

CITY OF KIRBY, TEXAS

Timothy Wilson, Mayor



Stephanie Faulkner, Mayor Pro-Tem
Mike Grant
Jerry Lehman

Roger A. Romens
Ernest Spradling
Debra Wilson

CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, OCTOBER 22, 2015 – 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

Gary Wilson led the invocation and followed with the 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

Mayor Wilson
Mayor Pro-Tem Faulkner
Council Member Spradling
Council Member Grant
Council Member Lehman
Council Member Wilson
Council Member Romens

5. Citizen Participation

There were not any citizens signed up to participate.

6. Consent Agenda

a. Regular Council Minutes – September 24, 2015

Mayor Pro-Tem Faulkner moved to table this item due to the incorrect date for the minutes to be considered; seconded by Council member Lehman. With all voting, “aye” the motion carried.

b. Accept Investment Report Quarter Ending September 30, 2015

Mayor Pro-Tem Faulkner moved to accept the Investment Report Quarter Ending September 30, 2015; seconded by Council Member Wilson. With all voting, “aye” the motion carried.

7. Presentations

a. Proclamation B.A.N. Road Rage Recognizing Braylon Anthony Nelson

Kevin Riedel, Fire Chief, read the proclamation recognizing B.A.N. Road Rage. Mayor Wilson presented the proclamation to Braylon Anthony Nelson. Braylon spoke a few words.

b. Recognition Of All Participants Supporting National Night Out

Kevin Bois, Police Chief, and Devona Palomo, Police Secretary recognized the participants for their support of National Night Out. Elizabeth Kuhlman - RBFCU, Florence Coronado - HEB, Leticia Zamora - Target, Tom Armstrong - Republic Services, Cathy Aranda - Dr. Pepper-Snapple Group, Lorinda Inocencio - Coca-Cola, Mr. and Mrs. Colburn - Drake’s Fun Foods, Edward Puente - DJ, and Norma Hamby and the Senior Center Volunteers.

Mayor Wilson recognized city staff that were helping with the event.

c. Solar Panel Program Presentation – CPS Energy

Roland Hinojosa, CPS Energy, introduced Shannon Wagner who presented the solar panel program.

Roland Hinojosa informed Council he will provide a presentation on the smart meter conversion at a later date.

d. City Water and Sewer Lines Presentation – Roger Aguillon, Director of Public Works

Roger Aguillon, Director of Public Works, provided an update on the City water and sewer lines. He informed Council the city engineer delivered a water distribution map and wastewater collection map to public works. The mains that should be addressed are Vinecrest, Hickory Hill, Coral Mist, and Cinderella. The cost estimates to pursue these replacements will be requested after Council announces which mains to start replacing first. Along with water main replacements Council needs to consider street work and sewer main replacements to be done at one time.

8. Discussion And Possible Action

a. Discussion And Possible Action To Consider Ordinance No. O-2015-775 Designating The Official City Newspaper For Publication of Matters Pertaining To The City Of Kirby

Patty Cox, City Secretary, provided Council information regarding publication in a newspaper and the importance of an official newspaper to provide valuable information to the residents of Kirby.

Mayor Wilson suggested inviting a representative from NE Herald to discuss the delivery of the paper in the City of Kirby.

Council Member Grant volunteered to contact NE Herald regarding the distribution concerns.

b. Discussion And Possible Action Establishing Goals For The City Of Kirby

Mayor Wilson stated every year Council to set at least five goals to achieve. Street sweeper will help achieve the goal of cleaning the City. Economic development is important to our growth.

Council Member Spradling stated we need to promote professional development in the City. He suggested networking with businesses and schools in other areas to promote our City.

Council Member Romens suggested conducting workshops with representatives from each committee to discuss one, five and ten year goals. Doing this will provide guidance for the future.

Mayor Wilson stated a starting place would be with the Planning and Zoning Comprehensive Plan.

Council Member Grant suggested starting a program to recognize businesses for their improvements.

Mayor Pro-Tem Faulkner said a form for the public to nominate a business could be made available and they could vote on the business and send it to the Economic Development Committee for recognition and place the business on the City website once a month or once a quarter.

Council Member Lehman said the Economic Development Committee has a quarterly business alliance breakfast to hear what businesses would like to see in Kirby. December 4 is the next breakfast.

Mayor Pro-Tem Faulkner said our communication is antiquated by using the fire department to announce when the water will be turned off during the weekend. We are falling short with communicating with our community and we need a better way to provide information for residents.

c. Discussion And Possible Action To Consider The Recommendation From The Ordinance Review Committee Regarding Chapters 90 And 93 From The Codified Ordinances

Mayor Pro-Tem Faulkner identified the recommended changes the Ordinance Review Committee addressed at their last meeting. Kevin Riedel, Fire Chief, attended the meeting and provided the following recommendations for changes to Chapter 93:

Change the Edition of the International Code from 2006 to 2015.

Sec. 103.2. 1. The Fire Code Official for the City of Kirby shall be the **Fire Chief**/Fire Marshal. (**Include Fire Chief**)

903.2.10.6 Buildings over ~~10,000~~ **12,000** sq. ft. An automatic sprinkler system shall be installed throughout all new buildings with a building area over ~~10,000~~ **12,000** sq. ft.

~~905.3.8~~ **905.3.3** Building Area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of

the building's interior area is more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

1020.1.7 Smoke proof Enclosures. In buildings required to comply with Section 403 or 405, each of the exits of a building that serves stories where any floor surface is located more than 55 feet above the lowest level of fire.

Section ~~2204~~ 2304 is amended to read as follows:

~~2204.3~~ 2304.3 Unattended Self-service Motor Fuel-dispensing Facilities. Unattended self-service motor fuel-dispensing facilities shall comply with Sections 2204.3.1 through 2204.3.13.

2204.3.9 All fire suppression systems shall be installed, and maintained by companies and persons holding the required certificates of competency and registrations issued by the State Fire Marshal's Office.

The Committee discussed the information they received pertaining to junk vehicles, abandoned vehicles and exceptions.

The changes are being recommended to Chapter 90 are:

ABANDONED MOTOR VEHICLE. A motor vehicle that is inoperable, ~~over five years old and is~~ left unattended on public property for more than 48 hours, or a motor vehicle that has remained illegally on public property for a period of more than 48 hours, or a motor vehicle that has remained on private property without the consent of the owner or person in control of the property for more than 48 hours, or a motor vehicle left unattended on the public right-of-way within the city in excess of 48 hours.

📖 § 90.06 PUBLIC HEARING.

(A) Upon a request for a public hearing in accordance with the provisions of § 90.05, the Police Department shall arrange for a public hearing and determination on the matter of the removal and abatement of the public nuisance to be scheduled before the ~~City Manager~~ municipal court judge who is hereby designated by the City Council as the city official who shall conduct hearings on the abatement and removal of public nuisances. The hearing shall not be held earlier than the eleventh day after the date of service of notice.

Compare this item to Live Oak Code #13.97.

📖 § 90.08 REMOVAL OF VEHICLE.

(A) Any resolution of the City Council or order of the court requiring the removal of a vehicle or a part thereof shall include a description of the vehicle, and the correct identification number and license number of the vehicle, if available at the site.

(B) Within five days after the date of removal, notice shall be given to the State Department of Transportation identifying the vehicle or part thereof.

(C) After a vehicle has been removed, it shall not be reconstructed or made operable. ('90 Code, § 13-33) (Ord. 2009-678, passed 9-3-09)

Live Oak #13-97

Sec. 13-97. - Removal of vehicle.

Within ten days after notice has been delivered to the owner or occupant of the premises on which a junked vehicle is located if a hearing is not requested, or if a hearing is requested, within ten days after an order requiring the removal of such junked vehicle has been served upon or delivered to the owner or occupant or the premises on which said vehicle is located, the chief of police of the city, members of the police department of the city, or the city's code compliance officer, acting under the direction of the chief of police, or any other duly authorized person may, if said nuisance has not been abated, remove or cause to be removed the vehicle which was the subject of such notice to a scrap yard, a motor vehicle demolisher, or the city storage yard for impounded vehicles. (this will take the place of entire 90.08 Removal of Vehicle)

Compare this item to Live Oak Code #13-95.3

§ 90.09 EXCEPTIONS.

This chapter shall not apply to a vehicle or vehicle part:

- (A) That is completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property; or
- (B) That is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, are:
 - (1) Maintained in an orderly manner;
 - (2) Not a health hazard; and
 - (3) Screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, or shrubbery.

('90 Code, § 13-34) (Ord. 2009-678, passed 9-3-09)

City of Live Oak #13-95.3 Antique and special interest vehicles stored by a collector on his property, provided that the vehicles and the outdoor storage areas are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery, or other appropriate means. By the term "other appropriate means" is meant either a custom made or a manufactured tarpaulin which conforms to the contours of the automobile and totally covers the vehicle so as to entirely obscure it from view. The tarpaulin must be maintained in good condition (no rips, holes or tears, etc.). (This will take the place of entire 90.09 Exceptions.)

- d. Discussion And Possible Action To Consider Resolution No. R-2015-661 Authorizing A Master Equipment Lease Purchase Agreement Between Community First National Bank, As Lessor, And City Of Kirby, As Lessee

Kevin Riedel, Fire Chief briefed Council on the bids he received for breathing apparatus.

Council Member Grant moved to accept Resolution No. R-2015-661 authorizing a master equipment lease purchase agreement between Community First National Bank, as lessor, and City of Kirby, as lessee; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

9. Department Updates

- a. Administration
- b. Public Works
- c. Finance
- d. Fire
- e. Police
- f. Animal Control

a. Administration – Monique Vernon, City Manager – Telegraph/Rutledge Project has been completed and we received a letter from the city engineer recommending acceptance and final payment of the project. The new City website is live and the on-line newsletter will be available on November 15. Bexar County reissued bids on the animal shelter. Introduced Tina Ynfante, Finance Director.

b. Public Works – Roger Aguillon, Public Works Director – Crack sealing project underway.

c. Finance – Monique Vernon, City Manager – Finances were discussed earlier.

d. Fire – Kevin Riedel, Fire Chief – October is Fire Prevention month, training on new apparatus, and received a \$3,500 grant from Koch.

e. Police – Kevin Bois, Police Chief – Responded to numerous calls and issued traffic citations. The warrant traffic officer has not been appointed yet.

f. Animal Control – Kevin Bois, Police Chief - First Annual Trunk or Treat will be held on Halloween night.

10. 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

Mayor Wilson – Recognized Sam Richardson for being honored as the “Volunteer of the Quarter” by the Randolph Metrocom Rotary Club. He was the first volunteer in the region to receive two nominations. Mayor Wilson and Mayor Pro-Tem Faulkner sent in nominations for Sam Richardson. Agenda items for our next Council meeting: Sewer/water line and water tower prices, proceed with solar panels on the fire station, and bring back Ordinance No. O-2015-775. On a future agenda ask Code Compliance officer to make a presentation that our streets are for transportation and not parking for company vehicles. On an agenda in December schedule a long range goal workshop and discuss the strategic plan.

Mayor Pro-Tem Faulkner – The next Ordinance Review Committee meeting is on Tuesday at 6:00 P.M. She attended the JISD school board meeting and the naming of the new school will be placed on the November agenda for another vote. She asked if an update on VIA was available. City Manager Vernon said they are waiting for final easement approval for the bus stops. Employee of the month needs to be on a regular basis. On Saturday she presented the proclamation for A-21 Walk for Freedom against Human Trafficking and the event was very interesting and enlightening. The VFW had their fall festival. On Saturday the police department and fire department were very busy. Comforting knowing our safety is never in question. UT System coordinator of children safety will provide six car seats for our police department as long as they can do some training on the safety and use of the car seats. We are still accepting candy donations for Animal Care Halloween Trunk or Treat. Kirby is the perfect place to hang out for Halloween and named all the events that will be held in Kirby.

Mayor Wilson – Saturday, October 24 Hermon Sons will celebrate 100th Anniversary at Turner Bowling Club.

Council Member Lehman – Economic Development Committee will meet on November 13. The Senior Center will host two events: October 31 Senior Center Halloween Party and November 7 Bingo Night fundraiser.

Council Member Spradling – Welcomed Tina to Kirby City Hall. He asked for an item to be placed on the next agenda - invite the new prosecutor to meet the Council. For a future item he would like to see a demonstration or information on the cameras for automatic license plate reading for the warrant system. With the recent events that have occurred in Judson ISD

it has been beneficial to contact Steve Linscomb, Judson ISD, because he has been a great help. Crime Control Prevention District will meet next Tuesday at 7:00 P.M.

Mayor Wilson – Asked that if anyone has any concerns with Judson ISD let him know and he will take the information to Dr. Montoya during their meeting tomorrow.

Council Member Romens – Planning and Zoning Commission met regarding several variance requests and the variance requests will be on the next Council agenda. There is not a scheduled meeting at this time and welcomed Tina to Kirby City Hall.

Council Member Wilson – Thanked public works for mowing the alleys and for all the work they do. Thanked the police department for taking care of vehicles parking in the no parking areas at Friendship Park. Reminded everyone about Halloween safe areas for the children and reminded everyone she will not be at the next council meeting and welcomed Tina to Kirby City Hall.

11. Adjournment

The Council meeting adjourned at 9:08 P.M.

Timothy Wilson
Mayor

ATTEST:

Patty Cox, TRMC
City Secretary