



Kimberly McGehee Aldrich, Mayor

Sylvia Apodaca
Mike Grant
Mike Martin

Joe Salazar
Janeshia Grider
Susan E. Street

CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, OCTOBER 28, 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. Roger Romens – He shared information regarding item 9.a.

2. Chris Garza – City Manager Vernon read a letter delivered this afternoon by Chris Garza. He offered suggestions on care of K-9 Jake. He said all meetings should be taped and placed on Facebook for the public to see and hear what takes place at all meetings. He asked that this be placed on a Council agenda.

6. Consideration Of And Action On Minutes

a. Regular Meeting – October 14, 2021

Council Member Martin moved to approve the minutes; seconded by Mayor Pro-Tem, Grant. The motion carried with a 7-0 vote.

7. Presentation

a. Presentation On Judson Independent School District Bond 2021, Dr. Milton Fields

Dr. Milton Fields presented information about the Judson Independent School District 2021 Bond Election.

b. Police Lieutenant Badge Pinning Ceremony

Chief Cardona recognized Lieutenant Alonzo and shared the history on his career. Tina Ynfante, Finance Director, officiated the oath of office.

c. Recognize The Yard Of The Quarter, Beautification & Recycle Committee

Pat Baber, Beautification and Recycle Committee, recognized Cynthia and Daniel Benavides, the recipients of the Yard of the Quarter.

8. Public Hearing

a. On A Zoning Change Request For The Property Located At CB 5903, BLK LOT 8, Otherwise Known As 3902 Ackerman Road, Kirby, TX 78219, Which Is Zoned Single Family Dwelling District (R-1) To Be Rezoned As Multiple Family Dwelling District (R-2) Property.

Mayor Aldrich closed the regular meeting and opened the public hearing at 7:22 P.M.

1. Richard Bundick – Mr. Bundick, applicant, provided information on the lot and his request to build two additional houses. There will be one driveway, the lot is 3-acres and he will construct a privacy fence. This will provide more property tax revenue for the City.

2. Roger Romens – He said he is not opposed and all neighbors have been notified.

Mayor Aldrich closed the Public Hearing at 7:27 P.M.

9. General Discussion And Possible Action

a. Presentation And Discussion On City Of Kirby Drainage Master Plan, Givler Engineering

David Givler, Givler Engineering, presented the Drainage Master Plan. He identified areas of interest. His recommendations included inspections, incorporate drainage into street repair, consider funding, prioritize projects, phased proposed projects. Also, work from downstream to upstream. He was available to answer questions.

b. On A Zoning Change Request For The Property Located At CB 5903, BLK LOT 8, Otherwise Known As 3902 Ackerman Road, Kirby, TX 78219, Which Is Zoned Single Family Dwelling District (R-1) To Be Rezoned As Multiple Family Dwelling District (R-2) Property.

Mr. Bundick was available to answer questions from Council.

Council Member Salazar said he was concerned that there will be an increase in property taxes.

Council discussed the request and spot zoning.

City Manager Vernon said the City Attorney's opinion was that this is considered spot zoning even if you add a multi-unit building in the middle of a Single Family District (R-1), even if it's not an apartment complex. There has been case law in both directions saying whether this is allowable.

Council Member Street moved to accept the zoning change request for the property located at CB 5903, Blk Lot 8, otherwise known as 3902 Ackerman Road, Kirby, TX 78219, which is zoned Single Family Dwelling District (R-1) to be rezoned as Multiple Family Dwelling District (R-2) property; seconded by Council Member Apodaca. The motion carried with a 4-3 vote.

AYES: 4

NAYES: 3 (Mayor Pro-Tem Grant, Council Member Salazar, Mayor Aldrich)

- c. Discussion And Possible Action On Ordinance O-2021- 904 To Repeal Ordinance No. O-2005-618 And To Add A Stop Intersection North And South At Binz Engleman And Fred Haise To Schedule I Of Chapter 72 Of The Code Of Ordinances. This Is The Second Reading.

Mayor Pro-Tem Grant moved to accept On Ordinance O-2021- 904 to repeal Ordinance No. O-2005-618 and to add to stop intersection north and south at Binz Engleman and Fred Haise to Schedule I of Chapter 72 of the Code of Ordinances; seconded by Council Member Grider. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Council Member Street)

- d. Discussion And Possible Action On Ordinance No. O-2021- 905 Designating The Official City Newspaper For Publication Of Matters Pertaining To The City Of Kirby. This Is The Second Reading.

Council Member Grider moved to approve Ordinance No. O-2021- 905 designating the Official City Newspaper for publication of matters pertaining to the City of Kirby; seconded by Council Member Salazar. The motion carried with a 7 – 0 vote.

AYES: 7

NAYES: 0

City Manager Vernon stated San Antonio Express News will be our new newspaper.

- e. Discussion And Possible Action On Appointment Of A Member To The Economic Development Committee

There were not any applicants.

- f. Discussion And Possible Action On Appointment And Reappointment Of Members To Building and Standards Commission

Council Member Martin moved to reappoint Jack Major, Lexie Potter; and appoint Jakub Kosiba to terms expiring October 2023; seconded by Mayor Pro-Tem Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

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

Council Member Grider moved to reappoint Alice Moczygemba and Barbara Herb to terms expiring October 2023; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

Council Member Grider thanked Barbara and Alice for their commitment to the Beautification Committee.

h. Discussion And Possible Action On Installation On A Concrete Pad At The Charles Conrad Bus Stop

City Manager Vernon provided the history on the bus stop.

Council discussed the installation of a concrete pad and cover at the Charles Conrad bus stop. Council Member Street said she will seek grants for funding.

Mayor Pro Tem Grant moved to accept bids for the pad and cover at the Charles Conrad bus stop; seconded by Council Member Salazar. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

i. Discussion And Possible Action On Resolution No. R-2021-738 Of The City Of Kirby City Council For The Adoption Of The City Of Kirby Cafeteria Plan

Tina Ynfante, Finance Director, explained the Cafeteria Plan and stated there were not any changes.

Council Member Grider moved to accept Resolution No. R-2021-738 of the City of Kirby City Council for the adoption of the City of Kirby Cafeteria Plan; seconded by Mayor Pro-Tem Grant. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

j. Discussion And Possible Action On Implementation Of Background Checks For 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.

City Council discussed the implementation of background checks 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.

Mayor Pro-Tem Grant moved to add an addendum to the Candidate Packets for anyone seeking a place on City Council, identifying the Qualifications For Candidates in Ordinance No. - 2021-903; seconded by Council Member Salazar. The motion carried with a 5-2 vote.

AYES: 5

NAYES: 2 (Council Members Street and Martin)

k. Update, Discussion And Possible Action On K-9 Jake

The Council discussion addressed K-9 Jake being boarded with the professional company and providing Council with updates on the progress of locating a new department for Jake.

10. City Manager Announcements

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

City Manager Vernon did not have any announcements.

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 offered condolences to Mayor Aldrich and her family. He spoke about Halloween and safety.

Council Member Grider – She announced the Fire Department was having a drive through Halloween on October 31, 2021, 4:00 P.M. – 9:00 P.M. at the Fire Station. She requested a small space set up at city hall for Council to use. She asked if there is a conflict if Council Member Street searches for grants for the City as a volunteer service, SA Youth Rugby Academy will host the second clinic of our Kirby Community Youth Outreach event at Friendship Park on October 30, 2021, 9:00 A.M. -11:00 A.M.; November 1 Travel the Trails with Council 6:30 P.M. – 7:30 P.M. location is Hugo Lentz. Civilian of the Quarter award and Youth of the Quarter award. She agreed with live streaming Boards, Commissions and Committees on Facebook. She suggested the liaison for the different boards, commissions and committees present a report on their meeting at City Council meetings. She expressed her appreciation to all staff. She offered condolences from the Grider family to Mayor Aldrich.

Mayor Pro-Tem Grant –He offered condolences to Mayor Aldrich. He expressed his concern with social media.

Council Member Street called a Point of Order.

Mayor Aldrich called a Point of Order.

Council Member Street – She provided the proper use of a point of order. She said Council Liaison should report on their meeting at Council as a regular agenda item and said meetings should be recorded. She asked for the following to be placed on the next Council agenda: Blue Santa and Santa Parade. She inquired about generators and Emergency Plan. She

offered condolences to Mayor Aldrich and her family. She thanked all City employees and everyone be safe. Senior Center hosting drive through Halloween event, October 31, 2021, 6:00 P.M. – 8:00 P.M.

Council Member Apodaca – She said she is the liaison for the Economic Development Committee and said a lot of meetings are canceled because of the lack of a quorum. She asked if an alternate meeting date can be set up in case there is not a quorum. City Manager Vernon stated there are meetings set up throughout the month and it is challenging to schedule a meeting outside of its regular date. Council Member Apodaca said Turner Club Ballroom will host a Holiday Craft Fair on November 6, 2021, 10:00 A.M. – 3:00 P.M. Call Turner Club for more information.

Council Member Martin – He offered his condolences to Mayor Aldrich and family; requested an update on the crime report they received. He asked if the water is turned off and the meter is removed does the property still have garbage service. City Manager Vernon said if there is not an active account for the property they will not have garbage service. He thanked all employees and wished everyone a Happy Halloween, be safe.

City Manager Vernon – She said today is National First Responders Day and thanked all of the first responders in the City for their service.

Mayor Aldrich – She said today is National Responder Day and thanked all of the first responders. Our city would not be as safe as it is without our first responders. Kirby Baptist Church is hosting a Halloween Festival, October 31, 2021, 2:00 P.M. – 7:00 P.M. She apologized for her outburst and urged Council to respect each other. She thanked everyone, City staff, residents and friends who reached out to her during this difficult time.

12. Adjournment

The meeting adjourned at 9:41 P.M.

Kimberly Aldrich, Mayor

ATTEST

Patty Cox, City Secretary, TRMC