



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Joe Salazar

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, MARCH 12, 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 Pierce
Council Member Grant
Council Member Salazar

ABSENT

Council Member Apodaca

5. Citizen Participation

1. Anthony Jetter – He said he will speak when item n. is introduced.
2. John Valle – He voiced his concern about the condition of the streets in the City.
3. Sid Sanders, Sr. – He spoke about the Coronavirus and asked what can be done in the City of Kirby prevent the spread of the Coronavirus. Mayor Pierce said she will address this during her comments at the end of the meeting.
4. Steve Pitmon – He said he was wondering about the dire need for criminal background investigation for City volunteers. Do City employees have to qualify the same way as volunteers? Is it cost effective?
5. B.J. Voigt – She said she will speak when item m. is introduced.
6. Ms. Estrella Martinez – She spoke about a proposed local business on Ackerman Road and Old Seguin Road. She has an issue with the proposed development.
7. Nancy Pena – She said she will speak when item n. is introduced.

6. Consideration Of And Action On Minutes

a. Regular Meeting February 27, 2020

Mayor Pro-Tem Aldrich moved to approve the minutes of February 27, 2020; seconded by Council Member Lehman. The motion carried with a 4-0-2vote.

AYES: 4 NAYES: 0 ABSTAIN – 2 (Council Members Grant and
Pierce)

7. Discussion And Possible Actions

a. 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.

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

There were not any applications.

- c. Discussion And Possible Action To Accept Resignation Of Steven Pitmon As Alternate Member On The Building And Standards Commission

Mayor Pro-Tem Aldrich moved to accept the resignation of Steven Pitmon as alternate member on the Building and Standards Commission; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- d. Discussion And Possible Action To Accept Resignation Of Thomas Hernandez As Member Of Building And Standards Commission, Planning And Zoning Commission, And Charter Review Commission

Council Member Grant moved to accept the resignation of Thomas Hernandez as member of Building and Standards Commission, Planning and Zoning Commission, and Charter Review Commission; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- e. Discussion And Possible Action To Appoint A Member To The Planning And Zoning Commission

There were not any applications.

- f. Discussion And Possible Action To Appoint A Member To The Charter Review Commission

Mayor Pierce said there was one applicant, Jody Flynn, seeking appointment as a member to the Charter Review Commission.

Council Member Grant moved to appoint Jody Flynn to the Charter Review Commission; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- g. Discussion And Possible Action On Appointing One Member And Up To Three Alternate Members To The Building And Standards Commission

There were not any applications.

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

There were not any applications.

i. Discussion And Possible Action On Resolution No. R-2020-716 A Resolution Authorizing The City Manager To Submit An Application For Funding From The Program Year (PY) 2020 Allocation Of Bexar County's Community Development Block Grant (CDBG) Program – Hickory Hill Phase II

Mayor Pierce read the resolution in its entirety.

City Manager Vernon briefed City Council on the history of the Community Development Block Grant qualifying process. Bexar County Commissioners Court will have a public hearing to consider the applications and we plan to advertise the date and time of the public hearing. Residents are invited to attend the public hearing, sign up to speak and ask the Bexar County Commissioners to strongly consider funding this project for Kirby. If you are not able to attend you can write a letter to County Commissioner Tommy Calvert informing him of our need for the funding for our streets.

Council Member Salazar moved to accept Resolution No. R-2020-716 a Resolution authorizing the City Manager to submit an application for funding from the Program Year (PY) 2020 allocation of Bexar County's Community Development Block Grant (CDBG) Program – Hickory Hill Phase II; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

j. Discussion And Possible Action On Interlocal Cooperation Contract With The Department Of Public Safety For The Failure To Appear Program And Authorizing The Municipal Court Judge To Sign The Contract

Marc Schnall, City Attorney explained why the Council is being asked to consider the Interlocal Cooperation Contract with the Department of Public Safety for the Failure to Appear Program and authorizing the Municipal Court Judge to sign the contract.

Chief Bois said he endorsed this program because it has been an effective program.

Council Member Grant moved to accept Interlocal Cooperation Contract with the Department of Public Safety for the Failure to Appear Program and authorizing the municipal court judge to sign the contract: seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- k. Discussion And Possible Action On Ordinance No. O-2020-874 An Ordinance Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Grant Specific Use Permit #2019-014 For Use Of The Property At 5863 Binz Engleman Road, Kirby, Texas For The Purpose Of Development Of An Apartment Complex With Approximately Seventy Apartment Units. This Is The First Reading.

Mayor Pierce read the ordinance in its entirety.

Council Member Pierce moved to accept Ordinance No. O-2020-874 an ordinance amending the Zoning Ordinance of the City of Kirby, Texas, to grant Specific Use Permit #2019-014 for use of the property at 5863 Binz Engleman Road, Kirby, Texas for the purpose of development of an apartment complex with approximately seventy apartment units; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- l. Discussion And Possible Action On Ordinance No. O-2020-875 An Ordinance Repealing Section 36.08 Of The Code Of Ordinances And Adopting A New Section 36.08 Of The Code Of Ordinances To Establish A Fee Schedule For Fines On Pleas Of Guilty Or Nolo Contendere Prior To Trial. This Is The First Reading.

Mr. Schnall explained the purpose of the fee schedule.

Council Member Grant moved to accept Ordinance No. O-2020-875 an ordinance repealing Section 36.08 of the Code of Ordinances and adopting a new Section 36.08 of the Code of Ordinances to establish a fee schedule for fines on pleas of guilty or nolo contendere prior to trial; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- m. Discussion And Possible Action On The Requirements And Application For Volunteering At City Events And Facilities

Mayor Pierce said Council Member Apodaca requested this item and she was unable to attend tonight's meeting; therefore, she requested this item be tabled.

Mayor Pro-Tem Aldrich moved to table this item, on the requirements and application for volunteering at City events and facilities, to the next meeting when Council Member Apodaca is present; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

n Discussion And Possible Action On 2429 Ackerman Road – Possible Executive Session Consultation Pursuant To Texas Government Code Section 551.071, With Attorney

Mayor Pierce asked if there was anyone to speak on this item.

Ms. Nancy Pena said she owns the property and wants to open an insurance agency. Her office building will be a mobile office building which she has placed on the property. She has been informed that the zoning is not correct and would like to be in compliance by correcting the zoning.

Mr. Anthony Jetter explained that Landis is a private road and stated the lot size for this property is too small for the type of business she is trying to place on the lot.

Mayor Pierce closed the regular meeting at 8:00 P.M. to convene into an Executive Session consultation pursuant to Texas Government Code Section 551.071, with attorney on March 12, 2020.

Mayor Pierce state the Executive Session ended on March 12, 2020 at 8:37 P.M. and no action was taken. She reconvened the regular meeting at 8:41 P.M.

City Manager Vernon said informed Ms. Pena that she will contact her tomorrow regarding the next steps on her project.

Mr. Schnall addressed the concern raised earlier by Mr. Jetter regarding the property zone C-2 District. After reviewing documents received earlier today regarding the zoning, Mr. Schnall determined that the property is grand-fathered under the size and area requirements and setback requirements from the old B-1 and B-3 Districts. The front setback was 25 feet and side setback was 10 feet. Those are the same setbacks that exist in the current C-2 District.

8. 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

Council Member Grant – He said the Annual Easter Egg Hunt will be held on April 5. There are 5,000 plastic eggs and candy is needed to fill them. This is a free event at Friendship Park and the Easter Bunny will be attending, too.

Mayor Pierce – She thanked everyone for attending the meeting. On March 14 the Senior Center will host their monthly breakfast between 8:00 A.M – 10:30 A.M. She said this afternoon

she sat in on a conference call with Governor Abbott that was a Coronavirus update. His message was to reduce panic, fear and uncertainty.

9. Adjournment

Meeting adjourned at 8:28 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary