



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Mike Martin

Kimberly McGehee-Aldrich
Joe Salazar
Thomas Hernandez

**CITY COUNCIL MINUTES
PUBLIC HEARING/REGULAR MEETING
THURSDAY, DECEMBER 10, 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 Grant
Council Member Apodaca
Council Member Martin
Council Member Hernandez

ABSENT

Council Member Salazar

Although Mayor Pierce deviated from the agenda, the minutes will be prepared in the order the agenda was posted.

5. Citizen Participation

1. Willie Mae Clay – She spoke about the platform that was removed from the VIA bus stop on Charles Conrad. She has tried to have it replaced, but has been unsuccessful. City Manager Vernon said she spoke to VIA there is a potential their next budget could have funds.

2. Harold Shaw – He spoke about the speed bumps on Buzz Aldrin and asked City Council to keep speed bumps off the agenda.

3. Nancy Pena – She said she is trying to open a business and wants to know what she has to do to open her doors.

6. Consideration Of And Action On Minutes

a. Regular Meeting – November 19, 2020

Council Member Apodaca moved to approve the minutes of November 19, 2020; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 5-0-1 vote. (Mayor Pro-Tem Aldrich abstained due to absence)

7. Presentation

a. Employee Of The Quarter

Chief Levy introduced Firefighter/EMT Pablo Ortiz, Employee of the Quarter.

8. Public Hearings

- a. On A Variance To The Building Code, Section 150.16 To Waive The Requirement Of The Installation Of An Automatic Sprinkler System In An 8,947.56 Square Foot Commercial Building; Located At NCB 10596 N IRR 94.99 FT Of S IRR 2717.68 FT Of TR-1 ARB P-100A LAND ONLY; Otherwise Known As 4700 Binz Engleman Road, City Of Kirby, Bexar County, Texas, 78219.

Mayor Pierce closed the regular meeting and opened the public hearing at 7:16 P.M.

There were not any proponents or opponents requesting to speak.

Mayor Pierce closed the public hearing and reconvened the regular meeting at 7:17 P.M.

9. General Discussion And Possible Action

- a. Discussion And Possible Action On A Variance To The Building Code, Section 150.16 To Waive The Requirement Of The Installation Of An Automatic Sprinkler System In An 8,947.56 Square Foot Commercial Building; Located At NCB 10596 N IRR 94.99 FT Of S IRR 2717.68 FT Of TR-1 ARB P-100A LAND ONLY; Otherwise Known As 4700 Binz Engleman Road, City Of Kirby, Bexar County, Texas, 78219.

Mayor Pierce said the Planning and Zoning Commission met on December 8, 2020 and their recommendation was to approve the variance with a 3-0 vote. The fourth member of the Commission was present at their meeting, but was not able to participate or vote because he lives within 200 feet of the area.

Heathe May, applicant, provided the history on the property. His brother was a partner and named him as the administrator of his estate. The structure is 9,000 square feet and adding an automatic sprinkler system would have a huge impact on their budget. They are prepared to install an alternate system. They are looking forward to moving forward if the variance is approved.

Diego McClain, partner, presented the events and uses of the building. He identified the ingress/egress of the building. He said he resides in Kirby and looks forward to giving back to the community.

Fire Chief Levy offered information addressing fire safety and Kirby regulations.

Council discussed the information that they received. They discussed ingress/egress, possibility of fires and effects on neighbors.

Council Member Apodaca moved to accept the variance request to the Building Code, Section 150.16 to waive the requirement of the installation of an automatic sprinkler system in an 8,947.56 square foot commercial building; located at NCB 10596 N IRR 94.99 FT of S IRR 2717.68 FT Of TR-1 ARB P-100A LAND ONLY; otherwise known as 4700 Binz Engleman Road, City of Kirby, Bexar County, Texas, 78219. The motion died for the lack of a second.

Mayor Pro-Tem Aldrich moved to deny the variance request to the Building Code, Section 150.16 to waive the requirement of the installation of an automatic sprinkler system in an 8,947.56 square foot commercial building; located at NCB 10596 N IRR 94.99 FT of S IRR 2717.68 FT Of TR-1 ARB P-100A LAND ONLY; otherwise known as 4700 Binz Engleman Road, City of Kirby,

Bexar County, Texas, 78219; seconded by Council Member Grant. The motion carried with a 4-2 vote.

AYES: 4

NAYES: 2 (Council Members Apodaca and Hernandez)

- b. Discussion And Possible Action On Ordinance No. O-2020-889 An Ordinance Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Grant Specific Use Permit #2020-018 For Use Of The Property At 1488 Springfield Road, Lots 8, 9, And 10, Kirby, Texas For The Purpose Of Pipe Storage Yard With A One Story Office/Warehouse Building Of Approximately 18,000 Square Feet. This Is The First Reading.

Council Member Grant moved to accept Ordinance No. O-2020-889 an ordinance amending the Zoning Ordinance of the City of Kirby, Texas, to grant the Specific Use Permit #2020-018 for use of the property at 1488 Springfield Road, Lots 8, 9, and 10, Kirby, Texas for the purpose of pipe storage yard with a one story office/warehouse building of approximately 18,000 square feet; seconded by Council Member Martin. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- c. Discussion And Possible Action On Entering Into An Agreement With Greater Northeast Little League Inc. For The Use Of Land Owned By The City Of Kirby For Little League Baseball Athletic Functions

Doug Wolfe, GNELL President, said he is here to renew the agreement and answer questions.

Council Member Grant moved to renew the agreement with Greater Northeast Little League Inc. for the use of land owned by the City of Kirby for Little League Baseball Athletic Functions; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

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

There were not any applications submitted.

- e. Discussion And Possible Action On Appointment Of Members To The Beautification And Recycle Committee.

There were not any applications submitted.

f. Discussion And Possible Action On 2021 City Of Kirby Holiday Schedule

Council Member Grant moved to approve the 2021 City off Kirby Holiday Schedule; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

g. Discussion And Possible Action On United Private Networks Proposal For Internet And Phone Services

City Manager Vernon said this item is on the agenda to hear the proposal by United Private Networks. There will not be a need to vote tonight.

Jim Dorman resented UPN proposal for internet phone services for businesses only. He was available to answer questions.

h. Discussion And Possible Action On Crime Control And Prevention District Fiscal Year 2020-2021 Budget Amendment

Stephanie Faulkner, Vice-Chairperson presented the Crime Control and Prevention District Fiscal Year 2020-2021 Budget amendment. She explained the purpose of the amendment and was available to answer questions.

Council Member Apodaca moved to accept the Crime Control And Prevention District Fiscal Year 2020-2021 Budget Amendment; seconded by Council Member Grant. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

i. Discussion And Possible Action On Professional Services Agreement And Proposal For AWIA Risk And Resiliency Assessment And Emergency Response Plan From Givler Engineering

Abraham Galindo, Givler Engineering, provided information on the Professional Services Agreement and Proposal for America's Water Infrastructure Act 2018 (AWIA) and Resiliency Assessment and Emergency Response Plan from Givler Engineering.

Council Member Grant moved to accept Professional Services Agreement and Proposal for AWIA Risk and Resiliency Assessment and Emergency Response Plan from Givler Engineering; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

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

Michael Ives, Director of Public Works, provided information on replacing the guard rails on Binz Engleman Road that were not included in the Binz Engleman Road Project plans.

Council Member Grant moved to replace the guardrails on both sides of Binz Engleman Road in the amount of \$38,764; seconded by Council Member Martin. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

Mr. Ives continued the update on the Binz Engleman Road reconstruction project.

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 City Manager Vernon about the size of the pad that is needed. City Manager Vernon said she will follow up with VIA on the pad.

Mayor Pro-Tem Aldrich – She asked for the status of our asphalt truck. City Manager Vernon provided an explanation.

Council Member Hernandez – He asked Ms. Cox about the question he had about the Mixed-Use zoning. Ms. Cox stated that the Planning and Zoning Commission will continue to look at Mixed-Use zoning.

Council Member Apodaca – She said she is concerned about the cats and dogs that are running loose. She asked that we do what we can to help them by posting on social media.

Council Member Martin – He asked City Manager Vernon what can be done to change the hiring policy to get people hired in Public Works. He wished everyone a Merry Christmas/Happy Holidays and asked that the Public Works hiring process be placed on the next agenda.

Mayor Pro-Tem Aldrich – She asked that the ordinance addressing stopping, standing, and parking ordinance be brought back for approval on the next agenda.

Mayor Pierce – She thanked everyone for attending the meeting. She announced upcoming events: Pet microchip drive (\$10) at the Animal Shelter this weekend; Annual Holiday

Decorating deadline is tomorrow at 5:00 P.M. and the winners will be announced on December 17 at the City Council meeting and will be placed on the City's website. January 13, 2021 through February 12, 2021 is the period to file for a place on the ballot. The next Council meeting is on December 17, 2020. City Hall will be closed for a City function on Friday, December 11, 11:30 A.M. – 12:30 P.M. She asked Chief Levy to extend congratulations to Pablo Ortiz.

11. Adjournment

Meeting adjourned at 9:51 P.M.

Lisa B. Pierce
Mayor

ATTEST:

Patty Cox, TRMC
City Secretary