

[Agenda](#)[Minutes](#)[Close](#)

CITY OF KYLE



Notice of Regular City Council Meeting

KYLE CITY HALL
100 W. Center Street

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on 10/2/2013, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 26th day of September, 2013 prior to 7:00 p.m.

I. Call Meeting To Order

II. Approval of Minutes

1. City Council Regular Meeting - September 17, 2013 ~ *Amelia Sanchez, City Secretary*

 [Attachments](#)

III. Citizen Comment Period With City Council

The City Council welcomes comments from Citizens early in the agenda of regular meetings. Those wishing to speak must sign in before the meeting begins at the Kyle City Hall. Speakers may be provided with an opportunity to speak during this time period, and they must observe the three-minute time limit.

IV. Presentation

2. Presentation of Employee of the Month for the Month of September ~ *Lanny Lambert, City Manager*
 - Genevieve Nino-Natal, Mental Health Police Officer

 [Attachments](#)

3. Recognition of Dennis Bailey by the City of Kyle for serving on the Parks & Recreation Committee from April 2004 - September 2013 ~ *Kerry Urbanowicz, Director of Parks & Recreation*

 [Attachments](#)

V. Proclamations

4. Proclamation of the City of Kyle, Texas Proclaiming Wednesday, October 2, 2013 as "Brandon Scawthorn Day" in the City of Kyle, Texas ~ *Lucy Johnson, Mayor*

 [Attachments](#)

5. Proclamation of the City of Kyle, Texas Proclaiming the Month of October 2013 as "Community Planning Month" in the City of Kyle, Texas ~ *Lucy Johnson, Mayor*

 [Attachments](#)

6. Proclamation of the City of Kyle, Texas Proclaiming the Month of October 2013 as "Turkeys Tackling Hunger Month" in the City of Kyle, Texas ~ *Lucy Johnson, Mayor*

 [Attachments](#)

VI. Appointments

7. Consideration of Nomination(s) for Appointment to the Kyle Area Youth Advisory Council ~ *Lucy Johnson, Mayor*

- Lehman High School Students (new appointments to two year terms)
- Hays High School Students (new appointments to two year terms)

 [Attachments](#)

8. Consideration of Nomination(s) for Appointment to the Library Board ~ *Lucy Johnson, Mayor*

- Barbara Pelech

 [Attachments](#)

9. Consideration of Nomination(s) for Appointment to the Planning and Zoning Commission ~ *Lucy Johnson, Mayor*

- Shane Arabie
- Irene Melendez

 [Attachments](#)

VII. Consent Agenda

10. Authorize award and execution of a Purchase Order to ALL TRADES REPAIR

SERVICE of Kyle, Texas in an amount not to exceed \$4,300.00 to provide electrical service and repairs for specified City facilities during Fiscal Year 2013-14. ~ *Kerry Urbanowicz, Director of Parks & Recreation*

 [Attachments](#)

11. Authorize award and execution of a Purchase Order to CHRISTIAN BROTHERS AUTOMOTIVE of Kyle, Texas in an amount not to exceed \$13,500.00 to provide fleet vehicle service and repairs for the Parks and Recreation Department vehicles during Fiscal Year 2013-14. ~ *Kerry Urbanowicz, Director of Parks & Recreation*

 [Attachments](#)

12. Authorize award and execution of a Purchase Order to MADERO AIR & HEATING of Boerne, Texas in an amount not to exceed \$13,350.00 to provide heating, ventilation and air conditioning (HVAC) service and repairs for specified City facilities during Fiscal Year 2013-14. ~ *Kerry Urbanowicz, Director of Parks & Recreation*

 [Attachments](#)

13. *(Second Reading)* AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ADOPTING A NAMING POLICY FOR PUBLIC PLACES; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS ~ *Lanny Lambert, City Manager*

 [Attachments](#)

VIII. Consider and Possible Action

14. *(First Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 35.761 ACRES OF LAND FROM 'R-1-2' SINGLE FAMILY RESIDENTIAL-2 TO 'R-1-A' SINGLE FAMILY ATTACHED, ON PROPERTY LOCATED OFF OF BUNTON LANE JUST EAST OF TWIN COVE, IN HAYS COUNTY, TEXAS. (BEAR RIVER LIMITED, LLP Z-13-012); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 7-0 to approve the rezone request.

- Public Hearing

 [Attachments](#)

15. *(First Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 0.2479 ACRES OF LAND FROM 'R-1' SINGLE FAMILY TO 'R-1-A' SINGLE FAMILY ATTACHED, ON PROPERTY LOCATED AT 400 S. BURLESON STREET, IN HAYS COUNTY, TEXAS. (TY & MONICA DAVIDSON Z-13-011); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 7-0 to approve the rezone request.

- Public Hearing

 [Attachments](#)

16. *(First Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 3.24 ACRES OF LAND FROM 'RS' RETAIL SERVICE TO 'R-1-T' RESIDENTIAL TOWNHOME, ON PROPERTY LOCATED AT 101 CREEKSIDE TRAIL, IN HAYS COUNTY, TEXAS. (FISERV ISS FBO GREGORY LAHR Z-13-014); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 7-0 to approve the rezone request.

- Public Hearing

 [Attachments](#)

17. *(First Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF

REZONING APPROXIMATELY 3.254 ACRES OF LAND FROM 'R-1' RESIDENTIAL-1 TO 'RS' RETAIL SERVICE DISTRICT, ON PROPERTY LOCATED AT 705, 709 & 711 N. OLD HWY 81, IN HAYS COUNTY, TEXAS. (KARLYN ELLIS Z-13-010); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~
Sofia Nelson, Director of Planning

Planning and Zoning Commission voted 7-0 to approve the rezone request with the condition outlined in staff report .

- Public Hearing

 [Attachments](#)

18. *(First Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 3.67 ACRES OF LAND FROM 'R-1' SINGLE FAMILY TO 'R-1-T' RESIDENTIAL TOWNHOME, ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF PORTER AND COCKERHAM, IN HAYS COUNTY, TEXAS. (ALAN & SHARON LOWDEN Z-13-013); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~
Sofia Nelson, Director of Planning

Planning and Zoning Commission voted 7-0 to approve the rezone request.

- Public Hearing

 [Attachments](#)

19. *(First Reading)* AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 47.74 ACRES OF LAND FROM 'AG' AGRICULTURE TO A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT 'PUD' WITH A BASE ZONING DESIGNATION OF RETAIL SERVICES 'RS' AND MULTI-FAMILY RESIDENTIAL 'R-3-3', ON PROPERTY LOCATED AT 24800 S. IH-35 (THE PROPERTY BOUNDED BY YARRINGTON ROAD ON

THE SOUTH, I-35 ACCESS ROAD ON THE EAST AND POST ROAD ON THE WEST), IN HAYS COUNTY, TEXAS. (PGI INVESTMENTS, LLC, Z-13-003); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW. ~ *Sofia Nelson, Director of Planning*

Planning and Zoning Commission voted 5-2 to approve the rezone request with conditions listed in staff report.

- Public Hearing

 [Attachments](#)

20. Consideration and Possible Action regarding a fee waiver request for the site development application in the amount of \$1,581.92 from the Friends of the Kyle Library for their planned addition to the Library Thrift Shop ~ *Wynette Barton, President, Friends of the Kyle Library*

 [Attachments](#)

21. Consideration and Possible Action regarding the City Council Goals for 2014 ~ *Lucy Johnson, Mayor*

 [Attachments](#)

22. Recommendation from the Parks Committee regarding the proposal from the YMCA of Austin ~ *Lucy Johnson, Mayor*

 [Attachments](#)

23. Consider ratifying a professional engineering services agreement with NEPTUNE-WILKINSON ASSOCIATES INC., of Austin, Texas, to perform site development plan and subdivision plan reviews on a time expended and charges incurred basis at specified hourly rates as Interim City Engineer. ~ *James Earp, Assistant City Manager*

 [Attachments](#)

24. A RESOLUTION OF THE CITY OF KYLE, TEXAS, RECOGNIZING TEXAS STATE SENATORS DONNA CAMPBELL AND JUDITH ZAFFIRINI, AND TEXAS STATE REPRESENTATIVE JASON ISAACS FOR THEIR SUPPORT IN PASSING TEXAS STATE SENATE BILL 1086 (SB 1086) DURING THE 83RD REGULAR LEGISLATIVE SESSION AND SECURING A MEANS

TO COMPEL INVESTOR OWNED UTILITIES TO PROVIDE PROPERLY PAINTED FIRE HYDRANTS IN THE CITY OF KYLE NEIGHBORHOODS ALLOWING FIREFIGHTERS THE ABILITY TO USE THE APPROPRIATE HYDRANTS IN THEIR DUTY TO PROTECT KYLE'S RESIDENTS. ~ *Jerry Hendrix, Director of Community Development*

 [Attachments](#)

25. A RESOLUTION OF THE CITY OF KYLE, TEXAS NOMINATING MIKE FULTON TO THE HAYS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS IN ACCORDANCE TO § 6.07 OF THE TEXAS PROPERTY TAX CODE; DECLARING A PUBLIC PURPOSE; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE. ~ *Lanny Lambert, City Manager*

 [Attachments](#)

IX. City Managers Report

26. Update on Various Capital Improvement Projects, Road Projects, Building Program, and/or General Operational Activities ~ *Lanny Lambert, City Manager*

1. Discuss City Council Goals for 2014 document
2. Discuss 2013 TML Conference, October 8 - 11, 2013
3. Discuss proposed calendar for hiring City Attorney
4. Discuss City Council Workshops
 - Thursday, October 3, 2013-7:00 p.m.-ESD #5 Workshop
 - Thursday, October 3, 2013-8:15 p.m.-LED Sign Ordinance Workshop
 - Tuesday, October 22, 2013-7:00 p.m.-Lone Star Rail Public Transit Workshop
 - Tuesday, October 22, 2013-8:00 p.m.-Plum Creek PID Workshop

 [Attachments](#)

X. Executive Session

27. Convene into Executive Session pursuant to Tex. Gov't. Code, § 551.087, Deliberation Regarding Economic Development Negotiations.

 [Attachments](#)

28. Reconvene into Open Session to take action as deemed appropriate in the City Council's discretion regarding Economic Development Negotiations.

 [Attachments](#)

XI. ADJOURN

At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC.551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to:(1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.