



*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 22, 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

ABSENT

Mayor Pierce  
Mayor Pro-Tem Grant  
Council Member Apodaca  
Council Member Salazar  
Council Member Hernandez  
Council Member Martin  
Council Member Grider

**5. Citizen Participation**

1. Roger Romens – He addressed his concern with a misstatement made at the last Council meeting. He asked that the statement be retracted and an apology is in order. Mayor Pierce said there will be no retraction or apology.

2. Sharon Shuler – She spoke about the types of grants and the process how they work. Also, the well that needs to be replaced is something that we need.

3. Anthony Jetter – He spoke about not receiving information he requested and inquired about placing an item on an agenda.

4. Susan Street – She inquired about why the city manager’s contract has been placed on the agenda to be discussed in executive session. She said it is not time to discuss the contract.

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

a. Regular Meeting – April 8, 2021

Mayor Pro-Tem Grant moved to accept the Minutes of April 8, 2021; seconded by Council Member Hernandez. The motion carried with a 6-0-1 vote.

AYES: 6                      NAYES: 0                      ABSTAIN: 1 (Council Member Apodaca)

**7. Presentation**

a. Introduction Of New Employees

Michael Ives Public Works Director announced new park staff member is – Michael Torres.

Interim Police Chief Cardona announced Madison Harris is our new full-time dispatcher and introduced Katrina Sizenbach full time police officer.

**8. Consent Agenda**

a. Approval Of Quarterly Investment Report For Period Ending December 31, 2020

b. Approval Of Quarterly Financial Report For Period Ending December 31, 2020

Council Member Salazar moved to accept the Consent Agenda; seconded by Mayor Pro-Tem Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

**9. General Discussion And Possible Action**

- a. Presentation And Discussion On The City Of Kirby Animal Ordinance No. O-2019-865 And Animal Services Process.

Mayor Pierce asked that item be tabled until the Animal Control Officer is available.

Mayor Pro-Tem Grant moved to table this item on the City Of Kirby Animal Ordinance No. O-2019-865 until the Animal Control Officer is available; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- b. Discussion And Possible Action On Borchers Drive Design And Timeline - M&S Engineering

Jerod Mott, M&S Engineering, identified the project and plans for Borchers Drive design and timeline. The plans are ready and he recommended approval for bidding. The bidding phase will take approximately four weeks. After the bid is awarded, there will be approximately four weeks before construction starts. The expected amount of the project is \$542,773.97 and the construction will take approximately six months to complete.

City Manager Vernon requested clarification on the cost of the project. The initial cost estimate was \$388,000.

Council discussed the project and process regarding bids.

City Manager Vernon asked Council for a consensus whether they wanted to move forward because there is a timeline for CDBG funding.

There was a general consensus to move forward.

- c. Discussion And Possible Action On The Purchase And Installation Of A Generator At Well Site #2

Michael Ives, Public Works Director, informed Council there are two options for the purchase and installation of a generator for Well Site #2.

City Manager Vernon provided the history on Well Site #2 and the importance of the generator.

Michael Ives, Public Works Director, introduced Mac McCullough, MCI Generator & Electric, LLC, representative. He discussed the various options available for the City and presented cost estimates for future consideration. The cost estimates were for new and used generators. The bids also included demolishing and rebuilding the existing structure on the well site.

Mayor Pro Tem Grant moved to accept Option 2 for a previously owned (used) generator; seconded by Council Member Martin. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

d. Update And Discussion About The 2021 American Rescue Plan Act

City Manager Vernon explained on March 11, 2021 the American Rescue Plan Act was signed into law (H.R. 1319) by President Biden. The \$1.9 trillion package is intended to combat the COVID-19 pandemic, including the public health and economic impacts. Kirby is entitled to \$1,901,953.48. half of the funds will be delivered to us by May 11, 2021 and the remaining half will be delivered one year later. We have until December 2024 to expend the funds. A workshop will be scheduled to decide how the funds will be used.

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 was one application submitted by Maria Lozano.

Mayor Pierce provided information about the different events the Beautification and Recycle Committee offer for the Kirby residents.

Council Member Martin moved to appoint Maria Lozano to the Beautification and Recycle Committee with a term expiring October 1, 2022; seconded by Mayor Pro-Tem Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- h. Discussion And Possible Action Regarding A Radio System For The Public Works Department.

City Manager Vernon provided information submitted by Dailey-Wells Communication for the cost for basic handheld radios. The quote submitted for six hand held radios and one channel is \$11,220. For six radios and subscription the fee is \$18 per month per radio plus a \$500 annual fee.

Council discussed other options for the radios to include S&P Communications and Motorola.

- i. Update, Discussion And Possible Action On Personnel Services Agreement Between The City Of Kirby And Emergency Services District #11

City Manager Vernon recognized John True and Chief Wendt.

John True, President of ESD #11 and Chief Wendt for EDS #11 were present. Mr. True spoke about the expansion of ESD #11 and announced they will be submitting a letter to the City of Kirby on June 1, 2021 canceling the contract that expires October FY-2022. They will have the manpower to service Kirby as well as their own area and they are here to help.

City Manager Vernon said there needs to be a discussion on what will take place with the separation.

Council discussed the number of staff per shift, bringing back the volunteer program and scenarios if there are multiple calls at one time.

The general consensus of Council was five staff per shift.

City Manager Vernon said there will need to be discussion on how to scale down from 24 staff to 15 staff.

- j. Discussion And Possible Action On Changing the May Regular Council Meeting Dates In Accordance With Ordinance No. O-2020-886 - Due to Unforeseen Discrepancies With Regular Meeting Dates And Times.

City Manager Vernon stated last year Council revised the ordinance to include “unforeseen discrepancies” as a reason to change Council meeting dates. Because there are strict requirements when Council needs to canvass election votes staff is requesting move the meetings in May to May 6 for canvass the votes and May 20 for the second meeting.

Mayor Pro-Tem Grant moved to change the May regular Council meeting dates to May 6 and May 20; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

**10. 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
- b. Deliberation On Review, Evaluation, Duties, Discipline Or Dismissal Of The City Manager. Possible Executive Session Pursuant To Texas Government Code Section 551.074, Personnel Matters.

Mayor Pierce closed the regular meeting, opened and adjourned into executive session at 9:00 P.M.

**11. Reconvene To Open Session**

Mayor Pierce reconvened into regular session at 11:15 P.M. The executive session closed at 11:11 P.M.

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

There was no action on this item.

- b. Discussion And Possible Action On Review And Evaluation Of The City Manager.

Mayor Pro-Tem Grant moved to extend the City Manager’s contract to April 30, 2023; seconded by Council Member Grider. The motion carried with a 7 – 0 vote.

AYES: 7

NAYES: 0

## **12. 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**

Mayor Pro-Tem Grant – He addressed the negativity that has surfaced during this election.

Council Member Salazar – He expressed to Mayor Pierce that it has been a pleasure serving with her.

Council Member Hernandez – He said while campaigning he has heard concerns about speeding by the pool and asked if this could be placed on an agenda for discussion.

Council Member Grider – She said she would expect committees, commissions, boards, mayor, city council, and city staff members act professionally and respectfully because that is what you should do and that is what she does. Also, she said she's not choosing sides, she's on the side of the City. She expressed that the council members have exhibited professionalism by agreeing to disagree and that's true leadership. She said she has witnessed this from the members while she has served on Council.

Council Member Apodaca – She commended Mayor Pierce for all the things that she has taught her over the years. The Senior Center will have a taco plate sale on Saturday, \$8.00 per plate and there will be \$2.00 raffle tickets on sale.

Council Member Martin – He thanked everyone for staying and wished everyone good luck during the election. He thanked staff for everything they do.

Mayor Pierce – She said early voting ends April 27 and election day is May 1. The Annual Community Wide Garage Sale is April 23 – 25.

City Manager Vernon – She said that May 10 – 18 is the Annual Bulk and Brush drop off at Public Works. She expressed for liability and safety purposes our public works staff cannot remove items from vehicles. She urged neighbor help neighbor.

Mayor Pierce – She said Kirby Animal Shelter is at full capacity. If you are interested in adopting a dog, reach out to the Animal Shelter. She thanked everyone for staying. She expressed she is happy that City Manager Vernon's contract was extended to 2023. She said she felt Ms. Vernon has done a great job for the City. She is happy the funding will be provided directly to the cities. Good luck to everyone in the election. Good luck, be safe thank you for staying, thank you to city staff. She added that Dollar General is nearing completion. This year the City

will not receive the results of the election as quickly as in the past. This year Patty Cox, City Secretary will receive the results electronically and then she will stand outside and announce the unofficial results.

**13. Adjournment**

The meeting adjourned at 11:34 P.M.

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Lisa B. Pierce  
Mayor

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Patty Cox, TRMC  
City Secretary