



*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, JANUARY 12, 2017 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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**1. Call Meeting to Order**

7:00 P.M.

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

Mayor Wilson led 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

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

ABSENT

Council Member Lehman

**5. Citizen Participation**

1. Jackie Jackson, Economic Development Committee member – She will speak during item 8.d.

2. Sid Sanders, Jr., Kirby Senior Center Board Member – He was concerned that the Senior Center Board has not been brought into the discussions addressing making the Senior Center a department with the City.

**6. Consent Agenda**

a. Regular Meeting Minutes – December 8, 2016

b. Special Meeting Minutes – December 15, 2016

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

**7. Presentation**

a. Retirement Award For Fire Chief Kevin Riedel

Mayor Wilson recognized Fire Chief Kevin Riedel for his years of service with the City of Kirby. He read a heartfelt letter from a resident that expressed the affect Chief Riedel had on the community. Mayor Wilson presented Chief Riedel with plaque expressing the City’s gratitude for his 31 years of service. He said he will be greatly missed.

b. Joint Animal Shelter Status Update – Andy Winter, Bexar County

Andy Winter, Bexar County, provided an update on the Joint Animal Shelter. If everything goes according to plans, there could be a ribbon cutting in March 2017.

**8. Discussion And Possible Action**

a. Discussion And Possible Action To Consider Ordinance No. O-2017-808 Amending FY 2016-2017 Budget. This Is The First Reading.

Tina Ynfante, Finance Director, provided an update on budget amendment.

There was discussion regarding upgrading the server and phone system. There will be a new position, Assistant Public Works Director added as we prepare for the Public Works Director's retirement.

Council Member Grant moved to accept Ordinance No. O-2017-808 Amending FY 2016-2017 Budget; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- b. Discussion And Possible Action To Approve Resolution No. R-2017-681 Adopting The City Of Kirby's Investment Policy

Tina Ynfante, Finance Director, provided a brief overview on the Investment Policy.

Mayor Pro-Tem Faulkner moved to approve Resolution No. R-2017-681 adopting the City of Kirby's Investment Policy; seconded by Council Member Grant.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- c. Discussion And Possible Action To Approve Resolution No. R-2017-682 Adopting The City Of Kirby's Investment Strategy

Council Member Grant moved to approve Resolution No. R-2017-682 adopting the City of Kirby's Investment Strategy; seconded by Council Member Wilson.

The motion carried with a 6 – 0 vote.

AYES: 6

NAYES: 0

- d. Discussion And Possible Action Regarding Economic Development Committee Membership

Mayor Wilson expressed the importance of members' attendance at meetings. He informed Council that Reggie Russell has submitted his resignation from the Economic Development Committee. He asked that this item be brought back for further discussion. Also, include taking action to appoint members to the Economic Development Committee.

Ms. Jackie Jackson, Economic Development Committee member - She said in 2017 the Committee will be very active and a functioning committee is important to the success of their vision.

Council Member Romens moved to accept Reggie Russell's resignation from the Economic Development Committee; seconded by Council Member Grant.

The motion carried with a 6 – 0 vote.

AYES: 6

NAYES: 0

- e. Discussion And Possible Action To Consider Establishing The Kirby Senior Center As A City Department

City Manager Vernon provided an overview of the steps City Attorney Marc Schnall shared toward establishing the Senior Center as a City department.

The Council addressed concerns with the Senior Center and how to bring a change to increase use of the facility.

Mayor Pro-Tem Faulkner moved to give City Manager Vernon the authority to research this process and meet with the Board to make an educated decision; and bring this item back to the Council February 9, 2017; Council Member Grant seconded.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

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

City Manager Vernon provided an update stating there are seven residents that have an interest in purchasing the section of Binz Engleman behind their property. She said the parcels range from the lowest expense is \$346 and the highest is \$1,348. These figures do not include the cost to plat the property.

Council member Grant moved forward with selling the parcels; seconded by Council Member Romens.

After discussing the pros and cons of selling the property to the individual property owners, Councilmember Grant withdrew his motion.

Council Member Grant moved to table this item; seconded by Council Member Wilson.

Mayor Pro-Tem Faulkner suggested staff meet with the property owners and provide them with the information discussed tonight and ask them if they are still interested in purchasing the property. Mayor Wilson stated bring this item back for the next meeting.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

g. Discussion And Possible Action Regarding Generators For City Facilities

Roger Aguillon, Public Works Director, presented the bids for the generators.

Mayor Wilson said table this item due to the discrepancies in the bid.

Mayor Pro-Tem Faulkner moved to table this item until more information is available; seconded by Council Member Wilson.

Mayor Wilson said place this item on the January 26, 2017 agenda and ask the contractor to come to the meeting.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

h. Discussion And Possible Action To Consider Ordinance No. O-2017-807 Repealing Chapter 50 Of The Code Of Ordinances Of The City Of Kirby and Adopting A New Chapter 50, Public Utilities, Of The Code Of Ordinances Of The City Of Kirby To Establish Certain Additional Fees. This is the First Reading.

Mayor pro-Tem Faulkner moved to accept Ordinance No. O-2017-807 Repealing Chapter 50 Of The Code Of Ordinances Of The City Of Kirby and Adopting A New Chapter 50, Public Utilities, Of The Code Of Ordinances Of The City Of Kirby To Establish Certain Additional Fees; seconded by Council Member Grant.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

i. Presentation, Discussion And Possible Action Regarding The City Logo Design Project

Council Member Romens said he met with Ms. Parham and will present the drawings at the next meeting.

- j. Discussion And Possible Action To Consider Ordinance No. O-2017-809, An Ordinance Repealing Chapter 54 Of The Code Of Ordinances Of The City Of Kirby, Texas, And Adopting A New Chapter 54 Of The Code Of Ordinances And Establishing Illicit Discharge Restrictions Pursuant To U.S. Environmental Protection Agency Guidelines And Adopted Texas Commission On Environmental Quality Standards, And Providing A Penalty Upon Conviction Of A Violation Of This Section In An Amount Not To Exceed \$500.00 Per Violation Per Day Unless The Violator Receives Actual Notice Of The Provisions Of This Ordinance In Which Case The Penalty Upon Conviction Is Not To Exceed \$1,000 Per Violation Per Day Or Not To Exceed \$5,000 Per Violation Per Day For Certain Violations Relative To Point Source Effluent Limitations Or The Discharge Of A Pollutant (Other Than From A Non-Point Source) Into A Sewer System, Including A Sanitary Or Storm Water Sewer System, Owned Or Controlled By The City, And Establishing An Effective Date. This Is The First Reading.

Council Member Grant moved to accept Ordinance No. O-2017-809, an ordinance repealing Chapter 54 of the Code of Ordinances of the City of Kirby, Texas, and adopting a new Chapter 54 of the Code of Ordinances and establishing illicit discharge restrictions pursuant to U.S. Environmental Protection Agency Guidelines and Adopted Texas Commission on Environmental Quality Standards, and providing a penalty upon conviction of a violation of this section in an amount not to exceed \$500.00 per violation per day unless he violator receives actual notice of the provisions of this ordinance in which case the penalty upon conviction is not to exceed \$1,000 per violation per day or not to exceed \$5,000 per violation per day for certain violations relative to point source effluent limitations or the discharge of a pollutant (other than from a non-point source) into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the City, and establishing an effective date; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- k. Discussion And Possible Action To Appoint An Acting City Manager In The Absence Of The City Manager

Council Member Grant moved to appoint Kevin Bois, police chief, as acting city manager in the absence of the city manager; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- I. Discussion And Possible Action To Consider A Memorandum Of Understanding Between City Of Kirby And Judson I.S.D. For Use Of Schools As Emergency Shelters

Mayor Wilson informed Council Judson I.S.D. agreed to allow use of their schools located in our City limits. If the school is outside of our city limits we have to request use of the facility.

Council Member Grant moved to approve the Memorandum of Understanding between City of Kirby and Judson I.S.D. for use of schools as emergency shelters; seconded by Council Member Wilson.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- m. Discussion And Possible Action To Consider A Proposal From Ford Engineering To Provide Engineering And Surveying Services For The Pageland And Theodor Street Reconstruction Project

City Manager Vernon stated this is for the CDBG grant to fund the Pageland and Theodor street reconstruction project. We requested \$250,000 from Bexar County and they approved \$218,028. The amount of the proposal from Ford Engineering is \$33,761. In our budget we have \$222,389. If this is approved we would have to add money to our budget.

Mayor Pro-Tem Faulkner moved to accept the proposal from Ford Engineering to provide engineering and surveying services for the Pageland and Theodor Street Reconstruction Project; seconded by Council Member Grant.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- n. Discussion And Possible Action To Consider Resolution No. R-2017-683 A Resolution Of the City Council Of The City Of Kirby Authorizing The Submission Of The Proposed Ackerman Road Sidewalks And Bike Lanes In The FY 2017 – 2020 Transportation Alternatives Program Of The San Antonio-Bexar County Metropolitan Planning Organization And Assumption Of Responsibility For Local Share Of Costs

City Manager Vernon said on December 8, 2017 Council approved the submission of this project for road construction and sidewalks and bike lanes on Ackerman Road. Upon submitting project the MPO informed her that they will fund pedestrian only projects. Ford Engineering resubmitted estimates with sidewalks and bike lanes only. The total project cost will be the \$1.7 million; the City's 20% local match will be \$345,067. The 1% overmatch will be \$17,427. Need to locate alternate funding for this project. She recommended entertaining a bond package for additional amount.

Mayor Pro-Tem Faulkner moved to accept Resolution No. R-2017-683 a resolution of the City Council of the City of Kirby authorizing the submission of the proposed Ackerman Road sidewalks and bike lanes in the FY 2017 – 2020 Transportation Alternatives Program of the San Antonio-Bexar County Metropolitan Planning Organization and assumption of responsibility for local share of costs; seconded by Council Member Grant.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

## **9. 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 Grant – He asked where are the city limit signs on FM 78. City Manager Vernon explained they were removed because of the boundary adjustment. They have been placed on concrete pads temporarily while we wait for additional supplies to place them permanently.

Council Member Romens - He asked when the November audit will be available for Council. City Manager Vernon said the City has recently received the first draft and it is being reviewed. He inquired about the equipment used for the Bexar County Rosillo Creek Project and the mill that is still on the Gaiety lot. Roger Aguillon, Public Works Director stated the project is almost complete. There was a problem with water pooling and the contractor has to go back and build an inlet to the drainage ditch.

Mayor Pro-Tem Faulkner – She stated the Ordinance Review Committee will meet on January 25 at 6:30 P.M. There will be Tennis in Park on Saturday. She said the VIA bus stop on Summerfest needs lights.

Mayor Wilson – He said it was difficult coming in tonight to see Kevin Riedel knowing this is his last meeting. He credited Chief Riedel for what he has done for the City. He asked if



we have a driver for the street sweeper. He will meet with Republic Services about the 5% franchise fee, and we need to create a plan to improve drainage. He congratulated Chief Bois.

**10. Adjournment**

The meeting adjourned at 9:00 P.M.

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Timothy Wilson, Mayor

ATTEST:

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Patty Cox, TRMC  
City Secretary