

REGULAR CITY COUNCIL MEETING

The City Council of the City of Kyle, Texas met in Regular Session on March 3, 2015 at 7:00 p.m. at Kyle City Hall, with the following persons present:

Mayor Todd Webster	Richard Fitch
Mayor Pro Tem Diane Hervol	Larry Jones
Council Member Samantha LeMense	Jason Dibble
Council Member Becky Selbera	Garrison Maurer
Council Member Shane Arabie	Lori Fitch
Council Member David Wilson	Jewel Cournoyer
Honorary Member James Collins	Bennett Gardner
City Manager Scott Sellers	
James Earp, Assistant City Manager	
Ken Johnson, City Attorney	
Perwez Moheet, Finance Director	
Jerry Hendrix, Chief of Staff	
Leon Barba, City Engineer	
Debbie Guerra, Planning Technician	
Robert Olvera, IT	
Chief Jeff Barnett, Kyle PD	
Harper Wilder, Public Works Director	

CALL MEETING TO ORDER

Mayor Webster called the meeting to order at 7:02 p.m.

ROLL CALL

Mayor Webster called for roll call. Present were Mayor Webster, Mayor Pro Tem Hervol, Council Member Bellows, Council Member Selbera, Council Member Arabie, and Council Member Wilson.

Mayor Webster stated that he had been informed that Council Member Swaton would not be in attendance due to a family matter. Mayor Webster moved to excuse her absence. Council Member Wilson seconds the motion. All aye. Motion carried 6-0.

APPROVAL OF MINUTES

CITY COUNCIL REGULAR MEETING – FEBRUARY 17, 2015 ~ *AMELIA SANCHEZ, CITY SECRETARY*

Mayor Pro Tem Hervol moved to approve the City Council Regular Meeting – February 17, 2015 with a correction on page 9, paragraph 2, referring to Council Member LeMense as Mayor Pro Tem. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

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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.

Mayor Webster opened the Citizens Comments at 7:05 p.m. Richard Fitch spoke and stated that in section 7 regarding proposed changes regarding wreckers they had met with the committee and several things were voted on by the committee were not in the agenda and asked that this ordinance be tabled until someone could tell him what happened. Larry Jones spoke on the PID and possible hearing and stated that the people in Bunton Creek would like to get as much information as they could. He stated people are selling homes and that he opposed the PID, and also asked that the construction on Bunton road be started first. Jason Dibble, President of the KPEA thanked the council for their support and invited them to the Buda wiener fest where they would have a team and also spoke about their participation in the Kyle Easter extravaganza. Garrison Maurer spoke against the towing ordinance and stated that would put drivers out of a job if it was passed. Lori Fitch spoke and stated she was speaking on the towing ordinance and that the committee met on November 10, 2014, and that they approved some changes that are not reflected in the ordinance that is on the agenda. She stated it was approved for having a yard within 15 miles if the city and that they were only 8 miles from the city and that there were articles there against the Texas laws put out for TDLR, releasing of vehicles and police holds and asked them to table this item. Jewel Cournoyer spoke and stated she had come before council at a previous meeting to inform them of her submission for application for a Charter school in Kyle and was happy that it had been accepted and was now in the process of finding a location, and would send out invitations as they would be doing some fund raising events in the near future. Bennett Gardner spoke on the towing ordinance and stated that the last meeting they had with the police department and the Chief were not what was in the ordinance and he was totally surprised by the changes as they were totally different. With no one else wishing to speak Mayor Webster closed staff and that Citizens Comments at 7:17 p.m.

PRESENTATION

UPDATE REGARDING THE COUNCIL INITIATED CITY WIDE PAVEMENT/ROAD ASSESSMENT ~ *HARPER WILDER, DIRECTOR OF PUBLIC WORKS*

Harper Wilder Director of Public Works provided Council a brief presentation on the city wide pavement and road assessment.

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CONSENT AGENDA

CONSIDER AND TAKE POSSIBLE ACTION TO APPROVE A CONVEYANCE BY DEED TO HAYS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, OF ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND IN HAYS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THE DEED AND INCLUDING OF A PORTION OF RIGHT-OF-WAY OF DACY LANE. ~ *LEON BARBA, P.E., CITY ENGINEER*

Parks Committee voted 6-0 on January 26, 2015 to recommend City Council approval.

DISCUSS AND TAKE POSSIBLE ACTION TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND ROBERTS RESORTS FOR THE FURTHER DEVELOPMENT OF BLUEBONNET MANUFACTURED HOME COMMUNITY. ~ *DEBBIE GUERRA, PLANNING TECHNICIAN*

APPROVE AN AGREEMENT WITH THE PAYMENT GROUP, LLC, DALLAS, TEXAS, DBA TRAFFICPAYMENT.COM TO PROVIDE A 24-HOUR ONLINE CITATION PAYMENT SERVICE FOR THE CITY'S MUNICIPAL COURT INCLUDING LICENSE, ASSOCIATED SOFTWARE, HARDWARE, MEDIA MATERIALS, AND ELECTRONIC DOCUMENTATION. ~ *PERWEZ A. MOHEET, CPA, DIRECTOR OF FINANCE*

(SECOND READING) AN ORDINANCE GRANTING ACADIAN AMBULANCE SERVICE OF TEXAS, LLC, D/B/A ACADIAN AMBULANCE SERVICE, A FRANCHISE TO PROVIDE NON-EMERGENCY AND ROLLOVER EMERGENCY AMBULANCE SERVICES WITHIN THE BOUNDARIES OF THE CITY OF KYLE, TEXAS; PROVIDING AN AGREEMENT PRESCRIBING CONDITIONS, TERMS, AND REGULATIONS GOVERNING THE OPERATION OF THE NON-EMERGENCY AMBULANCE SERVICES; PROVIDING PENALTIES FOR NONCOMPLIANCE WITH FRANCHISE. ~ *JAMES EARP, ASSISTANT CITY MANAGER*

City Council approved on First Reading 7-0

(SECOND READING) AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KYLE, TEXAS, BY ADDING ARTICLE IX, SECTIONS 11-275 THROUGH 11-295, TO CHAPTER 11 (BUSINESS REGULATIONS) OF SAID CODE; NAMING ARTICLE IX "COMMERCIAL TOWING AND WRECKER SERVICES"; PROVIDING FOR DEFINITIONS, REGULATIONS OF WRECKER SERVICE FOR VEHICLE DISABILITIES AND ACCIDENTS, REGISTRATION, CERTIFICATION AND QUALIFICATIONS OF WRECKERS; ESTABLISHING A ROTATION LIST; REQUIRING STORAGE FACILITIES TO BE LOCATED WITHIN THE CITY LIMITS; PROVIDING FOR PENALTIES; PROVIDING FOR APPEALS TO CITY COUNCIL; ESTABLISHING FEES; REQUIRING

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RECORD-KEEPING BY WRECKING COMPANIES. ~ SAMANTHA LEMENSE, COUNCIL MEMBER

City Council approved on First Reading 7-0

(*SECOND READING*) AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING TO APPROXIMATELY 2.44 ACRES OF LAND FROM AGRICULTURE 'AG' TO RETAIL SERVICE DISTRICT 'RS', ON PROPERTY LOCATED AT 1500 DACY LANE, LOT 11A, IN HAYS COUNTY, TEXAS. (WESTBANK DEVELOPMENT LLC - Z-15-001) ~ DEBBIE GUERRA, PLANNING TECHNICIAN

City Council voted 7-0 to approve the zoning request

TO APPROVE PLUM CREEK PHASE 1 SECTION 6B - PRELIMINARY PLAN (PP-14-005) 9.404 ACRES; 34 RESIDENTIAL LOTS LOCATED IMMEDIATELY SOUTH OF HELLMAN AND EAST OF FM 2770. ~ DEBBIE GUERRA, PLANNING TECHNICIAN.

PLANNING AND ZONING COMMISSION VOTED 6-0 TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAN.

Mayor Webster pulled item #7 from consent. Mayor Pro Tem Hervol pulled items 3 and 5 from consent.

Mayor Pro Tem Hervol moved to approve Consent Agenda items # 4 ~ approve a development agreement between the city and Roberts Resorts for the further development of Bluebonnet Manufactured Home Community; # 6 ~ (*Second Reading*) An ordinance granting Acadian Ambulance Service of Texas, LLC, D/B/A Acadian Ambulance Service, a franchise to provide non-emergency and rollover emergency ambulance services within the boundaries of the City of Kyle, Texas; providing an agreement prescribing conditions, terms, and regulations governing the operation of the non-emergency ambulance services; providing penalties for noncompliance with franchise; #8 ~ (*Second Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 2.44 acres of land from Agriculture 'AG' to Retail Service District 'RS', on property located at 1500 Dacy Lane, Lot 11A, in Hays County, Texas; #9 ~ approve Plum Creek Phase 1 Section 6B - Preliminary Plan (PP-14-005) 9.404 acres; 34 Residential Lots located immediately south of Hellman and East of FM 2770; # 10 ~ To approve Plum Creek Phase 1 Section 6B - Final Plat (FP-14-012) 9.404 acres; 34 Residential Lots located immediately south of Hellman and East of FM 2770. Council Member Arabie seconds the motion. All aye. Motion carried 6-0.

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CONSIDER AND TAKE POSSIBLE ACTION TO APPROVE A CONVEYANCE BY DEED TO HAYS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, OF ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND IN HAYS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THE DEED AND INCLUDING OF A PORTION OF RIGHT-OF-WAY OF DACY LANE. ~ *LEON BARBA, P.E., CITY ENGINEER*

Parks Committee voted 6-0 on January 26, 2015 to recommend City Council approval

Mayor Pro Tem Hervol moved to approve a conveyance by deed to Hays County, a political subdivision of the State of Texas, of all of that certain tract or parcel of land in Hays County, Texas, being more particularly described in the deed and including of a portion of right-of-way of Dacy Lane. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

APPROVE AN AGREEMENT WITH THE PAYMENT GROUP, LLC, DALLAS, TEXAS, DBA TRAFFICPAYMENT.COM TO PROVIDE A 24-HOUR ONLINE CITATION PAYMENT SERVICE FOR THE CITY'S MUNICIPAL COURT INCLUDING LICENSE, ASSOCIATED SOFTWARE, HARDWARE, MEDIA MATERIALS, AND ELECTRONIC DOCUMENTATION. ~ *PERWEZ A. MOHEET, CPA, DIRECTOR OF FINANCE*

Mayor Pro Tem Hervol moved to approve an agreement with THE PAYMENT GROUP, LLC, Dallas, Texas, dba TRAFFICPAYMENT.COM to provide a 24-hour online citation payment service for the City's Municipal Court including license, associated software, hardware, media materials, and electronic documentation. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

(SECOND READING) AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KYLE, TEXAS, BY ADDING ARTICLE IX, SECTIONS 11-275 THROUGH 11-295, TO CHAPTER 11 (BUSINESS REGULATIONS) OF SAID CODE; NAMING ARTICLE IX "COMMERCIAL TOWING AND WRECKER SERVICES"; PROVIDING FOR DEFINITIONS, REGULATIONS OF WRECKER SERVICE FOR VEHICLE DISABILITIES AND ACCIDENTS, REGISTRATION, CERTIFICATION AND QUALIFICATIONS OF WRECKERS; ESTABLISHING A ROTATION LIST; REQUIRING STORAGE FACILITIES TO BE LOCATED WITHIN THE CITY LIMITS; PROVIDING FOR PENALTIES; PROVIDING FOR APPEALS TO CITY COUNCIL; ESTABLISHING FEES; REQUIRING RECORD-KEEPING BY WRECKING COMPANIES. ~ *SAMANTHA LEMENSE, COUNCIL MEMBER*

Council Member Bellows moved to approve (*Second Reading*) An ordinance amending the Code of Ordinances of the City of Kyle, Texas, by adding Article IX, Sections 11-275 through 11-295, to Chapter 11 (Business Regulations) of said Code; naming Article IX "Commercial Towing and Wrecker Services"; providing for definitions, regulations of wrecker service for vehicle disabilities and accidents, registration, certification and qualifications of wreckers; establishing a rotation list;

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requiring storage facilities to be located within the city limits; providing for penalties; providing for appeals to city council; establishing fees; requiring record-keeping by wrecking companies. Mayor Pro Tem Hervol seconds the motion. Mayor Webster asked for a roll call vote. Mayor Pro Tem Hervol votes aye, Council Member Bellows votes aye, Council Member Selbera votes nay, Mayor Webster votes aye, Council Member Arabie votes aye, Council Member Wilson votes aye. Motion carried 5-1.

CONSIDER AND POSSIBLE ACTION

PRESENTATION AND ACCEPTANCE OF CITY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT AND INDEPENDENT AUDITORS' REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2014. ~ *PERWEZ A. MOHEET, CPA, DIRECTOR OF FINANCE AND MICHAEL W. O'BRIEN, CPA, PARTNER, PADGETT STRATEMANN & CO., CERTIFIED PUBLIC ACCOUNTANTS*

Michael O'Brien of Padgett Stratemann & Co., Certified Public Accountants, provided a brief presentation of the City's Comprehensive Annual Report.

Council Member Wilson moved to accept the City's Comprehensive Annual Financial Report and Independent Auditors' Report for fiscal year ended September 30, 2014. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

(FIRST READING) AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE NO. 820 ADOPTED ON SEPTEMBER 3, 2014, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015, BY INCREASING THE TOTAL AMOUNT OF APPROPRIATIONS FOR EXPENDITURES BY \$69,890.00: GENERAL FUND BY \$9,490.00, UTILITY FUND BY \$50,000.00, PARK DEVELOPMENT FUND BY \$3,600.00, AND THE COURT SPECIAL REVENUE FUND BY \$6,800.00; DECREASING THE FUND BALANCE BY THE SAME AMOUNTS IN THE RESPECTIVE FUNDS. ~ *PERWEZ A. MOHEET, CPA, DIRECTOR FINANCE*

Council Member Bellows moved to approve *(First Reading)* An ordinance of the City of Kyle, Texas, amending Ordinance No. 820 adopted on September 3, 2014, making appropriations for the support of the City for the fiscal year beginning October 1, 2014, and ending September 30, 2015, by increasing the total amount of appropriations for expenditures by \$69,890.00: General Fund by \$9,490.00, Utility Fund by \$50,000.00, Park Development Fund by \$3,600.00, and the Court Special Revenue Fund by \$6,800.00; decreasing the Fund Balance by the same amounts in the respective funds. Council Member Wilson seconds the motion. All aye. Motion carried 6-0.

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A RESOLUTION OF THE CITY OF KYLE CITY COUNCIL REQUESTING THE MEMBERS OF THE 84TH LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT INCREASES OF FUNDING FOR THE TEXAS RECREATION AND PARKS ACCOUNT AND LARGE COUNTY AND MUNICIPALITY RECREATION AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND THE TEXAS STATE PARK SYSTEM. ~ *KERRY URBANOWICZ, DIRECTOR OF PARKS AND RECREATION*

Council Member Wilson moved to approve a Resolution of the City of Kyle City Council requesting the members of the 84th legislative session of the State of Texas to support increases of funding for the Texas Recreation and Parks account and large county and municipality Recreation and Parks Account Local Park Grant Programs, and the Texas State Park System. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

(FIRST READING) AN ORDINANCE AMENDING CHAPTER 53, ARTICLE VI, SEC. 53-1047 (AUTHORIZED CONDITIONAL USES) OF THE CODE OF ORDINANCES OF THE CITY OF KYLE, TEXAS, BY ADDING AS AN AUTHORIZED CONDITIONAL USE BUILDINGS WITH A HEIGHT OF UP TO ONE HUNDRED FEET (100') IN THE RS DISTRICT. ~ *JAMES R. EARP, ASSISTANT CITY MANAGER*

Planning and Zoning Commission voted 6-0 to recommend approval

PUBLIC HEARING

Mayor Webster opened the Public Hearing at 8:06 p.m. to hear comments on *(First Reading)* An ordinance amending chapter 53, Article VI, sec. 53-1047 (authorized conditional uses) of the Code of Ordinances of the City of Kyle, Texas, by adding as an authorized conditional use buildings with a height of up to one hundred feet (100') in the RS district. With no one wishing to speak Mayor Webster closed the Public Hearing at 8:06 p.m.

Council Member Wilson moved to approve *(First Reading)* An ordinance amending chapter 53, Article VI, sec. 53-1047 (authorized conditional uses) of the Code of Ordinances of the City of Kyle, Texas, by adding as an authorized conditional use buildings extending the height of up to one hundred feet (150') in the RS district. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

DISCUSS AND TAKE POSSIBLE ACTION ON APPROVAL OF AN AGREEMENT BETWEEN THE CITY AND JULIA E. PARKER, ALSO KNOWN AS JULIE NORMAN PARKER, INDIVIDUALLY AND AS TRUSTEE OF THE L.W. PARKER FAMILY TRUST, AND PLUM CREEK DEVELOPERS, LLC, CONCERNING THE EXTENSION OF MARKETPLACE AVENUE ~ *SCOTT SELLERS, CITY MANAGER*

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Council Member Wilson moved to approve an agreement between the city and Julia E. Parker, also known as Julie Norman Parker, individually and as trustee of the L.W. Parker Family Trust, and Plum Creek Developers, LLC, concerning the extension of Marketplace Avenue. Mayor Pro Tem Hervol seconds the motion. All aye. Motion carried 6-0.

EXECUTIVE SESSION

CONVENE INTO EXECUTIVE SESSION PURSUANT TO LOCAL GOV'T CODE SEC. 551.074 (PERSONNEL MATTERS) TO REVIEW AND TAKE POSSIBLE ACTION TO APPROVE SPECIFIC PERFORMANCE CRITERIA FOR THE CITY ATTORNEY AND THE MUNICIPAL COURT JUDGE.

CONVENE INTO EXECUTIVE SESSION TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING LAWSUITS, *NEAL AND AMBER MEINZER V. CITY OF KYLE*, CAUSE NO. 15-0165, FILED IN 22ND JUDICIAL DISTRICT COURT, HAYS COUNTY, TEXAS, AND *THE CITY OF KYLE, TEXAS V. PID HOLDINGS, LTD.*, CAUSE NO. 15-0418, FILED IN 73RD JUDICIAL DISTRICT COURT, HAYS COUNTY, TEXAS

CONVENE INTO EXECUTIVE SESSION PURSUANT TO LOCAL GOV'T CODE SEC. 551.072 TO DELIBERATE AND TAKE POSSIBLE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY BECAUSE DELIBERATION IN AN OPEN MEETING WILL HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PARTY

Mayor Pro Tem Hervol moved to Convene into executive session at 8:32 p.m. pursuant to Local Gov't Code Sec. 551.074 (Personnel Matters) to review and take possible action to approve specific performance criteria for the city attorney and the municipal court judge; Convene into executive session to discuss and take possible action regarding lawsuits, *Neal and Amber Meinzer v. City of Kyle*, Cause No. 15-0165, filed in 22nd Judicial District Court, Hays County, Texas, and *The City of Kyle, Texas v. PID Holdings, Ltd.*, Cause No. 15-0418, filed in 73rd Judicial District Court, Hays County, Texas; Convene into executive session pursuant to Local Gov't Code Sec. 551.072 to deliberate and take possible action regarding the purchase, exchange, lease, or value of real property because deliberation in an open meeting will have a detrimental effect on the position of the governmental body in negotiations with a third party. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

RECONVENE INTO PUBLIC SESSION TO TAKE POSSIBLE ACTION REGARDING SPECIFIC PERFORMANCE CRITERIA FOR THE CITY ATTORNEY AND THE MUNICIPAL COURT JUDGE

RECONVENE INTO REGULAR SESSION TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING THE LAWSUITS, *NEAL AND AMBER MEINZER V. CITY OF KYLE*, CAUSE NO. 15-0165, FILED IN 22ND JUDICIAL DISTRICT COURT, HAYS COUNTY, TEXAS,

AND *THE CITY OF KYLE, TEXAS V. PID HOLDINGS, LTD.*, CAUSE NO. 15-0418, FILED IN 73RD JUDICIAL DISTRICT COURT, HAYS COUNTY, TEXAS.

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RECONVENE INTO REGULAR SESSION TO TAKE POSSIBLE ACTION REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY.

Mayor Pro Tem Hervol moved to Reconvene into public session at 11.23 p.m. to take possible action regarding specific performance criteria for the city attorney and the municipal court judge; Reconvene into regular session to discuss and take possible action regarding the lawsuits, *Neal and Amber Meinzer v. City of Kyle*, Cause No. 15-0165, filed in 22nd Judicial District Court, Hays County, Texas, and *The City of Kyle, Texas v. PID Holdings, Ltd.*, Cause No. 15-0418, filed in 73rd Judicial District Court, Hays County, Texas; Reconvene into regular session to take possible action regarding the purchase, exchange, lease, or value of real property. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

Mayor Pro Tem Hervol stated no action was taken during Executive Session but action would be taken now and moved to retain the McKamie law firm in the lawsuit Meinzer versus the City of Kyle, Cause No. 15-0418. Council Member Wilson seconds the motion. All aye. Motion carried 6-0.

Mayor Pro Tem Hervol stated no action was taken during Executive Session on the purchase, exchange, lease, or value of real property and no action would be taken now.

Mayor Webster stated that on item # 21 the City Council has accepted the resignation of the City Attorney Ken Johnson and moved that the Council formally accept his resignation. Council Member Arabie seconds the motion. All aye. Motion carried 6-0.

COUNCIL REQUESTED AGENDA ITEMS

DISCUSS AND TAKE POSSIBLE ACTION REGARDING SITE DEVELOPMENT PLANS UNDER CHAPTER 32 AND CONCEPT PLAN PACKAGES UNDER CHAPTER 41, CODE OF ORDINANCES. ~ *SHANE ARABIE, TAMMY SWATON, COUNCIL MEMBERS*

DISCUSS AND TAKE POSSIBLE ACTION TO AMEND THE CITY OF KYLE ECONOMIC DEVELOPMENT DOWNTOWN BUSINESS REVITALIZATION PROGRAM, INCLUDING ITS GUIDELINES, TO ADD THAT CITY COUNCIL MAY CONSIDER AND APPROVE A GRANT TO APPLICANTS OF BUSINESSES LOCATED IN THE PROPOSED AREA ELIGIBLE FOR DOWNTOWN REVITALIZATION GRANT-FEBRUARY 2015, HEREBY ADOPTED, IF THE APPLICANTS' BUSINESSES ARE LIKELY TO BENEFIT THE REVITALIZATION OF THE DOWNTOWN AREA. ~ *DIANE HERVOL, MAYOR PRO TEM*

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Mayor Webster stated the next items 16 and 17 were Council items and the one was the revitalization grant and stated to Mayor Pro Tem Hervol that this was her item and that he would like to delay that one. Mayor Pro Tem Hervol stated she was fine with that but that they could and then paused and Mayor Webster asked what was wrong and if there was a procedural problem. Mayor Pro Tem Hervol stated that no, but when they do the update on the City Managers report they would talk about it then. Mayor Pro Tem Hervol stated that on agenda item #17 for the downtown revitalization business program the criteria needs to be updated but if the Council wants to approve that they could move forward with that. Mayor Webster stated that was what he was at because there were a lot of people excited about that program and he had been contacted by several businesses that had heard about it, and that as far as updating the criteria that was something staff could bring back to Council.

Mayor Pro Tem Hervol moved to approve item # 17 and direct staff to update the actual criteria. Council Member Bellows seconds the motion. All aye. Motion carried 6-0.

Item 16 and 18 were not discussed, but to be brought back: (16) Discuss and take possible action regarding site development plans under Chapter 32 and concept plan packages under Chapter 41, Code of Ordinances and (18) Discussion only regarding council requests for future agenda items.

CITY MANAGERS REPORT

UPDATE ON VARIOUS CAPITAL IMPROVEMENT PROJECTS, ROAD PROJECTS, BUILDING PROGRAM, AND/OR GENERAL OPERATIONAL ACTIVITIES. ~ *J. SCOTT SELLERS, CITY MANAGER*

1. Discussion of Boards and Committees
2. Workshop update

City Manager Scott Sellers skipped to #2 Workshop update and reminded Council that the Transportation Master Plan was scheduled for Monday, March 9, at 7:00 p.m. at the Kyle Library that would include a recap of the 5 road bond projects and engineer representatives would be present. He also discussed other workshops and stated that staff had looked at items slated for a workshop , consolidated those into what was thought could be accomplished in a budget retreat setting and other items taken care of as a presentation at a regular council meeting agenda. He stated the dates of March 27th or 28th for the budget retreat was what he was looking at and Council decided on Saturday, March 28th at 8:00 a.m.

ADJOURN

With no further business to discuss Council Member Wilson moved to adjourn. Council Member Bellows seconds the motion. All votes aye. Motion carried 6-0.

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The City Council meeting adjourned at 11:35

R. Todd Webster, Mayor

Amelia Sanchez, City Secretary