

CITY OF KIRBY, TEXAS



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, NOVEMBER 30, 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

ABSENT

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

Council Member Apodaca

5. Citizen Participation

There were not any citizens signed up to participate.

6. Consideration Of Minutes:

a. Regular Meeting Of November 9, 2017

Mayor Pro-Tem Lehman moved to accept the minutes of November 9, 2017; seconded by Council Member Grant. With all voting, "aye" the motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

7. Presentations

a. Employee of the Quarter

Mayor Pierce recognized Teresa Wagner as the Employee of the Quarter. She was instrumental in securing funding reimbursement through Medicare/Medicaid which demonstrated the epitome of being fiscally responsible, thus supporting the mission statement of the City. Ms. Wagner was not able to attend the November 30, 2017 Council meeting when the two employees nominated this quarter were being recognized.

b. Presentation By Linebarger, Goggan, Blair & Sampson, L.L.P. On Delinquent Revenue Collection Year End Report

Edra Bush, Linebarger, Goggan, Blair & Sampson, L.L.P., presented the 2016-2017 Delinquent Revenue Collection Report.

8. Discussion And Possible Action

a. Discussion And Possible Action On The 2018 City Holiday Schedule

Mayor Pierce read the dates listed on the 2018 City Holiday Schedule.

Council Member Grant moved to accept the 2018 City Holiday Schedule; seconded by Council Member Wilson. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- b. Discussion And Possible Action On Ordinance No. O-2017-824 Amending the 2017-2018 Municipal Budget Of The City Of Kirby. This Is The First Reading.

Tina Ynfante, Finance Director, provided an overview of the 2017-2018 Amended Budget.

Council Member Grant moved to accept Ordinance No. O-2017-824 amending the 2017-2018 Municipal Budget of the City of Kirby; seconded by Mayor Pro-Tem Lehman. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- c. Discussion And Possible Action To Dispense With The Second Reading Of Ordinance No. O-2017-824 So That Ordinance No. O-2017-824 Becomes Effective Immediately

Mayor Pro-Tem Lehman moved to dispense with the second reading of Ordinance No. O-2017-824 so that Ordinance No. O-2017-824 becomes effective immediately; seconded by Council Member Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- d. Presentation, Discussion And Possible Action Regarding Senate Bill 1004

Marc Schnall, City Attorney, presented the details of Senate Bill 1004. Senate Bill 1004 relates to the deployment of network nodes in the public right-of-way and authorizes fees.

After discussing how Senate Bill 1004 will affect the City of Kirby, Council Member Grant moved to authorize the City Manager Vernon and Marc Schnall to develop a local ordinance addressing Senate Bill 1004 and establishing a design manual; seconded by Council Member Aldrich. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- e. Discussion And Possible Action Regarding City Of Kirby 1988 Street Reconstruction Project

Mayor Pierce stated Council received information and this was a possible layover on the streets.

City Manager Vernon said in July 1987 engineers were hired to put together a street project proposal. It went to the ballot in 1988 and bonds were issued for \$1.5 million for street reconstruction. The bond identifies phases, but not individual streets that were repaired in the bond project.

- f. Discussion And Possible Action On Ordinance No. O-2017-825 Repealing Chapter 98 – Smoking Restrictions Of The Code Of Ordinances And Adopting A New Chapter 98 – Smoking Restrictions Of The Code Of Ordinances Including A Penalty For Violation Of A Fine As Set Forth In Section 10.99(A)(3) Of The Code Of Ordinances. This Is The First Reading.

Mayor Pierce asked if there were any concerns or comments regarding this ordinance. There were not any concerns or comments.

Council Member Grant moved to accept Ordinance No. O-2017-825 repealing Chapter 98-Smoking Restriction of the Code of Ordinances and adopting a new Chapter 98 – Smoking Restrictions of the Code of Ordinances including a penalty for violation of a fine as set forth in Section 10.99 (A)(3) of the Code of Ordinances; seconded by Council Member Wilson. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- g. Discussion And Possible Action On Ordinance No. O-2017-826 Repealing Chapter 131 – Offenses Against Property Of The Code Of Ordinances And Adopting A New Chapter 131 – Offenses Against Property Of The Code Of Ordinances Including A Penalty For Violation Of A Fine Of Not Less Than \$100 Nor More Than \$2,000. This Is The First Reading.

Mayor Pierce asked if there were any concerns or comments regarding this ordinance. There were not any concerns or comments.

Council Member Aldrich moved to accept Ordinance No. O-2017-826 repealing Chapter 131-Offenses Against Property of the Code of Ordinances and adopting a new Chapter 131 – Offenses Against Property of the Code of Ordinances including a penalty for violation of a fine of not less than \$100 nor more than \$2,000; seconded by Council member Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- h. Discussion And Possible Action On Ordinance No. O-2017-827 Repealing Chapter 133 – Illegal Smoking Products And Illegal Smoking Paraphernalia Of The Code Of Ordinances And Adopting A New Chapter 133 – Illegal Smoking Products And Illegal Smoking Paraphernalia Of The Code Of Ordinances Including A Penalty For

Violation Of A Fine Of Not Less Than \$100 Nor More Than \$2,000 Unless The Violation Is For Barter, Gift, Delivery, Sale, Or Offer Of Sale Of Any Illegal Smoking Product To A Person Under The Age Of Eighteen (18) Years When The Penalty For Violation Is A Fine Of Not Less Than \$500 Nor More Than \$2,000. This Is The First Reading.

Mayor Pierce asked if there were any concerns or comments regarding this ordinance. City Attorney Schnall stated the ordinance enhanced the penalty if anyone sells to minors.

Council Member Grant moved to accept Ordinance No. O-2017-827 repealing Chapter 133-Illegal Smoking Products and Illegal Smoking Paraphernalia of the Code of Ordinances and adopting a new Chapter 133-Illegal Smoking Products and Illegal Smoking Paraphernalia of the Code of Ordinances including a penalty for violation of a fine of not less than \$100 nor more than \$2,000 unless the violation is for barter, gift, delivery, sale, or offer of sale of any illegal smoking product to a person under the age of eighteen (18) years when the penalty for violation is a fine of not less than \$500 nor more than \$2,000; seconded by Council Member Aldrich. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

i. Discussion And Possible Action On Extending The Transition Of Accounting Services for The Kirby Senior Center

Mayor Pierce briefed the Council on the recent events and stated on October 12, 2017 Council voted to transition the accounting services to the Senior Center on November 30, 2017. City Manager Vernon met with the Senior Center on November 21, 2017 and was informed the person the Senior Center hired to take over the tasks did not feel that was enough time.

City Manager Vernon stated the Senior Center is requesting an extension to the November 30, 2017 date when the City turns over the accounts to the Senior Center. She said staff recommends the date be extended to December 31, 2017.

Council Member Grant moved to extend the date to transition the accounting services to the Senior Center to December 31, 2017 with the condition that the City maintain the 4th quarter payment in the amount of \$5,000; seconded by Council Member Aldrich. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Mayor Pierce)

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 saw the street sweeper on her street this month. She inquired about the Christmas lights on the water tower and asked if the gazebo by the Senior Center will be decorated. She asked for an item on the next agenda to provide an update on the solar panels at the Fire Station.

Council Member Aldrich – She asked for an update on the Assistant to the City Manager, provide his main duties and how many grants he has applied for. City Manager Vernon said she will provide a report at the next Council meeting addressing his main duties and the number of grants that he has applied for.

Council Member Pierce – He stated on December 17, 2 P.M. – 4 P.M. at the John Sterling Park Santa will be available for photo ops, hot chocolate and cookies.

Mayor Pierce – She congratulated Employee of the Quarter Teresa Wagner. She thanked the Fire Department employees and all City employees; the ESD 11 groundbreaking was today, there is a Blue Santa wish list and you can call the non-emergency phone number 210-661-8515, Facebook, or private email to Kirby Dispatch. On December 17 is the Santa Parade starting at 6 P.M.

Council Member Aldrich – She suggested placing on the website to remind pet owners to protect the pets from the sounds of the sirens during the parade.

Mayor Pierce stated that if you see anything that doesn't look right, contact the Police Department. The worst thing we can do is assume it has already been reported.

10. Adjournment

The meeting adjourned at 8:12 P.M.

Lisa B. Pierce
Mayor

ATTEST:

Patty Cox, TRMC
City Secretary