

REGULAR CITY COUNCIL MEETING

The City Council of the City of Kyle, Texas met in Regular Session on April 1, 2014 at 7:00 pm at Kyle City Hall, with the following persons present:

Mayor Lucy Johnson	James Wilson
Council Member Diane Hervol	Mark Decker
Council Member Samantha LeMense	Anna Steadman
Council Member Selbera	Larry Jones
Council Member Ray Bryant	Paula Alvarez
Council Member Chad Benninghoff	Fidel Alvarez
Council Member David Wilson	Isaac Hernandez
Nikolas Fisher, Honorary Council Member	John Atkins
Lanny Lambert, City Manager	Dan Jacobs
Perwez Moheet, Finance Director	Cheryl Ann
Jerry Hendrix, Chief of Staff	John Newly
Sofia Nelson, Planning Director	
Connie Brooks, Library Director	
Harper Wilder, Public Works Director	
Robert Olvera, IT	
Jeff Barnett, Police Chief	
Ken Johnson, City Attorney	

CALL MEETING TO ORDER

Mayor Johnson called the meeting to order at 7:01 P.M.

ROLL CALL

Mayor Johnson called for roll call. Present were Mayor Johnson, Mayor Pro Tem LeMense, Council Member Hervol, Council Member Selbera, Council Member Bryant, Council Member Benninghoff, Council Member Wilson and Nikolas Fisher, Honorary Member.

APPROVAL OF MINUTES

CITY COUNCIL REGULAR MEETING - MARCH 18, 2014 ~ *AMELIA SANCHEZ, CITY SECRETARY*

Council Member Hervol moved to approve the City Council Regular Meeting Minutes - March 18, 2014. Mayor Pro Tem LeMense seconds the motion. All votes aye. Motion carried.

CITIZEN COMMENT PERIOD WITH CITY COUNCIL

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Mayor Johnson opened the citizens comment period at 7:03 P.M. and called for comments on items not on the agenda or posted for public hearing. James Wilson spoke and stated he represented the citizens of Bunton Creek and that they had recently learned that the entire subdivision was under lien regarding a PID and it was a mystery to all the residents. He stated that no one had been notified of the fees due and asked the Council and the City Attorney to research this further. Mark Decker stated he had learned of this lien when he tried to sell his home and also had not received any notifications. Anna Steadman spoke on the same concerns with the lien on her property and stated she had an Attorney looking into this and also stated she was never informed of these fees. Larry Jones also had the same concerns with the fees on the PID, never given any information or included in his title and asked the Council to look into this. Paula Alvarez spoke against the zoning change of a property on Main Street from R-1 to R-2 with concerns about lowering of property values and that change was needed but not this type in downtown Kyle. Fidel Alvarez also spoke against the zoning change on Main Street and asked that more information be provided to residents. He stated he tried to attend a meeting but it was over in 7 minutes and he missed it and asked Council support to vote against it. Isaac Hernandez spoke and stated the PID issue was a real concern for his family and that he also was not notified of this fee and asked Council to look into it. John Atkins stated he wanted to speak on transparency, and he asked that everyone follow the law and that it conforms to the City Charter. Dan Jacobs also a resident of Bunton Creek stated that he concurred with all that was said and that he had spoken to a representative with Pacesetter Homes who stated that the City had not invoiced them since 2008 and that the City created this in 2005. He asked for the City to provide some facts. Anna Steadman spoke and stated that regardless of the time a resident lived there the amount of the fees due was the same and would like an explanation. A resident of Bunton Creek (name unintelligible) spoke and stated she would like some answers as well, she had never been invoiced and that this was very upsetting and the sooner they got answers the better. John Newly spoke and stated his concern was it was the City of Kyle's responsibility to invoice and at the very least the penalties should be dropped he would like to know what the original \$1200. was for. Virgil Verduzco spoke and had the same concern as all the previous speakers and that there was no mention of this fee in his paperwork that he found and asked Council to look into the matter. Larry Jones spoke and asked that the City Attorney look into the matter and that it be put back on the agenda with his findings so that the residents can be present. James Wilson spoke again and stated that looking at the documents that Chapter 372 Texas Local Government Code, section 372.011 dissolution of a PID with a certain number of signatures on a petition the PID could potentially be dissolved. With no one else wishing to speak Mayor Johnson closed Citizen's Comments at 7:28 P.M.

PRESENTATION

Bill Gill, Air Quality Consultant for CAPCOG provided a presentation on the ozone layer and related issues.

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PRESENTATION OF EMPLOYEE OF THE MONTH FOR THE MONTH OF MARCH ~
LANNY LAMBERT, CITY MANAGER

- Max Herrera, Parks Maintenance Foreman

City Manager Lanny Lambert introduced Max Herrera as the employee of the month.

PROCLAMATIONS

PROCLAMATION OF THE CITY OF KYLE, TEXAS PROCLAIMING APRIL 1, 2014
AS "NATIONAL SERVICE RECOGNITION DAY" IN THE CITY OF KYLE, TEXAS ~
LUCY JOHNSON, MAYOR

Mayor Johnson and Council presented a proclamation for "National Service Recognition Day" to members of AmeriCorp in attendance.

PROCLAMATION OF THE CITY OF KYLE, TEXAS PROCLAIMING THE WEEK OF
APRIL 06-12, 2014 AS "NATIONAL CRIME VICTIMS' RIGHTS WEEK" IN THE CITY
OF KYLE, TEXAS ~ *LUCY JOHNSON, MAYOR*

PROCLAMATION OF THE CITY OF KYLE, TEXAS PROCLAIMING THE MONTH
OF APRIL 2014 AS "CHILD ABUSE PREVENTION AND AWARENESS MONTH" IN
THE CITY OF KYLE, TEXAS ~ *LUCY JOHNSON, MAYOR*

PROCLAMATION OF THE CITY OF KYLE, TEXAS PROCLAIMING THE MONTH
OF APRIL 2014 AS "SEXUAL ASSAULT AWARENESS AND PREVENTION
MONTH" IN THE CITY OF KYLE, TEXAS ~ *LUCY JOHNSON, MAYOR*

Mayor Johnson stated that the 3 proclamations would be presented and invited members of CASA, Roxanne's House, Police Academy Alumni, all of the Officers and Chief Barnett. to come forward and thanked everyone for their service.

Mayor Johnson stated that she had been asked to move to Item #23.

CONSIDER AND POSSIBLE ACTION

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY
MANAGER TO EXECUTE A FIVE-YEAR LEASE WITH KYLE/BUDA LADIES
AUXILIARY NO. 12058 FOR A PORTION OF CITY PROPERTY LOCATED AT 103
SOUTH FRONT STREET, KYLE, TEXAS, IN AN AMOUNT NOT TO EXCEED ONE
DOLLAR (\$1.00) PER YEAR. ~ LANNY LAMBERT, CITY MANAGER

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Council Member Wilson moved to approve A Resolution of the City of Kyle, Texas, authorizing the City Manager to execute a five-year lease with Kyle/Buda Ladies Auxiliary No. 12058 for a portion of city property located at 103 South Front Street, Kyle, Texas, in an amount not to exceed one dollar (\$1.00) per year. Council Member Hervol seconds the motion. All aye. Motion carried.

APPOINTMENTS

CONSIDERATION OF NOMINATION(S) FOR APPOINTMENT TO THE PIE FESTIVAL COMMITTEE ~ *SAMANTHA LEMENSE, MAYOR PRO TEM*

- Art Serna

Mayor Johnson moved to appoint Art Serna to the Pie Festival Committee. Mayor Pro Tem LeMense seconds the motion. All aye. Motion carried.

CONSIDERATION OF NOMINATION(S) FOR APPOINTMENT TO THE LONG RANGE PLANNING COMMITTEE ~ *LUCY JOHNSON, MAYOR*

- Jerry Luttrell
- Amy DeFillipi

Mayor Johnson moved to appoint Jerry Luttrell and Amy DeFillipi to the Long Range Planning Commission. Council Member Hervol seconds the motion. Mayor Pro Tem LeMense asked to amend to stop at 11 members. Mayor Johnson stated it would be better to wait for the long term Council to make that decision. All aye. Motion carried.

CONSENT AGENDA

(SECOND READING) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE COMPREHENSIVE MASTER PLAN APPLICATION CHARTS AS FOLLOWS AND AS SHOWN ON EXHIBIT A:

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) AS NOT RECOMMENDED WITHIN IN THE LOCAL NODE FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS WITHIN THE REGIONAL NODE FUTURE LAND USE DISTRICT.

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· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS AND CHANGE CBD1 AND CBD2 AS NOT RECOMMENDED ZONING DISTRICTS WITHIN THE SUPER-REGIONAL NODE FUTURE LAND USE DISTRICT.

RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) TO A NOT RECOMMENDED ZONING DISTRICT WITHIN THE RIPARIAN LANDSCAPE FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS NOT

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A NOT RECOMMENDED ZONING DISTRICT WITHIN THE FARM LANDSCAPE FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE RANCH LANDSCAPE FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE CBD-1 AND CBD-2 TO CONDITIONAL ZONING DISTRICTS, AND R-1-1 AS A RECOMMENDED ZONING DISTRICTS WITHIN THE OLD TOWN FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) TO A CONDITIONAL ZONING DISTRICT WITHIN THE CORE AREA TRANSITION FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE HISTORIC CORE AREA TRANSITION FUTURE LAND USE DISTRICT.

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TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE MIDTOWN COMMUNITY FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A CONDITIONAL ZONING DISTRICT AND CHANGE R-3-2 (APARTMENT RESIDENTIAL), M-2 (MANUFACTURED HOME SUBDIVISION) AND M-3 (MANUFACTURED HOME PARK) AS CONDITIONAL ZONING DISTRICTS WITHIN NEW SETTLEMENT COMMUNITY FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS WITHIN THE NEW TOWN COMMUNITY FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE HOSPITAL SERVICES (HS) AND ENTERTAINMENT (E) AS CONDITIONAL ZONING DISTRICTS WITHIN THE EMPLOYMENT COMMUNITY FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE CONSTRUCTION MANUFACTURING (CM), RETAIL SERVICES (RS), ENTERTAINMENT (E) AND WAREHOUSE (W) TO NOT RECOMMENDED ZONING DISTRICTS WITHIN THE SENSITIVE/SUSTAINABLE DEVELOPMENT FUTURE LAND USE DISTRICT.

· TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT AND COMMUNITY COMMERCIAL (CC) AS A CONDITIONAL ZONING DISTRICT WITHIN THE HERITAGE COMMUNITY FUTURE LAND USE DISTRICT.

PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR RELATED MATTERS. ~ *SOFIA NELSON, DIRECTOR OF PLANNING*

AUTHORIZE THE CITY MANAGER TO EXECUTE A 60-MONTH LEASE WITH BIZDOC, INC., SAN MARCOS, TEXAS, FOR A KYOCERA MODEL 5551CI PHOTOCOPIER FOR THE KYLE PUBLIC LIBRARY, IN AN AMOUNT NOT TO EXCEED \$146.00 PER MONTH, PLUS A PER COPY CHARGE. ~ *CONNIE BROOKS, DIRECTOR OF LIBRARY*

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AUTHORIZE THE GIVING OF KYLE PUBLIC LIBRARY SURPLUS OF USED BOOKS AND VHS TAPES OF LITTLE TO NO VALUE TO THE LIBRARY THRIFT SHOP. ~ *CONNIE BROOKS, DIRECTOR OF LIBRARY*

AUTHORIZE THE PURCHASE OF SIX IPAD MINI KIOSKS, AN IPAD CART AND ASSOCIATED ACCESSORIES FOR THE KYLE PUBLIC LIBRARY FROM COMPULOCKS BRANDS, INC., PFLUGERVILLE, TEXAS, A SOLE SOURCE PROVIDER, IN AN AMOUNT NOT TO EXCEED \$1,915.25 (STATE LIBRARY & ARCHIVES GRANT). ~ *JOSH MORENO, GRANTS ADMINISTRATOR*

AWARD A BID FOR THE PURCHASE OF EIGHT APPLE IPAD TABLETS AND EXTENDED SERVICE AGREEMENTS FOR THE KYLE PUBLIC LIBRARY TO SOUTHERN COMPUTER WAREHOUSE, MARIETTA, GEORGIA, IN AN AMOUNT NOT TO EXCEED \$2,986.82 (STATE LIBRARY & ARCHIVES GRANT). ~ *JOSH MORENO, GRANTS ADMINISTRATOR*

AWARD A BID FOR THE PURCHASE OF AN IPAD PORTABLE KIOSK AND ASSOCIATED ACCESSORIES FOR THE KYLE PUBLIC LIBRARY TO APPLE ROCK ADVERTISING & PROMOTIONS, INC., GREENSBORO, NORTH CAROLINA, A SOLE SOURCE PROVIDER, IN AN AMOUNT NOT TO EXCEED \$794.00 (STATE LIBRARY & ARCHIVES GRANT). ~ *JOSH MORENO, GRANTS ADMINISTRATOR*

AUTHORIZE THE SALE TO THE HIGHEST BIDDER BY AUCTION ON GOVDEALS, AN INTERNET-BASED AUCTION MARKETPLACE, OF FOUR MODEL 2001/E-BUS SURPLUS TROLLEYS BEARING VEHICLE IDENTIFICATION NUMBERS 1E9TL11231C248043, 1E9TL11251C248044, 1E9TL11271C248045, AND 1E9TL11291C248046 AND TITLED IN THE NAME OF THE CITY OF KYLE. ~ *HARPER WILDER, DIRECTOR OF PUBLIC WORKS*

AWARD A BID TO J&K UTILITY SERVICES, CREEDMOOR, TEXAS, TO PROVIDE ELECTRICAL SERVICE TO THE CITY'S IT DEPARTMENT BUILDING LOCATED ON THE CITY'S PUBLIC WORKS DEPARTMENT GROUNDS, IN AN AMOUNT NOT TO EXCEED \$5,975.00. ~ *HARPER WILDER, DIRECTOR OF PUBLIC WORKS*

AWARD A BID TO SHI GOVERNMENT SOLUTIONS, SOMERSET, NEW JERSEY, FOR THE PURCHASE AND DELIVERY OF THREE FUJITSU DOCUMENT SCANNERS FOR THE CITY OF KYLE MUNICIPAL COURT, IN AN AMOUNT NOT TO EXCEED \$1,965.00 ~ *ROBERT OLVERA, SYSTEMS ADMINISTRATOR*

A RESOLUTION OF THE CITY OF KYLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT NOT TO EXCEED \$1,500.00 WITH CTK ENTERTAINMENT, LLC, FOR PROVIDING PERFORMERS TO PERFORM AT THE

LAKE KYLE JUBILEE EVENT. ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS AND RECREATION*

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RATIFY AN EXPENDITURE OF \$7,800.00 PAID TO PROGRESSIVE COMMERCIAL AQUATICS, INC., MANOR, TEXAS, FOR THE EMERGENCY REPAIR AND REPLACEMENT OF THE MAIN POOL PUMP, MOTOR, STRAINER AND RELATED MATERIALS FOR THE PARKS AND RECREATION DEPARTMENT, FOR THE PURPOSE OF AVOIDING POTENTIAL IMMEDIATE DAMAGE TO CITY PROPERTY. ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS AND RECREATION*

Council Member Benninghoff asked to pull Item #10 from Consent Agenda.

Council Member Hervol moved to approve **Item # 11** ~ Authorize the City Manager to execute a 60-month lease with BIZDOC, INC., San Marcos, Texas, for a Kyocera Model 5551ci photocopier for the Kyle Public Library, in an amount not to exceed \$146.00 per month, plus a per copy charge; **Item #12** ~ Authorize the giving of Kyle Public Library surplus of used books and VHS tapes of little to no value to the Library Thrift Shop; **Item # 13** ~ Authorize the purchase of six iPad Mini Kiosks, an iPad Cart and associated accessories for the Kyle Public Library from COMPULOCKS BRANDS, INC., Pflugerville, Texas, a sole source provider, in an amount not to exceed \$1,915.25 (State Library & Archives Grant); **Item #14** ~ Award a bid for the purchase of eight Apple iPad Tablets and extended service agreements for the Kyle Public Library to SOUTHERN COMPUTER WAREHOUSE, Marietta, Georgia, in an amount not to exceed \$2,986.82 (State Library & Archives Grant); **Item #15** ~ Award a bid for the purchase of an iPad Portable Kiosk and associated accessories for the Kyle Public Library to APPLE ROCK ADVERTISING & PROMOTIONS, INC., Greensboro, North Carolina, a sole source provider, in an amount not to exceed \$794.00 (State Library & Archives Grant); **Item #16** ~ Authorize the sale to the highest bidder by auction on GovDeals, an Internet-based auction marketplace, of four model 2001/E-Bus surplus trolleys bearing vehicle identification numbers 1E9TL11231C248043, 1E9TL11251C248044, 1E9TL11271C248045, and 1E9TL11291C248046 and titled in the name of the City of Kyle; **Item # 17** ~ Award a bid to J&K UTILITY SERVICES, Creedmoor, Texas, to provide electrical service to the City's IT Department building located on the City's Public Works Department grounds, in an amount not to exceed \$5,975.00; **Item # 18** ~ Award a bid to SHI GOVERNMENT SOLUTIONS, Somerset, New Jersey, for the purchase and delivery of three Fujitsu document scanners for the City of Kyle Municipal Court, in an amount not to exceed \$1,965.00; **Item # 19** ~ A Resolution of the City of Kyle, Texas, authorizing the City Manager to execute a contract not to exceed \$1,500.00 with CTK Entertainment, LLC, for providing performers to perform at the Lake Kyle Jubilee Event; **Item # 20** ~ Ratify an expenditure of \$7,800.00 paid to PROGRESSIVE COMMERCIAL AQUATICS, INC., Manor, Texas, for the emergency repair and replacement of the main pool pump, motor, strainer and related materials for the Parks and Recreation Department, for the purpose of

avoiding potential immediate damage to city property. Mayor Pro Tem LeMense seconds the motion. All aye. Motion carried.

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(Second Reading) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING THE COMPREHENSIVE MASTER PLAN APPLICATION CHARTS AS FOLLOWS AND AS SHOWN ON EXHIBIT A:

- • TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) AS NOT RECOMMENDED WITHIN IN THE LOCAL NODE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS WITHIN THE REGIONAL NODE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS AND CHANGE CBD1 AND CBD2 AS NOT RECOMMENDED ZONING DISTRICTS WITHIN THE SUPER-REGIONAL NODE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS NOT RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) TO A NOT RECOMMENDED ZONING DISTRICT WITHIN THE RIPARIAN LANDSCAPE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A NOT RECOMMENDED ZONING DISTRICT WITHIN THE FARM LANDSCAPE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE RANCH LANDSCAPE FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE CBD-1 AND CBD-2 TO

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- CONDITIONAL ZONING DISTRICTS, R-1-1 AND R-1-2(SINGLE FAMILY RESIDENTIAL) AS A RECOMMENDED ZONING DISTRICTS, AND R-3-3 AS NOT RECOMMENDED ZONING DISTRICTS WITHIN THE OLD TOWN FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) TO A CONDITIONAL ZONING DISTRICT WITHIN THE CORE AREA TRANSITION FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE HISTORIC CORE AREA TRANSITION FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS CONDITIONAL ZONING DISTRICTS AND CHANGE RETAIL SERVICES (RS) AS A ZONING DISTRICT NOT RECOMMENDED WITHIN THE MIDTOWN COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT, COMMUNITY COMMERCIAL (CC) AS A CONDITIONAL ZONING DISTRICT AND CHANGE R-3-2 (APARTMENT RESIDENTIAL), M-2 (MANUFACTURED HOME SUBDIVISION) AND M-3 (MANUFACTURED HOME PARK) AS CONDITIONAL ZONING DISTRICTS WITHIN NEW SETTLEMENT COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS WITHIN THE NEW TOWN COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AND COMMUNITY COMMERCIAL (CC) AS RECOMMENDED ZONING DISTRICTS AND CHANGE HOSPITAL SERVICES (HS) AND ENTERTAINMENT (E) AS CONDITIONAL ZONING DISTRICTS WITHIN THE EMPLOYMENT COMMUNITY FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A CONDITIONAL ZONING DISTRICT, COMMUNITY

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- COMMERCIAL (CC) AS A NOT RECOMMENDED ZONING DISTRICT AND CHANGE CONSTRUCTION MANUFACTURING (CM), RETAIL SERVICES (RS), ENTERTAINMENT (E) AND WAREHOUSE (W) TO NOT RECOMMENDED ZONING DISTRICTS WITHIN THE SENSITIVE/SUSTAINABLE DEVELOPMENT FUTURE LAND USE DISTRICT.
- TO IDENTIFY NEIGHBORHOOD COMMERCIAL (NC) AS A RECOMMENDED ZONING DISTRICT AND COMMUNITY COMMERCIAL (CC) AS A CONDITIONAL ZONING DISTRICT WITHIN THE HERITAGE COMMUNITY FUTURE LAND USE DISTRICT.

PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR RELATED MATTERS

The Planning and Zoning Commission voted 6-0 to approve the amendments

Mayor Johnson moved to approve (Second Reading) An ordinance of the City of Kyle, Texas, amending the Comprehensive Master Plan application charts providing for the amendment of the plan. Council Member Hervol seconds the motion. Mayor Johnson called for a roll call vote. Council Member Wilson votes aye, Council Member Benninghoff votes nay, Council Member Bryant votes aye, Mayor Johnson votes aye, Council Member Selbera votes nay, Mayor Pro Tem LeMense votes aye, and Council Member Hervol votes aye. Motion carried 5-2.

CONSIDER AND POSSIBLE ACTION

(FIRST READING) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY .3055 ACRES OF LAND FROM ‘R-1’ SINGLE FAMILY TO ‘R-2’ RESIDENTIAL TWO FAMILY, ON PROPERTY LOCATED AT 400 S. MAIN STREET, IN HAYS COUNTY, TEXAS (DAVID AND MICHAEL SAUCEDO Z-14-004). ~ SOFIA NELSON, DIRECTOR OF PLANNING

Planning and Zoning Commission voted 6-1 to approve the rezone request.

- Public Hearing

Mayor Johnson opened the Public Hearing at 8:20 P.M. to hear comments on *(First Reading)* An ordinance amending Chapter 53 (zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately .3055 acres of land from ‘R-1’ Single Family to ‘R-2’

Residential Two Family. With no one wishing to speak Mayor Johnson closed the Public Hearing at 8:20 P.M.

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Mayor Johnson moved to approve (*First Reading*) An ordinance amending Chapter 53 (zoning) of the City of Kyle, Texas, for the purpose of rezoning approximately .3055 acres of land from ‘R-1’ Single Family to ‘R-2’ Residential Two Family. Mayor Pro Tem LeMense seconds the motion. Council Member Wilson asked Mayor Johnson to amend the motion and give the Director of Planning time to hold a workshop for the residents to have more discussion on this item. Mayor Johnson asked Council Member Wilson if his amendment would be that along with her motion direct staff to hold a workshop for downtown Kyle residents and he replied yes before it came back for approval. Mayor Johnson stated this would be a new motion and not an amendment. Mayor Johnson withdraws her motion to approve. Council Member Benninghoff moved to direct staff to hold a workshop for the residents and property owner to give them the opportunity to say what they want to say before it comes back to Council. Council Member Wilson seconds the motion. Council Member Hervol asks to amend to hold the workshop prior to the next meeting. Council Member Benninghoff and Council Member Wilson agree to the amendment. Motion carried 6-1 with Council Member Selbera voting nay.

(FIRST READING) AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 10, 2014 SPECIAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE SPECIAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SPANISH-LANGUAGE TRANSLATION; AND PROVIDING AN EFFECTIVE DATE. ~ AMELIA SANCHEZ, CITY SECRETARY

Council Member Hervol moved to approve (*First Reading*) An ordinance declaring unopposed candidates in the May 10, 2014 Special City Election, elected to office; Canceling the Special Election. Mayor Pro Tem LeMense seconds the motion. All votes aye. Motion carried.

A RESOLUTION OF THE CITY OF KYLE, TEXAS, ADOPTING AMENDMENT NO. 2 TO THE CONSENT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KYLE AND EB WINDY HILL, L.P. ~ LANNY LAMBERT, CITY MANAGER

Council Member Hervol moved to table a Resolution of the City of Kyle, Texas, adopting Amendment No. 2 to the Consent and Development Agreement between the City of Kyle and EB Windy Hill, L.P. due to a request by the developer. Mayor Pro Tem LeMense seconds the motion. All votes aye. Motion carried.

CITY MANAGERS REPORT

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UPDATE ON VARIOUS CAPITAL IMPROVEMENT PROJECTS, ROAD PROJECTS,
BUILDING PROGRAM, AND/OR GENERAL OPERATIONAL ACTIVITIES ~ LANNY
LAMBERT, CITY MANAGER

1. Reminder: City Council Workshop scheduled for April 15, 2014 at 6:30 p.m. regarding the Greater San Marcos Partnership and the City of Kyle's participation level.
2. Discussion: Lone Star Rail District Workshop scheduled for April 29, 2014

Lanny Lambert, City Manager reminded Council about the Greater San Marcos Partnership workshop scheduled for Tuesday, April 15th at 6:30 p.m. before the regular Council meeting with a start time of 7:30 p.m., and also asked Council for a start time for the Lone Star Rail District workshop on April 29th and Council decided at 7:00 p.m.

ADJOURN

With no further business to discuss Council Member Hervol moved to adjourn. Council Member Selbera seconds the motion. All votes aye. Motion carried.

The City Council meeting adjourned at 8:43 pm.

Lucy Johnson, Mayor

Amelia Sanchez, City Secretary