

SPECIAL CITY COUNCIL MEETING MINUTES

The City Council of the City of Kyle, Texas met in Special Session on November 4, 2017 at Kyle City Hall with the following persons present:

Mayor Todd Webster
Mayor Pro Tem Damon Fogley
Council Member Travis Mitchell
Council Member Becky Selbera
Council Member Daphne Tenorio
James Earp, Assistant City Manager
Jennifer Vetrano, City Secretary
Perwez Moheet, Finance Director
Marco Forti, IT Technician
Howard Koontz, Community Dev Director

Tim Miller
Lila Knight
Daniel Conway
Brett Corwin
Jon Snyder
Cary Cobb

I. Call Meeting To Order

Mayor Webster called the meeting to order at 9:08 a.m. Mayor Webster asked the secretary to call roll. Present were: Mayor Webster, Council Member Mitchell, and Mayor Pro Tem Fogley. Mayor Webster stated to show Council Member Tenorio as present but that she had stepped off the dais. Council Member Arabie and Council Member Wilson were absent. Council Member Arabie had to work this morning, and Council Member Wilson was out of the country. Mayor Webster stated his intent to excuse these members' absences; however, with Council Member Tenorio off the dais, the motion would wait. Mayor Webster stated that Council Member Selbera was on her way.

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 9:10 a.m.

Tim Miller stated that he would submit written comment at a later time.

Lila Knight was called to speak, but she stated a preference to speak during the Public Hearing.

Daniel Conway was called to speak. He stated that Kohlers Crossing at IH-35 Frontage Road is a very dangerous intersection. He stated that vehicles cross three lanes of traffic from Kohlers to get onto the on ramp to IH-35. He stated that in the last month, an 18-wheeler pulled out causing his wife to collide with the 18-wheeler, and their lives have been forever changed. Mr. Conway has since videoed the intersection where he says vehicles pull out unsafely repeatedly. He would like something to happen to make that section more safe. Mayor Webster stated that the

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highway is under TxDOT's jurisdiction, but staff could reach out and facilitate a discussion with TxDOT to explore a solution.

With no one else wishing to speak, and no objections to closing citizen comments, Mayor Webster closed citizen comments at 9:15 a.m.

III. Consider and Possible Action

1. Approve a Resolution of the City Council of the City of Kyle, Texas, authorizing and creating the SOUTHWEST KYLE PUBLIC IMPROVEMENT DISTRICT (PID) NO. 1 pursuant to consideration of the petition for the proposed district, evidence and testimony presented at the public hearing, and findings of the City Council. ~ *Howard J. Koontz, Director of Planning and Community Development*
 - Public HearingItem No. 1 Attachments

Mayor Webster brought forward Item No. 1 for discussion. Mr. Earp presented the item.

Brett Corwin of Intermandeco spoke about the improvements being above and beyond the boundaries of the property to ensure that the transition from IH-35 is sufficient for the neighborhood. Mr. Earp continued his presentation.

Council Member Selbera arrived at 9:26 a.m. Present were: Mayor Webster, Council Member Mitchell, Council Member Selbera and Mayor Pro Tem Fogley. Mayor Webster stated that it appeared that Council Member Tenorio had left, and he asked she be shown as absent. Mayor Webster stated that he was unsure why Council Member Tenorio left, and thought she had just temporarily stepped away.

Mayor Webster moved to excuse Council Member Arabie's and Council Member Wilson's absences. Council Member Mitchell seconded the motion. All votes aye; motion carried 4-0.

Jon Snyder with PIDWorks spoke about the structure of the PID. He stated there is not currently a financing agreement so some of his testimony is not finalized. He presented the preliminary PID financing. Council Member Selbera had questions for Mr. Corwin. She asked how many homebuilders they have for the development. Mr. Corwin was unable to confirm at this time. Council Member Mitchell then asked Mr. Snyder what the tax rate would equate to. Mr. Snyder stated that generally, a single family would pay twice the rate as a multi-family rate, but it is not a percentage.

Mayor Webster opened the public hearing at 9:43 a.m.

Lila Knight was called to speak. She registered in opposition to the item. Ms. Knight had questions related to the packet materials stating that improvements would be made to mass transportation, including silent railroad crossings. She did not think that silent railroad crossings involve mass transportation, but rather, noise. She mentioned that retail and parks are not included as part of our PID Policy. Mayor Webster clarified that retail is included in our PID Policy.

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Tim Miller was called to speak. He stated that he would be submitting written comments soon. He stated that he would like to speak about public safety related to the silent railroad crossing. Mr. Miller mentioned a young man who recently died on the tracks in Buda, and stated that there is not enough time to get off the track when the train horn sounds. He stated that a railroad overpass should be built. Mr. Miller said that should an accident occur, then transportation would be impacted. Mayor Webster stated he had the same concerns, and when he asked, quiet crossings are designed in such a way that vehicles cannot get around the barriers.

With no one else wishing to speak, and no objections to closing the public hearing, Mayor Webster closed the public hearing at 9:52 a.m.

Mr. Earp addressed some items that came up during the public hearing. Mr. Snyder stated that park upgrades are a qualified Public Improvement. Council Member Mitchell asked what the percentage is of on-site to off-site improvements. Cary Cobb of Intermandeco stated he does not have it with him, but believes it is about 90% off-site.

Council Member Selbera moved to approve a Resolution of the City Council of the City of Kyle, Texas, authorizing and creating the Southwest Kyle Public Improvement District (PID) No. 1 pursuant to consideration of the petition for the proposed district, evidence and testimony presented at the public hearing, and findings of the City Council. Mayor Pro Tem Fogley seconded the motion.

There was discussion on the motion. Mayor Pro Tem Fogley stated that this is an investment into the city, and because of the disclosure requirements, it allows the free market to do what it is meant to do. He supports this item. Mayor Webster commented that prior public hearings have brought people who opposed development in general, rather than addressing specific opposition to the financing mechanism. He stated that some had a thought that stopping the PID would stop the development. Mayor Webster continued that the development is of much better quality because of the PID. He stated that this vote today is specifically about the improvements, and not about whether the development is going to move forward.

All votes aye; motion carried 4-0.

IV. ADJOURN

Mayor Pro Tem Fogley moved to adjourn. Council Member Selbera seconded the motion. All votes aye; motion carried 4-0.

With no further business to discuss, the City Council adjourned at 10:16 a.m.

R. Todd Webster, Mayor

Attest: Jennifer A. Vetrano, City Secretary