



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Joe Salazar

**CITY COUNCIL MINUTES
PUBLIC HEARING/REGULAR MEETING
THURSDAY, JUNE 25, 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 Apodaca
Council Member Salazar

ABSENT

Council Member Joe Salazar

5. Citizen Participation

1. Anthony Jetter – He said he will speak during item g.
2. BJ Voigt – She said she was looking through pictures and they proved she has lived in Kirby a long time. She also would wait to speak on Items 9. m. and 9.p.
3. Michael Martin – He commended City departments for their work.
4. Mr. Shaw – He said he will speak on Item e.

6. Consideration Of And Action On Minutes

- a. Regular Meeting June 11, 2020

Council Member Grant moved to approve the minutes of June 11, 2020; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

7. Presentation

- a. Employee Of The Quarter

Mayor Pierce recognized Louis Acosta, Public Works, as Employee of the Quarter.

- b. COVID-19 Emergency Action Plan Update

Interim Chief Hilburn gave update on COVID-19 Emergency Action Plan.

8. Public Hearing

- a. On An Ordinance Continuing Article III Of Chapter 13 Of The Code Of Ordinances Relating To A Curfew For Any Person Under The Age Of Seventeen Years During Certain Hours, Making It Unlawful For Any Parent Or Person In Loco Parentis Entitled To Custody Or Control Of A Minor To Violate This Ordinance And Imposing Penalties.

Mayor Pierce closed the regular meeting and opened the public hearing at 7:34 P.M.

Mayor Pierce closed the public hearing and opened the regular meeting at 7:35 P.M.

9. Discussion And Possible Actions

- a. Discussion And Possible Action On Resolution No. R-2020-722 To Extend The Contract With Linebarger Goggan Blair & Sampson, LLP To Enforce The Collection Of All Delinquent Taxes, Penalty and Interest

Ms. Lilia Gibson, Linebarger Goggan Blair & Sampson, LLP presented the renewal to extend the contract. The new contract will expire on June 30, 2025 if renewed.

Mayor Pierce inquired if there will be allowances made due to COVID-19. Ms. Gibson provided information regarding delinquent business/personal accounts.

Council Member Grant moved to accept Resolution No. R-2020-772 to extend the contract with Linebarger Goggan Blair & Sampson, LLP to enforce the collection of all delinquent taxes, penalty and interest; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- b. Discussion And Possible Action On Ordinance No. O-2020-879 To Consider A Specific Use Permit On A Property Located At CB 5092L BLK LOT 3 (WILLIAMS SUBD), Otherwise Known As 5727 Seguin Road, Kirby, TX 78219, Which Is Zoned Commercial, Office And Retail (C-2) District To Be Used As A Meeting Place For Disabled Veterans. This Is The Second Reading.

Council Member Grant moved to accept Ordinance No. O-2020-879 to consider a Specific Use Permit on a property located at CB 5092L BLK Lot 3 (Williams Subdivision), otherwise known as 5727 Seguin Road, Kirby TX 78219, which is zoned Commercial, Office and Retail (C-2) District to be used as a meeting place for disabled veterans; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- c. Discussion And Possible Action On Ackerman Road Reconstruction Project

Craig Wilson, M&S Engineering, explained that 95% of the plans for Ackerman Road Reconstruction Project has been completed.

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

Michael Ives, Public Works Director, provided an update on Binz Engleman Road Reconstruction Project.

e. Update, Discussion And Possible Action On Springfield Road Properties

City Manager Vernon provided an update on Springfield Road properties. There were easements in lots that needed to be cleaned. Mosquito abatement will take place.

Mr. Shaw thanked his neighbors, Officer Thompson, City Manager Vernon, and City Council for their help.

f. Discussion And Possible Action On Ordinance No. O-2020-878 An Ordinance Continuing Article III Of Chapter 13 Of The Code Of Ordinances Relating To A Curfew For Any Person Under The Age Of Seventeen Years During Certain Hours, Making It Unlawful For Any Parent Or Person In Loco Parentis Entitled To Custody Or Control Of A Minor To Violate This Ordinance And Imposing Penalties. This Is The First Reading.

Mayor Pierce explained that a public hearing is required before the third-year anniversary, then City Council will decide whether or not to renew the ordinance.

Chief Bois said there are not any changes and recommended approval.

Council Member Grant moved to approve Ordinance No. O-2020-878 an ordinance continuing Article III of Chapter 13 of the Code of Ordinances relating to a curfew for any person under the age of seventeen years during certain hours, making it unlawful for any parent of person in loco parentis entitled to custody or control of a minor to violate this ordinance and imposing penalties.; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

g. Discussion And Possible Action On Final Replat Establishing MJ Pena Addition being A Total Of 0.19. Acres, Out Of The A.L. Wilson 37.94 Acre Tract Which Is Part Of The J.L. Schnoover Survey No. 321, Bexar County, Texas, being The Two Tracts Of 18.97 Acres Each As Shown On The Plat Recorded In Volume 980, Page 390, Of The Deed And Plat Records Of Bexar County, Texas, Said Parcel Herein Described Being Known As Lot One (1), Block One (1), Of An Unrecorded Subdivision Of The Western Portion Of The Above Referred To A.L. Wilson Tract; Also Known As 2924 Ackerman Road, Kirby, TX 78219

Ms. Elizondo, Elizondo & Associates, presented the final plat. She informed Council that Mrs. Barbara Broll from CPS Energy requested removal of the 14' easement from the front of the

property and place a 10' easement on the rear property for the overhand electric wire and keep the 14' side easement.

1. Mr. Jetter voiced his concerns with the survey, zoning and lien on the property.

Ms. Elizondo replied to Mr. Jetter's concerns.

Mayor Pierce asked for a motion. This item died due to the lack of a motion.

City Manager Vernon said this item will be on next agenda.

Mayor Pierce asked that Council be provided with the information provided by Mr. Jetter and Mr. Wilson.

- h. Discussion And Possible Action On Replat Establishing Kirby Manor Commercial Subdivision Being A Total Of 1.149 Acres Of Land Out Of Lots 1, 2, 3, 4 And CB 4018 Of The M.I. Subdivision Recorded In Volume 9556 Page 169 Of The Deed And Plat Records Of Bexar County Texas.

Mr. Joseph Tovar, A-1 Engineering, said the purpose of the replat was to remove lot lines.

Council Member Grant moved to approve replat establishing Kirby Manor Commercial Subdivision being a total of 1.149 acres of land out of Lots 1, 2, 3, and 4 and CB 4018 of the M.I. Subdivision recorded in Volume 9556 Page 169 of the Deed and Plat Records of Bexar County, Texas.; seconded by Council Member Apodaca. The motion carried with 4-2 vote.

AYES: 4 NAYES: 2 (Council Member Lehman, Mayor Pro-Tem Aldrich)

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

Mayor Pierce stated there is an application from Ms. Alexandria Ebert. Ms. Ebert expressed an interest in being appointed to the Beautification and Recycle Committee and Planning and Zoning Commission. Ms. Ebert was available to answer questions.

Council Member Lehman moved to appoint Ms. Ebert to the Beautification and Recycle Committee to fill the vacancy with the term expiring October 1, 2021; seconded by Council Member Apodaca. The motion carried with a 6-0 vote.

AYES: 6 NAYES: 0

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

There were not any applications submitted.

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

There were not any applications submitted.

l. Discussion And Possible Action On Appointing A Member To The Planning And Zoning Commission

Mayor Pierce said Ms. Evert has expressed interest in the Planning and Zoning Commission.

Mayor Pro-Tem Aldrich moved to appoint Ms. Ebert to the Planning and Zoning Commission with vacancy with the term expiring August 2020; seconded by Council Member Apodaca. The motion carried with a 6-0 vote

AYES: 6

NAYES: 0

m. Discussion And Possible Action On City Of Kirby Resident Vehicle Decal Program

There was discussion on various reasons cities used vehicle decals. The pros and cons of the vehicle decals were addressed. It was decided that Council would wait and see if there's any input on this from residents.

n. Discussion And Possible Action To Renew And Extend The City Of Kirby's Declaration Of Public Health Emergency

Mayor Pro-Tem Aldrich moved to renew and extend the City of Kirby's Declaration of Public Health Emergency to July 15, 2020; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

o. Discussion And Possible Action On Establishing A Public Dog Park Located Outside Of The Kirby Animal Shelter

Council discussed the need for a dog park and potential locations. Staff and bring this item back after researching the location and drainage.

p. Discussion On Ordinance No. O-2016-783 Regarding Solid Waste Collection And Disposal And Recycling Services Within The City Of Kirby Currently Contracted With Republic Services.

1. B.J. Voigt asked if the location where the garbage/recycle carts are placed could be changed so they don't have to be placed out of sight and the time that the garbage/recycle carts are placed at the curb could be changed from 8:00 P.M. to 5:00 P.M. or 6:00 P.M.

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

Council Member Grant – He asked that the ordinance regarding carports be placed on the next agenda.

Council Member Aldrich – She encouraged residents to get involved with the City and volunteer. Also, there is an election May 2021 you can sign up as a candidate. She asked residents if they walk their dogs, please pick up your animal waste.

Council Member Lehman – He asked if there could be follow up on Code Compliance issues.

Council Member Apodaca – She wished everyone a happy and safe 4th of July.

Mayor Pierce – She said there will be a vacancy on the Economic Development Committee and it will be placed on the next agenda. She asked that there be an increased frequency for mosquito spraying. She wished everyone a happy 4th, thanked all departments and expressed her appreciation for law enforcement for what they do.

11. Adjournment

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary