



*Lisa B. Pierce, Mayor*

Sylvia Apodaca  
Mike Grant  
Jerry Lehman

Kimberly McGehee-Aldrich  
John W. Pierce  
Joe Salazar

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, SEPTEMBER 24, 2020 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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**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

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 asked that before City Council make decisions on a volley ball court and dog park or any changes to the parks that the Planning and Zoning Commission review the plans. He's happy and excited to have these kinds of amenities added. Things have been added to Park that were not included in the 1995 Park Plan.

2. Anthony Jetter – He said in regards to 2924 Ackerman there were a lot of questions he raised at last meeting. He asked City Council to place this item on the next agenda.

3. Roger Romens – He said he will wait until item 8. i. is discussed.

4. BJ Voigt – She commended dispatch and the officers on duty on September 13, 2020 who responded to her call when she reported gunshots at 2:00 A.M. On another call on September 13 she found a debit card and contacted dispatch and Officer Vasquez came to retrieve the lost debit card and he located the person it belonged to. Kirby Senior Center is selling Wine and Dine raffle tickets. A long-time member of the Kirby Senior, Gretta Smith, passed away. Participating in Kirby Community Wide Garage Sale, October 9 – 11, and will donate funds from her sale to the Kirby Animal Services.

## **6. Consideration Of And Action On Minutes**

### **a. Regular Meeting – September 10, 2020**

Council Member Grant moved to approve the Regular Meeting minutes of September 10, 2020; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

## **7. Presentation**

### **a. City Of Kirby Municipal Pool 2020 Season Report**

Mayor Pro-Tem Aldrich moved to postpone the 2020 Season Report until the City Manager has received the information for this item; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

## **8. General Discussion And Possible Action**

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

There were not any applications submitted.

b. Discussion And Possible Action On Appointment And Reappointment Members To The Crime Control Prevention District Board

Mayor Pierce said the Crime Control Prevention District Board is accepting applications until their next meeting in October. She asked that this portion of the item be tabled until after the Crime Control Prevention District Board meets.

Mayor Pro-Tem Aldrich moved to reappoint John Houlton and Kenneth Thuleen to the Kirby Crime Control Prevention District Board; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

c. Discussion And Possible Action On Entering Into An Agreement With Slow-Pitch Amateur Softball League, For Use Of Land Owned By The City Of Kirby To Conduct Slow Pitch Amateur Softball League Athletic Functions

Mr. Robert Stevens was present to answer questions and provide history.

Council Member Grant moved to approve an agreement with Slow-Pitch Amateur Softball League, for use of land owned by the City of Kirby to conduct Slow Pitch Amateur Softball League Athletic Functions effective September 1, 2020 – August 31, 2022, Sunday only, and annual fee in the amount of \$125; seconded by Mayor Pro-Tem Aldrich.

d. Discussion And Possible Action On Ordinance No. O-2020-885 An Ordinance Amending The 2019-2020 Municipal Budgets Of The City Of Kirby. This Is The First Reading.

Tina Ynfante, Finance Director, said this is the third and final amendment to the 2019-2020 Fiscal Year budget. She identified the amendments to the budget.

Mayor Pro-Tem Aldrich moved to accept Ordinance O-2020-885 an Ordinance amending the 2019-2020 Municipal Budgets of the City of Kirby; seconded by Council Member Grant. The motion carried with 6-0 vote.

AYES: 6

NAYES: 0

e. Discussion And Possible Action To Dispense With The Second Reading Of Ordinance No. O-2020-885 So That Ordinance No. O-2020-885 Becomes Effective Immediately.

Council Member Grant moved to dispense with the second reading of Ordinance No. O-2020-885 so that Ordinance No. O-2020-885 becomes effective immediately; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- f. Discussion And Possible Action On Ordinance No. O-2020-883 Making Appropriations For The Support Of The City Of Kirby For The Fiscal Year Beginning October 1, 2020 And Ending September 30, 2021 Appropriating Money To A Sinking Fund To Pay Interest And Principal Due On The City's Indebtedness; And Adopting The Annual Enterprise And General Fund Budgets Of The City Of Kirby For 2020-2021 Fiscal Year. This Is The Second Reading.

City Manager Vernon – She stated the first reading of the 2020-2021 Budget was approved at the last meeting. Staff is making one recommended revision. Section 102.007 b of the Texas Local Government Code allows a governing body to make changes to the proposed budget prior to final adoption. The recommended revision is a transfer in lieu of taxes from the water fund to the general fund. We have annually transferred \$480,000 for the last ten years. After a meeting with our auditor and city attorney, some financial assessments were discussed. With the increase in recent resources being used from general fund to support water fund we are looking at \$120,000 more a year that we have been spending. The annual transfer will increase to \$600,000 from water fund to general fund in lieu of taxes.

Council Member Pierce moved to approve to approve Ordinance No. O-2020 – 833\* making appropriations for the support of the City of Kirby for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021 appropriating money to a Sinking Fund to pay Interest and Principal due on the City's indebtedness; and adopting the Annual Enterprise and General Fund Budgets of the City of Kirby for 2020-2021 Fiscal Year with the recommended revisions. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

\*The motion was read from information provided in the Council packet. There was a typographical error that identified the Ordinance as O-2020-833 when it should have been Ordinance No. O-2020-883. The number on the Ordinance is O-2020-883.

- g. Discussion And Possible Action On Ordinance No. O-2020-884 Levying Ad Valorem Taxes For Use And Operation Of The Municipal Government Of The City Of Kirby, Texas For The 2020 Tax Fiscal Year; Providing For Apportioning Each Levy For Specific Purposes; And, Providing When Taxes Shall Become Due And When Same Shall Become Delinquent If Not Paid. This Is The Second Reading.

Mayor Pro-Tem Aldrich moved that the property tax rate be increased by the adoption of a tax rate of .698942, which is effectively 5.06 percent increase in the tax rate; seconded by Council Member Apodaca. The motion carried with a 6-0 vote

AYES: 6

NAYES: 0

- h. Discussion And Possible Action On Resolution No. R-2020-722 A Resolution To Ratify The Property Tax Increase Reflected In The In The 2020-2021 City Budgets.

Council Member Salazar moved to ratify the property tax reflected in the 2020-2021 City Budgets; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- i. Discussion And Possible Action On Establishing A Public Dog Park In The City Of Kirby

1.) Roger Romens – He said he hoped any action City Council is considering would be to defer to Planning and Zoning Commission because Parks because Recreation Committee is no longer a committee. He did not support piecemealing things. The Dog Park is a wonderful idea and needs to be considered for a long-term Park Plan.

Council Member Pierce moved to postpone this item until Council Member Apodaca is present to discuss; seconded by Mayor Pro-Tem Aldrich.

Council Member Pierce moved to table this item Council Member Apodaca is present to discuss; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- j. Discussion And Possible Action On Ordinance No. O-2020-886 To Change The Date And Time Of City Council Meetings Due To Unforeseen Discrepancies With Regular Meeting Dates And Times. This Is The First Reading.

City Manager Vernon provided the history on the establishment of the current dates and times to conduct Council meetings. There are provisions for holidays, emergency and special meetings. We will be a voting center during Early Voting and this will affect our October meeting dates. This ordinance will allow us to reschedule our meetings.

Mayor Pro-Tem Aldrich moved to approve Ordinance No. O-2020-886 to change the date and time of City Council meetings due to unforeseen discrepancies with regular meeting dates and times; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- k. Discussion And Possible Action To Dispense With The Second Reading Of Ordinance No. O-2020-886 So The Ordinance No. O-2020-886 Becomes Effective Immediately.

Mayor Pro-Tem Aldrich moved to dispense with the second reading of Ordinance No. O-2020-886 so Ordinance No. O-2020-886 becomes effective immediately; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- I. Discussion And Possible Action To Approve Final Plat - Kirby Old Seguin Addition Being A Subdivision Establishing Lot 1, In Block 2, Containing 1.735 Acres, Showing Part Of Joseph W. Garranty Survey, Abstract No. 258, City Of Kirby, Bexar County, Texas.

Philip Cornett, John Cowan & Associates, said there were not any changes to the plat.

Council Member Pierce moved to approve Plat - Kirby Old Seguin Addition being a subdivision establishing Lot 1, in Block 2, containing 1.735 acres, showing part of Joseph W. Garranty Survey, Abstract No. 258, City of Kirby, Bexar County, Texas; seconded by Council Member Salazar. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- m. Discussion And Possible Action On Preliminary Plat Establishing: Moren Subdivision, Being A Total Of 0.286 Acres Of Land Out Of Lot P-22 And City Block 5191, Recorded In A Special Warranty Deed Dated February 29, 2018, In The Official Public Records Of Bexar County, Texas, Establishing Lot 1, Block 1, City Block 5191; Otherwise Known As 4451 Ackerman Road, In The City Of Kirby, Bexar County, Texas.

Joseph Tovar, A-1 Engineering, presented the preliminary plat for the property located at 4451 Ackerman Road, Kirby, TX 78219.

Mayor Pierce provided information from Craig Wilson, M&S Engineering, that the City provided the application package for the subject preliminary plat on September 16, 2020 by email. Upon reviewing the submitted items, they find that all comments have been addressed. He asked that City Council consider the preliminary plat complete and ready for submission to the City Council for approval.

Council Member Grant moved to approve Preliminary Plat Establishing: Moren Subdivision, being a total of 0.286 acres of land out of Lot P-22 and City Block 5191, recorded in a Special Warranty Deed dated February 29, 2018, in the official public records of Bexar County, Texas, establishing Lot 1, Block 1, City Block 5191; otherwise known as 4451 Ackerman Road, in the City of Kirby, Bexar County, Texas; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

**9. 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 if a committee no longer exists City Council will take action.

Mayor Pro-Tem Aldrich – She said a new park plan is needed. She asked that 2924 Ackerman be placed on an agenda for an update. If anyone removes or destroys a political sign they are breaking the law. National Night Out is October 6, 2020.

Mayor Pierce - She thanked everyone for attending the meeting. Gold Star Mother's Day – September 27<sup>th</sup>; October 9 – 11 is Community Wide Garage Sale 7 AM – 6 PM; Brush & Bulk Curbside starts October 12 and the last day to register to vote for the November 3 election is on October 5. City hall will be a Voting Center for Early Voting October 13 – 30 and Election Day on November 3.

Fire Chief Levy – He announced there are masks available for Kirby residents.

**10. Adjournment**

Meeting adjourned at 7:59 P.M.

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Lisa B. Pierce  
Mayor

ATTEST:

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Patty Cox, TRMC  
City Secretary