

## REGULAR CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Regular Session on January 7, 2020 at Kyle City Hall with the following persons present:

Mayor Travis Mitchell  
Mayor Pro Tem Rick Koch  
Council Member Dex Ellison  
Council Member Tracy Scheel  
Council Member Robert Rizo  
Council Member Alex Villalobos  
Council Member Daphne Tenorio  
Scott Sellers, City Manager  
James Earp, Assistant City Manager  
Paige Saenz, City Attorney  
Jerry Hendrix, Chief of Staff  
Kim Hilsenbeck, Communications Manager  
Jennifer Vetrano, City Secretary  
Leon Barba, City Engineer  
Diana Torres, Economic Dev Director  
Perwez Moheet, Director of Finance  
Matt Dawson, IT Director  
Paul Phelan, Library Director  
Mariana Espinoza, PARD Director  
Howard Koontz, Community Dev Director  
Jeff Barnett, Chief of Police  
Pedro Hernandez, Police Captain  
Andre Marmolejo, Police Lieutenant  
Dan Pruett, Police Officer  
James Plant, Police Officer  
Philip Cleary, Police Officer  
Sarah Bruxvoort, Police Cadet  
Donald Lovelace, Police Cadet  
Eric Champion, Police Cadet  
David Call, Police Cadet  
William Orr, Police Cadet  
Mark Spencer, Police Cadet  
Harper Wilder, Director of Public Works  
Tim Samford, Div. Mgr. – Treatment Operations

### **I. Call Meeting to Order**

Mayor Mitchell called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited. Prior to roll call, Mayor Mitchell went back to the special called meeting to adjourn it.

At 7:08 p.m., Mayor Mitchell recalled this meeting to order and 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 Tenorio. A quorum was present.

## **II. Approval of Minutes**

1. City Council Special Meeting Minutes - August 28, 2019. ~ *Jennifer Vetrano, City Secretary*  
Mayor Mitchell brought forward the minutes for discussion.

Council Member Tenorio moved to approve the minutes of the August 28, 2019 Special Council Meeting. Council Member Villalobos seconded the motion. All votes aye; motion carried 7-0.

## **III. Citizen Comment Period with City Council**

Mayor Mitchell opened citizen comments at 7:08 p.m.

Cindy Slovak-Barton was called to speak as registered in favor of Item No. 10 but did not wish to testify.

With no one else wishing to speak, Mayor Mitchell closed citizen comments at 7:08 p.m.

## **IV. Presentation**

2. Police Cadets Introduction. ~ *Jeff Barnett, Chief of Police*

Mayor Mitchell brought forward Item No. 2 for discussion. Chief Barnett presented the item. No action was taken.

3. Ad Hoc Committee update on police facility. ~ *Jeff Barnett, Chief of Police*

Mayor Mitchell brought forward Item No. 3 for discussion. Council Member Villalobos provided an update. Council Members Rizo and Ellison also provided information. No action was taken.

4. CIP/Road Projects and Consent Agenda Presentation. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward Item No. 4. Mr. Barba presented on CIP/Road projects and consent agenda items. No action was taken.

## **V. Consent Agenda**

5. Authorize award and execution of a Purchase Order to PUMP SOLUTIONS, INC., Hutto, Texas in an amount not to exceed \$17,602.00 for the purchase and installation of one (1) KSB 30 HP lift station pump located at the wastewater treatment plant for the Public Works Department. ~ *Tim Samford, Division Manager Treatment Operations*
6. *(First Reading)* An Ordinance repealing Ordinance No. 975, authorizing and directing the installation and erection of No Through Truck Signs on Kyle Crossing from Kohlers Crossing to Vista Ridge; in the City Limits of Kyle; providing an effective date; and making such other findings and provisions related hereto. ~ *Leon Barba, P. E., City Engineer*
7. A Resolution of the City of Kyle, Texas Suspending the February 6, 2020 effective date of Texas Gas Service Company's requested increase to permit the city time to study the request and to establish reasonable rates; Approving cooperation with other cities in the Texas Gas Service Company's Central Texas and Gulf Coast Service Areas; Hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; Authorizing intervention in GUD No. 10928 at the Railroad Commission; Requiring

reimbursement of cities' rate case expenses; Finding that the meeting at which this resolution is passed is open to the public as required by law; Requiring notice of this Resolution to the Company and legal counsel. ~ *Jerry Hendrix, Chief of Staff*

Mayor Mitchell brought forward Item Nos. 5, 6, and 7.

Council Member Tenorio moved to approve Consent Agenda Item Nos. 5, 6, and 7. Council Member Scheel seconded the motion. All votes aye; motion carried 7-0.

#### **VI. Consider and Possible Action**

8. Request to Utilize Hotel Occupancy Taxes for KAYAC Summit. ~ *Daphne Tenorio, Council Member*

Mayor Mitchell brought forward Item No. 8 for discussion and gave the floor to Council Member Tenorio. Mr. Moheet presented on HOTT funds. Ms. Torres announced that ENF will be providing a \$1,000 sponsorship for this event. Ms. Hilsenbeck provided information regarding hotel stays related to the KAYAC Summit as well as information regarding the funding from TML.

Mayor Mitchell moved to direct staff to bring back a budget amendment for \$7,000 allocating months from Hotel Occupancy Tax to the KAYAC group for the 2020 Summit. Council Member Ellison seconded the motion. All votes aye; motion carried 7-0.

9. *(First Reading)* An Ordinance directing the installation of signs and traffic control devices at the intersection of Dorman Lane and FM 1626 to prohibit certain left turns at the intersection. ~ *Travis Mitchell, Mayor*

Mayor Mitchell brought forward and presented Item No. 9.

Council Member Tenorio moved to approve an Ordinance directing the installation of signs and traffic control devices at the intersection of Dorman Lane and FM 1626 to prohibit certain left turns at the intersection. Council Member Ellison seconded the motion.

There was discussion on the motion. Council Member Villalobos stated this is a perfect location for a roundabout. Mayor Mitchell mentioned that the Council had been engaged in the community and the feedback, especially from residents in Plum Creek, that this item is in the 90 percentiles for approval. Mayor Mitchell mentioned the programming of the message board and asked whether the sign will indicate that this is temporary until a light is installed. Mr. Sellers stated that we can program any message.

All votes aye; motion carried 7-0. With no objections, the ordinance was finally passed.

10. Direct staff to install yield to pedestrians signage in Center Street crosswalks. ~ *Rick Koch, Mayor Pro Tem.*

Mayor Mitchell brought forward Item No. 10 for discussion and gave the floor to Mayor Pro Tem Koch.

Council Member Rizo moved to direct staff to request a speed study from TxDOT to reduce the speed from 30 to 25 on Center Street. Council Member Tenorio seconded the motion.

There was discussion on the motion. Council Member Scheel said she wanted to make sure the study took into consideration morning and evening traffic. City Manager Scott Sellers asked the

Council if they would mind suggesting the parameters for the speed limit decrease. Council Member Rizo suggested from the Railroad tracks to Burleson. Council Member Ellison said he appreciated Mayor Pro Tem Koch's attention to this item. He mentioned this was what he had hoped would come out of the downtown assessment. He spoke about wanting the downtown area to be pedestrian friendly. He said people walk our downtown and for some reason people do not seem to know that you are supposed to yield to pedestrians in crosswalks. Mayor Mitchell said he would like to add on to the motion if no one objected. There was no objection to the amendment.

Mayor Mitchell moved to amend the motion to add direct staff to install yield to pedestrian's signage in Center Street crosswalks. Council Member Tenorio seconded the motion. All votes aye; motion carried 7-0.

A vote on the original motion was taken. All votes aye; motion carried 7-0.

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

11. 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*

Mr. Sellers spoke about the wayfinding signs that have been installed. He stated that he will be out of town Monday through Wednesday and James Earp would be acting city manager in his absence. He mentioned the current events to the Council and said the Storm Water Conference would be on Wednesday at the Performance Arts Center at 8:00 a.m. until the end of the day, Thursday TIRZ Board meeting at 7:00 p.m., and Friday at 2:00 p.m. the ENF groundbreaking ceremony at Kohlers Crossing.

## **VIII. Executive Session**

12. 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.
  - TDS Contract
  - Veterans Memorial
  - RFQ for 104 S. Burleson Street
  - Police Department Facility Update
  - Uptown Park
  - Intermandeco Development Agreement
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
  - Center Street/Old Stagecoach Road Project
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.
  - Project Wild Blue
  - Restaurant Incentive Program
  - Incentive for Downtown Property

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 - RFQ for 104 S. Burleson Street and Intermandeco Development Agreement; Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072 - Center Street/Old Stagecoach Road Project; and 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 - Project Wild Blue, Restaurant Incentive Program, Incentive for Downtown Property." Mayor Mitchell asked her to add the others back in.

Council Member Scheel read into the record, "Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071 -TDS Contract, Veterans Memorial, and Police Department Facility Update."

The City Council convened into executive session at 7:57 p.m. Council Member Tenorio left the meeting at 9:08 p.m.

13. Take action on items discussed in Executive Session.

Mayor Mitchell moved to reconvene into open session. Council Member Rizo seconded the motion. All votes aye; motion carried 6-0. Council Member Tenorio was absent.

The City Council reconvened into open session at 9:54 p.m. Mayor Mitchell announced that no action took place in Executive Session, and no action would be taken now.

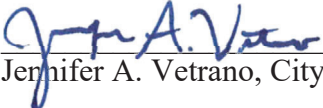
## **IX. Adjourn**

Mayor Mitchell moved to adjourn. Council Member Rizo seconded the motion. All votes aye; motion carried 6-0. Council Member Tenorio was absent.

With no further business to discuss, the City Council adjourned at 9:54 p.m.

  
Travis Mitchell, Mayor

Attest:

  
Jennifer A. Vetrano, City Secretary