



Lisa B. Pierce, Mayor

Barbara Collins Bowie
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, JUNE 22, 2017 – 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

1. Call Meeting to Order

Mayor Pierce called the meeting to order at 7:00 P.M.

2. Invocation and Pledge of Allegiance to the Flag

Mayor Pierce 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 Pierce
Mayor Pro-Tem Lehman
Council Member Pierce
Council Member Grant
Council Member Wilson
Council Member Aldrich

ABSENT

Council Member Bowie

5. Citizen Participation

There were not any citizens signed up to participate.

6. Consent Agenda

a. Approval Of Regular Meeting Minutes – June 8, 2017

Council Member Wilson moved to accept the Consent Agenda; seconded by Council Member Aldrich. The motion carried with a 5-1 vote. (Council Member Grant abstained)

7. Public Hearing

a. Public Hearing On The Need To Continue The City Of Kirby Curfew Ordinance Found In Chapter 13 Of The City Of Kirby Code Of Ordinances

Mayor Pierce opened the public hearing at 7:03 P.M. There were not any proponents or opponents to speak. Mayor Pierce closed the public hearing at 7:03 P.M.

b. Public Hearing To Consider A Variance To The Zoning Ordinance For The Construction Of A Structure Built Five Feet Within The Ten Foot Rear Setback Located At CB 5941 BLK 1 LOT 51; Otherwise Known As 415 Edalyn, City of Kirby, Bexar County, Texas.

Mayor Pierce opened the public hearing at 7:03 P.M. There were not any proponents or opponents to speak. Mayor Pierce closed the public hearing at 7:04 P.M.

c. Public Hearing To Consider The Following Zoning Change Request: Rezoning Of A 6.829 Acre Tract, Situated In The J. Chappell Survey No. 322 ½, Abstract No. 883, County Block 5191, Being All Of Lot 2 Of The Turner Club Subdivision As Shown On A Plat Recorded In Volume 9638, Page 188 Of The Deed And Plat Records Of Bexar County, Texas, From The Current Zoning Of Commercial, Office And Retail (C-2) To Public Use District (P).

Mayor Pierce opened the public hearing at 7:05 P.M. There were not any proponents or opponents to speak. Mayor Pierce closed the public hearing at 7:06 P.M.

8. Discussion And Possible Action

- a. Discussion And Possible Action To Consider A Variance To The Zoning Ordinance For The Construction Of A Structure Built Five Feet Within The Ten Foot Rear Setback Located At CB 5941 BLK 1 LOT 51; Otherwise Known As 415 Edalyn, City of Kirby, Bexar County, Texas.

After discussion, Council Member Grant moved to approve the variance request to the Zoning Ordinance for the construction of a structure built five feet within the ten foot rear setback located at CB 5941 BLK 1 Lot 51; otherwise known as 415 Edalyn, City of Kirby, Bexar County, Texas.

City Secretary Cox informed Council the Planning and Zoning Commission met on June 14, 2017 and moved to recommend approval.

The motion carried with a 5-1 vote. (Council Member Lehman voted no)

- b. Discussion And Possible Action To Consider Ordinance No. O-2017-816 An Ordinance Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Change The Zoning Of The Property Legally Described As Lot 2, Turner Club Subdivision, As Shown On Plat Recorded In Volume 9638, Page 188 Of The Deed And Plat Records Of Bexar County, Texas, From "C-2" Commercial District To "P" Public District, This Is The First Reading.

After discussion, Council Member Grant moved to accept Ordinance No. O-2017-816 An Ordinance Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Change The Zoning Of The Property Legally Described As Lot 2, Turner Club Subdivision, As Shown On Plat Recorded In Volume 9638, Page 188 Of The Deed And Plat Records Of Bexar County, Texas, From "C-2" Commercial District To "P" Public District; seconded by Council Member Wilson.

The motion carried with a 6-0 vote.

- c. Request, Discussion And Possible Action On Proposed Comprehensive Plan Provided By The Planning And Zoning Commission

Council Member Grant moved to accept the Proposed Comprehensive Plan Provided By The Planning And Zoning Commission; seconded by Council Member Wilson.

Mayor Pierce presented her changes to the Comprehensive Plan:

Page 6. #4. Continue to improve and up-date existing parks and recreational facilities. Appoint a coordinating committee between the City of Kirby and recreational organizations, such as Little League officials as to what improvements

will be completed, who will bear the costs, etc. an annual report will be submitted to the City Council as to what improvements will be completed each year, this report will be completed by October 1st of each year. A copy of this report will be forwarded to the Planning and Zoning Commission for review.

#7 Form a farmer's market in 2018.

#8 – Street sign identifying the gross weight of vehicles on city streets. (Determine by weight of axel). At city limits Old Seguin, Ackerman, Gibbs Sprawl, and Binz Engleman. All through thoroughfare for the City. Only local deliveries. 12,000 pounds axel weight.

Pg. 7 #4 – Delete

Pg. 10 – Change Recreational to Recreational/Parks

Pg. 13 UTILITIES Gas and electricity are furnished to the City of Kirby by CPS Energy of San Antonio; CPS Energy maintains their own easements and rights-of-ways. Water and sewage collection system services are furnished and owned by the City of Kirby, Texas. Sewage is processed by San Antonio Water System. Telephone service is supplied by multiple providers. Public utilities property designed and constructed are invaluable to the development of a community. Sprint has also placed a cell tower at Ackerman Road and Binz Engleman Road.

SCHOOLS AND RECREATION Kirby's schools are consolidated area schools in the Judson Independent School District. Development of Kirby as projected in the next five years will warrant a new evaluation of school districting and may require expansion of the existing schools. The Hopkins Elementary school is located on Ackerman Road. This school has grades Kindergarten through fifth. The Kirby Middle school is located on Old Seguin Road and has grades six through eight. (Remove "Presently, there are ample childcare centers for the needs of the community.")

Pg. 18 Include Pryor Smith Park and Ignacio Ceja Park. Remove basketball court from John Sterling.

Pg. 20 JOHN STERLING BUILDING

The John Sterling Building is conveniently located near the geographic center of the City. The community/public meeting room is adequate for approximately 86 persons and can be used for governmental and community meetings and activities. The facility is available to rent for private use. Efforts should be made to further

utilize and improve the John Sterling Building and adjacent parks and pool areas to offer even more possible uses for the citizens of Kirby.

Pg. 24 FINANCIAL ANALYSIS

The financial analysis is based on city income, annual budgets, operating costs, overlapping public debts, outstanding municipal bonds, capital leases and public improvements financing practice. The analysis will be the basis on which the municipality's ability to finance capital improvements is determined. Refer to City of Kirby annual audited financial report for detailed information.

GENERAL FUND

The total general fund revenues for the fiscal year ending September 30, 2016 were \$3,466,760. Ad Valorem taxes for maintenance & operations amount to \$1,459,251 in this same period. This amounts to 42.09% of total general fund revenue.

Changes for services which include Fire and EMS totaled \$836,697 or 24.13% of total revenue. Franchise fees totaled \$374,303 or 10.8% of total revenues. Sales tax collected during fiscal year ending 2016 was \$405,683 or 11.7% of total revenue. Grant revenues totaled \$8,284 or .24% of total revenues. Court fines, fees and warrants totaled \$201,310 or 5.81% of total revenue. Licenses, fees & permits totaled \$163,113 or 4.71% of total revenue. Intergovernmental totaled \$9,524 or .27% of revenues. Other miscellaneous revenues totaled \$8,595 or .25% of total revenue.

A total of \$3,988,559 was expended on salaries, supplies, materials maintenance, insurance, utilities, equipment and capital expenditures for police, fire, court, animal services, parks & rec, streets & shop, and general operations.

Addition to the expenses that is paid by General Fund, City of Kirby has \$684,111 less amount representing interest (\$73,003) in Capital Leases. The Capital Leases will be paid off in 2024.

WATER, SEWER AND SOLID WASTE FUND

Revenue from the water, sewer, and solid waste fund for the fiscal year ending September 30, 2016 was \$2,250,879. The total expenditures for the water and sewer department amounted to \$1,491,352. Transfers out to other funds totaled \$526,265.

INTEREST & SINKING FUND

Bond retirement expenditures for fiscal year ending 2016 were \$433,425. As of September 30, 2016, the City of Kirby has \$1,000,000 in Combination Tax & Revenue Certificates of Obligation and \$85,000 in General Obligation Refunding Bonds outstanding. The Certificates of Obligation will be paid off in 2019, and the General Obligation Refunding Bonds by the year 2017.

Council Member Grant moved to amend the Comprehensive with the changes that were discussed; seconded by Council Member Wilson.

The motion carried with a 6-0 vote.

- d. Discussion And Possible Action To Appoint Member(s) To The Kirby Senior Center Strategic Planning Committee

The Council reviewed the applications that were submitted.

Council Member Wilson moved to appoint Larry Wolfe, Shirley Wolfe and Debra Kimble as the Senior Center representatives and Frances Martinez and Glenda Bayer as at large members; seconded by Council Member Grant. The motion carried with a 6-0 vote.

- e. Discussion And Possible Action To Consider Ordinance No. O-2017-817 Relating To A Curfew For Any Person Under The Age Of Seventeen Years During Certain Hours, Making It Unlawful For Any Parent Or Person In Loco Parentis Entitled To Custody Or Control Of A Minor To Violate This Ordinance And Imposing Penalties. This Is The First Reading.

Lt. Laymon said there were not any changes to the ordinance.

Council Member Grant moved to accept Ordinance No. O-2017-817 relating to a curfew for any person under the age of seventeen years during certain hours, making it unlawful for any parent or person in loco parentis entitled to custody or control of a minor to violate this ordinance and imposing penalties.

The motion carried with a 6-0 vote.

- f. Discussion And Possible Action To Appoint Member(s) To Fill Vacancies On The Parks And Recreation Committee

Mayor Pierce said there was one applicant, Patricia Baber.

Council Member Aldrich moved to appoint Patricia Baber to fill the vacancy on the Parks and Recreation Committee; seconded by Council Member Grant.

The motion carried with a 6-0 vote.

g. Discussion And Possible Action To Consider A Request by San Antonio Living History Association

Hilario De La Pena provided the Council with the history of the San Antonio Living History Association reenactment of the "Texas in Revolt 1835." He asked Council for their approval to use Friendship Park on October 13 and October 14 for the reenactment. He invited everyone to come out and participate because there was plenty of period clothing. The Boy Scout Venture group would like to camp out on October 13.

Council Member Grant moved to approve the request by San Antonio Living History Association use of Friendship Park on October 13 and 14, 2017; seconded by Council Member Pierce.

The motion carried with a 6-0 vote.

h. Discussion And Possible Action To Prepare For National Night Out

City Manager Vernon said this is a community event and this year National Night Out will be set up at Kirby Senior Center, Springfield Manor Apartments, Hugo Lentz Park and True Vision Church. The City will secure sponsorship to provide refreshments for all the locations. Crime prevention literature and Public works conservation kits will be provided at each location. There will be a meeting in August to follow up on the event that will be held on October 3, 6:00 P.M. – 8:00 P.M.

Mayor Pierce asked that Council be provided with the updates on the event.

i. Status Update, Discussion And Possible Action Regarding The Municipal Swimming Pool

City Manager Vernon provided the current revenue and expense report and identified the revenue sources and expenses. The pool staff is ready to work on Tuesdays in July. They will be working at Friendship Park helping at the 4th of July at Fireworks in the Park.

Council Member Aldrich said the Parks and Recreation Committee met tonight and wanted to propose a movie night at the pool. She asked on Wednesday's when Safari Daycare uses the pool is it just Safari Daycare or can other daycares use the pool. City Manager Vernon said they would have to schedule for a different time because Safari Daycare has secured their time to use the pool.

Mayor Pierce asked if there has been any thought to extending the hours the pool is open during week nights to 8:00 P.M.

j. Discussion And Possible Action To Consider A Proposal For Civil Engineering Services For Happiness Lane and Arneson Drive Water Main Replacements

Council Member Grant moved to accept the Civil Engineering Services For Happiness Lane and Arneson Drive Water Main Replacements; seconded by Mayor Pro-Tem Lehman.

Mark Hill, Ford Engineering, explained Happiness Lane and Arneson Drive were in need of water main replacements and then CDBG funds will be used to reconstruct the roads. The project will be bid as one contract because the City will get a better deal.

Council Member Grant moved to accept the civil engineering services for Happiness Lane and Arneson Drive Water Main Replacements; seconded by Mayor Pro-Tem Lehman.

The motion carried with a 4-2 vote. (Council Member Pierce and Mayor Pierce abstained)

k. Discussion And Possible Action To Consider Amendment #1 To Municipal Solid Waste Collection And Disposal Contract

City Manager Vernon informed Council a reasonable solution has been negotiated between the City and Republic Services. Tom Armstrong is here to answer questions. She said the amendment removed the 5% franchise fee and modified section 5.03 Modification of Rates to reflect one percent will be added to the Price Increase percentage each year for the years 2018, 2019, 2020, 2021 and 2022. Example, if the calculated CPI Price Increase for a given year comes to 3.90%, the Price Increase for that year will be 4.90% (3.90 + 1.00). in order to allow for this, the annual increase cap will change from 5.0% to 7.0%.

Council Member Grant moved to accept Amendment #1; seconded by Council Member Peirce. Mayor Pierce added that the amendment is not extending the contract.

The motion carried with a 6-0 vote.

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 Wilson - She will be out of town and not able to attend the next Council meeting.

Council Member Aldrich – She said the Tuesday and Thursday water aerobics classes have a good turnout and is enjoyable. The Parks and Recreation Committee is getting ready to purchase equipment for movies.

Council Member Lehman – He asked that on the next agenda place an item to remove a member and replace with someone else on the Senior Center Strategic Plan Committee.

Council Member Grant – He asked that HOBBO Fest be placed in the Texas Town and City magazine. All radio stations are obligated to advertise for free. He thanked everyone for attending the meeting.

Council Member Pierce – He thanked everyone for attending the meeting and the 4th of July is around the corner.

Mayor Pierce read a letter from Ms. Felan recognizing the police department for their hard work and dedication. She asked City Manager Vernon to send out the budget calendar again and place it on the email calendar to attend because a quorum is required. The Kirby Bexar Animal Facility open house was a success. She said City Manager Vernon let her know we will be applying for the TNR grant for cats. The National Youth Sports Summer Outreach event on June 11 was a huge success. She thanked the police department and emergency personnel for their time with the event. If enough teams sign up, there will be a softball tournament on July 3 and 4. She reminded everyone to look for “Kirby Rocks” and if you see painted rocks take a picture and place on the “Kirby Rocks” Facebook page.

Mayor Pierce recognized City Manager Vernon for her accomplishment in completing the Certified Public Manager Program.

10. Adjournment

The meeting adjourned at 8:20 P.M.

Lisa B. Pierce
Mayor

Attest:

Patty Cox, TRMC
City Secretary