and then they get 2% merit on top of that, that is his concern. He asked whether some positions would be getting 5-, 6-, or even 7 percent. He wants to be a good steward. Ms. Duran stated that she took that into consideration this last year and some did not take place until late May. Mayor Mitchell stated that if they focus merit on the non-department heads, it will help to bring up the positions that are still underpaid. He does not want to lose employees because every other city pays more than ours. Ms. Duran stated that she agrees and last year also the Building Official was included.

Mayor Mitchell amended his motion to direct staff to bring back merit adjustments and to amend the proposed budget to add funding for a 2.0% average merit pay increase for all civilian City employees below the level of department head positions. The department head positions excluded from the merit pay include: (1) Assistant City Manager, (2) Chief of Staff, (3) Chief of Police, (4) City Engineer, (5) City Secretary, (6) Director of Communications, (7) Director of Planning & Community Development, (8) Director of Economic Development, (9) Director of Finance, (10) Director of Human Resources, (11) Director of Information Technology, (12) Director of Library, and (13) Director of Public Works. Council Member Rizo seconded the motion.

There was discussion on the motion. Mr. Moheet asked whether parity is in or out. Mayor Mitchell stated that it is in. He stated that the motion is to take from unencumbered funds merit increases for non-department heads. Mr. Moheet stated that 2% for all civilian employees to exclude department heads, including the City Secretary, would be \$162,759.00. Council Member Scheel provided the amount of \$21,654.00 left. Mayor Mitchell stated that it sounds good to him.

All votes aye; motion carried 7-0.

Council Member Scheel moved to amend the proposed budget to increase the advertising line item budget from \$10,000.00 to \$20,000.00 in the proposed budget for the Economic Development Department. Mayor Mitchell seconded the motion. All votes aye; motion carried 7-0.

3. A Resolution to record City Council's vote to place a proposal on the agenda of a future City Council meeting as an action item to adopt an ad valorem tax rate for Fiscal Year 2020-2021 for the City of Kyle; making findings of fact; and providing for related matters. ~ *J. Scott Sellers, City Manager*

Mayor Mitchell brought forward Item No. 3 for discussion. Mr. Sellers presented the item.

Mayor Mitchell moved to adopt an ad valorem tax rate not to exceed 52.501%. Council Member Scheel seconded the motion.

There was discussion on the motion. Mr. Moheet stated that it needs to be a roll call vote.

Council Member Ellison voted aye; Mayor Pro Tem Koch voted aye; Mayor Mitchell voted aye; Council Member Rizo voted aye; Council Member Scheel voted aye; Council Member Tobias voted aye; and Council Member Villalobos voted aye.

All votes aye; motion carried 7-0.

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Mayor Mitchell called a recess at 3:03 p.m. with a proposed return at 3:12 p.m.

4. Discussion regarding Special Election for November 3, 2020. ~ *Travis Mitchell, Mayor*

The City Council reconvened at 3:15 p.m. Mayor Mitchell brought forward and presented Item No. 4.

Propositions for the Special Election were discussed. The Council will bring forward (1.) 1.07 and 2.01, (2.) 5.06, (3.) 7.06, and (4.) 6.02. Paige Saenz discussed process moving forward concerning proposed Charter amendments. She stated the Draft Ordinance calling the Special Election will be presented during the Council Meeting on August 4th regarding the Charter amendments with proposed language. Ms. Saenz mentioned it would be the first reading regarding the Ordinance. She reviewed dates calling for the Special Election. No action was taken.

V. Adjourn

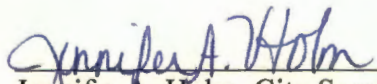
Council Member Ellison moved to Adjourn. Council Member Villalobos seconded the motion. All votes aye;

carried 7-0.

With no further business to discuss, the City Council adjourned at 4:58 p.m.


Travis Mitchell, Mayor

Attest:


Jennifer A. Holm, City Secretary