



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
PUBLIC HEARING/REGULAR MEETING
THURSDAY, MARCH 22, 2018 – 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 Wilson
Council Member Aldrich
Council Member Apodaca

ABSENT

Council Member Grant

5. Citizen Participation

1. Sid Sanders, Jr. – He asked if the City would paint bike symbols on the shoulder of Ackerman Road to identify this lane as a bike lane.

6. Consent Agenda

- a. Approval Of Quarterly Financial Report For Period Ending December 31, 2017
- b. Approval Of Quarterly Investment Report For Period Ending December 31, 2017
- c. Approval Of The Bexar County Elections Contract For Election Services For The May 5, 2018 General/Special Election, To Include Early Voting

Council Member Wilson moved to approve the Consent Agenda; seconded by Council Member Pierce. With all voting, “aye” the motion carried with a 6-0 vote.

7. Consideration Of Minutes

- a. Regular Meeting Of March 8, 2018

Mayor Pro-Tem Lehman moved to accept the minutes for March 8, 2018; seconded by Council Member Wilson. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

8. Presentation

- a. Kirby Senior Center 25th Anniversary

Norma Hamby, Senior Center Manager, invited everyone to attend the Senior Center’s 25th Anniversary on April 6, 2018, 11:30 A.M. – 3:00 P.M. Tickets are available at the Senior Center for this fundraiser.

9. Public Hearing

- a. On A Variance To The Zoning Ordinance Section 153.072(J) To Allow Pavement Encroachment In The Right Of Way And A Five Foot Setback For The Purposes Of Allowing Large Trucks And Tankers To Enter And Exit The Site Along Gibbs

Sprawl; A Variance To The Zoning Ordinance, Section 153.072 (H) To Allow A Five Foot Increase To The Maximum Driveway To Allow For A Thirty-five Foot Drive Onto FM 78; And A Variance To The Building Regulations, Section 150.16 (D)(a) To Waive The Requirement Of The Installation Of An Automatic Sprinkler System For A Building Over 500 Square Feet And Section 150.16 (D)(b)(7) To Waive The Requirement Of The Installation Of An Automatic Sprinkler System For A Fuel Canopy Exceeding 5,000 Square Feet; Located At Lot 23 Of Brehm & Weyel Subdivision, A 2.029 Acre Tract Of Land, Situated In The City Of Kirby, Texas, Commonly Known As 5565 FM 78/5601 Gibbs Sprawl, Kirby, TX.

Mayor Pierce closed the regular meeting and opened the public hearing at 7:08 P.M.

There were not any proponents or opponents to speak.

- b. On A Variance To The 2015 International Building Code, Section 1010.1.1 For The Installation Of Forty-eight Inch Double Doors In Lieu Of The Required Minimum 32" Leaf. Located At CB 5865, LOT 23; Otherwise Known As 5565 FM 78/5601 Gibbs Sprawl, City Of Kirby, Bexar County, Texas.

There were not any proponents or opponents to speak.

Mayor Pierce closed the public hearing and opened the regular meeting at 7:09 P.M.

10. Discussion And Possible Action

- a. Discussion And Possible Action On A Variance Request For A Variance To The Zoning Ordinance Section 153.072(J) To Allow Pavement Encroachment In The Right Of Way And A Five Foot Setback For The Purposes Of Allowing Large Trucks And Tankers To Enter And Exit The Site Along Gibbs Sprawl; A Variance To The Zoning Ordinance, Section 153.072 (H) To Allow A Five Foot Increase To The Maximum Driveway To Allow For A Thirty-five Foot Drive Onto FM 78; And A Variance To The Building Regulations, Section 150.16 (D)(a) To Waive The Requirement Of The Installation Of An Automatic Sprinkler System For A Building Over 500 Square Feet And Section 150.16 (D)(b)(7) To Waive The Requirement Of The Installation Of An Automatic Sprinkler System For A Fuel Canopy Exceeding 5,000 Square Feet; Located At Lot 23 Of Brehm & Weyel Subdivision, A 2.029 Acre Tract Of Land, Situated In The City Of Kirby, Texas, Commonly Known As 5565 FM 78/5601 Gibbs Sprawl, Kirby, TX.

Mike Wooten, MatkinHoover Engineering & Surveying, briefed the Council on the items requested in the variance.

Council Member Pierce moved to approve the variance request for a variance to the Zoning Ordinance Section 153.072(J) to allow pavement encroachment in the right of way and a five foot setback for the purposes of allowing large trucks and tankers to enter and exit the site along Gibbs Sprawl; a variance to the Zoning Ordinance, Section 153.072 (H) to allow a five foot increase to the maximum driveway to allow for a thirty-five foot drive onto FM 78; and a variance to the building regulations, Section 150.16 (D)(a) to waive the requirement of the installation of an automatic sprinkler system for a building over 500 square feet and section 150.16 (D)(b)(7) to waive the requirement of the installation of an automatic sprinkler system for a fuel canopy exceeding 5,000 square feet; located at lot 23 of Brehm & Weyel subdivision, a 2.029 acre tract of land, situated in the city of Kirby, Texas, commonly known as 5565 FM 78/5601 Gibbs Sprawl, Kirby, TX.; seconded by Mayor Pro-Tem Lehman.

With all voting, “aye” the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- b. Discussion And Possible Action On A Variance Request Submitted By The Property Owner For A Variance To The 2015 International Building Code, Section 1010.1.1 For The Installation Of Forty-eight Inch Double Doors In Lieu Of The Required Minimum 32” Leaf. Located At CB 5865, LOT 23; Otherwise Known As 5565 FM 78/5601 Gibbs Sprawl, City Of Kirby, Bexar County, Texas.

Mike Wooten, MatkinHoover Engineering & Surveying, briefed the Council on the items requested in the variance.

Council Member Pierce moved to approve the variance request submitted by the property owner for a variance to the 2015 International Building Code, Section 1010.1.1 for the installation of forty-eight inch double doors in lieu of the required minimum 32” leaf. Located at CB 5865, lot 23; otherwise known as 5565 FM 78/5601 Gibbs Sprawl, City of Kirby, Bexar County, Texas; seconded by Council Member Wilson.

With all voting, “aye” the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- c. Discussion And Possible Action On 2016 – 2017 Audit Report

Deborah Fraser, Armstrong Vaughan & Associates, P.C., provided an overview of the 2016-2017 Audit Report. She informed City Council that the audit received the best opinion which is an “unmodified” opinion. There is seven months average operating expenditures in reserves.

d. Discussion And Possible Action On An Eagle Scout Project at Friendship Park by Alejandro Salas Rios, Boy Scouts Of America Troop 1412

Council Member Aldrich moved to table this item to the April 12, 2018 Council agenda; seconded by Council Member Pierce.

With all voting, "aye" the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

e. Discussion And Possible Action On Ordinance No. O-2018-831 Repealing Article IV (Construction In Public Rights-Of-Way) Of Chapter 96 – Streets And Sidewalks Of The Code Of Ordinances And Adopting New Article IV of Chapter 96 – Streets And Sidewalks Of The Code Of Ordinances. This Is The First Reading.

City Manager Vernon provided the history of this ordinance. She said Gilbert W. Salas, Public Works Director, provided the fee structure, and inspection responsibilities, also enforcement if any violations are identified.

Mayor Pierce said time limits were included and the requirement to purchase another permit to continue the job if you do not complete the project when your permit expires.

Council Member Aldrich moved to approve Ordinance No. O-2018-831 repealing article IV (construction in public rights-of-way) of Chapter 96 – Streets And Sidewalks Of The Code Of Ordinances And Adopting New Article Iv Of Chapter 96 – Streets And Sidewalks Of The Code Of Ordinances.; seconded by Mayor Pro-Tem Lehman.

With all voting, "aye" the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

f. Discussion And Possible Action On Resolution No. R-2018-700 Authorizing Submission Of The Grant Application For The National Incident Based Management System To The Office Of The Governor

Kevin Bois, Police Chief, explained there are grants available to purchase the software for the National Incident Based Management System to create monthly reports. Due to recent changes, the federal government has instituted an unfunded mandate to submit the monthly reports and specific software must be used.

Mayor Pro-Tem Lehman moved to accept Resolution No. R-2018-700 authorizing submission of the grant application for the National Incident Based Management System to the Office of the Governor; seconded by Council Member Aldrich.

With all voting, “aye” the motion carried with a 6-0 vote.

AYES: 6 NAYES: 0

- g. Discussion And Possible Action On Plans For City Owned Property On Gaiety Lane And Binz Engleman Road

Mayor Pierce stated that Council Member Apodaca requested Gaiety Lane be placed on this agenda and Council Member Grant requested Binz Engleman Road be placed on this agenda. She said that discussion on Binz Engleman can be discussed at the next meeting when Council Member Grant is present.

City Manager Vernon provided the history and an update on the property located on Gaiety Lane. The City is paying a monthly bill on lighting that was installed when the property was being considered as a storage facility. Currently, the City is using the property to store materials and supplies for public works. There is privately owned property in area that could possibly be purchased for future development.

Mayor Pierce said the Planning and Zoning Commission reviewed the Comprehensive Plan and suggested locating property as a future site for a new city hall. The property on Gaiety could be used for another type of development that would bring revenue into the City.

- h. Discussion And Possible Action On 18 Wheelers Traveling On Ackerman Road

Chief Bois offered suggestions to controlling the 18 wheeler traffic on Ackerman Road. He asked that this item be brought before Council in the future when he has updates to present.

Mayor Pierce said call dispatch if you see 18 wheelers in the City.

- i. Discussion And Possible Action On Binz Engleman Road Reconstruction Project

Miles Stanley, Ford Engineering, provided an update on the Binz Engleman Road Reconstruction Project. The notice to proceed will hopefully be issued next week and maybe start the project in April. The estimated time of completion is one year.

- j. Discussion And Possible Action Of The Preliminary Plat Being A Total Of 15.201 Acres Of Land, Out Of New City Block No. 10596 And The J.W. Garrity Survey No. 19, Abstract No. 848, New City Block 10596, County Block 4018, Bexar County, Texas, Said 15.201 Acres Being The Same Dolores Hernandez Valverde 15.217 Acre Tract Recorded In Volume 17125, Page 113, Official Public Records Of Bexar County, Texas.

Paul Daniec, owner, Springfield Industrial Park Subdivision, informed City Council there will be ten lots for sale for commercial use.

Council Member Aldrich moved to approve the Preliminary Plat being a total of 15.201 acres of land, out of New City Block No. 10596 and the J.W. Garrity Survey No. 19, Abstract No. 848, New City Block 10596, County Block 4018, Bexar County, Texas, said 15.201 acres being the same Dolores Hernandez Valverde 15.217 acre tract recorded in Volume 17125, Page 113, Official Public Records Of Bexar County, Texas, seconded by Council Member Wilson.

With all voting, "aye" the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

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 Wilson – She asked that the Senior Center Articles of Incorporation be placed on a future agenda. She thanked Chief Bois for the Junior Police Academy. She said she has received complaints that when someone calls city hall the calls are going to voicemail. If staff cannot answer the phones, then remove the recordings. She requested an update on the McRae Apartment trash situation. She said she will not be in attendance for the April 12 Council meeting.

Council Member Aldrich – She offered her condolences to the Nava family. She spoke to the youth in Kirby and said please reach out to someone and get help if you are feeling depressed. She thanked everyone for attending the meeting.

Mayor Pro-Tem Lehman – He asked that on the next agenda there be a discussion about HOBO Fest.

Council Member Pierce – He thanked all City staff and all departments, congratulated Chief Bois on their 50th anniversary, condolences to the Nava family.

Mayor Pierce – She provided the names of the events that will be available for the public to attend. On March 24 there will be an Easter egg hunt and movie at Friendship Park; March 30 the VFW is having an old fashion fish fry; April 25 the Senior Center is celebrating their 25 year anniversary. She congratulated the police department on their 50 years. She congratulated Chief Bois for doing a great job. She suggested when public works is turning off water for a repair that we put out a bulletin that we are in your area and that would alleviate naming all streets that potentially could be affected other streets. She offered her condolences to the Nava family. Veronica Herrera is hosting a Suicide Prevention event in September. There is a benefit on Sunday for Josh Nava's family, 11:00 A.M. – 5:00 P.M. or when the food runs out.

12. Adjournment

Meeting adjourned at 8:21 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary