

# CITY OF KIRBY, TEXAS

*Timothy Wilson, Mayor*



Stephanie Faulkner, Mayor Pro-Tem  
Mike Grant  
Jerry Lehman

John W. Pierce  
Roger A. Romens  
Debra Wilson

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CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, APRIL 14, 2016 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219

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**1. Call Meeting to Order**

Mayor Wilson called the meeting to order at 7:15 P.M.

**2. Invocation and Pledge of Allegiance to the Flag:**

Mayor Wilson dispensed of the invocation and pledge of allegiance to the flag.

**3. Mission Statement:**

“The City of Kirby is dedicated to delivering excellent municipal services to our entire community in a fiscally responsible manner.”

**4. Roll Call:**

PRESENT

ABSENT

Mayor Wilson  
Mayor Pro-Tem Faulkner  
Council Member Grant  
Council Member Pierce  
Council Member Lehman  
Council Member Wilson  
Council Member Romens

Although Mayor Wilson deviated from the agenda, the minutes will be prepared in the order the agenda was posted.

**5. Citizen Participation**

1. Mark Welch – Informed Council he will wait for the agenda item.

**6. Consent Agenda**

- a. Regular Meeting Minutes – March 24, 2016
- b. Approval Of The Bexar County Election Contract For Election Services For The May 7, 2016 Election, To Include Early Voting

Mayor Pro-Tem Faulkner moved to accept the Consent Agenda; seconded by Council Member Wilson. With all voting, “aye” the motion carried.

**7. Presentations**

- a. Judson ISD Bond Initiative – Steve Linscomb, Director Of Communications Of Judson ISD

Steve Linscomb, Director of Communications of Judson ISD, provided an overview of the bond proposal.

- b. ESD #11 Presentation – Chief Kevin Riedel

Chief Riedel provided an overview of a plan if the City of San Antonio annexed ESD #11. He stated if ESD #11 is annexed by San Antonio we should maintain our current staffing with the fire department.

Assistant Chief Alfaro provided an update from the ESD #11 board meeting.

**8. Discussion And Possible Action**

- a. Discussion And Possible Action To Consider The Resignation Of Raul Martinez From The Planning And Zoning Commission

Mayor Pro-Tem Faulkner moved to accept the resignation of Raul Martinez from the Planning and Zoning Commission; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- b. Discussion And Possible Action To Appoint Members To The Planning And Zoning Commission With A Term Expiring August 2017

Mayor Pro-Tem Faulkner moved to appoint Clay McBee to the Planning and Zoning Commission with a term expiring August 2017; seconded by Council Member Lehman.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- c. Discussion And Possible Action To Consider Ordinance No. O-2016-784 Amending Sections 113.01 And 113.02 Of Chapter 113 Of The Code Of Ordinances Of The City Of Kirby, Texas To Adopt By Reference New State Rules For Food Establishments. This Is The First Reading.

Mayor Pro-Tem Faulkner moved to table this item to the next meeting in order to provide the identity of the sections listed in the ordinance; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- d. Discussion And Possible Action Regarding On-Street No Parking Zones

Chief Bois, Police Department, presented a list of temporary no parking zones and provided an overview on the various streets and recommendations.

Mayor Wilson asked that the information be presented to the Ordinance Review Committee.

Mayor Pro-Tem Faulkner moved to accept the changes that affect the 5000 block of Starfire and send the other recommendations to the Ordinance Review Committee; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- e. Discussion And Possible Action Regarding Future Plans For Donated Property On Binz Engleman Road

City Manager Vernon stated if Council chose to fence in the property, it is our legal right to do so. She recommended staff approach the residents beforehand. She said another alternative would be to subdivide and sell the lots using the Competitive Bid process. Also, this property could be a nice green space for joggers or bicyclists on their way to the park.

Mayor Wilson asked staff to discuss this with the owners to see what they want and set a time limit of three months to act.

- f. Discussion And Possible Action On City of Kirby Employee Personnel Policies Manual

Mayor Pro-Tem Faulkner moved to table to next meeting; seconded by Council Member Wilson.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- g. Discussion And Possible Action To Review An Ordinance Defining And Regulating Solicitors Of Services, Funds Or Property For Charitable Or Non-Profit Purposes, Itinerant Merchants, Itinerant Vendors, Peddlers And Persons Selling Or Taking Orders For Goods, Wares, Merchandise, Services, Photographs, Or Subscriptions To Same, And Providing Penalties For Violation Of This Ordinance, And Repealing Ordinance Number O-348

Mayor Pro-Tem Faulkner said the Ordinance Review Committee recommended the ordinance include printed badges only allowed, update the fees, and create a rolling list of “no soliciting” addresses, new hours 9:00 A.M. – 8:00 P.M.

- h. Discussion And Possible Action To Consider Ordinance No. O-2016-785 Amending the City Of Kirby FY 2015- 2016 Budget. This Is The First Reading.

City Manager Vernon provided an overview of the revised budget that was submitted.

Mayor Pro-Tem Faulkner moved to accept Ordinance No. O-2016-785 amending the City of Kirby FY 2015-2016 Budget; seconded by Council Member Wilson.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

i. Discussion And Possible Action Regarding 2016 Municipal Pool Plans

City Manager Vernon informed Council she received 26 resumes and four are local. The lifeguards from the past two years were mailed a letter asking them to consider being a lifeguard in Kirby again. The Lifeguard and Recreation Programs Coordinator positions were advertised in the NE Herald, on the City website, and on Indeed. The pool is scheduled to open May 27.

Mayor Wilson said to place on next agenda.

j. Discussion And Possible Action To Consider Entering Into A Mutual Aid Agreement Between Alamo Area Emergency Services And City Of Kirby

Mayor Pro-Tem Faulkner moved to approve entering into a mutual aid agreement between Alamo Area Emergency Services and City of Kirby; seconded by Council Member Romens.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

k. Discussion And Possible Action To Consider Entering Into A Regional Mutual Aid Agreement Within The Geographic Areas Covered By The Alamo Area Council Of Governments (AACOG) And City Of Kirby

Mayor Pro-Tem Faulkner moved to approve entering into a regional mutual aid agreement within the geographic areas covered by the Alamo Area Council of Governments (AACOG) and City of Kirby; seconded by Council Member Grant.

The motion carried with a 6-0 vote.

AYES – 6

NO – 0

l. Discussion And Possible Action To Consider Commercial Solar License Agreement For Property Located At 5560 Duffek Dr., Kirby, TX 78219

City Manager Vernon informed Council that staff received the response back from PowerFin regarding the changes City Attorney Marc Schnall made to the agreement. They did not accept all of the changes that were made and she asked to table this item until the next meeting to allow time for negotiations between our city attorney and PowerFin.

Mayor Pro-Tem Faulkner moved to table to allow time for negotiations; seconded by Council Member Grant.

The motion carried with a 6-0 vote.

AYES – 6

NO – 0

- m. Discussion And Possible Action To Review The Code Of Conduct Policies For Boards, Committees And Commissions And Any Actions That May Have Been Taken By Members Of Such That May Be In Conflict With these Policies

This item was discussed at length by Mark Welch and City Council.

This item died due to the lack of a motion.

- n. Discussion And Possible Action To Consider A Maintenance Agreement For The Gibbs Sprawl High Water Detection System, Between The City Of San Antonio, Texas And City Of Kirby, Texas

Council Member Grant moved to accept the Maintenance Agreement for the Gibbs Sprawl High Water Detection System, between the City of San Antonio, Texas and City of Kirby, Texas; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- o. Discussion And Possible Action To Consider An Intergovernmental Cooperative Agreement With Bexar County's Community Development Block Grant (CDBG) Program For John Sterling Park Improvements

Mayor Pro-Tem Faulkner moved to enter into an Intergovernmental Cooperative Agreement with Bexar County's Community Development Block Grant (CDBG) Program for John Sterling Park Improvements; seconded by Council Member Lehman.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

## 9. Council Updates

- a. Planning & Zoning

- b. Buildings & Standards
- c. Crime Control
- d. Beautification & Recycling
- e. Parks & Recreation
- f. Economic Development
- g. Ordinance Review

b. Building and Standards - Council Member Lehman said the next meeting is April 21, 2016 at 6:00 P.M.

g. Ordinance Review - Mayor Pro-Tem Faulkner said the next meeting is May 4, 2016 at 6:30 P.M.

## **10. Requests and Announcements**

- a. Requests By Mayor And Council Members For Items To Be Placed On Future City Council Agendas And Announcements On City Events/Community Interests

Council Member Wilson – Asked that staff repair/replace broken equipment at the park in a timely manner. City Manager Vernon stated the broken ride was covered before the Easter Egg Hunt, a replacement has been ordered and the rocks have been replaced.

Mayor Wilson said the next time a toy breaks we will remove it. He said the swings should be replaced as soon as possible if they break.

Council Member Pierce asked if we are up to full staff in animal control. City Manager Vernon stated we have two full time employees and one part time employee on staff. The current plan is to maintain this staff until the beginning of the next fiscal year when we will need to hire more staff for the new shelter.

Council Member Grant asked that the flag pole at the Senior Center be straightened.

Mayor Pro-Tem Faulkner asked that the Adopt A Spot be brought back to Council. She asked city council to come up with a list of areas for a family to maintain and send her the information.

Mayor Wilson said we need to get the street sweeper out. He asked that Bexar County attend to the next Council meeting and provide an update on the Rosillo Creek Drainage Project. He congratulated Chief Riedel for the time he has spent with the City and his article in the NE Herald.

**11. Adjournment**

The Council meeting adjourned at 9:00 P.M.

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Timothy Wilson  
Mayor

ATTEST:

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Patty Cox, TRMC  
City Secretary