



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
PUBLIC HEARING/REGULAR MEETING
THURSDAY, JANUARY 24, 2019 – 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 Grant
Council Member Pierce
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 participate.

6. Consideration Of And Action On Minutes

a. Regular Meeting January 10, 2019

Council Member Lehman moved to approve the minutes for January 10, 2019; seconded by Council Member Wilson. The motion carried with a 5-0-2 vote.

AYES: 5 NAYES: 0 ABSTAIN: 2 (Council Member Grant and Council Member Apodaca)

7. Presentations

a. Introduction of New Employees

Assistant Fire Chief Hilburn introduced the new employees with the Fire Department: Rebecca Lemanski, Michael Ybarra, Luis Escalante, Charles Stogner, and Martin Ibanez.

b. Recognize Employee of the Quarter

Assistant Fire Chief Hilburn introduced Steven Gawlik as the Employee of the Quarter.

Mayor Pierce closed the regular meeting at 7:08 P.M. and opened the public hearing.

8. Public Hearing

a. A Request To Rezone Property From The Current Zoning Of Commercial, Office And Retail District (C-1) To Commercial District (C-2). The Property Is Located at Lot 31, Block 3, CB 5941, Known As 5447 Seguin Road, Kirby, TX 78219, Bexar County, Texas.

Mr. Michael Guinn, applicant, stated he is the owner of M&M Automotive and C-1 zoning prevents a buyer from opening an automotive business because outdoor storage is not allowed.

- b. A Request For Variances From The Sign Ordinance Section 154.06 (C)(1) Sign Surface Area Limits - To Allow 134 Square Feet Of Maximum Face Area; And Section 154.06 (D)(1) Height Of Signs - To Allow A Pole Sign With The Height Of Twenty-Five (25') Feet; Located At CB 5092L LOT 8; Otherwise Known As 5920 FM 78, City Of Kirby, Bexar County, Texas

Mr. Greg Burkett, APEC Signs, stated Dr. Harry Hernandez, applicant, wanted to attend the meeting, but had a conflict with his schedule. Mr. Burkett said the variance for the signage is very important to help identify the location of the business while driving on FM 78.

Mayor Pierce closed the Public Hearing at 7:13 P.M. and opened the regular meeting.

9. Discussion And Possible Action

- a. Discussion And Possible Action On An Employee Weight Loss Challenge Program

City Manager Vernon stated that staff would like to conduct a weight loss challenge from March 1 – April 30. The goal is to promote good health. Employees who wish to participate must pay a \$10.00 fee that will be placed in a pool. She asked if Council would match the fee at 100% from the city budget line item Supplemental Benefits.

Council Member Grant moved to accept the Employee Weight Loss Challenge Program in which the City will match the funding; seconded by Council Member Wilson. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- b. Discussion And Possible Action On A Request To Rezone Property From The Current Zoning Of Commercial, Office And Retail District (C-1) To Commercial District (C-2). The Property Is Located at Lot 31, Block 3, CB 5941, Known As 5447 Seguin Road, Kirby, TX 78219, Bexar County, Texas.

Council Member Grant moved to accept the request to rezone property from the current zoning of Commercial, Office and Retail District (C-1) to Commercial District (C-2). The property is located at Lot 31, Block 3, CB 5941, known as 5447 Seguin Road, Kirby, TX 78219, Bexar County, Texas; seconded by Council Member Lehman. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- c. Discussion And Possible Action On A Request For Variances From The Sign Ordinance Section 154.06 (C)(1) Sign Surface Area Limits - To Allow 134 Square Feet Of Maximum Face Area; And Section 154.06 (D)(1) Height Of Signs - To Allow A Pole Sign With The Height Of Twenty-Five (25') Feet; Located At CB 5092L LOT 8; Otherwise Known As 5920 FM 78, City Of Kirby, Bexar County, Texas

Council Member Grant moved to accept the variances from the Sign Ordinance Section 154.06 (C)(1) Sign Surface Area Limits - to allow 134 square feet of maximum face area; and Section 154.06 (D)(1) Height Of Signs - to allow a pole sign with the height of twenty-five (25') feet; located at CB 5092L LOT 8; otherwise known as 5920 FM 78, City Of Kirby, Bexar County, Texas; seconded by Council Member Lehman. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- d. Update, Discussion And Possible Action on Binz Engleman Road Reconstruction Project

Gilbert Salas, Director of Public Works, provided an update on Binz Engleman Reconstruction Project. The contractor is working on concrete, there is not an update on mailboxes, and they are still in Phase 3.

- e. Discussion And Possible Action To Consider Adopt A Spot Application From QuikTrip

Mayor Pierce said JD Dudley, QuikTrip, was not able to attend due to a conflict with his schedule. The spot they want to adopt is at Gibbs Sprawl from the stop sign to the railroad tracks.

City Manager Vernon will confirm they want to start at the traffic light at Gibbs Sprawl and FM 78.

Council Member Wilson moved to accept QuikTrip's application to Adopt a Spot at Gibbs Sprawl from the stop sign (traffic light) to the railroad tracks; seconded by Council Member Apodaca. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- f. Discussion And Possible Action On Statements Of Qualifications Received For City Engineering Services

City Manager Vernon stated in November the City advertised a Request For Qualifications (RFQ) for City Engineering Services. The deadline to submit an RFQ was December 7, 2018. We received one statement of qualifications from M&S Engineering. Funding will be discussed at another meeting if Council asks staff to move forward.

Gary Freeland, M&S Engineering, provided Council with the services they offer and experiences with municipalities.

Council Member Pierce directed staff to negotiate a contract with M&S Engineers; seconded by Council Member Aldrich. The motion carried with a 7-0 vote.

AYES: 7 NAYES: 0

g. Discussion And Possible Action On Possible Regulation Of Electronic Scooters

Council Member Apodaca said she requested this item because she saw electronic scooters at Ceja Park and we do not have any regulations in place addressing the scooters. There have been reports of numerous injuries reported in San Antonio and other cities.

Council Member Pierce moved to direct the City Manager and City Attorney to create a regulation to prohibit electronic scooters or any other type of device that they deem as commercial use in the city of Kirby; 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-2019-850 Amending FY 2018-2019 Municipal Budgets Of The City Of Kirby. This Is The Second Reading.

Council Member Pierce moved to approve Ordinance No. O-2019-850 Amending FY 2018-2019 Municipal Budgets Of The City Of Kirby; seconded by Council Member Lehman. The motion carried with a 5-2 vote.

AYES: 5 NAYES: 2 (Council Member Wilson, Mayor Pro-Tem Aldrich)

i. Discussion And Possible Action On Increasing The Age To Purchase Tobacco Products From 18 To 21

Council Member Grant said he requested this item to help promote good health.

Council Member Grant moved to raise the age limit from 18 to 21 to purchase tobacco; seconded by Council Member Apodaca.

Council Member Grant amended his motion to direct staff to prepare an ordinance to raise the age limit from 18 to 21 to purchase tobacco; seconded by Council Member Apodaca. The motion carried with a 4-3 vote.

AYES: 4 NAYES: 3 (Council Member Pierce, Mayor Pro-Tem
Aldrich, Mayor Pierce)

j. Discussion And Possible Action On December 31, 2018 Fireworks Calls To The Kirby Police Department

Mayor Pro-Tem Aldrich said she requested this item because she wanted to know how many calls came in and what can be done to combat these calls. The Fire Department and Police Department work very hard and she's an advocate for both departments.

Chief Bois reported that every 4th of July and New Year's Eve he brings on extra staff to patrol the City. Area agencies are inundated with calls these two nights. He said more staff can be brought in to help.

Mayor Pierce called for a break at 8:23 P.M.

Mayor Pierce convened the regular meeting at 8:33 P.M.

k. Discussion And Possible Action On Appointing Member(s) To The Senior Center Corporation Board

There were not any applications. There is not action on this item.

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

There were not any applications. There is not action on this item.

m. Discussion And Possible Action On Appointing Regular Member(s) And Alternate Member(s) To The Building And Standards Commission

There were not any applications. There is not action on this item.

n. Discussion And Possible Action To Accept Agatha Williams' Resignation From The Planning And Zoning Commission Effective Immediately

City Manager Vernon informed Council that Agatha Williams submitted her resignation to be effective immediately.

Council Member Wilson moved to accept Agatha Williams' resignation from the Planning and Zoning Commission effective immediately; seconded by Council Member Grant. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Council Member Grant)

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

There were not any applications. There is not action on this item.

- p. Discussion And Possible Action To Determine City Events For 2019

City Manager Vernon identified City Events for 2019: Movie in the Park, Easter Egg Hunt, Fireman's Picnic, Fireworks in the Park, National Night Out, Cookies with Santa/Christmas in Kirby, Annual Santa Parade, and Holiday Lighting Contest.

Council discussed the responsible parties for each event: Movie in the Park – Crime Control for June and August; Easter Egg Hunt April 14 1:00 P.M. to 3:00 P.M. – Council Member Grant volunteered; Fireman's Picnic May 3 & 4 – Fire Department; Fireworks in the Park July 4th later in the day – Mayor Pro-Tem Aldrich volunteered; National Night Out First Tuesday in October – Police Department; Cookies with Santa/Christmas in Kirby December 7 4:00 P.M. to 6:00 P.M. – Crime Control; Annual Santa Parade December 22 5:00 P.M. – Fire Department; and Holiday Lighting Contest – Beautification and Recycle Committee.

- q. Discussion And Possible Action on Interlocal Agreement And Ground Lease With Bexar County For The Kirby Bexar Animal Facility

City Manager Vernon said we received a letter yesterday from the Bexar County District Attorney's office. The letter addressed that the City will terminate the agreement and the County will operate out of their facility and the City will operate out of our facility. There will not be any shared resources.

Marc Schnall, City Attorney stated it is a governing body decision whether to implement the proposal in the letter. Council will need to consider what the implementation time is. Make sure we have adequate staff, time for transition to implement the separation and funds that will be incurred.

City Manager Vernon said staff met and discussed the plan of operation. We need to take care of maintenance, repairs and upgrades to the existing building. She suggested presenting a draft budget to City Council February 14.

r. Discussion And Possible Action On Digital Signage At The Corner Of FM 78 And Old Seguin Road

Council Member Grant announced that Schertz Bank and Trust donated \$10,000 toward the expense of the sign.

City Manager Vernon said the last cost estimate received and selected by City Council was \$12,868 option 1. The vendor said this equipment is available and the price will be honored with the cost of \$71.94 per hour to install if we want to program the sign and \$98.24 per hour if they have to program the sign. This quote is 4G wireless communications and we know this is being phased out. Everyone is moving to 5G and we are waiting to find out if there will be additional costs associated with this.

Mayor Pierce asked that staff find out if there is an additional cost for continued maintenance.

Council Member Pierce recalled in 2016 or 2017 there was discussion during the budget discussions addressing the sign.

Mayor Pierce asked that on the next agenda identify the total cost for the sign.

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

Council Member Grant – He complimented Gilbert Salas, Director of Public Works for the work accomplished with limited staff. He thanked all staff.

Council Member Wilson – She asked that the City Wide Garage Sale take place before Spring Clean-up. Consider advertising on social media to start Parks and Recreation Committee again and see if anyone will volunteer.

Mayor Pro-Tem Aldrich – She thanked all the departments for their hard work.

Council Member Lehman – He announced that the Senior Center Breakfast pancakes and sausage breakfast was the best he has had in many years.

Council Member Apodaca – She asked if the City would consider Siclovia in the future.

Council Member Pierce – He said the Crime Control and Prevention met last night and voted to be placed on the May 4 ballot.

Mayor Pierce – She thanked everybody and all staff. She thanked staff for choosing Kirby as their place of employment. She asked that residents call City Hall instead of using Facebook. We need to reply to people who contact us and let them know yes we heard you and we are working on it. There will be a workshop addressing concerns about animal control.

11. Adjournment

The meeting adjourned at 9:48 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary