



*Lisa B. Pierce, Mayor*

Sylvia Apodaca  
Mike Grant  
Jerry Lehman

Kimberly McGehee-Aldrich  
John W. Pierce  
Debra Wilson

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, NOVEMBER 29, 2018 – 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 Aldrich  
Council Member Lehman  
Council Member Pierce  
Council Member Grant  
Council Member Wilson

**ABSENT**

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 8, 2018

Mayor Pro-Tem Aldrich moved to approve the minutes of November 8, 2018; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

**7. Presentation**

a. Introduction Of New Employees

Chief Alfaro, Fire Department, introduced two new employees - Jacob Gaskins and Cody Ochoa, both are Firefighter/EMT's.

Chief Bois, Police Department, introduced Elroy Urbina – Part-time Records Clerk.

City Manager Vernon, Administration, introduced Tania Vazquez – Assistant to the City Manager.

b. Recognize Yard Of The Quarter

Barbara Herb, Chairperson, Beautification and Recycle Committee introduced Diane and Albert Navaira as the recipients of the Yard of the Quarter.

**8. Discussion And Possible Action**

a. Discussion And Possible Action On An Agreement With Environmental Health Group For Health Inspections

City Manager Vernon said the City has been working with Environmental Health Group to take care of health inspections. They have been doing a thorough job with inspections and educating us on some State requirements and pointing out areas for improvement. We have been pleased with their services. Ms. Vernon said the new proposed agreement is a three year agreement with a flat rate monthly fee and pay for temporary food booth inspections for special events at a set amount.

Ms. Rebecca Vera, owner, responded to questions from the Council members.

Council Member Grant moved to accept the three year agreement with Environmental Health Group for health inspections; seconded by Council Member Lehman. With all voting, "aye" the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

b. Discussion And Possible Action On 2019 City Of Kirby Holiday Schedule

City Manager Vernon confirmed the proposed Holiday Schedule is in accordance with the Personnel Policy Manual.

Council Member Grant moved to accept the 2019 City of Kirby Holiday Schedule; seconded by Council Member Wilson. With all voting, "aye" the motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

c. Discussion And Possible Action On Request From St. Joan Of Arc Church Regarding City Services For A Special Event

Ms. Maria Prieto, St. Joan of Arc Roman Catholic Church, said they submitted a request to conduct a walk on Ackerman Road on December 11, 2018. The walk will start at 9:00 P.M. and they are requesting Council consider waiving the \$240.00 security fee because they will have three police officers providing lead and support with all necessary emergency lighting. Chief Bois said if the request is to have the full street closure then that will require the help of more personnel. If only the southbound lanes will be closed, the City will have two police officers and one detective on duty to assist the St. Joan of Arc police officers monitor the traffic and that would eliminate the \$240.00 security fee.

Mayor Pierce asked that the residents on Ackerman Road be notified of the walk.

There was not any action taken.

d. Discussion And Possible Action On Wireless Small Cell Nodes Installations – Roland Hinojosa, CPS Energy

Mr. Roland Hinojosa, CPS Energy Local Government Relations, introduced Mr. Rick Lopez, Director of Distribution Engineering; Mr. Gabriel Garcia, Director Over General Council, Mr. Jesse Lopez, Manager Over Attachment services.

Mr. Lopez identified the information that will be presented. The presentation will address small cell wireless deployment, small cell legislation and how it impact the city of Kirby, CPS Energy's experience with small cells, conclude with recommendations, and answer questions. Mr. Lopez said their recommendations are update your right of way management ordinance, adopt or develop a design manual, and coordinate with CPS Energy.

- e. Discussion And Possible Action To Accept Sam Richardson's Resignation From Beautification And Recycle Committee, Building And Standards Commission, Planning And Zoning Commission, And Crime Control And Prevention District Board Effective November 6, 2018

Mayor Pro-Tem Aldrich moved to accept Sam Richardson's resignation from Beautification and Recycle Committee, Building and Standards Commission, Planning and Zoning Commission, and Crime Control and Prevention District Board effective November 6, 2018; seconded by Council Member Wilson. The motion carried with a 6-0 vote.

AYES: 6                                      NAYES: 0

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

Council Member Grant moved to appoint Jose Cuevas to the Beautification and Recycle Committee with the term expiring October 1, 2020; seconded by Council Member Wilson. With all voting, "aye" the motion carried with a 6-0 vote.

AYES: 6                                      NAYES: 0

- g. Discussion And Possible Action On Appointing Member(s) To The Planning And Zoning Commission

Mayor Pro-Tem Aldrich moved to appoint Jeff Conaway and Lorenzo Baker to the Planning and Zoning Commission; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6                                      NAYES: 0

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

There were not any applicants for the Parks and Recreation Committee. The Committee has not met since July 2018. City staff puts functions together. There was no action.

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

There were not any applicants for the Building and Standards Commission. There was no action.

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

City Manager Vernon said the asphalt portion of Phase 2 by John Sterling Building was scheduled to be completed by tomorrow. They requested to start Phase 3 on Monday.

Gilbert Salas, Director of Public Works, provided an update on Binz Engleman Road Reconstruction Project.

- k. Discussion And Possible Action On Ordinance No. O-2018-850 Repealing Existing Chapter 91 Of The Code Of Ordinances And Adopting A New Chapter 91 Entitled "Animals" To Set Out Provisions As To Animals, Including An Animal Shelter, Animal Control Officers, Licensing, Animal Bites And Animal Care, Spaying And Neutering, Rabies Control, Adoption Of Animals, Fees, Enforcement, And Related Matters, And Setting A Fine Not To Exceed The Amounts Set Out In Section 10.99 Of The Code Of Ordinances For Each Violation. This Is The First Reading.

City Manager Vernon said staff is not asking for approval on this Ordinance tonight because Council did not receive it in enough time to review. This Ordinance will be placed on the next two agendas for discussion and possible action. Tonight staff and City Council will review the revisions to the Ordinance.

Mayor Pierce asked that any additional revisions be emailed to Ms. Vernon and bring this item back to be placed on the agenda for the second meeting in January.

## **9. Executive Session**

- a. Consultation With Attorney Regarding Investigation Of Personnel Complaints. Possible Executive Session Pursuant to Texas Government Code 551.071, Consultation with Attorney.

Mayor Pierce closed the regular meeting at 8:41 P.M. and opened the executive session.

Mayor Pierce closed the executive session at 9:21 P.M. There was no action necessary.

**10. Reconvene In Open Session**

a. Discussion And Possible Action Regarding Investigation Of Personnel Complaints.

Mayor Pierce reconvened into Executive Session at 9:22 P.M. There was no action necessary.

**11. 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 asked that December activities be placed on the calendar.

Mayor Pro-Tem Aldrich – She said on December 8th - 2:00 P.M. – 8:00 P.M. Cookies with Santa at John Sterling Building and on December 16th - Santa Parade. She asked that Council look into the Parks and Recreation Committee because they have not met since July 2018. Our City staff has been responsible for taking care of City events instead of the Parks and Recreation Committee. She asked that Council consider dissolving the Committee. She thanked everyone for staying this late.

Council Member Grant – He asked that if the Parks and Recreation Committee is not dissolved that only Kirby residents be appointed to the Committee.

Council Member Pierce – He thanked everyone.

Mayor Pierce – She echoed the events on December 8th and 16th. December 1st and December 3rd - 7:00 A.M. – 5:00 P.M. FM 78 to Gibbs Sprawl Road (ends at QuikTrip property line) will be closed. She thanked everyone for staying till the end of the meeting. She said she is happy that our new employees have chosen Kirby to start employment and they are a very valuable asset.

**12. Adjournment**

The meeting adjourned at 9:26 P.M.

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Lisa B. Pierce  
Mayor

Attest:

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Patty Cox, TRMC, City Secretary