



Kimberly McGehee Aldrich, Mayor

Sylvia Apodaca
Mike Grant
Mike Martin

Joe Salazar
Janeshia Grider
Susan E. Street

CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, SEPTEMBER 23, 2021 – 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219

1. **Call Meeting to Order**

Mayor Aldrich called the meeting to order at 7:00 P.M.

2. **Invocation and Pledge of Allegiance to the Flag**

Mayor Aldrich 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 Aldrich
Mayor Pro-Tem Grant
Council Member Apodaca
Council Member Salazar
Council Member Martin
Council Member Grider
Council Member Street

5. Citizen Participation

1. Lee Anderson – He asked Council to expedite needed repairs on Wheatland Road.
2. Debra Walczyk – She informed Council she does not support Ordinance No. O-2021-903. She asked them to place this on the ballot or table the item and create a group to review the ordinance.
3. Patricia Mann – She informed Council she supports Ordinance No. O-2021-903 and offered her reasons.
4. Jose Garcia – He expressed what he has seen in the City the past few days and compliments the City for the street repairs. He said the department is doing a good job.
5. Roger Romens – He deferred to speak when 9 a. is discussed.
6. Harold Shaw – He spoke about Ordinance No. O-2021-903 and offered his reasons.
7. Lisa Pierce – She spoke about Ordinance No. O-2021-903 and said the voters should decide if the qualifications should be updated. She advised Council to be careful with posting on social media.
8. Ron Badour – He emailed a request for his comments to be read. City Secretary Cox read his email. He wrote, the ordinance being proposed regarding qualifications for city office almost mirrors the law currently in place for Texas state offices and he does not like either one of them. He offered the reasons and asked Council to place it on the next ballot and let the voters decide.
9. Gilbert Rodriguez – He emailed a request for his comments to be read. City Secretary Cox read his email. He wrote, the City's future should not be left to councilmembers to decide, but the community as a whole should have that power. This ordinance should not pass because you are directly limiting or stopping citizens from being able to our part to better this community.
10. Chris Garza – He emailed a request for his comments to be read. City Secretary Cox read his email. He wrote, he wanted to discuss the new ordinance that the majority on this council is trying to push through, and he would like to address how targeted it truly is, and how he thinks that it's an overreach of power by making him ineligible. He said the focuses should be on building community, free flow of ideas, helping each other, fixing our roads, fixing our infrastructure, bringing in businesses, looking towards the future of Kirby and doing things the right way. People deserve the right to vote for who they want.
11. Anonymous – Anonymous wanted the Council to know the Kirby Community Page should be for positive things and not for negativity for our city.

12. Abbey Willcox – She emailed a request for her comments to be read. City Secretary Cox read her email. She asked council to please stop choosing things for our city that we did not have an opportunity to vote for. She believes this is a personal attack on certain people who should be allowed to run for office. She felt like our city doesn't want to come together or see things improve. Best regards and lots of hope that one day we can all be welcomed.

13. Kim Stroud – She emailed a request for her comments to be read. City Secretary Cox read her email. She wrote, she noticed that the city council is trying to put restriction on who can run for positions on the council. If the city council would spend their time and energy on improving Kirby instead of worrying about someone beating them in the next election maybe more would get accomplished. The council needs new blood and there should be term limits in order to bring new fresh ideas for the improvement of Kirby. If a person is a registered voter, that person should have the right to run for office.

6. Consideration Of And Action On Minutes

a. Regular Meeting – September 9, 2021

Council Member Martin moved to accept the Minutes of September 9, 2021 Regular Meeting; seconded by Council Member Apodaca. The motion carried with a 7-0 vote.

7. Consent Agenda

a. Quarterly Investment Report For Period Ending June 30, 2021

b. Quarterly Financial Report For Period Ending June 30, 2021

Tina Ynfante, Finance Director was present to answer questions.

Mayor Pro-Tem Grant moved to accept the Quarterly Investment Report For Period Ending June 30, 2021 and Quarterly Financial Report For Period Ending June 30, 2021; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

8. Presentation

a. Police Chief Badge Pinning

Chief Roxanne Cardona was pinned by Sergeant Alonzo and Sergeant Scurlock and the Oath of Office was administered by the City Secretary.

b. Fire Prevention Week Proclamation

Chief Hilburn accepted the proclamation presented by Mayor Aldrich.

9. General Discussion And Possible Action

- a. Discussion And Possible Action On Ordinance No. O-2021-903 An Ordinance Of The City Council Of The City Of Kirby, Texas, Amending Chapter 30 Of The Code Of Ordinances To Provide For Certain Qualifications For Candidates For Mayor Or For Places on the City Council Or To Serve In Places On The City Council Of The City Of Kirby. This Is The Second Reading.

Roger Romens - He spoke in about the ordinance and said it is a smear campaign.

Mayor Aldrich opened the item for discussion.

Council discussed this item. There was discussion in support and opposition of the ordinance.

Mayor Pro-Tem Grant moved to accept Ordinance No. O-2021-903 an Ordinance of the City Council of the City of Kirby, Texas, amending Chapter 30 of the Code of Ordinances to provide for certain qualifications for candidates for mayor or for places on the city council or to serve in places on the city council of the City of Kirby; seconded by Council Member Apodaca. The motion carried with a 4-3 vote.

AYES: 4

NAYES: 3 (Council Members Grider, Street and Martin)

b. Discussion And Possible Action On Statements Of Qualifications On City Engineer Services

City Manager Vernon stated the City received five submissions for City Engineer Services. A committee made up of City Manager Vernon, Public Works Director Ives and Council Member Martin reviewed the submissions and selected three to attend our meeting. They were Ford, Bain Medina Bain and Freeland Turk.

The companies had 10 minutes each to present their qualifications and answer questions. Council ranked each company 1, 2, or 3 based on qualifications and authorize the City Manager to negotiate a contract.

Mark Hill - Ford Engineering, Carl Bain - Bain Medina Bain and Thomas Turk - Freeland Turk Engineering presented their companies.

Mayor Pro-Tem Grant moved to rank Ford Engineering number one; seconded by Council member Apodaca. The motion failed with a 3 – 4 vote.

AYES: 3 NAYES: 4 (Council Members Salazar, Grider, Street and Martin)

Council member Salazar moved to rank Bain Medina Bain number one; seconded by Council Member Martin. The motion carried with a 4 – 3 vote.

AYES: 4 NAYES: 3 (Council Members Grider, Street and Apodaca)

Mayor Pro-Tem Grant moved to rank Ford Engineering as number two; seconded by Council member Apodaca. The motion carried with a 4-3 vote.

AYES: 4 NAYES: 3 (Council Members Salazar, Grider and Street)

After ranking each company, the results are as follows: Bain McCrary Bain, Ford Engineering, Freeland Turk Engineering.

Mayor Pro-Tem Grant moved to authorize City Manager to negotiate a contract based on the ranking order; seconded by Council Member Salazar.

The motion carried with 7-0 vote.

AYES: 7 NAYES: 0

City Manager Vernon will negotiate between Bain Medina Bain, Ford Engineering, and Freeland Turk Engineering for engineering services. She will start with Bain Medina Bain and if not able to negotiate a contract, then will contact Ford Engineering. If not able to negotiate a contract, then will contact Freeland Turk Engineering.

- c. Discussion And Possible Action On A Request For The City To Waive Fees For City Services And Use Of Friendship Park For The 2021 Braylon Nelson Walk On October 16, 2021

Ms. Candice Matthews introduced Braylon Nelson to Council and shared the history of their request. He is a survivor of an accident that occurred in Kirby in 2011 leaving him paralyzed. The proceeds will fund a hospital bed that is in need of being replaced that insurance won't cover as well as a shower chair. The date of the event is October 16, 2021.

allocated and who they should be allocated to. City Manager Vernon explained the City never shut down during COVID March 1, 2020 – June 2021. The City provided 100% service during this time.

Council Member Street suggested using \$100,000 toward all employees in the amount of \$2,000 for each full-time employee and \$1,000 for each part time employee who worked during the pandemic. The employee has to be currently employed.

Council Member Street moved to use ARPA funds for essential workers to pay all employees, in the amount of \$2,000 for each full time employee and \$1,000 for each part time employee who worked during the pandemic and the employee has to be currently employed; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- i. Discussion And Possible Action To Change The November City Council Meetings Due To City Holidays

City Manger Vernon explained the need to change the dates for the November meetings. Mayor Pro-Tem Grant moved the meetings to the first and third Thursday in November; seconded by Council Member Apodaca. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- j. Discussion And Possible Action On Increasing City Council Travel Expenses For Fiscal Year 2021-2022

City Manager Vernon explained the 2021-2022 Budget has \$2,000 for Council travel expense. Additional funds are needed for the TML Conference. She suggested increasing to \$4,500.

Council discussed the expenses.

Mayor Pro-Tem Grant moved to increase the Council travel/training budget by \$5,000; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

AUES: 7

NAYES: 0

- k. Discussion And Possible Action On Bid For The Ackerman Road Phase II Project, In Light Of Notice Of Bid Protest Received On September 14, 2021.

- l. Possible Executive Session pursuant to Texas Government Code Section 551.071, Consultation with Attorney.

Mayor Aldrich opened item k. and l. and closed the meeting at 10:12 P.M. to convene into executive session to discuss items k. and l.

Mayor Aldrich closed the public hearing and opened the regular meeting at 10:33 P.M. She said there was not any action taken during the executive session. Mayor opened item 9. k. Discussion and possible action on bid for the Ackerman Road Phase II project, in light of notice of bid protest received on September 14, 2021.

Council Member Grider moved that the City rescind the award of a contract to Austin Bridge and Road, LP for the Ackerman Road Phase II Project, reject all bids previously received for the Ackerman Road Phase II Project, and authorize the City Manager to arrange for issuance of new Request for Proposals for the Ackerman Road Phase II Project; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

Ayes: 7

NAYES: 0

- m. Discussion And Possible Action From BlackOut Krcu Trail Riding Clubs To Conduct A Community Trunk Or Treat Event In Friendship Park On Sunday October 10, 2021.

Ms. Harris presented her event to Council and asked for permission to conduct her event. She wants to host a Trunk or Treat event at Friendship Park on October 10, 2021; 3:00 P.M. – 7:00 P.M. There will be food vendors and there will not be any alcohol allowed on site. The proceeds will support autism. The organization will pay all fees.

Council Member Martin moved to allow use BlackOut Krcu Trail Riding Clubs to conduct a Community Trunk or Treat event in Friendship Park on Sunday October 10, 2021; seconded by Council Member Street. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

10. City Manager Announcements

- a. Announcements On City Events And Items Of Community Interest.

City Manager Vernon announced two events: National Night Out and Government 101 Citizen Academy.

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 Interest

Council Member Salazar – He wished Tina Ynfante a Happy Birthday. It’s great seeing participation from citizens.

Council Member Grider – She thanked staff and congratulated Chief Cardona. She requested an item for the agenda to discuss council members on various boards, committees; update on recruitment for volunteer fire department; in the future discuss ‘on boarding’ for all city council. Consider once or twice a month council make an appointment, two or three members at a time, with City Manager to discuss questions prior to City Council meetings.

Mayor Pro-Tem Grant – He thanked everyone for attending the meeting.

Council Member Street – She said she would like to attend the next financial planning workshop; also, she will be attending Government 101. She thanked all City employees.

Council Member Apodaca – She said she’s glad to see so many people attending the meeting. She thanked City employees for doing an excellent job. Think about what you are going to do with your pets when the cooler temperatures arrive. She addressed pan handling and controlling it.

Council Member Martin – He thanked everyone for attending the meeting and staying through the duration. He congratulated Chief Cardona. Regarding the complaints about streets, he asked if the City could hire day laborers to assist Public Works.

Mayor Aldrich - She congratulated Chief Cardona - the first woman chief. She reminded everyone the second section for bulk/brush service started. She said September is Suicide Awareness Month. She thanked everyone for attending the meeting and thanked City employees for choosing Kirby.

12. Adjournment

The meeting adjourned at 10:50 P.M.

Kimberly Aldrich, Mayor

ATTEST

Patty Cox, City Secretary, TRMC