

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, OCTOBER 13, 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 7:00 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 Lehman
Council Member Romens

ABSENT

Council Member Grant

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

5. Citizen Participation

1. Helga Anderson, 5119 Crown Lane - Identified concerns she has with several properties. She said the mosquitoes are terrible and she will be back in January if it isn't taken care of. She complained about the brush/bulk pick up and offered solutions.

2. Mary Wright, 5247 Tom Stafford - She informed Council there is evidence of inappropriate activity at Friendship Park.

6. Consent Agenda

a. Regular Meeting Minutes – September 22, 2016

Mayor Pro Tem Faulkner moved to approve the minutes with the correction; seconded by Council Member Lehman. The correction was made to item 10. a. change "wooden stake" changed to "stake."

The vote was as follows: 5 – 0 – 1

AYES: 5 NAYES: 0 ABSTAIN: 1 (Council Member Wilson)

7. Public Hearing

a. To Consider A Variance To The Zoning Ordinance For A Carport To Be Constructed Ten Feet Within The Twenty-Five Foot Front Setback; Located At Lot 25, Block 17, CB 4018A; Otherwise Known As 5118 Kazen, City Of Kirby, Bexar County, Texas.

Mayor Wilson opened the public hearing at 7:02 P.M.

There were not any proponents or opponents to speak regarding the variance request.

Mayor Wilson closed the public hearing at 7:03 P.M.

8. Discussion And Possible Action

- a. Discussion And Possible Action To Consider Ordinance No. 0-2016-798 An Ordinance Repealing Current Section 71.06 Of The Code Of Ordinances And Adopting A New 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.

Mayor Wilson identified the areas that have been added to the Ordinance. Chief Bois stated the city attorney has reviewed the updated ordinance and did not have any objections.

Mayor Pro-Tem Faulkner moved to approve Ordinance No. 0-2016-798 an Ordinance repealing current Section 71.06 of the Code of Ordinances and adopting a new 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 Lehman.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- b. Discussion And Possible Action To Dispense With The Second Reading Of Ordinance No. O-2016-798 So That Ordinance No. O-2016-798 Becomes Effective Immediately.

Mayor Pro-Tem Faulkner moved to dispense with the second reading of Ordinance No. O-2016-798 so that Ordinance No. O-2016-798 becomes effective immediately; seconded by Council Member Romens.

The motion carried with a 6 – 0 vote.

AYES: 6

NAYES: 0

- c. Discussion And Possible Action To Consider Resolution No. R-2016-678 Of The City Of Kirby FBP City Council For The Adoption Of The City Of Kirby FBP Cafeteria Plan

Mayor Wilson offered a brief explanation of the FBP Cafeteria Plan.

Mayor Pro-Tem Faulkner moved to approve Resolution No. R-2016-678 of the City of Kirby FBP City Council for the adoption of the City of Kirby FBP Cafeteria Plan; seconded by Council Member Lehman.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

- d. Discussion And Possible Action To Consider A Variance To The Zoning Ordinance For A Carport To Be Constructed Ten Feet Within The Twenty-Five Foot Front Setback; Located At Lot 25, Block 17, CB 4018A; Otherwise Known As 5118 Kazen, City Of Kirby, Bexar County, Texas.

Commissioner Agatha Williams, Planning and Zoning Commission, served as acting chairperson at their last meeting and she informed the Council the Commissioners voted to recommend approval of the variance request.

Council Member Romens moved to approve the variance to the Zoning Ordinance for a carport to be constructed ten feet within the twenty-five foot front setback; located at Lot 25, Block 17, CB 4018A; otherwise known as 5118 Kazen, City of Kirby, Bexar County, Texas; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

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

Roger Aguillon, Public Works Director addressed Goal #4. He provided the infrastructure information pertaining to water, sewer and streets. Crack sealing the streets, installing a sewer lateral on Binz Engleman by Charles Conrad where the park improvements will be made. There are three water mains to replace - Happiness, Coral Mist and Borchers. The painting of the elevated storage tank has started. The repairs have been made on Well Site 2 in anticipation of taking Well Site 3 out of service in order to get those two tanks painted. We are anticipating the street sweeper will be put into service soon.

Mayor Wilson said he would like to see the roads, water and sewer information on a GIS system by next year. He asked for associated costs to achieve this.

- f. Discussion And Possible Action To Reschedule The Regular Council Meeting Dates For November 24, 2016 To November 17, 2016 And December 22, 2016 To December 15, 2016.

After discussing the various options, Mayor Pro-Tem Faulkner moved to reschedule the regular Council meeting dates for November 24, 2016 to November 17, 2016 and December 22, 2016 to December 15, 2016; seconded by Council Member Lehman.

The motion carried with a 4 – 1 vote.

AYES: 4

NAYES: 1 (Council Member Wilson)

g. Discussion And Possible Action Regarding Plans For City Owned Property On Gaiety

Mayor Wilson asked Council to decide if the City should move forward to construct a storage lot of Gaiety.

After discussion the property, Mayor Pro-Tem Faulkner moved that the City should move forward with the plans for Gaiety so staff can request proposals for the lighting, fence and gate for the project; seconded by Council Member Wilson.

Mayor Wilson asked that all cost estimates be brought to Council at the December 15, 2016 meeting.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

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

City Manager Vernon informed Council there were two meetings with the property owners and shared ideas with them. They didn't want change and they wanted access to their back yards. There was a discussion about whether the City would be interested in subdividing the property and selling it to the property owners and discussed multiple options.

Mayor Wilson said we need to know who wants to purchase and who doesn't. CPS Energy has an easement at the rear of the property and there are fence requirements.

Mayor Pro-Tem Faulkner said before the next meeting, the property owners need to contact the city manager so we can get an idea how many residents want to purchase the property.

Mayor Pro-Tem Faulkner moved to table this item to the following meeting; seconded by Council Member Lehman.

The motion carried with a 5 – 0 vote.

AYES: 5

NAYES: 0

Mayor Wilson called for a five minute recess.

Mayor Wilson reconvened the meeting.

i. Discussion And Possible Action Regarding Garage Sale Signs

City Manager Vernon informed Council that Council Member Grant asked that this item be tabled due to his absence.

Mayor Wilson stated that there being no motion the item failed.

j. Discussion And Possible Action Regarding the City Of Kirby Comprehensive Plan

Council Member Romens said he attended a meeting at AACOG last Friday for Planning and Zoning Commissioner and elected officials. He stated it is important to establish a good process when creating a Comprehensive Plan. The Planning and Zoning Commission voted to conduct a workshop with Council to establish the process for the Comprehensive Plan. The AACOG instructor said he will come to our meeting pro-bono for an hour.

Mayor Wilson said it would be beneficial to bring together all the committees and commissions to provide information for the Comprehensive Plan.

Council Member Romens said all committees and Council should engage the community to participate. There are a lot of professionals in the community that can participate and provide input. He suggested not rushing into this, let's get the materials and do it right.

Council Member Pierce suggested meeting in January.

k. Discussion And Possible Action To Consider Ordinance No. O-2016-799 Electing For The City To Make Current Service And Prior Service Contributions To The City's Account In The Benefit Accumulation Fund Of The Texas Municipal Retirement System At The Actuarially Determined Rate Of Total Employee Compensation. This Is The First Reading.

Tina Ynfante, Finance Director provided Council with the advantage of approving this ordinance.

Mayor Pro-Tem Faulkner moved to adopt Ordinance No. O-2016-799 electing for the City to make current service and prior service contributions to the City's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation; seconded by Council Member Lehman.

The motion carried with a 4 – 0 -1 vote.

AYES: 4 NAYES: 0 ABSTAIN: 1 (Council Member Wilson)

I. Discussion And Possible Action To Consider Internet And Telephone Proposals

City Manager Vernon provided the history on recent discussions regarding our internet providers. Grande and Time Warner Cable provided proposals and they are included in the Council packets. The budget is approximately \$9,000 short for the year and the budget can be amended.

Daniel Garcia, Enterprise Sales Rep with Grande answered questions regarding the new service being offered.

Mayor Pro-Tem Faulkner moved to accept Grande’s proposal for internet and telephone services; seconded by Council Member Wilson.

The motion carried with a 5 – 0 vote.

AYES: 5 NAYES: 0

m. Discussion And Possible Action On Compliance With Zoning Ordinance By Owner Of Property At 5631 Old Seguin Road

Mayor Wilson stated the specific use request was denied in June 2016.

City Manager Vernon provided the current steps that have been taken with the property owner.

The Council discussed bringing businesses into the City, but they must adhere to the zoning ordinance.

n. Status Update On City Of Kirby Marketing Kit

City Manager Vernon provided Council with the information that would be included in the marketing kit to give to potential businesses interest in the City and we can send it out as recruitment of businesses.

City Manager Vernon asked Council to consider extending this to December 1, 2016 so new maps identifying the recent boundary adjustment information on new businesses can be included.

o. Discussion And Possible Action To Consider Blanche Felan's Resignation From Beautification And Recycle Committee

Mayor Pro-Tem Faulkner moved to accept Blanche Felan's resignation from the Beautification and Recycle Committee; seconded by Council Member Romens.

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 Wilson – She asked that the license meter for the police department be placed on the next agenda and she asked if we are we spraying for mosquitos.

Council Member Pierce – He said he appreciate everyone who came out to National Night Out.

Council Member Lehman - He voiced his concern with the condition of Gibbs Sprawl Road and asked if something can be done to fix the problems. Mayor Wilson said that area is in San Antonio and offered contact information.

Mayor Pro-Tem Faulkner – She said tennis would not be meeting on Saturday. She explained her disappointment in the lack of communication regarding a recent event at Friendship Park. She asked for an update on the carport ordinance. She asked that discussion about the speed limit on Ackerman Road be placed on the next agenda.

Mayor Wilson – He said that movie night at Friendship Park is October 22 and the movie is Monster University. He said Council Member Romens has been in contact with Kirby Middle School and has a calendar of events. National Night Out was a success. He thanked everyone who participated. He would to have Ms. Callanen at a meeting in December or January to explain freeze tax rates. On the next agenda Council will discuss Goal #5 – Grants. If there is a solution to eliminate the damage to Duffek Road he would appreciate input. Republic Services is damaging the road by the Fire Station. He reminded staff and Council our number one goal is the City's appearance. Council updates from city employees have been removed from agenda. If there is anything specific that you want to know, ask the City Manager and she will get the information from the department head. She will provide the updates in the packet each month.

10. Adjournment

The meeting adjourned at 8:50 P.M.

Timothy Wilson
Mayor

Patty Cox, TRMC
City Secretary