

SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on September 30, 2016 at Kyle City Hall with the following persons present:

Mayor Todd Webster	Julie Snyder
Mayor Pro Tem Damon Fogley	Sue Ferrell
Council Member Travis Mitchell	Don Burleson
Council Member Shane Arabie	
Council Member David Wilson	
Council Member Daphne Tenorio	
Scott Sellers, City Manager	
James Earp, Assistant City Manager	
Frank Garza, City Attorney	
Jerry Hendrix, Chief of Staff	
Jennifer Vetrano, City Secretary	
Diana Torres, Economic Dev Director	
Perwez Moheet, Finance Director	
Howard Koontz, Community Dev Director	
Jeff Barnett, Chief of Police	
Pedro Hernandez, Police Captain	

I. Call Meeting To Order

Mayor Webster called the meeting to order at 9:03 p.m.

II. Citizen Comment Period with City Council

The City Council welcomes comments from Citizens early in the agenda of special 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.

Mayor Webster opened citizen comments at 9:03 a.m.

Julie Snyder was called to speak on behalf of the Kyle Area Chamber of Commerce. She stated that when the tourism budget was set in August the Chamber believed Council would be approving the city's portion for the coming year. She stated any reduction will certainly have an effect on their operations. She asked Council to vote yes to continue funding tourism through the Kyle Area Chamber of Commerce.

Sue Ferrell was called to speak on behalf of the Kyle Area Chamber of Commerce. She spoke about the growth in membership under Julie Snyder's leadership. She stated that the City and Chamber have a good relationship and would like to see that continue. She asked the Council to vote yes.

CITY COUNCIL SPECIAL MEETING MINUTES

September 30, 2016 – Page 2

Kyle City Hall

Don Burleson was called to speak on behalf of the Kyle Area Chamber of Commerce. He is not a resident of Kyle, but has his business in Kyle. He stated 98% of his time with the Kyle Area Chamber of Commerce because of it does so much for the city. He spoke about the Chamber's involvement with helping the school board understand Triple Freeport, which he stated isn't directly related to the visitor's bureau but does bring people here and help business in Kyle. He spoke about people he has witnessed many people at the Chamber office inquiring about things happening in Kyle and mentioned the Geocache activity that brought in visitors to Kyle. He asked the Council to consider the relationship between the Chamber and the City, which takes time to build. He asked the Council to vote yes to continue funding to the Chamber.

With no one else wishing to speak, and no objections to closing citizen comments, Mayor Webster closed citizen comments at 9:12 a.m.

Mayor Webster asked the secretary to call roll.

Present were Mayor Webster, Mayor Pro Tem Fogley, Council Member Mitchell, Council Member Arabie, Council Member Wilson, and Council Member Tenorio. A quorum was present.

Mayor Webster moved to excuse Council Member Selbera's absence due to a work conflict. Council Member Tenorio seconded the motion. All votes aye; motion carried 6-0.

III. Consider and Possible Action

1. Approve a 5-year lease agreement with WELLS FARGO BANK covering the lease period beginning October 1, 2016 and ending September 30, 2021 to maintain a 24- hour automated teller machine (ATM) facility on City owned property located at 111 N. Front Street, Kyle, Texas, at a monthly lease rate of \$2,154.00 during the first year and increasing by 5 percent each year thereafter. ~ J. Scott Sellers, City Manager
Item No. 1 Attachments

Mayor Webster brought forward Item No. 1 for discussion. Mr. Sellers presented the item. Council Member Mitchell asked about termination language, which was inadvertently omitted. It was a consensus of Council to table the item until the language could be provided for a motion later in the meeting.

IV. City Manager's Report

2. 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
 - Added Option for Employee Medical BenefitsItem No. 2 Cover Sheet

Mr. Sellers announced a second option for employees for a medical benefit. The insurance, through Texas Municipal League, will be providing a Health Savings Account option for City of Kyle employees.

CITY COUNCIL SPECIAL MEETING MINUTES

September 30, 2016 – Page 3

Kyle City Hall

V. Executive Session

3. 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.
 - Attorney/Client communications regarding pending terms for the funding agreement with Kyle Area Chamber of Commerce
 - Attorney/Client communications regarding terms and conditions of Meet and Confer Contract
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 3. Personnel matters pursuant to Section 551.074.
 - Annual performance evaluation and contract of City Manager, Scott Sellers
 4. Economic Development negotiations pursuant to Section 551.087.

Item No. 3 Cover Sheet

Council Member Wilson moved to convene into executive session. 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 - Attorney/Client communications regarding pending terms for the funding agreement with Kyle Area Chamber of Commerce; Attorney/Client communications regarding terms and conditions of Meet and Confer Contract; and Personnel matters pursuant to Section 551.074 - Annual performance evaluation and contract of City Manager, Scott Sellers. Mayor Pro Tem Fogley seconded the motion. All votes aye; motion carried 6-0.

The City Council convened into Executive Session at 9:32 a.m.

4. Take action on items discussed in Executive Session.
Item No. 4 Cover Sheet

Mayor Pro Tem Fogley moved to reconvene into open session. Council Member Wilson seconded the motion. All votes aye; motion carried 6-0. Council reconvened at 10:29 a.m.

Council Member Wilson moved to approve terms and conditions of Meet and Confer Contract Mayor Pro Tem Fogley seconded the motion. All votes aye; motion carried 6-0.

Council Member Mitchell moved to approve a 5-year lease agreement with WELLS FARGO BANK covering the lease period beginning October 1, 2016 and ending September 30, 2021 to maintain a 24- hour automated teller machine (ATM) facility on City owned property located at 111 N. Front Street, Kyle, Texas, at a monthly lease rate of \$2,154.00 during the first year and

CITY COUNCIL SPECIAL MEETING MINUTES

September 30, 2016 – Page 4

Kyle City Hall

increasing by 5 percent each year thereafter with the addition of a 90-day termination provision. Council Member Arabie seconded the motion. All votes aye; motion carried 6-0.

Council Member Tenorio moved to approve the extension of the current funding agreement with Kyle Area Chamber of Commerce through the first week of December with negotiations to be completed by the first meeting of December to be ratified at that time. Mayor Pro Tem Fogley seconded the motion. All votes aye; motion carried 6-0.

Mayor Webster stated that the annual performance evaluation and contract of City Manager, Scott Sellers item will come back in the future. They are considering extending Mr. Sellers' current contract. The Council provided positive feedback and support for Mr. Sellers. No action was taken.

VI. ADJOURN

Council Member Tenorio moved to adjourn. Mayor Pro Tem Fogley seconded the motion. All votes aye; motion carried 6-0.

With no further business to discuss, the City Council adjourned at 10:42 a.m.

R. Todd Webster, Mayor

Attest: Jennifer A. Vetrano, City Secretary