



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Joe Salazar

**CITY COUNCIL MINUTES
BUDGET WORKSHOP/REGULAR MEETING
THURSDAY, AUGUST 13, 2020 – 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO/TELEPHONE CONFERENCE

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
Council Member Lehman – Telephone Conference
Council Member Pierce
Council Member Apodaca
Council Member Grant
Council Member Salazar

ABSENT

Mayor Pro-Tem Aldrich

5. Citizen Participation

- 1.) Harold Shaw – He said parents have approached him about building a sand volleyball court for girls in Kirby.
- 2.) Sid Sanders Sr. – He asked Council to consider reflective paint on the back of STOP signs for visibility at night.
- 3.) Chris Garza – He asked Council when they are discussing the Charter to consider placing on the ballot whether the city manager should live in the City. He said this was highly discussed on Kirby Community by the residents to place this on the ballot.
- 4.) Anthony Jetter – He said he will wait until item 10. n.
- 5.) Mike Martin – He said he will wait until item 10. a.
- 6.) James Hoots – He said he has been a resident for ten years. The charge for sewer is high. He asked Council to consider reducing the fee during COVID-19.
- 7.) Stephen Pittman – He said Chris Garza was talking about the city manager needs to live here. The Charter Review Commission did a good job. He said to push it to a vote.
- 8.) BJ Voigt – She showed Council that Hermann and Sons published a picture of Kirby's Flay Day at the Kirby Fire Station. Hermann Sons thanks everyone for attending. She stated that school starts August 21, addressed speed bumps. Residents came over and they talked about power washing a fence. They are volunteers to help and not a click. She will continue volunteering.
- 9.) David Barbosa – He said he echoes what Mr. Pitman and Mr. Garza said. He felt residents should decide if the city manager should or should not live in the City.

6. Consideration Of And Action On Minutes

- a. Special Meeting/Workshop – July 23, 2020
- b. Regular Meeting – July 23, 2020

Council Member Salazar moved to approve the minutes for Special Meeting/Workshop – July 23, 2020 and Regular Meeting – July 23, 2020; seconded by Council Member Apodaca. The minutes were approved with 5-0-1 vote. (Council Member Grant abstained)

7. Consent Agenda

- a. Approval Of Quarterly Investment Report For Period Ending March 2020
- b. Approval Of Quarterly Financial Report For Period Ending March 2020

Council Member Grant moved to approve the Quarterly Investment Report for period ending March 2020 and Quarterly Financial Report for period ending March 2020; seconded by Council Member Apodaca. The motion carried with 6-0 vote.

AYES: 6

NAYES: 0

8. Presentation

a. COVID-19 Emergency Action Plan Update

William Hilburn, Fire Department, provided an update on COVID-19 Emergency Action Plan.

b. Introduction Of New Employees

City Manager Vernon introduced two new administration employees: Suzanna Balderas – Water Clerk and Marcus Gonzales – Court Clerk.

Chief Bois introduced new Police Department employee: Deontae Davis - Officer

William Hilburn introduced new Fire Department employee: Carl Warren – Paramedic

City Manager Vernon introduced new Fire Chief – Glenn Levy. Ms. Vernon thanked William Hilburn for the period he served as interim Fire Chief.

9. Budget Workshop

a. Discussion And Direction On The Proposed Budgets For Fiscal Year 2020-2021

Finance Director Tina Ynfante presented the 2020-2021 Proposed Budget. She identified the updates to General Fund, Fire Department, Animal Service, Parks, Street, Water, and Debt Service.

10. Discussion And Possible Action

a. Presentation, Discussion And Possible Action On Charter Review Commission 2020 Report

1.) Mike Martin – He said he was asked to request that the May ballot include a proposition that the citizens can vote to decide if the city manager should or should not live in the City.

Stephanie Faulkner, Chairperson for Charter Review Commission recognized the members of the Commission. She presented the Charter Review Commission 2020 Report.

Commissioner Susan Street presented a synopsis of a proposal to City Council made by the Charter Review Commission. This pertained to strengthening the stipend the City Council receives.

Council Member Grant moved to accept the Charter Review Commission 2020 Report; seconded by Council Member Pierce. The motion carried with 6-0 vote.

AYES: 6

NAYES: 0

Mayor Pierce called a recess at 8:54 P.M. Mayor Pierce reconvened the meeting at 9:07 P.M.

b. 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. He read a letter from San Antoni Constructors, LTD. identifying last week's progress.

There was discussion about CTP barriers that must be in place before any work can start in phase 7. Also, discussion about traffic from Ackerman Road down Binz Engleman toward Foster Road.

City Manager Vernon asked for a consensus to set up traffic control. There was a consensus from City Council to set up traffic control.

City Manager Vernon said the second piece is a letter from Ford Engineering expressing they are pleased to continue providing Civil Engineering for the project with a cost estimate of \$9,275.90. This is for additional construction services due to contractor delays for a total of 436 days of additional construction; through September 30, 2020.

Council Member Pierce moved to accept the change order in the amount of \$9,275.90 which will cover all costs in the scope described above to be finished by September 30 2020; seconded by Council Member Grant. The motion carried with 6-0 vote.

AYES: 6

NAYES: 0

c. Discussion And Direction On Group Insurance – Jenni Haff, Marsh Wortham

Jenni Haff, representing Marsh Wortham, she presented via teleconference. She briefed Council on the Executive Summary for the group insurance. She said she has not received any requests for information from potential bidders.

City Manager Vernon said tonight staff recommends Blue Cross Blue Shield (BCBS). This is not an action item tonight. The general consensus from Council was BCBS. Due to COVID-19, this year the wellness physical that is due by November 30 for 100% paid insurance will not be mandatory.

d. On A Request For Variances To The Regulations In Section 153.016 Of The Code Of Ordinances For The Single Family Dwelling District (R-1) (1) To Permit A Garage On An Existing Slab To Occupy An Area Within The Minimum Depth Of Rear Setback Of 20% Of Lot Depth, (2) To Permit A Corner Side Setback Of Less Than 15 Feet, (3) To Permit Building Coverage As A Percentage Of Lot Area Of More Than 50% and (4) To Permit An Accessory Building Coverage Of Rear Yard Of More Than 30% Each For The Property Located At LOT 20, BLK 25, CB 4018B Commonly Known As 4803 Scott Carpenter, Kirby, TX 78219.

Mayor Pierce provided history on this request. The applicant was not present.

Council Member Grant moved to deny the Variances to the regulations in Section 153.016 of the Code of Ordinances for the Single Family Dwelling District (R-1) (1) to permit a garage on an existing slab to occupy an area within the minimum depth of rear setback of 20% of lot depth, (2) to permit a corner side setback of less than 15 feet, (3) to permit building coverage as a percentage of lot area of more than 50% and (4) to permit an accessory building coverage of rear yard of more than 30% each for the property located at LOT 20, BLK 25, CB 4018B commonly known as 4803 Scott Carpenter, Kirby, TX 78219; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- e. Discussion And Possible Action On An Ordinance No. O-2020-882 Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Grant Specific Use Permit #2020-016 For Use Of The Property At 1448 Springfield Road, Lot 5, Kirby Texas For The Purpose Of Parking Company Trucks (3), Storing Equipment And Tools In Two 20'X8' Storage Containers, Performing Oil Changes And Some Mechanical Work On Company Vehicles, Storage Of Asphalt And Concrete Materials From Projects. Future Use Will Be To Construct A Building. This Is The First Reading.

Mayor Pierce provided history on this request.

Council Member Grant moved to accept Ordinance No. O-2020-882 amending the Zoning Ordinance of the City of Kirby, Texas, to grant Specific Use Permit #2020-016 for use of the property at 1448 Springfield Road, Lot 5, Kirby, Texas for the purpose of parking company trucks (3), storing equipment and tools in two 20'X8' storage containers, performing oil changes and some mechanical work on company vehicles, storage of asphalt and concrete materials from projects. future use will be to construct a building; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- f. Discussion And Possible Action On An Agreement Between Texas Spartans And City Of Kirby For Use Of Friendship Park

Brian Medina, Texas Spartans, provided an overview of the COVID-19 procedures the Spartans follow.

Council Member Grant moved to approve new two-year agreement between Texas Spartans and the City of Kirby for use of Friendship Park with a fee of \$500 per year, seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

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

There were not any applications received.

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

There were not any applications received.

i. Discussion And Possible Action On Appointing A Member To The Economic Development Committee

Mayor Pierce said there were two applications.

Council Member Apodaca moved to appoint Jody Flinn; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

j. Discussion And Possible Action On City of Kirby Employee Pay Scale

City Manager Vernon provided the history of the Kirby Employee Pay Scale. She offered two recommendations: the first recommendation is to implement the new evaluation criteria effective October 1; the second recommendation is rather than approve a new pay scale staff recommended freeze the existing pay scale for the upcoming fiscal year until funds are available to implement it.

Council Member Grant moved to approve freeze the existing pay scale for the upcoming fiscal year until funds are available to implement it; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

Council Member Grant moved to approve implementing the new evaluation criteria effective October 1, 2020; seconded by Council Member Apodaca. The motion carried with a 5-0 vote. (Council Member Lehman's audio was not functioning during the vote.)

AYES: 5

NAYES: 0

k. Discussion And Possible Action On Proposed 2020 Property Tax Rate

Finance Director Tina Ynfante provided an overview on:

Voter Approval Tax Rate	0.698942
No-New-Revenue Tax Rate	0.679170
Proposed Tax Rate	0.698942
M&O will generate 0.577942	(\$2,340,363)
I&S will generate 0.121000	(\$489,987)
Total:	\$2,830,350

Ms. Ynfante stated on August 27, 2020 there will be a property tax rate public hearing, 7:00 PM during regular meeting.

Council Member Pierce moved to approve the 2020 proposed tax rate 0.698942; seconded by Council Member Grant. The motion carried with 5-0 vote. (Council Member Lehman audio was not functioning during the vote.)

- I. Discussion And Possible Action To Consider Transferring Ownership Or Leasing Explorer Street And Telstar Drive To Alamo Area Mutual Housing Association, DBA Alamo Community Group - Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney
- m. Update, Discussion And Possible Action On Springfield Industrial Park Development – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney
- n. Update, Discussion And Possible Action On Use Of 2924 Ackerman Road – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

Mayor Pierce opened items I, m, and n.

- 1.) Mrs. Jetter – She spoke in regards to item n. She said 2924 Ackerman Road does not meet lot requirements and provided history about the property.
- 2.) Mr. Jetter – He spoke in regards to item n. He provided history on 2924 Ackerman Road. He said the utilities should come off of Ackerman Road and not Landis.
- 3.) Mr. Gomez – He spoke in regards to item n. He said he was hired to review plans to comply with City codes. Mr. Carlos is the designer and he will comply with City codes. According to Bexar Appraiser Landis is a public road.
- 4.) Nancy Pena – She spoke in regards to item n. She said she is being compliant. Also, there is not any liens on the property.

Mayor Pierce closed the regular meeting at 10:28 P.M. to go into executive session to discuss the following pursuant to the Texas Government Code Section 551.071, consultation with attorney and pursuant to Section 551.129 of the Local Government Code, per this code the city attorney will join us by teleconference in our executive session:

- I. Discussion And Possible Action To Consider Transferring Ownership Or Leasing Explorer Street And Telstar Drive To Alamo Area Mutual Housing Association, DBA Alamo Community Group - Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney
- m. Update, Discussion And Possible Action On Springfield Industrial Park Development – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

- n. Update, Discussion And Possible Action On Use Of 2924 Ackerman Road – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

Mayor Pierce reconvened the regular meeting at 11:36 P.M. and announced that the executive session closed at 11:32 P.M. and there was no action taken.

- l. Discussion And Possible Action To Consider Transferring Ownership Or Leasing Explorer Street And Telstar Drive To Alamo Area Mutual Housing Association, DBA Alamo Community Group - Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

Mayor Pierce asked if there was anyone who wanted to speak about this item. There was no discussion.

- m. Update, Discussion And Possible Action On Springfield Industrial Park Development – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

Mayor Pierce asked if there was anyone who wanted to speak about this item. There was no discussion.

- n. Update, Discussion And Possible Action On Use Of 2924 Ackerman Road – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

Mayor Pierce asked if there was anyone who wanted to speak about this item. There was no discussion.

- o. Discussion And Possible Action On Resolution No. R-2020-724 A Resolution Of The City Of Kirby, Texas, Amending The Early Voting Dates Established In Resolution-2020-723 For The November 3, 2020 General/Special Election To Be October 13, 2020 – October 30, 2020.

City Secretary explained the reason for this resolution was because Governor Abbott changed the dates for early voting to October 13 – October 30, 2020.

Council Member Pierce moved to accept Resolution No. R-2020-724 amending the early voting dates established in Resolution-2020-723 for the November 3, 2020 General/Special Election to be October 13, 2020 – October 30, 2020; seconded by Council Member Salazar. The motion carried with 5-0 vote. Council Member Lehman's audio was not functioning during the vote.

11. 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 Salazar – He asked Council to send condolences to Sgt. Calderon because his 20 year old son passed in a car accident.

Council Member Apodaca – She said there will be a Rummage Sale at Kirby Senior Center and a flyer with the details is available.

Mayor Pierce – She thanked everyone for attending. On the next agenda she asked for a proposal to bid for a city attorney.

12. Adjournment

The meeting adjourned at 11:24 P.M.

Lisa B. Pierce
Mayor

ATTEST:

Patty Cox, TRMC
City Secretary