



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, AUGUST 8, 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 7:04 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
Council Member Grant
Mayor Pro-Tem Aldrich
Council Member Lehman
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. Chris Garza – He said the Kirby Community thanks Council for letting them repair the picnic benches at the pool. They would like to replace the small light pole where the pergola is located. He is asking for the City's help to install it. They are asking for permission to start a buy-one get one program for people who can not afford to get in the pool. He is also asking for permission and the City's help to cut down three big trees in the pool area to add more seating, lounge chairs and picnic tables with umbrellas.

2. Roger Romens – He spoke on item 8.p. Amending the Zoning Ordinance. He is concerned if it is passed this will create a residential property island in the commercial C-1 property zone.

3. Charlene Wyatt – She deferred her time to Sharon Shuler and will speak when 8 b. is introduced.

4. Sharon Shuler – She will wait until her item is introduced.

5. Ms. Katherine McGarity – She asked Council to consider installing an Autism street sign on Deer Grove to make drivers aware. She is concerned that her son who has autism might get struck by a car when the driver does not stop at the stop sign on the corner of Deer Grove and Borchers. She asked if this could be considered on the next agenda.

6. Kristina Aldrup – She deferred her time to Katherine McGarity.

6. Consideration Of And Action On Minutes

a. Special/Workshop Meeting July 25, 2019

b. Public Hearing/Regular Meeting July 25, 2019

c. Special/Workshop Meeting July 30, 2019

Mayor Pro-Tem Aldrich motioned to accept both minutes for July 25, 2019; seconded by Council Member Lehman. The motion carried with a 6-0-1 vote.

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

Council Member Lehman motioned to accept the minutes for July 30, 2019; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 7-0 vote.

AYES: 7 NAYES: 0

7. Presentation

a. Introduction Of New Employees

Fire Chief Alfaro introduced Bernard “Matt” Zertuche our new Firefighter/Paramedic who began his employment mid-July. He also introduced Douglas Plate our new Firefighter/EMT who was unable to attend the meeting. He started out as a volunteer, became a part-time employee and began his full-time employment with the City mid-June.

b. Employee Recognition

City Manager Vernon recognized Public Works Director Gilbert Salas for getting his Customer Service Inspector License and Court Clerk Michelle Hinojosa for completing the Municipal Court Clerks Certification Program and becoming a Certified Court Clerk Level 1. Police Chief Bois acknowledged the retirement of Lt. James Laymon and presented him with gifts.

8. Discussion And Possible Actions

a. Discussion And Possible Action On Fiscal Year 2018-2019 Non Profit Grant Recipient Reports

City Manager Vernon spoke on the process of application for the Non Profit Grant.

Brandi Wintermeier, Kirby Herman and Sons, thanked Council for the donation and gave an overview on how they spent the \$5,000 grant money and how much was left.

Jennifer Wolfe, Kirby 4-H, thanked Council for the donation and gave an overview on the Kirby 4-H and how they spent the \$5,000 grant money and how much was left.

Doug Wolfe, Greater NE Little League, thanked Council for the donation and gave an overview on how the \$5,000 grant money was spent. Mayor Pierce thanked them for always keeping up the fields.

Samuel Romens, Kirby Senior Center, he gave an overview of the Kirby Senior Center and how the \$5,000 grant money was spent.

b. Discussion And Possible Action On Private Development Projects On Springfield Road

City Manager Vernon provided an update on private development projects on Springfield Road. City staff met with the property owners on July 24, 2019 to get a status update on their projects, discussed requirements and some concerns of the residents.

Property owners John Nguyen, Big Boy Hauling and Paul Daniec, Benchmark Paving addressed questions and concerns from Council and residents.

Sharon Shuler talked about her concerns of the private development projects on Springfield Road and responsibilities of the property owners and the residents.

Mayor Pierce would like the City Staff to meet with the residents and if possible, have a joint meeting with the property owners.

Mayor Pierce called for a ten minute recess at 8:37 P.M.

Mayor Pierce reconvened the meeting at 8:52 P.M.

c. Discussion And Possible Action On Crime Control Prevention District Report

Council Member Grant motioned to postpone the Crime Control Prevention District Report until it is brought back to the City Manager; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

d. Discussion And Possible Action On Kirby Community Volunteer Project At The Senior Center Gazebo

Chris Garza provided an update on Senior Center Gazebo Project and asked for more time to do landscaping and put flowers around the gazebo. The landscaping will take place Saturday August 10th 9:00 A.M.

Mayor Pro-Tem Aldrich motioned to grant Chris Garza his Community Volunteer Project to do the landscaping and flowers around the gazebo; seconded by Council Member Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

e. Discussion And Possible Action On July 4th Fireworks In The Park Report

City Manager Vernon provided a recap of the event and the revenues and expenditures. The revenue received were \$17,760.00 and the expenditures were \$16,232.16 with a profit of \$1,527.84 of the event.

City Manager Vernon stated some of the feedback received was we need more vendors and additional activities for the kids.

City Council discussed options for future July 4th events.

f. Discussion And Possible Action On Appointing Up To Four Alternate Members To The Building And Standards Commission

Mayor Pierce informed Council there is one applicant, Kristina Aldrup.

Mayor Pierce said the alternate member does not have to attend the meetings only if a member is absent.

City Manager Vernon said as long as the member lets city staff know in advance of the absence we can call the alternate to replace them at the meeting.

Mayor Pro-Tem Aldrich motioned to accept Kristina Aldrup as an alternate member to the Building and Standards Commission; seconded by Council Member Wilson. The motion carried a 7-0 vote.

AYES: 7

NAYES: 0

g. Discussion And Possible Action On Appointing A Member To The Beautification And Recycle Committee

City Manager Vernon informed Council there is one applicant, Katherine McGarity who has an interest of being a member of the Beautification and Recycle Committee.

Mayor Pro-Tem Aldrich motioned to accept Katherine McGarity to be on the Beautification and Recycle Committee; seconded by Council Member Grant. The motion carried 7-0 vote.

Mayor Pierce stated the term will expire October 1, 2019

AYES: 7

NAYES: 0

h. Discussion And Possible Action On Appointing Members To The Kirby Senior Center Corporation Board

There were not any applications.

- i. Discussion And Possible Action On Ordinance No. O-2019-861 Amending The 2018-2019 Budget. This is the First Reading.

Tina Ynfante, Finance Director, identified the amendments to the Fiscal Year 2018-2019 Budget.

Mayor Pro-Tem Aldrich motioned to accept Ordinance No. O-2019-861 Amending the 2018-2019 Budget; seconded by Council Member Wilson. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- j. Discussion And Possible Action On Mixed Use Zoning

Mayor Pierce said the information received was reviewed by the former members of the Planning and Zoning Commission and the new members have not reviewed it with the exception of the Chairperson and asked to postpone until both Planning and Zoning and Council can each review.

Marc Schnall, City Attorney, stated he agrees it is appropriate to let the Zoning Commissioners look at it. The Zoning Commissioners will need guidance from the Council on the ordinance.

Council Member Pierce motioned to postpone and have a joint meeting with the Planning and Zoning Commission; seconded by Council Member Grant. The motion carried with 7-0 vote.

AYES: 7

NAYES: 0

- k. Discussion And Possible Action On City Of Kirby Charter Review Including Possible Appointment Of Seven Citizens To A Charter Review Commission

Council Member Wilson motioned to table this item until August 22, 2019; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- l. Discussion And Possible Action On An Agreement With Emergency Services District #11

Fire Chief Alfaro said he had no report at this time.

City Manager Vernon said the current ESD agreement expires September 30, 2019 and explained the terms of the proposed agreement. The City staff is comfortable with the agreement and it is being reviewed by the ESD.

Mayor Pierce asked if changes are made to the agreement by the ESD that the changes be highlighted so we know exactly what was changed.

This item will be come back once it is ready for approval.

- m. Discussion And Possible Action On Ordinance No. O-2019-862 An Ordinance Repealing Article II, Noise, Of Chapter 94, Nuisance, Of The Code Of Ordinances Of The City Of Kirby, Texas, And Adopting A New Article II, Noise Of Chapter 94 Of The Code Of Ordinances Of The Code Of Kirby, Texas. This Is The First Reading.

Mayor Pierce said at one of the last meetings this ordinance was brought up due to the development of the Springfield Road Project. Marc Schnall, City Attorney has looked at our current ordinance and proposed changes.

Marc Schnall, City Attorney, gave a brief report on the changes to the ordinance.

Council Member Grant asked about the noise decimal levels and if we should lower them.

Mr. Schnall said he would be glad to talk to the City Manager about the noise decimal levels.

Council Member Pierce motioned to accept ordinance No. O-2019-862 Ordinance Repealing Article II, Noise, of Chapter 94, Nuisance, of the Code of Ordinances of the City of Kirby, Texas, and Adopting a new Article II, Noise of Chapter 94 of the Code of Ordinances of the Code of Kirby, Texas; seconded by Council Member Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- n. Discussion And Possible Action On A Legislative Session Update

Marc Schnall, City Attorney, gave a report on ten Legislative updates and when they will be effective to City Council.

- o. Discussion And Possible Action On Ordinance No. O-2019-859 Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Grant Specific Use Permit #2019-010 For Use Of The Property At 4810 Gibbs Sprawl Road, Kirby, Texas For A Single Family Residence. This Is The Second Reading.

Council Member Grant motioned to accept Ordinance No. O-2019-859 Amending the Zoning Ordinance of the City of Kirby, Texas, to Grant Specific Use Permit #2019-010 for use of

the property at 4810 Gibbs Sprawl Road, Kirby, Texas for a Single Family Residence; seconded by Council Member Wilson. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Council Member Lehman)

- p. Discussion And Possible Action On Ordinance No. O-2019-860 Amending The Zoning Ordinance of The City Of Kirby, Texas, To Rezone The Property From The Current Zoning Of Commercial, Office, And Retail (C-1) To Single Family Dwelling District (R-1). The Property Is Located At CB 5865 BLK LOT S IRR 289.84 FT OF 17, Known As 5619 Seguin Road, Kirby, TX 78219. This Is The First Reading.

Council Member Grant motioned to accept Ordinance No. O-2019-860 amending the Zoning Ordinance of the City of Kirby, Texas, to Rezone the property from the current zoning of Commercial, Office, and Retail (C-1) to Single Dwelling District (R-1). The property is located at CB 5865 BLK LOT S IRR 289.84 FT OF 17, known as 5619 Seguin Road, Kirby, TX 78219; seconded by Council Member Apodaca. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Council Member Lehman)

- q. Discussion And Possible Action On City Of Kirby Recycling Services

Mayor Pierce said Tom Armstrong, Republic Services is not in attendance however, left information with City Manager Vernon.

City Manager Vernon provided a recap of our current residential recycling statistics. Republic Service proposed three options.

1. Price increase of .83 cents per home
2. Remove every other week curb side recycling from service and Republic will remove the one percent annual price increase from our contract.
3. Provide more community education to the residents on recycling with a nine-month trial period.

City Manager Vernon recommends option three.

Council Member Grant motioned to accept option three; seconded by Council Member Pierce. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- r. Discussion And Possible Action On Appointments To The Planning And Zoning Commission

Mayor Pierce informed Council there are two members with terms expiring August 31, 2019. The following two members wish to be reappointed with terms expiring August 2021.

Clay McBee
Julie Hinojosa

Council Member Grant motioned to reappoint the members Clay McBee and Julie Hinojosa for a term expiring August 2021; seconded by Council Member Wilson. The motion carried 7-0 vote.

AYES: 7

NAYES: 0

9. Budget Workshop

a. Discussion And Direction On The Proposed Budgets For Fiscal Year 2019-2020

Tina Ynfante, Finance Director, presented the latest updates on the proposed Fiscal Year 2019-2020 Budget.

City Manager Vernon said we need a minimum of four months in our reserve account. We have typically stayed at six months in reserves. We need a about \$200,000.00 a month for operational expenses. We are requesting feed back from Council on which items to take out.

Council discussed potential items to remove and what will need to be added to the Budget.

Council agreed to take out \$353,000.00 for the Borchers street project and \$34,000.00 for the custodian position.

Mayor Pierce asked Council to send recommendations to City Manager Vernon.

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 asked Chris Garza to give his requesting items to City Manager Vernon to get them on the agenda. God bless everyone for staying.

Council Member Wilson – She asked about plans for Halloween for the city at the park. She thanked Lt. James Laymon for his services and he will be missed. She announced former Mayor Timothy Wilson’s twins were born.

Mayor Pro-Tem Aldrich – She would like to put on the agenda to determine what type of sign Katherine McGarity is requesting for her disabled child.

Council Member Lehman – He asked Gilbert Salas, Public Works Director when will they start on the monument sign.

Council Member Pierce – He echoed what Council Member Wilson said about Lt. James Laymon he was awesome.

Mayor Pierce – She thanked everyone for staying and appreciates everyone for coming to voice their concerns. The Kirby Senior Center Board has a workshop for the Board of Directors August 12, 2019 at 6:30 P.M at the Kirby Senior Center. August 10, 2019, 12-2 P.M. Penny Paws will be at Kirby Animal Shelter is having a low-cost vaccination 12-2 P.M. Chris Garza with his community initiatives will meet at the gazebo August 10, 2019 at 9:00 A.M. Night in Old Converse is looking for people for their parade on October 5, 2019. Digital Mammography September 14, 2019, 8:00 A.M. – 1:30 P.M. at Iglesia La Luz Del Mundo located at 4932 Old Seguin Road. Lt. Laymon will definitely be missed. Meowgarita Pour Off for the Animal Shelter is September 14, 2019, 5-7 P.M. Asked Recycle item to be placed on September agenda.

11. Adjournment

The meeting adjourned at 11:22 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary