



*Lisa B. Pierce, Mayor*

Sylvia Apodaca  
Mike Grant  
Mike Martin

Joe Salazar  
Thomas Hernandez  
Janeshia Grider

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, APRIL 8, 2021 – 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 Grant  
Council Member Salazar  
Council Member Hernandez  
Council Member Martin  
Council Member Grider

ABSENT

Council Member Apodaca

## **5. Citizen Participation**

1. Debra McMillan – She provided the history of her arrival in Kirby and her service in the Department of Defense. She also served on committees in Kirby. She spoke about the Code of Conduct for boards, committees and commission.

2. Roger Romens – He spoke about the Code of Ethics for boards, committee & commissions and said the City should revisit this document.

Mayor Pierce said a recent event has brought her to ask the Kirby Senior Center Board to publish an official statement identifying the candidates they are endorsing for office, since there were comments about ethics and those kinds of things.

3. Sharon Shuler – She said she is concerned about the property along Springfield Road. Big Boy Hauling has been a very good neighbor. She is concerned about the drain swell and when it will be completed along the rear property. She received her property tax report and knows the city will use it wisely and she has no issue with the tax money.

4. Harold Shaw – He is concerned that he will be trespassing if he maintains behind his fence. Is this true? He asked if he is allowed to maintain the area behind his fence. Who is going to maintain the easement? City Manager Vernon inquired if the black silt fence was still on the property. Mr. Shaw informed her he will confirm that it is still there at this time.

Mayor Pierce asked for a motion to let Ms. McMillan speak again.

Council Member Martin moved to allow Ms. McMillan an opportunity to speak again; seconded by Council Member Hernandez. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

5. Debra McMillan – She said when she came in to pay her water bill last month she noticed that two well established live oak trees were removed from the parking lot. She is requesting response from council as to why these trees were cut down, the cost to the tax payers, who was responsible for this action, and will they be replaced?

City Manager Vernon said the trees were dead for quite some time, the tree professionals across the street looked at the trees and we had them removed and they were paid from the Building maintenance budget for city hall.

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

a. Regular Meeting – March 25, 2021

Mayor Pro-Tem Grant moved to accept the March 25, 2021 minutes; seconded by Council Member Hernandez. The motion carried with a 6-0 vote.

**7. Presentation**

a. Employee Of The Quarter

Interim Police Chief Cardona introduced Corporal Donald Lackey as Employee of the Quarter.

b. Introduction Of New Employees

The new employees were introduced:

Interim Police Chief Cardona introduced Animal Control Officer –Alissa Rodriguez

Interim Police Chief Cardona introduced Full Time Police Officer – Gloria Lewis

Michael Ives Public Works Director introduced – Armando Marques and Ricardo Vasquez (not present).

Captain William Hilburn Fire Department – Angela Nagel, Timothy Gill, Adam (Eli) Camacho, and Gabriella Macias.

c. Presentation On City Of Kirby Proposed Charter Amendments On The May 1, 2021 Special Election Ballot

City Manager Vernon identified the 15 proposed Charter amendments for information only. The proposed Charter amendments are on the May 1, 2021 Special Election Ballot. The Election Notice will be advertised in the April 14 & 21 issues of the Northside Herald.

**8. General Discussion And Possible Action**

a. Presentation And Discussion On City Of Kirby Code Compliance Process.

Megan Thompson, Code Compliance Officer – She presented the most common code complaints and explained the process to correct code compliance issues and non-compliance code issues. She identified ways to report violations, steps taken once violations are observed or reported and where to review City code of ordinances. She answered questions from City Council.

Mayor Pierce called for a recess at 8:30 P.M.

Mayor Pierce reconvened the meeting at 8:39 P.M.

- b. Update, Discussion And Possible Action On San Antonio Water System (SAWS) Sewer Rates For The City Of Kirby And Current Customer Costs.

City Manager Vernon provided the history and update on San Antonio Water System (SAWS) rates. She provided the rates from previous Fiscal Years. Based on the information on the rates, she recommended not raising the rates to our residents. SAWS notifies the City when they are going to raise the rates. This could be brought back to Council during budget discussion.

Michael Ives, Public Works Director, explained the waste water treatment process.

- c. Discussion And Direction On Potential Changes To Ordinance No. O-2018-847 - Which Adopted New Sections 50.10 Through 50.20 Of The Code Ordinances Including A Revision To Sewer Service Charges And Providing For A Penalty.

Michael Ives, Public Works Director, presented the potential changes to Ordinance No. O-2018-847. He proposed changes to Section 2 (c), Section 4 (a) and (f. 2), and fees for water service for 5/8" meter and fees for sewer services.

City Manager Vernon asked City Council to review the Ordinance and bring it back for Council approval.

- d. Discussion And Direction On Potential Changes To Ordinance No. O-2018-849 An Ordinance Regulating Signs In The City Of Kirby, Texas.

City Council Member Martin requested this item. His concern is when candidates can place campaign signs in the City. There was discussion to allow between 30 – 60 days to be considered. General consensus was to use the date for first day for filing or the last day to file.

- e. Discussion And Possible Action On Appointment Of A Member To The Planning And Zoning Commission.

There were not any applications.

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

There were not any applications.

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

There were not any applications.

- h. Discussion And Possible Action On City Of Kirby Well Number 3 Repairs, Purchase And Funding

Michael Ives, Public Works Director, provided the history on Well Number 3.

Shawn Marlow, Advanced Water Well Technologies representative, presented a power point display showing the condition of the well casing. Their plan is to run a liner through the casing. The well diameter is 16 inches and the casing is 10 inches. He explained the process to repair Well Number 3. The life expectancy for the casing is approximately 50 years. Late June for completion date for the liner and pumping water. He presented a bid in the amount of \$129,905.00.

Michael Ives explained what happens if Well #3 is not repaired. He said currently Well #2 is in service and it is crucial we get well #3 in service. If Well #2 fails, Kirby will be in dire straits.

Mr. Marlow said this project consists of the casing and pump. The quote they submitted includes the repair only to reline the well. The pump would be after this process is done. Then they will issue an estimate on the pump.

There was discussion about using Buy Board for the purchase.

Mr. Marlow informed Council that if go with Buy Board their fee will change because with Buy Board you have to use an hourly rate; therefore, the cost could increase.

Council Member Grant moved to go forward with repairs, purchase and funding through BuyBoard; seconded by Council Member Grider. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- i. Discussion And Possible Action On City Of Kirby 2021 Pool Season COVID Guidelines And Fees

City Manager Vernon asked City Council to consider questions from San Antonio Pool Management. Council responded to the questions. Council concurred with 75% capacity; no social distancing; encourage masks in the building only; waiver forms will be required for patrons and guests; temperatures or health screenings/questionnaires will not be conducted; and normal process for sanitation procedures.

Council concurred with conducting swim lessons, pool parties and consider 'no fee' exercise classes outside of regular pool hours. Entry fee will remain at \$2.00 per person. Also consider senior swim time.

**9. Executive Session**

- a. Update, Discussion And Possible Action On Springfield Road Properties – Possible Executive Session Pursuant To Texas Government Code Section 551.071, Consultation With Attorney

Mayor Pierce closed the regular meeting and Council convened into executive session at 11:15 P.M. for an update, discussion and possible action on Springfield Road properties – possible executive session pursuant to Texas Government Code Section 551.071, consultation with attorney.

**10. Reconvene To Open Session**

- a. Update, Discussion And Possible Action On Springfield Road Properties

Mayor Pierce reconvened into regular session at 11:50 P.M. There was no action taken on the update, discussion and possible action on Springfield Road properties.

**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 that radios for public works be placed on an agenda.

Council Member Hernandez – He thanked everyone for staying.

Council Member Grider – She said to place Animal Control Presentation on an agenda.

Mayor Pierce – She thanked everyone for attending the meeting. She addressed comments made during Citizen Participation. She said Kirby Senior Center will have a basket raffle, \$2 each ticket for Mother's Day.

City Manager Vernon – She said the American Rescue Plan Act (H.R. 1319) signed on March 11, 2021 entitled Kirby to \$ 1.9 million fund. Half the funds will be delivered in

approximately 60 days and the other half will be delivered one year later. The funds come directly to the City.

Council Member Grider – She stated the COVID-19 vaccine is free and insurance is not required.

**12. Adjournment**

Meeting adjourned at 12:03 A.M.

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Lisa B. Pierce  
Mayor

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Patty Cox, TRMC  
City Secretary