



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, MARCH 8, 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

ABSENT

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

5. Citizen Participation

Sid Sanders, Jr. and Norma Hamby signed up to speak. They will speak when their item is addressed.

6. Consideration Of Minutes

a. Regular Meeting Minutes – February 22, 2018

Council Member Wilson moved to accept the minutes for February 22, 2018; seconded by Council Member Grant. The motion carried with a 5-0-2 vote.

AYES: 5

NAYES: 0

ABSTAIN: 2 (Council Member Wilson
and Council Member Aldrich)

7. Presentation

a. Annual Kirby Police Department Contact Report In Reference To Racial Profiling - Chief Kevin Bois

Chief Bois presented the 2017 Racial Profiling Comparative Report and informed Council there was not any evidence of racial profiling or violation of the law in the police department.

b. Introduction Of New Employees

Gilbert Salas, Director of Public Works, introduced Ruben Mendoza and Michael Cenicerros.

Chief Bois, Police Department, introduced Officer Zachry Pinckney.

8. Discussion And Possible Action

a. Discussion And Possible Action On Ordinance No. O-2018-830 Designating The Official City Newspaper For Publication of Matters Pertaining To The City Of Kirby. This Is The Second Reading.

Mayor Pro-Tem Lehman moved to accept Ordinance No. O-2018-830 designating the NE Herald as the official City newspaper for publication of matters pertaining to the City of Kirby; seconded by Council Member Wilson. With all voting, "aye" the motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

b. Update, Discussion And Possible Action On Traffic Control On Seguin Road And Ackerman Road

Lt. O'Callaghan, Judson I.S.D. Police Department, presented a brief overview of the Judson I.S.D. Police Department. Council Member Pierce expressed his concerns with monitoring the flow of traffic before and after school.

Lt. O'Callaghan said he will talk to the district officer who can assist the Kirby Police Department with moving traffic along at Hopkins Elementary School.

c. Discussion And Possible Action Regarding The Kirby Senior Center Request To Utilize the Official City Seal

Normal Hamby, Kirby Senior Center Manager, said the City logo has been used at the Center for quite some time and they were given permission by the City to use the City logo with modifications of the wording by removing "City of" from the logo. If Council wants to revoke authorization she would like authorization to use the documents on hand. Sid Sanders, Jr., Senior Center Board Member, informed Council there are business cards, payroll checks, letterhead and envelopes that were recently purchased. Sid Sanders, Jr. presented three variations of their new design for their logo. He requested use of the same design and will adjust the color to eliminate confusion with City of Kirby logo.

Mayor Pro-Tem Lehman moved to allow use of the current letterhead and envelopes until the supply is depleted and if placing a logo on the vans use one of their new designs presented tonight and not the City logo; seconded by Council Member Aldrich. With all voting, "aye" the motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Council Member Pierce)

Mayor Pierce asked that they remove the City seal from their van when they have their own seal.

d. Review And Discussion On Ordinance No. O-2012-727 Establishing A Procedure For Certain Underground Utility Construction Within The City Of Kirby, Texas And Providing Penalties For Violations Thereof.

Gilbert Salas, Director of Public Works, addressed the changes in the procedures.

Mayor Pierce asked that the revised ordinance be placed on the March 22, 2018 agenda.

e. Discussion And Possible Action On Progress Of Construction Activity On 2017 Water Mains Replacement Project

Mark Hill, Ford Engineering, provided an update on the progress of construction activity on 2017 Water Mains Replacement project. He said on February 26 he along with the Public Works Director and City Manager observed the pavement work on Happiness Lane. He said before and after pictures did not show any significant increase of cracks and the contractor used due diligence by using rubber tires on their construction vehicles when driving on the streets. Overall, he said he is impressed with the care taken and noted that there is no adverse impact to the existing pavement he could identify.

Mayor Pierce asked when is the date of completion. Gilbert Salas said his crew is repairing a slow leak and had to interrupt water service temporarily and the contractor should have the asphalt done tomorrow or Monday. Mayor Pierce asked why the sand was placed inside the meter and the process regarding the sand in the meter. Gilbert Salas explained the purpose for the sand was a safety precaution to prevent accidents by people tripping on the meter and the sand will be removed from around the meter box per the construction plans. They will fill the area with topsoil and some areas will receive sod. If the sand is at the bottom of the meter box it is fine, but if the meter box is covered fully with sand then they need to take that out.

Council Member Aldrich asked that the contractor make the asphalt look neater on the driveways.

f. Discussion And Possible Action On City Of Kirby Personnel Policies Manual Section 1.17 Tobacco Policy

Council Member Pierce said the change to the Personnel Policies Manual did not come through City Council; therefore, there is not a change because they did not approve or disapprove a new tobacco policy.

City Manager Vernon stated she takes full responsibility for not bringing the change to City Council in advance for approval. She explained why she took the action of implementing the change. She said she stands behind her recommendation and this can be brought back in the appropriate way or make suggestions tonight. She does feel that the policy needs to be revised for several reasons.

Mayor Pierce said because the employee guide is coming back this can be addressed then or addressed now because all the information has been provided. For the record she said, "She is absolutely appalled at the fact that people think that my intelligence level isn't so that I cannot read manuals or policies that somebody would actually think that somebody needed to come forward to tell me "hey our bosses won't let us smoke." I am going to clear the air right now that I am not above reading; I can read policy I can read procedures so I have been addressed twice now with someone indicating that someone else has come to me and I want it stopped. If anybody on this Council wants to ask any employee something specific to anything that going on the Charter gives us the right to. I have not gone to ask anyone about this

procedure. I actually received a February 23 update just like everybody else. So I want to make it clear I am tired of that rhetoric coming back to me. I will say it on record, "I am not an idiot I absolutely can read and I can absolutely interpret what policy means." If you want to bring that back we can. She said it's not Council's place to supersede what the department heads want.

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 Apodaca – She requested an update be placed on the next agenda regarding the lot at the end of Gaiety Lane.

Council Member Wilson – She requested that all Council Members be provided a copy of the invoices for the Hike and Bike Trail sign, including the date it was ordered; she asked that the City Manager look into writing a grant for non-profit groups, for instance the Senior Center, Little League, where they can all apply for the \$20,000 grant that comes around once a year. She requested an update on the Articles of Incorporation of the Senior Center; and she asked the City Manager to look into giving the Jr. Responders and Parks and Recreation for the Easter Egg Hunt \$100 - \$200 each. This money will be going to a worthy cause because we are trying to keep the children off the streets.

Council Member Aldrich – She asked that staff look into mile markers on the new Hike & Bike Trail.

Mayor Pro-Tem Lehman – He asked that 18 wheelers driving on Ackerman Road be placed on the next agenda.

Council Member Grant – He asked that the Binz Engleman Road property that was donated to the City be placed on the next agenda for an update. Mayor Pierce asked that this item be included with the Gaiety Lane item for the next agenda. Council Member Grant asked staff to look into registering the City Logo as a Trademark. He said his request is for information and not an agenda item at this time.

Council Member Pierce – He asked that the information on registering the City Logo as a Trademark be brought back for the last meeting in March. He thanked everyone for attending the meeting.

Mayor Pierce – She thanked everyone for attending the meeting and welcomed our new employees. She asked if we can receive an update on the Binz Engleman Reconstruction Project, donations are being accepted at dispatch for the Jr. Responders Academy next week, the VFW fish fry on March 16 and 30, Parks and Recreation accepting donations for the Easter

Egg Hunt that will be held on March 24 at 6:30 P.M. and Movie In the Park is on March 24 at 7:30 P.M., and the Hike and Bike Trail ribbon cutting is on March 16 at 11:00 A.M.

10. Adjournment

The meeting adjourned at 8:10 P.M.

Lisa B. Pierce
Mayor

ATTEST:

Patty Cox, TRMC
City Secretary