



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, DECEMBER 13, 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 Aldrich
Council Member Lehman
Council Member Pierce
Council Member Grant
Council Member Wilson
Council Member Apodaca

Although Mayor Pierce deviated from the agenda, the minutes will be prepared in the order the agenda was posted.

5. Citizen Participation

There were not any citizens signed up to be heard.

6. Consideration Of And Action On Minutes

a. Regular Meeting November 29, 2018

Mayor Pro-Tem Aldrich moved to approve the minutes of November 29, 2018; seconded by Council Member Lehman. The motion carried with a 6-0-1 vote.

AYES: 6

NAYES: 0

ABSTAIN: 1 (Council
Member Apodaca)

7. Presentation

a. Delinquent Revenue Collection Report Of Court Fees And Fines And Property Taxes, Linebarger Goggan Blair & Sampson Law Office

Edra Bush, Linebarger, Goggan, Blair & Sampson, L.L.P., presented the 2017-2018 Delinquent Revenue Collection Report of Court Fees and Fines and Property Taxes from Linebarger Goggan Blair & Sampson Law Office.

8. Discussion And Possible Action

a. Update, Discussion And Possible Action On Binz Engleman Road Reconstruction Project

Mark Hill, Ford Engineering, provided an update on the Binz Engleman Road Reconstruction Project. He stated that the contractor has started Phase III, milling should be finished today, starting on concrete curb and sidewalk demolition. There will not be any demolition during Christmas week starting the 24th of December. Construction on the driveways will start after New Year's. He said he will meet with the contractor next week to discuss their schedule and how to recover from the rain and cold weather delays. Phase II is finished and there are some things that need to be addressed, i.e. cracks, gutters and some

outstanding things to be done prior to being accepted. There will be a final punch list of items that the contractor will need to go back and take care of before we accept the project as a City.

b. Discussion And Possible Action On An Interlocal Agreement With The Texas Department Of Transportation For A Gateway Monument Sign On FM 78

City Manager Vernon provided the history and requirements to submit a proposal on the Gateway Monument Sign on FM 78. The proposal that has been submitted did not include the lighting plans. If we move forward without the lighting plans, we will not be able to install the lighting at a later date.

Council Member Grant moved to table this item until the December 27, 2018 Council meeting; seconded by Council Member Lehman. With all voting, "aye" the motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

c. Discussion And Possible Action To Dissolve The Parks And Recreation Committee

Mayor Pro-Tem Aldrich said she requested this item be placed on the agenda to discuss the possibility of dissolving the Parks and Recreation Committee due to the fact they are unable to have a quorum for meetings.

City Manager Vernon said if the Committee is dissolved we need to know on an annual basis how many events are we going to have and then we can prepare for those events in advance.

There was discussion regarding whether to dissolve or revamp the Committee. If Council agrees to dissolve the Committee, then on the January 12, 2019 Council agenda place an item to identify the events the City will conduct.

Council Member Grant moved to dissolve the Parks and Recreation Committee; seconded by Council Member Wilson. With all voting, "aye" the motion carried.

AYES: 7

NAYES: 0

d. Discussion And Possible Action To Accept Donna Dryja's Resignation From Beautification And Recycle Committee And Building And Standards Commission, Effective November 30, 2018

Mayor Pierce read Donna Dryja's letter of resignation.

Council Member Wilson moved to accept Donna Dryja's resignation from Beautification and Recycle Committee and Building and Standards Commission, effective November 30, 2018; seconded by Mayor Pro-Tem Aldrich. With all voting, "aye" the motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

Mayor Pierce opened items 8. e., f., and g. and stated there is no requirement that the City Council accept resignations from the Board members of the Senior Center Corporation. Both Articles of Incorporation and By-Laws indicate that there can be resignations, but there is no provision in either document for acceptance of the resignations.

- e. Discussion And Possible Action To Accept Audrey Eklund's Resignation From Kirby Senior Corporation Board Of Directors, Effective Immediately

Mayor Pierce read the letter of resignation dated November 28, 2018, signed and dated by Audrey Eklund, tendering her resignation effective immediately from the Board.

- f. Discussion And Possible Action To Accept Jeff Eklund's Resignation From Kirby Senior Center Corporation Board Of Directors, Effective Immediately

Mayor Pierce read the letter of resignation dated November 28, 2018, signed and dated by Jeff Eklund, tendering his resignation effective immediately from the Board.

- g. Discussion And Possible Action To Accept Glenda Bayer's Resignation From Kirby Senior Center Corporation Board Of Directors, Effective Immediately

Mayor Pierce read the letters of resignation dated November 28, 2018, signed and dated by Glenda Bayer, tendering her resignation effective immediately from the Board.

- h. Discussion And Possible Action On Appointing Member(s) To The Beautification And Recycle Committee

There were not any applications submitted for appointment.

- i. Discussion And Possible Action On Appointing Member(s) To The Building And Standards Commission

There were not any applications submitted for appointment.

- j. Discussion And Possible Action On Current City Of Kirby Sales And Property Tax Allocations

Tina Ynfante, Finance Director, provided current City of Kirby sales and property tax allocations. State tax – 6.25%; Kirby 1.25%; Crime Control Prevention District .25%; San Antonio Metro Transit Authority (SAMTA) .50% = Total 8.25%. The City of Kirby is already at the maximum percent sales tax. We would have to reallocate the sales tax of Kirby and Crime Control District for any other Special Purpose District. She said the property tax is for Interest and Sinking Fund and Maintenance & Operation.

k. Discussion And Possible Action On Economic Development Incentive Programs

City Manager Vernon said Council Member Lehman asked Council to consider other economic development incentives in order to promote economic development. The first one to look at was allocating Type B sales tax which is an economic development incentive, but cities cannot exceed the 8.25% maximum sales tax. Ms. Vernon explained the process to be eligible to become a Type B Economic Development Corporation.

Mayor Pierce commended the Economic Development Committee for working tirelessly and reaching out with what they do have to work with.

City Manager Vernon said staff will continue working with the Committee.

l. Discussion And Possible Action In Regard To City Participation In Costs For Repairs To Gibbs Sprawl Road

City Manager Vernon provided background information from the May 10, 2018 Council meeting when QuikTrip presented their request to cost share on this project to repair Gibbs Sprawl Road from FM 78 to the end of their section behind their building. The final cost was \$45,988.50 to repair Gibbs Sprawl Road from FM 78 to their section of Gibbs Sprawl Road. The cost to repair from QuikTrip's section behind their building to Kirby's city limit is an additional \$51,000.00 and the City of Kirby will be solely responsible for that cost. Ms. Vernon recommended reimbursing QuikTrip for the work that has already been completed. City Council can look at the cost for the remaining repairs and if it exceeds \$50,000 the City would have to go through the bid process and QuikTrip would not be involved.

Council Member Wilson said she was concerned about water collecting on the corner of Gibbs Sprawl Road and FM 78 during the last rain and asked if this will be repaired?

Gilbert Salas, Director of Public Works explained the repair to the grades has caused this.

City Manager Vernon stated at this time we have not allocated any funds because the repair did not go to the end of the city limits.

Council Member Pierce moved to authorize the City to participate in the amount of \$22,994.25 for repairs to Gibbs Sprawl; seconded by Council Member Grant. With all voting, “aye” the motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- m. Discussion And Possible Action In Regard To Animal Facility Including Operations, Trailer, and Kennels

Mayor Pierce said she requested this item due to recent comments on social media. Lt. Laymon, Kirby Police Department, provided body camera footage.

There was no action on this item.

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 said last weekend she saw scooters in Ceja Park. The following day one was gone and a van picked up the last one. San Antonio has a lot of trouble with them; she didn’t think this would be a popular thing in Kirby.

City Manager Vernon said staff has been notified by residents and staff will research this and place on the January 24, 2019 council agenda.

Council Member Wilson – She asked that the Senior Center be placed on the next agenda to provide a copy of their budget and financial report. She thanked those who volunteered to serve on the Board, and unfortunately resigned.

Council Member Grant - He asked that Council look into adopting an ordinance that limits sales of tobacco products to individuals 21 years old and over only. He asked that this item be placed on an agenda in February to allow enough time for research.

Mayor Pierce – She thanked the Police Department for their ‘Cookies with Santa’ event this past weekend. It was a great success with Kirby Baptist Church singing carols. On December 16 at 5:00 P.M. Kirby Fire Department will start the Annual Santa thru Kirby. She wished everyone a Merry Christmas.

10. Adjournment

The meeting adjourned at 8:27 P.M.

Lisa B. Pierce
Mayor

Attest:

Patty Cox, TRMC, City Secretary