



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Joe Salazar

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, FEBRUARY 27, 2020 – 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

Mayor Pierce
Mayor Pro-Tem Aldrich
Council Member Lehman
Council Member Apodaca
Council Member Salazar

ABSENT

Council Member Pierce
Council Member Grant

5. Citizen Participation

1. Anthony Jetter – He explained there is a lot on Ackerman Road that is too small for a C-2 Commercial District. He requested this concern be placed on the next agenda to discuss.

2. BJ Voigt – She said she understands about getting people vetted to volunteer at city events. Her concern is who will view the document. She doesn't want her information provided to everyone at City Hall.

6. Consideration Of And Action On Minutes

a. Public Hearing/Regular Meeting February 13, 2020

Council Member Lehman moved to approve the minutes of February 13, 2020; seconded by Council Member Apodaca. The motion carried with a 4-0-1 vote.

AYES: 4 NAYES: 0 ABSTAIN – 1 (Mayor Pro-Tem Aldrich)

7. Presentation

a. Introduction Of New Employees

Assistant Chief Hilburn introduced Avery Hyatt, FF/EMT.

Chief Bois introduced Scott Carlson, police officer.

b. Employee Retirement Recognition

City Manager Vernon recognized Carlos "Charlie" Alfaro, Fire Chief. He started working for the City 30 years ago. He has rendered many years of dedicated service to the City of Kirby. He became Fire Chief in January 2017 and he has served three years as Chief. Tonight, we want to give him a token of our appreciation to say thank you. Tomorrow is officially his last day and he will be going to enjoy retirement. Chief Alfaro Charlie extended his appreciation for everyone who was present. He asked that city staff, city council and everyone else take care of his "kids." He said his personnel are his kids.

8. Public Hearing

a. On A Request For A Variance To The Zoning Ordinance – Single Family Dwelling District (R-1), Section 153.016 (B) (6) (b) To Permit An Encroachment Into The

Fifteen (15') Foot Side Yard Setback For The Construction Of A Carport Located At CB 4018B, BLK 10 Lot 1, Otherwise Known As 4802 Binz Engleman Rd., Kirby, TX 78219.

Mayor Pierce closed the regular meeting and opened the public hearing at 7:09 P.M.

Juan Juarez, property owner, was present to answer questions. Ms. Tania Vazquez translated for him. His property is on a corner lot and he wanted to construct a carport on the side of his property facing Buzz Aldrin. He asked if he could construct his carport five feet into the side yard setback.

There were not any proponents or opponents.

- b. On A Request For A Specific Use Permit To Allow The Property Located At NCB 5941A BLK 1 Lot W IRRG 150.59 FT Of 17, Otherwise Known As 121 Edalyn, Kirby, TX 78219, Which Is Zoned Commercial, Office And Retail (C-2) District To Be Used As A Single Family Dwelling.

Ramesh K. Mahbubani, property owner, presented his request and provided the history on the ownership of the property. He wants to continue using the property as a residential property.

Mayor Pierce closed the public hearing and opened the regular meeting at 7:13 P.M.

9. Discussion And Possible Actions

- a. Discussion And Possible Action On A Request For A Variance To The Zoning Ordinance – Single Family Dwelling District (R-1), Section 153.016 (B) (6) (b) To Permit An Encroachment Into The Fifteen (15') Foot Side Yard Setback For The Construction Of A Carport Located At CB 4018B, BLK 10 Lot 1, Otherwise Known As 4802 Binz Engleman Rd., Kirby, TX 78219.

Council discussed this request. Council Member Salazar moved to deny the Variance to the Zoning Ordinance – Single Family Dwelling District (R-1), Section 153.016 (B) (6) (b) to permit an encroachment into the fifteen (15') foot side yard setback for the construction of a carport located at CB 4018B, BLK 10 Lot 1, otherwise known as 4802 Binz Engleman Rd., Kirby, TX 78219; seconded by Council Member Lehman. The motion carried with a 4-1 vote.

AYES: 4

NAYES: 1 (Mayor Pro-Tem Aldrich)

- b. Discussion And Possible Action On A Request For A Specific Use Permit For The Property Located At NCB 5941A BLK 1 Lot W IRRG 150.59 FT Of 17, Otherwise

Known As 121 Edalyn, Kirby, TX 78219, Which Is Zoned Commercial, Office And Retail (C-2) District To Be Used As A Single Family Dwelling.

City Council discussed this request. Mr. Mahbubani said he will continue the clean-up of the property.

There was no action taken on this item and it will be brought back on a future agenda.

c. Discussion And Possible Action On City Of Kirby FY 2018-2019 Audit Report

Deborah Fraser, Armstrong, Vaughn, presented the 2018-2019 Audit.

Council Member Apodaca moved to accept the City of Kirby FY 2018-2019 Audit; seconded by Council Member Salazar.

d. Update, Discussion And Possible Action On Potential Future Boundary Expansion

Joseph Johnson, Sunrise Neighborhood Association, explained he did not arrive in time to sign up to speak and asked if City Council would allow him to speak.

Mayor Pierce asked Council if they would consider allowing Mr. Johnson time to speak on this item because he did not arrive in time to sign up to speak.

Council Member Salazar move to allow Mr. Johnson the opportunity to speak; seconded by Council Member Apodaca. The motion carried with a 5-0 vote.

Mr. Johnson explained his concern with the boundary expansion. He spoke in regards to information he received that Kirby is considering annexing Sunrise.

The City Council discussed the boundary expansion and the fees associated with the expansion.

City Manager Vernon provided the engineering fees: \$6,800 plus \$180 per hour for all three areas and the quote is good for 30 days.

Mayor Pro-Tem Aldrich moved to accept the proposal for M&S Engineering's to provide the scope of work quote described for the lump sum of \$6,800 plus the field work performed by Sherwood Surveying coordination of the work by M&S Engineering to be billed based on the hours at the rate of \$180 per hour (max eight hours) not to exceed \$1,440; seconded by Council Member Salazar. The motion carried with a 5-0 vote.

AYES: 5

NAYES: 0

- e. Update, Discussion And Possible Action On Implementation Of The City Of Kirby Strategic Plan

City Manager Vernon distributed updated copies of the 2018-2019 Strategic Plan. She asked Council to review and let her know if there are any changes they would like on the Strategic Plan. Mayor Pierce said Council can email their changes.

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

Mike Cenicerros, Interim Public Works Director, provided update on Binz Engleman Road Reconstruction Project.

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

There are not any applications submitted.

- h. Discussion And Possible Action On Appointing Up To Two Alternate Members To The Building And Standards Commission

There are not any applications submitted.

- i. Discussion And Possible Action On Appointing A Member To The Kirby Senior Center Corporation Board

There are not any applications submitted.

- j. Discussion And Possible Action On Ordinance No. O-2019-865 An Ordinance Of The City Of Kirby, Texas 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, Microchipping, 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 Second Reading.

City Manager Vernon went over the changes that were asked for at the last meeting.

Council presented concerns about some aspects of adoption, microchipping and licensing and asked that the Ordinance be brought back with the updates.

Mayor Pro-Tem Aldrich moved to postpone the second reading of the ordinance until staff can bring back the ordinance with the changes; seconded by Council Member Lehman. The motion carried with a 5-0 vote.

AYES: 5

NAES: 0

k Discussion And Possible Action On The Requirements And Application For Volunteering At City Events And Facilities

City Manager Vernon provided an update about the insurance concerns discussed at the last meeting. Ms. Vernon gave an overview on the process for background checks and maintaining those records.

This item will be brought back March 12, 2020.

l. Update On Demolition Of 4907 Borchers And Abatement Of 3811 Petry

City Manager Vernon provided an update on 4907 Borchers and 3811 Petry.

Council Member Lehman moved to authorize an increase in the amount to clean the garage at 3811 Petry not to exceed \$2,000; seconded by Council Member Apodaca. The motion carried with a 5-0 vote.

AYES: 5

NAYES: 0

10. Request 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

Mayor Pro-Tem Aldrich – She identified locations where streets needed to be repaired.

Council Member Lehman – He identified streets that needed to be repaired.

Council Member Apodaca – She thanked Mike for doing a great job. Kirby Senior Center is looking for volunteers and said there is a list of supplies that are needed. Also, the next breakfast is March 14.

Mayor Pierce – She said thanked everyone for attending. She thanked Chief Alfaro for his many years of service. Our emergency services are top notch. March 3 is Election Day for the Primary Election. If you want to serve on any committees, boards or commissions please see Patty or Norma at the Senior Center.

11. Adjournment

The meeting adjourned at 9:04 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary