



*Lisa B. Pierce, Mayor*

Barbara Collins Bowie  
Mike Grant  
Jerry Lehman

Kimberly McGehee-Aldrich  
John W. Pierce  
Debra Wilson

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, AUGUST 10, 2017 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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**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**

1. Jaycee Dingel-Elrod – She is the facility manager for Kirby Bexar Animal Facility. She encouraged the community to get involved and encouraged people to adopt.

**6. Consent Agenda**

- a. Approval Of Budget Workshop/Special Meeting Minutes – July 27, 2017
- b. Approval Of Regular Meeting Minutes – July 27, 2017
- c. Approval Of Budget Workshop/Special Meeting Minutes – August 1, 2017

Mayor Pro-Tem Lehman moved to accept the minutes for July 27, 2017; seconded by Council Member Aldrich. Mayor Pierce stated there are amended minutes for August 1, 2017. Mayor Pro-Tem Lehman amended his motion to include the amended minutes for August 1, 2017; seconded by Council Member Aldrich. The motion carried with a 6-0 vote for items a. and b. The motion carried with a 5-1 (Council Member Grant abstained) vote for item c.

**7. Presentation**

- a. Proclamation Recognizing Gastroparesis Awareness Month

Mayor Pierce recognized Ms. Stacy \_\_\_\_\_ and presented her with a proclamation recognizing Gastroparesis Awareness Month.

- b. Fireworks In The Park Sponsorship Recognition To HEB And Republic Services

Mayor Pierce and Parks and Recreation Committee presented a plaque to Tom Armstrong, Republic Services, for their support with the 4<sup>th</sup> of July event.

A representative from HEB was not available to accept their plaque.

- c. Status Update On Kirby Bexar Animal Facility

Council Member Grant provided an update on the Kirby Bexar Animal Facility.

- d. Status Update On City Of Kirby Personnel

City Manager Vernon provided an update on new hires and vacancies in the personnel. Mr. Gilbert Salas has been hired as the Assistant Public Works Director. The vacancies are patrol officer, city programs coordinator, kennel technician, part-time custodian, and part-time dispatcher.

**8. Public Hearing**

a. Crime Control And Prevention District Fiscal Year 2017-2018 Budget

Mayor Pierce closed the regular session and opened the public hearing at 7:13 P.M.

John Houlton, President of Crime Control and Prevention, provided a brief overview on the budget.

Mayor Pierce closed the public hearing at 7:16 P.M. and opened the regular session.

**9. Discussion And Possible Action**

a. Discussion And Possible Action To Award A Bid For Binz Engleman Road Reconstruction

Miles Stanley, Ford Engineering, informed Council six bids were received for the Binz Engleman Road Reconstruction Project. The lowest bidder was considered non-responsive and the next responsive bidder exceeded the project budget; therefore, their recommendation was to reject all the bids and rebid the project in an attempt to get a low bid that is responsive and at/or below budget.

Council Member Grant moved to rebid the Binz Engleman Road Reconstruction Project; seconded by Council Member Wilson.

The motion carried with a 6-0 vote.

AYES – 6

NAYES - 0

b. Status Update, Discussion And Possible Action Regarding An RV Located At 239 Gaiety Lane

Mayor Pierce stated that Council Member Aldrich had several residents call her about this property because there is an RV parked in the backyard. Council Member Lehman asked that this item be placed on the agenda. It has been noted that at this time we do not have an ordinance that addresses backyards.

Megan Thompson, Code Compliance Officer, said on June 7, 2017 she brought to the Ordinance Review Committee's attention the fact that we do not have an ordinance addressing the backyards on properties. She informed Council it is a temporary use and the owner will move the RV.

Roger Aguillon, Public Works Director, stated a permit is not required for temporary use to connect to the sewer.

Mayor Pierce asked that staff escalate the creation of the ordinance addressing backyards and bring to Council.

c. Discussion And Possible Action Regarding An Addendum To The Service Contract For Fines And Fees Collection Services With Vigilant Solutions

Chief Bois said after reviewing the addendum and speaking with the City Manager and City Attorney, it is his recommendation to decline signing the addendum.

Marc Schnall said it is a public safety issue for the police department to make a recommendation to City Council as to whether the new proposal is appropriate for their needs. If it is appropriate for their needs then it's in the interest of public safety in the community, then you can make that recommendation. If you feel that it doesn't offer you the value you are looking for then the decision would be to decline, and go forward if does.

Council Member Grant moved to go forward and not sign the addendum to the service contract for fines and fees collection services with Vigilant Solutions; seconded by Council Member Wilson.

The motion carried with a 6-0 vote.

AYES – 6

NAYES - 0

d. Discussion And Possible Action To Consider Resolution R-2017-694 Amending An Advance Funding Agreement (AFA) Between The City Of Kirby And The Texas Department Of Transportation For A Hike And Bike Trail In Friendship Park

Council Member Wilson moved to accept Resolution R-2017-694 amending an Advance Funding Agreement (AFA) between the City of Kirby and the Texas Department of Transportation for a Hike and Bike Trail in Friendship Park; seconded by Council Member Aldrich.

City Manager Vernon said the bid that was awarded was lower than the anticipated funding amount. TxDOT required us to amend the agreement to the lower amount.

The motion carried with a 6-0 vote.

AYES – 6

NAYES - 0

e. Appointment Of Member To Kirby Senior Center Board

Mayor Pierce stated one application was submitted, from Roger Romens. She read the names of the four current board members.

The item died for the lack of a motion.

f. Discussion And Possible Action Regarding New Phone System

Mayor Pierce said Council Member Wilson requested this item. The City Manager has provided an update on the phone system. The concern Council Member Wilson had with the new system was a live person was not answering the phone.

City Manager Vernon recapped the process leading up to the new phone system. The new system has been in operation for a week and a day and there are some areas of concern that are being addressed.

Council Member Pierce requested a phantom voicemail for Council Members.

Council Member Aldrich stated there needs to be a live person answering phone.

g. Discussion And Possible Action Regarding The Municipal Swimming Pool

The Council discussed the recent concern with the pool and Roger Aguillon, Public Works Director, informed them the concern has been resolved.

Mayor Pierce said she is not confident the pool company is making the right decisions for our pool.

h. Discussion And Possible Action Regarding The Digital Sign Located On FM 78

Council Member Grant said he is waiting for the picture of the original sign and has three people in mind for donations. He needs \$10,000 for the sign.

City Manager Vernon state we will not know how much to budget for this item until we know how much money is raised. Staff will provide a picture to Council Member Grant.

Council Member Aldrich said she will provide a picture to Council Member Grant.

Mayor Pierce called for a recess at 8:06 P.M.

Mayor Pierce reconvened the meeting at 8:14 P.M.

**10. Budget Workshop**

a. Discussion And Direction Of The Proposed Fiscal Year 2017-2018 Budget

Tina Ynfante presented the proposed FY 2017-2018 Budget based on the recent changes.

There was discussion to remove the City's Programs Coordinator position. The original idea for the position was to help the City Manager with grants and the Parks and Recreation Committee. A pool manager is still needed. After discussing the position, the Council concurred to leave the position in the budget, and leave the salary at its current rate.

Mayor Pierce deviated from the agenda; the minutes are prepared according to the items as they were addressed by City Council.

**13. 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 said it was nice to see the new signs for Code Compliance identifying the properties that are being addressed. She commended Officer Thompson for suggesting taking over Code Compliance.

Council Member Aldrich – She said the Kirby Senior Center Strategic Planning Committee had their first meeting and it is off to a good start. She is looking forward to a good outcome.

Council Member Grant – He asked that the next agenda include a discussion regarding the Senior Center Articles of Incorporation identifying how board members to the Kirby Senior Center Board are appointed.

Council Member Pierce – He thanked everyone for attending the meeting.

Mayor Pierce – She thanked everyone for attending the meeting. She asked that the bulk pick up dates be advertised. She echoed Council Member Wilson's comment about the communication to the citizens about Code Compliance issues in the City, and she thanked Officer Thompson. She thanked the dispatchers for their professionalism keeping everyone informed during the recent storm. Residents are concerned about the illumination on some streets and Roland Hinojosa with CPS Energy will provide an update to identify the streets. She

asked to add more members to some of our existing committees because of the lack of a quorum the committees could not meet.

Council Member Grant said he did not think it was fair to discuss the next agenda item without all the council members present. He moved to table the item until all council members are present. There was not a second to the motion. The motion failed due to the lack of a second.

Mayor Pierce said there is no guarantee when there will be a full council due to Council Member Bowie being out of town for an unknown amount of time.

Mayor Pierce closed the open meeting at 8:46 P.M. and convene into Executive Session.

**11. Executive Session**

- a. Executive Session Pursuant To The Texas Government Code, Section 551.074, Personnel Matters, For Deliberation On Review, Evaluation, Duties, Discipline Or Dismissal Of City Manager

Mayor Pierce closed the open meeting at 8:46 P.M. and entered into Executive Session at 8:46 P.M.

**12. Reconvene To Open Session**

- a. Discussion And Possible Action On Review, Evaluation, Duties, Discipline Or Dismissal Of City Manager

Mayor Pierce closed the executive session at 10:11 P.M. and reconvened the regular meeting at 10:13 P.M.

Mayor Pierce said there was no action to be taken.

**14. Adjournment**

The meeting was adjourned at 10:13 P.M.

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Lisa B. Pierce  
Mayor

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Patty Cox, TRMC  
City Secretary