

CITY OF KIRBY, TEXAS

Timothy Wilson, Mayor



Stephanie Faulkner, Mayor Pro-Tem
Mike Grant
Jerry Lehman

John W. Pierce
Roger A. Romens
Debra Wilson

**CITY COUNCIL MINUTES
PUBLIC HEARING/REGULAR MEETING
THURSDAY, JULY 28, 2016 – 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

1. Call Meeting to Order

Mayor Wilson called the meeting to order at 7:02 P.M.

2. Invocation and Pledge of Allegiance to the Flag

Mayor Wilson asked all the police officers to come forward. Mayor Wilson led the invocation and pledge 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
Council Member Grant
Council Member Pierce
Council Member Lehman
Council Member Wilson
Council Member Romens

ABSENT

Mayor Pro-Tem Faulkner

5. Citizen Participation

1. Michael Martin, 3723 Autumn Lane – Shared concerns that there are too many people living in a house and other activities.
2. Hilario De La Pena, 15719 Thrush Gate Lane – Will speak during item 7. b.
3. Mary Wright, 5247 Tom Stafford – Asked Council to consider an ordinance regulating outdoor lighting.
4. Reggie Russell, 2221 Theodore – Will speak during items 9. b, c, and d.

6. Consent Agenda

- a. Regular Meeting Minutes – July 14, 2016

Council Member Lehman moved to accept the Consent Agenda, seconded by Council Member Grant. The motion carried with a 5 – 1.

AYES: 5

ABSTAIN: 1 (Council Member Wilson)

7. Presentation

- a. Update On VIA Bus Stop Improvements By Abigail Rodriguez, VIA

Leroy Alloway, VIA Metropolitan Transit, provided an update on the VIA bus stop project.

Council Member Romens suggested placing the bus stops recognizing the Old Spanish Trail insignia at the beginning and end in the bus stop route. By doing this, the Old Spanish Trail will be identified going through Kirby. He thanked VIA for what they have done, stating it is a great improvement and much appreciated.

- b. Presentation and Request by San Antonio Living History Association

Hilario De La Pena, President of the San Antonio Living History Association. He requested use of Friendship Park on October 15, 2016 to conduct a reenactment “Texas in Revolt.” His requests included an overnight campout, set up a Mexican encampment and an

Texan encampment and allow two-our horses on site at the Park. They will conduct a fundraiser and partner with Kirby.

Mayor Wilson asked Mr. DeLaPena to meet with City Manager Vernon and Parks and Recreation Committee to discuss the event and then come back to Council to finalize.

8. Public Hearing

- a. To Hear A Request To Have The Property Located At CB 5941 BLK 3 LOT W 1/2 OF 22, Also Known As 426 Edalyn, Kirby, TX 78219, Which Is Zoned Commercial District (C-2) To Be Used As A Multi Family Dwelling District (R-2) Property.

Mayor Wilson opened the public hearing at 7:41 P.M.

There were not any proponents or opponents present. Mayor Wilson closed the public hearing at 7:42 P.M

- b. To Hear A Request To Consider A Variance To The Zoning Ordinance For The Construction Of A Carport To Be Built Within The Twenty-Five Foot Setback; Located At CB 5092A BLK 1 LOT 22; Otherwise Known As 2019 Hickory Hill, City Of Kirby, Bexar County, Texas.

Mayor Wilson opened the public hearing at 7:42 P.M.

There were not any proponents or opponents present. Mayor Wilson closed the public hearing at 7:43 P.M.

- c. To Hear A Request To Consider A Variance To The Zoning Ordinance For The Construction Of A Carport Built Within The Twenty-Five Foot Front Setback Located At CB 5049A BLK 11 LOT 26; Otherwise Known As 5002 Borchers, City of Kirby, Bexar County, Texas.

Mayor Wilson opened the public hearing at 7:43 P.M.

There were not any proponents or opponents present. Mayor Wilson closed the public hearing at 7:44 P.M

9. Discussion And Possible Action

- a. Discussion And Possible Action To Accept Resolution No. R-2016-676 Supporting, Recognizing And Honoring The Service Of Kirby Police Department

Mayor Wilson read Resolution No. R-2016-676 aloud. The resolution was for presentation only.

- b. Discussion And Possible To Consider Ordinance No. O-2016-793, An Ordinance Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Grant A Specific Use Permit #2016-006 For Use Of The Property As A Multi Family Dwelling District (R-2) Property In A Commercial District (C-2), Located At CB 5941 BLK 3 LOT W 1/2 OF 22, Also Known As 426 Edalyn, Kirby, TX 78219. This Is The First Reading.

Mr. Carlisle informed Council his request was to allow a multi-family use for the commercial zone (C-2).

Chairperson Russell, Planning and Zoning Commission stated the Planning and Zoning Commission voted unanimously to allow the multi-family use for a specific period of time set by City Council.

Mayor Wilson asked staff for their recommendation. City Manager Vernon said staff recommends two units.

Council Member Grant moved to allow two units for a two year term; seconded by Council Member Romens.

The motion carried with a 5-0 vote.

AYES – 5

NAYES – 0

- c. Discussion And Possible Action To Consider A Variance To The Zoning Ordinance For The Construction Of A Carport To Be Built Within The Twenty-Five Foot Front Setback; Located At CB 5092A BLK 1 LOT 22; Otherwise Known As 2019 Hickory Hill, City Of Kirby, Bexar County, Texas.

Chairperson Russell stated the applicant is requesting a carport that would encroach the twenty-five foot front setback. The Planning and Zoning Commission voted unanimously to approve the variance request.

Mayor Wilson asked to speak to the applicant. The applicant was not present, nor any representative for the applicant.

Council Member Grant moved to table this item until the applicant can attend to answer questions; seconded by Council Member Wilson.

The motion carried with a 6-0 vote.

AYES – 6

NAYES – 0

- d. Discussion And Possible Action To Consider A Variance To The Zoning Ordinance For The Construction Of A Carport Built Within The Twenty-Five Foot Front Setback Located At CB 5049A BLK 11 LOT 26; Otherwise Known As 5002 Borchers, City Of Kirby, Bexar County, Texas.

Chairperson Russell informed the Council the applicant constructed a carport within the twenty-five foot front yard setback and is requesting a variance to allow the carport. The carport is an attractive structure and is attached to the house.

Mayor Wilson asked to speak to the applicant. The applicant was not present, nor any representative for the applicant.

Council Member Grant moved to table this item until the applicant can attend to answer questions; seconded by Council Member Lehman.

The motion carried with a 6-0 vote.

AYES – 6

NAYES – 0

- e. Discussion And Possible Action To Consider Bids For Elevated And Ground Storage Tank Painting 2016

Mark Hill, Ford Engineering, informed Council there were two bids. Due to the disparity in the amounts of bids he asked for time to reach out to find out what happened and asked Council to table this item until he has more information.

Council Member Grant moved to table this item to August 11, 2016; seconded by Council Member Wilson.

The motion carried with a 6-0 vote.

AYES – 6

NAYES – 0

- f. Discussion And Possible Action Regarding The Water Mains Replacement Projects On Cinderella, Coral Mist And Hickory Hill

Mark Hill, Ford Engineering, approached Council and presented a change order and identified the changes. One of the changes that would be made was switching from open right

to open left valves. Mr. Hill informed Council that Ford Engineering will make an adjustment of \$5,000.00 to their invoice. The total cost for the change order will be \$28,570.00.

Council Member Grant moved to approve the change order; seconded by Council Member Romens.

The motion carried with a 6-0 vote.

AYES – 6

NAYES – 0

g. Discussion And Possible Action Pertaining To An Agreement Between San Antonio Spartans And City Of Kirby For Use Of Friendship Park

Coach Stephen, San Antonio Spartans, asked City Council for assistance with water for the football field. He offered to pay for the water to prevent the fields from cracking like last year. He also offered to take care of the top soil.

Mayor Wilson asked Roger Aguillon, Public Works Director to meet with Rob Stevens and Coach Stephen and instruct them how to use the sprinkler system.

Mayor Wilson stated the front area of Friendship Park will not be used by the teams.

Coach Stephen informed Council their games start in September and daylight savings is in October. He asked Council if they could practice in the front of Friendship Park because there was not any lighting in their area of the park. He assured Council that there would not be any parking in the 'no parking' areas and they would not use the softball field. He stated he did not have a problem with police issuing tickets.

Council Member Grant moved to renew the agreement between San Antonio Spartans and City of Kirby for use of Friendship Park for two years; seconded by Council Member Pierce.

The motion carried with a 6-0 vote.

AYES – 6

NAYES – 0

h. Designation of Council Members to attend the Texas Municipal League 2016 Conference

After discussion, Council concurred Council Member Lehman and Council Member Romens will attend the Texas Municipal League 2016 Conference. The third reservation will be cancelled.

- i. Discussion And Possible Action Regarding Ordinance No. O-2016-794 An Ordinance Repealing Section 73.01 Of The Code Of Ordinances And Adding Section 71.06, No Parking Zones, To Chapter 71, Stopping, Standing, And Parking, Of The Code Of Ordinances To Specify No Parking Zones And Related Restrictions And Including A Penalty Of A Fine Not To Exceed \$500 For Violations. This Is The First Reading.

Council Member Lehman moved to accept Ordinance No. O-2016-794 repealing Section 73.01 of the Code of Ordinances and adding Section 71.06, No Parking Zones, to Chapter 71, Stopping, Standing, and Parking, of the Code of Ordinances to specify no parking zones and related restrictions and including a penalty of a fine not to exceed \$500 for violations; seconded by Council Member Grant.

The motion carried with a 6-0 vote.

AYES – 6

NAYES – 0

- j. Discussion And Possible Action Regarding Established 2016-2017 Goals For The City Of Kirby

Mayor Wilson addressed Code Compliance. He wants the City to have a tracking method set up no later than January 1, 2017. The entire City should be mapped and conditions of homes identified for tracking purposes. The City hired six temporary employees to clean up the streets. The schedule for park maintenance and street sweeping schedule should be placed on the City's website.

John Delagarza, Code Compliance Officer, identified properties that have reached the three year vacancy time frame. City attorney will let us know what options we have with the houses.

Mayor Wilson asked staff to compile list of approved variances that have not completed the requirements set by City Council and provide to Council in January 2017. He asked John Delagarza to review ordinances that would help with Code Compliance. He suggested bringing back yard of the month to recognize our residents who go above and beyond to improve their property. The City needs to clean up our own areas.

- k. Discussion And Possible Action To Consider City Of Kirby Branding and Marketing Plans

City Manager Vernon provided an update on a two week campaign on Facebook and Twitter. She provided a digital view of two versions of the tag line to be incorporated with our City logo.

After discussion, Mayor Wilson asked that new ideas be presented.

Mayor Wilson asked that business cards include Facebook and Twitter logo. He asked that Facebook be updated once a week.

- I. Discussion And Possible Action To Consider Resolution No. R-2016-677 A Resolution Of The City Council Of The City Of Kirby, Texas In Regard To Authorizing The City Manager To Request A Boundary Adjustment With The City Of San Antonio In Regard To (1) A 36.7 Acre Parcel Of Land Along Springfield Road, Buzz Aldrin Drive, Corian Glen Drive, Blue Spruce Drive, And Swann Lane, (2) A 32.2 Acre Parcel Of Land Bordered By Gibbs Sprawl Road On The North And Seguin Road (F.M. 78) On The South And Including A Portion Of Summer Fest Drive, And (3) A 47.7 Acre Parcel Of Land Adjacent To Candlewood Park, Unit 8 On The East And Having A Northern Boundary Along Binz Engleman Road

Council Member Grant moved to accept Resolution No. R-2016-677 authorizing the City Manager to request a boundary adjustment with the City of San Antonio In regard to (1) a 36.7 acre parcel of land along Springfield Road, Buzz Aldrin Drive, Corian Glen Drive, Blue Spruce Drive, and Swann Lane, (2) a 32.2 acre parcel of land bordered by Gibbs Sprawl Road on the north and Seguin Road (F.M. 78) on the South and including a portion of Summer Fest Drive, and (3) a 47.7 acre parcel of land adjacent to Candlewood Park, Unit 8 on the east and having a northern boundary along Binz Engleman Road; seconded by Council Member Lehman.

The motion carried with a 5-0 vote.

AYES – 5

NAYES – 0

10. Council Updates

- a. Administration
- b. Public Works
- c. Finance
- d. Fire
- e. Police
- f. Animal Care Services
- g. Code Compliance

a. Administration – City Manager Vernon – Provided an update on activities in the City and various meetings she attended.

b. Public Works – Director of Public Works, Roger Aguillon – Provided an update on the progress of projects in the City and other staff assignments.

c. Finance – Finance Director, Tina Ynfante – Provided an update on all financial and human resource responsibilities.

d. Fire – Staff member not available.

e. Police – Mayor Wilson – Commended Officer Tokarski for conducting the Explorer Program. Chief Bois provided the update on number of calls addressed by the department.

f. Animal Care Services – Animal Control Officer, January Dugan – Provided an update on the number of calls and adoptions.

g. Code Compliance – Code Compliance Officer, John Delagarza – Provided an update on the number of complaints he addressed. Mayor Wilson asked that one use per lot be considered.

11. 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 Romens - He asked to place the Senior Center on the next agenda to discuss the City's plans.

Mayor Wilson – Re-Grand Opening at Wing It – asking for school supplies August 8 and Camino Acanan hosting an outreach service in the parking lot on July 29 & 30. He asked about the pool closure. City Manager Vernon said lightening and rain cause the pool to close early this week.

12. Adjournment

The meeting adjourned at 10:00 P.M.

Timothy Wilson
Mayor

ATTEST:

Patty Cox, TRMC
City Secretary