



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, JUNE 27, 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 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

1. Dennis Wendell – He informed Council that water is always pooling along the drainage ditch and bridge at Redding and asked if something can be done to prevent this from happening. Mayor Pierce asked him to leave his contact information with the Public Works Director.

2. Dorothy Griffin – She said the traffic light at FM 78 and Gibbs Sprawl needs to allow more time for pedestrians to cross FM 78.

Mayor Pierce said the rest of the citizens signed up to be heard have deferred their time to Sharon Shuler. B.J. Voigt, Chris Garza, Beverly Johnson, Charles Johnson, Charlene Wyatt, M. Kyle all deferred their time to Sharon Shuler to speak on the Springfield Road project.

3. Sharon Shuler – She spoke regarding Springfield development. She opposed the request for a variance to the automatic sprinkler system.

6. Consideration Of And Action On Minutes

a. Regular Minutes June 13, 2019

Mayor Pro-Tem Aldrich moved to accept the minutes for June 13, 2019; seconded by Council Member Lehman. The motion carried with a 6-0-1 vote.

AYES: 6 NAYES: 0 ABSTAIN: 1 (Council Member Wilson)

7. Presentation

a. Recognition Of Kirby Emergency Medical Services Staff For Recent Successful EMS Inspection

Chief Alfaro informed Council that the staff is on a run at this time. He said the Texas Department of State Health Services conducted an inspection for recertification for EMS. The findings of the inspection yielded zero deficiencies. The EMS has been certified for another two years. He is proud of the men and women who work with him.

b. July 4th Fireworks In The Park

Ms. Tania Vazquez, Assistant to the City Manager announced the Annual 4th of July Fireworks in the Park and what you can expect when you come out.

8. Consent Agenda

- a. Approval Of Quarterly Financial Report For Period Ending March 31, 2019
- b. Approval Of Quarterly Investment Report For Period Ending March 31, 2019

Mayor Pro-Tem Aldrich moved to accept the consent agenda, seconded by Council Member Apodaca. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

9. Public Hearing

Mayor Pierce closed the regular meeting and opened the public hearing at 7:27 P.M.

- a. On A Variance To The Building Code, Section 150.16 (D)(a) To Waive The Requirement Of The Installation Of An Automatic Sprinkler System In A 3,300 Square Foot Commercial Building; Located At NCB 10596 CB 4018G BLK LOTS 1, 2, 3; Otherwise Known As 1001/1424 Springfield Road, City Of Kirby, Bexar County, Texas.

Mayor Pierce asked if there were any proponents or opponents who would like to speak regarding this item.

David Zapata - Architect of record for Big Boy Hauling proposed building. He said they are asking for a variance to waive the fire sprinkler system. Typically the uniform building code all over the nation requires that a building be sprinkled if it is over 5,000 square feet and City of Kirby's code states over 500 square feet. There is a fire hydrant located within 100 feet from the building, this is a non-combustible building, and there are fire extinguishers.

John Nguyen - Owner of the property. He thanked everyone for attending the meeting.

Charlene Wyatt – She said she is against the variance. There have been fires in the field at this location in the past. She said they have to adhere to our codes.

- b. On A Request To Rezone Property From The Current Zoning Of Commercial, District (C-2) To Multiple Family Dwelling District (R-2). The Property Is Located

at Lot 20-B, Block 3, CB 5941, Known As 414 Edalyn St., Kirby, TX 78219, Bexar County, Texas.

There were not any citizens speak.

- c. On A Request To Allow The Property Located At CB 5865 BLK LOT E 183 FT OF S 100 FT OF 12, Otherwise Known As 4810 Gibbs Sprawl Road, Kirby, TX 78219, Which Is Zoned Commercial, Office And Retail (C-1) To Be Used As A Residential (R-1) Property.

There were not any citizens to speak.

Mayor Pierce closed the public hearing at 7:37 P.M. and opened the regular meeting.

10. Discussion And Possible Action

- a. Discussion And Possible Action On City Of Kirby Garbage Collection And Recycling – Tom Armstrong, Republic Services

Tom Armstrong, Republic Services, Municipal Services Manager, presented information on recycling and some service issues on the garbage side. There have been changes to the recycling industry. The first option is to maintain the curbside recycling program with an 83 cent increase per home per month. The second option is to reduce the recycling service to every other week and the rate will remain the same and will remove the additional 1% that is added to the annual price increase. He was unable to receive approval from Corporate to get rid of recycle all together and reduce garbage rate. Kirby's rate is so low that even if we get rid of recycling the garbage rate will not change.

Mayor Pierce stated when we talked about recycling, it was about the numbers it was the contamination numbers. You said there were only 50% of residents were recycling and of that 50% over half was not being recycled because of contamination.

Mr. Armstrong suggested a meeting with the City Manager, Mayor and one or two Council Members after hours.

Mayor Pierce said for clarification, there would be an 83 cent increase per month if we keep recycling. If we chose to go without recycling our rate would remain at \$14.30 without an increase. Mr. Armstrong concurred if we kept program as is there would not be a change in the rate.

The discussion brought out that currently the City receives recycling every other week and not once a week. Mr. Armstrong apologized and suggested going back to the drawing board and discuss this further.

Council Member Grant asked if he would provide the proposal in writing.

Council Member Wilson inquired about the smaller garbage carts for seniors. Mr. Armstrong said they would have to keep a second inventory for those carts. The drivers are happy to help those who are not able to wheel the carts to and from the curb.

b. Discussion And Possible Action On An Eagle Scout Project In Friendship Park

Darraun Guzman, Boy Scout Troop 1412, presented his Eagle Scout project. His project is to construct tables to be placed in Friendship Park. He submitted a diagram of the Park and construction plans for the tables. He asked Council if they had a preference on the design of the tables. Council concurred they like the current style.

Council Member Grant moved to accept Darraun Gomez's Eagle Scout Project in Friendship Park and waive permit fees; seconded by Council Member Pierce. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

c. Discussion And Possible Action On A Request For A Variance To The Building Code, Section 150.16 (D)(a) To Waive The Requirement Of The Installation Of An Automatic Sprinkler System In A 3,300 Square Foot Commercial Building; Located At NCB 10596 CB 4018G BLK LOTS 1, 2, 3; Otherwise Known As 1001/1424 Springfield Road, City Of Kirby, Bexar County, Texas.

Council Member Grant agreed that the applicant needs to abide by the City's codes.

Council Member Lehman said he hopes that one day the business will expand along with the building to over 5,000 square feet. He also concurred with abiding by the City's codes.

Council Member Grant moved to deny the variance to the Building Code, Section 150.16 (D)(a) to waive the requirement of the installation of an automatic sprinkler system in a 3,300 square foot commercial building; located at NCB 10596 CB 4018G BLK LOTS 1, 2, 3; otherwise known as 1001/1424 Springfield Road, City of Kirby, Bexar County, Texas; seconded by Council Member Pierce. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

d. Discussion And Possible Action On A Request To Allow The Property Located At CB 5865 BLK LOT E 183 FT OF S 100 FT OF 12, Otherwise Known As 4810 Gibbs

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 asked about the missing rope on the flag pole at the Senior Center. He thanked Darraun Gomez for his Eagle Scout presentation and he thanked everyone for attending the meeting.

Council Member Wilson – She said she has been reporting the tall grass and ugliness behind Ms. Shuler’s home at every Council meeting. She asked that the information presented by Republic Services addressing how to place carts in the street and not park next to them be placed on the website and Facebook. The Senior Center Breakfast is Saturday, 8:30 A.M. – 10:30 A.M. Also the food drive is on July 2 1:00 P.M.

Mayor Pro-Tem Aldrich – She thanked everyone for attending the meeting and invited everyone to attend the July 4th Fireworks in the Pak and announced that Kody Parker Band will be the entertainment. She asked who cleans the drainage ditch between Autumn and Vinecrest.

Council Member Lehman – He thanked everyone for attending the meeting and invited them to come back.

Council Member Apodaca – She said the animal shelter has reached capacity. She urged everyone to keep an eye on their pets.

Mayor Pierce - She thanked everyone for attending the meeting and continue to come back. Resident concerns are our concerns. The Senior Center Breakfast is on Saturday at 8:30 A.M., Annual July 4th Fireworks in the Park. She asked Mr. Salas what we can do about Autumn Lane, Redding, and Starfire drainage ditches. She thanked Chief Alfaro and his staff and Chief Bois and his staff. Ms. Shuler’s comments need to be addressed by city staff. Discriminate the replies to City Council.

12. Adjournment

The meeting adjourned at 8:36 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary