

# CITY OF KYLE



## Notice of Regular City Council Meeting

Kyle City Hall, 100 W. Center St., Kyle,  
Texas 78640

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on April 19, 2016, at Kyle City Hall, 100 W. Center St., Kyle, Texas 78640, for the purpose of discussing the following agenda.

Posted this 15th day of April, 2016, prior to 7:00 p.m.

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### **I. Call Meeting To Order**

### **II. Approval of minutes**

1. City Council Emergency Meeting Minutes - March 25, 2016. ~ *Amelia Sanchez, City Secretary*

### **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 are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit.

### **IV. Presentation**

2. A Resolution of the City of Kyle, Texas, solemnly remembering the many young lives lost during a tragic plane crash at Ardmore Airfield on April 22, 1966, acknowledging the contributions of Kyle resident Rosalio Tobias, Jr., who survived that crash, acknowledging his contributions to the City of Kyle and Hays Consolidated School District And showing sincere appreciation for his outstanding civic involvement on behalf of the citizens of Kyle. ~ *Diane Hervol, Council Member*

### **V. Appointments**

3. Consider nomination and take possible action for appointment to Planning & Zoning Commission to fill vacancy. ~ *Todd Webster, Mayor*
  - Bradley Growt

## **VI. Consent Agenda**

4. Authorize the Mayor to execute a Special Use Agreement by and between the City of Kyle and the Hays County/Hays County Historical Commission for the use, occupation, management and control of the Historic Train Depot located at 100 N. Front Street in Kyle, Texas. ~ *Kerry Urbanowicz, Director of Parks, Recreation and Facilities*
5. Authorize the acceptance of a grant from the Texas State Library and Archives Commission in the amount of \$10,000 for the purchase of digital E-Books and to authorize the expenditure of existing funds pending the reimbursement from the TSLAC. ~ *Paul Pehan, Director of Library Services*
6. Approve Change Order No. 1 and Change Order No. 2 to SOUTHERN TRENCHLESS SOLUTIONS, LLC., Houston, Texas, to add \$6,255.00 and \$15,750.00, respectively, for additional work required on the 2015 Manhole Rehabilitation Project, Bid Schedule A, increasing the total contract amount to \$153,945.50 for quantity changes as directed by the City's inspector and additional specialty work required in one of the manholes. ~ *Leon Barba, P.E., City Engineer*
7. Authorize award and execution of a Purchase Order to MAGNUM TRAILERS, Austin, Texas in an amount not to exceed \$26,539.71 for the purchase of a new Haul Trailer through the Buy Board Purchasing Co-operative for the Public Works Department. ~ *Harper Wilder, Director of Public Works*
8. Approve a contract with SHERIDAN ENVIRONMENTAL DBA SHERIDAN CLEARWATER, LLC, and the City of Kyle for the handling and disposal of biosolids from the wastewater treatment plant at an estimated cost of \$49,200.00 per year. ~ *Harper Wilder, Director of Public Works*
9. A Resolution by the City of Kyle, Texas, ("city") responding to the application of CenterPoint Energy Resources Corp., South Texas Division, to increase rates under the gas reliability infrastructure program; suspending the effective date of this rate application for forty-five days; authorizing the city to continue to participate in a coalition of cities known as the "Alliance of CenterPoint Municipalities"; determining that the meeting at which this Resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date. ~ *Jerry Hendrix, Chief of Staff*

## **VII. Consider and Possible Action**

10. (*Second Reading*) An Ordinance of the City of Kyle, Texas, annexing approximately 529.6 acres of land located in Hays County, Texas all of which are lying within the City's extraterritorial jurisdiction and to incorporate such properties into the City of Kyle as shown in the attached exhibit; Making finding of fact; Providing a severability clause; Providing an effective date; and Providing for open meetings and other related matters. ~ *Howard J. Koontz, Director of Planning and Community Development*
11. (*First Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas for the purpose of assigning original zoning to approximately 10.1 acres of land

from Agriculture "AG" to Warehouse District "W" on property located at 880 Windy Hill Road, in Hays County, Texas. (Jacob Jisha - Z-16-003). ~ *Howard J. Koontz, Director of Planning and Community Development*

*Planning and Zoning Commission voted 6-0 to recommend approval of the request.*

• **PUBLIC HEARING**

12. Plum Creek Phase 1, Section 6H-1 - Final Plat (FP-15-012) 11.466 acres; 79 single family lots and 6 park lots, located east of Sanders and north of Fairway. ~ *Howard J. Koontz, Director of Planning and Community Development*

*Planning and Zoning Commission voted 4-2 to recommend approval.*

13. Plum Creek Phase 1, Section 6H - Preliminary Plan (PP-15-005) 26.603 acres; 176 single family lots, 14 park lots and 3 landscape easement lots located within the 1500 block of Sanders. ~ *Howard J. Koontz, Director of Planning and Community Development*

*Planning and Zoning Commission voted 4-2 to recommend approval.*

14. Consider and Possible Action to approve Aqua/Kyle Wastewater Effluent Reclamation Project Agreement, and Settlement Agreement and Mutual Release. ~ *J. Scott Sellers, City Manager*

15. Consider and Possible Action on Repairs to Windy Hill Road. ~ *Leon Barba, P.E., City Engineer*

16. Approve Change Order No. 1 in the amount of \$23,250.00 to TRI-STATE COATINGS, Wadena, MN, increasing the total contract amount to \$308,750.00 for additional work based on field conditions for Well No. 3 Water Tanks Rehabilitation Project. ~ *Leon Barba, P.E., City Engineer*

17. (*First Reading*) An Ordinance amending the Code of Ordinances of the City of Kyle, Texas, by amending various sections of Article IX, Sections 11-275 through 11-295, to Chapter 11 (Business Regulations), Commercial Towing and Wrecker Services. ~ *Damon Fogley, Council Member*

## **VIII. City Manager's Report**

18. Update on various capital improvement projects, road projects, building program, and/or general operational activities where no action is required. ~ *J. Scott Sellers, City Manager*
- Drug Take Back event - April 30, 2016, 10 a.m. - 2 p.m. at KPD

## **IX. Executive Session**

19. 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 Potential Incentive for Development
    - o Attorney-Client Consultation concerning discussion of possible settlement of litigation.
  2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
  3. Personnel matters pursuant to Section 551.074.
  4. Economic Development negotiations pursuant to Section 551.087.
    - o Project Steel Blue
    - o Potential Incentive for Development
20. Take action on items discussed in Executive Session.

## **X. 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.