



*Kimberly McGehee Aldrich, Mayor*

Sylvia Apodaca  
Christopher Garza  
Janeshia Grider

Mike Martin  
Susan Street  
Debbie Walczyk

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, JULY 14, 2022 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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This meeting will also be held by videoconference call. The location where a quorum of the governmental body will be physically present is City Hall, City Council Chambers at 112 Bauman Street, Kirby, Texas 78219 and it is the intent to have a quorum present at that location and for the member of the governmental body presiding over the meeting to be physically present at that location. A member of the public may testify from a remote location by videoconference at:

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**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  
Council Member Apodaca  
Council Member Garza  
Mayor Pro-Tem Grider

Council Member Martin  
Council Member Street  
Council Member Walczyk

## **5. Citizen Participation**

1. Cecilia Padilla – Attended Monday’s meeting. There was disrespect through the meeting. Dysfunction and lack of communication. Infighting needs to stop. Should be a united front. Work together to make Kirby a better place.

2. Lisa Pierce – She thanked everyone who played a part in assisting Kirby through this past water event. The coming together of so many resources was nothing short of miraculous. If the City had a SCADA system to alert key personnel when the wells were working at low-capacity levels. Seek a method to rectify alerting key personnel. She urged the public to use social media to garnish hope and possibility. You can take the person out of Kirby, but you cannot take Kirby out of the person. She read an email from Debby Wilson recognizing Seth Scurlock.

3. Casey Hawkins – He asked if City Council would consider donating the Chief’s old vehicle to the Volunteer Fire Department. The vehicle would be used as a support vehicle for the City.

4. Lily Martinez – City Secretary read Ms Martinez’s comments. She addressed a disturbing incident from the last Council meeting. She thanked Police Chief Cardona for her inspiring speech in defense of the City Manager and other city employees. She hoped that after how the City came together to overcome the water situation that things are headed in the right direction.

## **6. Presentation**

a. Presentation And Discussion On City Limit Signage Located On FM78 – Dale Picha, Texas Department Of Transportation

Dale Picha spoke about signage and boundaries. He answered questions from Council.

b. Presentation Of Life Saving Award, Chief Cardona

Chief Cardona recognized Police Officer Sizenbach for her recent heroic measures to save the life of a resident. Chief Cardona present Officer Sizenbach with a Life Saving Award.

c. Presentation Of Retirement Recognition To Corporal Seth Scurlock, Chief Cardona

Chief Cardona recognized Sgt. Scurlock. Sgt. Scurlock gave a heartwarming speech.

- d. Presentation And Report On Water Loss Emergency, Mayor Aldrich, Chief Hilburn, Chief Cardona

Mayor Aldrich provided a time line of the event. She thanked Universal City, Live Oak, Schertz and surrounding businesses and citizens who came together to help Kirby.

Chief Hilburn provided statistics of the event.

## **7. Public Hearing**

- a. Crime Control And Prevention District Fiscal Year 2022-2023 Budget

Mayor Aldrich opened the public hearing at 7:46 P.M.

There were not any citizens to speak.

Mayor Aldrich closed the public hearing at 7:47 P.M.

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

- a. Budget Workshop Minutes – June 23, 2022

Council Member Walczyk moved to approve the Budget Workshop Minutes – June 23, 2022; seconded by Council Member Street. With all voting “aye” the minutes carried with a 7-0 vote.

- b. Regular Minutes – June 23, 2022

Council Member Garza moved to approve the Regular Minutes – June 23, 2022; seconded by Council Member Apodaca. With all voting “aye” the minutes carried with a 7-0 vote.

## **9. Discussion And Possible Action**

- a. Discussion And Possible Action On National League Of Cities (NLC) Service Line Warranty Program

Council discussed the pros and cons of this Program.

Council Member Walczyk moved to not support the National League of Cities Service Line Warranty Program; seconded by Mayor Pro-Tem Grider. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- b. Discussion And Possible Action On Crime Control And Prevention District Fiscal Year 2022-2023 Budget.

Council discussed the Crime Control and Prevention District Fiscal Year 2022-2023 Budget. Chairperson John Houlton and Vice-Chairperson David Faulkner were present to answer questions.

Council Member Martin moved to approve the Crime Control and Prevention District Fiscal Year 2022-2023 Budget; seconded by Council Member Apodaca. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- c. Discussion And Possible Action On An Ordinance Of The City Of Kirby, Texas, Amending Chapter 54 Of The Code Of Ordinances In Regard To Illicit Discharge Restrictions Pursuant To U.S. Environmental Protection Agency Guidelines And Adopted Texas Commission On Environmental Quality Standards, And Providing A Penalty Upon Conviction Of A Violation Of This Chapter In An Amount Not To Exceed \$500.00 Per Violation Per Day Unless The Violator Receives Actual Notice Of The Provisions Of This Ordinance In Which Case The Penalty Upon Conviction Is Not To Exceed \$1,000 Per Violation Per Day Or Not To Exceed \$5,000 Per Violation Per Day For Certain Violations Relative To Point Source Effluent Limitations Or The Discharge Of A Pollutant (Other Than From A Non-Point Source) Into A Sewer System, Including A Sanitary Or Storm Water Sewer System, Owned Or Controlled By The City, And Establishing An Effective Date. This Is The Second Reading.

Council Member Garza moved to adopt the ordinance amending Chapter 54 of the Code of Ordinances in regard to illicit discharge restrictions pursuant to U.S. Environmental Protection Agency Guidelines and adopted Texas Commission on Environmental Quality Standards, and providing a penalty upon conviction of a violation of this chapter in an amount not to exceed \$500.00 per violation per day unless the violator receives actual notice of the provisions of this ordinance in which case the penalty upon conviction is not to exceed \$1,000 per violation per day or not to exceed \$5,000 per violation per day for certain violations relative to point source effluent limitations or the discharge of a pollutant (other than from a non-point source) into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the city, and establishing an effective date; seconded by Council Member Walczyk. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- d. Discussion And Possible Action On An Ordinance Of The City Of Kirby, Texas, Amending Chapter 55 Of The Code Of Ordinances In Regard To Construction Storm Water Management Practices As Required By The United States Environmental

Protection Agency And The Texas Commission On Environmental Quality; And Providing That The City May Seek Injunctive Relief To Restrain Violations Or To Compel Abatement Or Remediation Of Violations; Providing For A Civil Penalty Of Up To \$1,000 Per Day For A Violation Of This Chapter; Setting A Fee For Reviewing Proposed Storm Water Pollution Prevention Plans; And Providing For An Effective Date. This Is The First Reading.

Council Member Apodaca moved to adopt the ordinance Amending Chapter 55 Of The Code Of Ordinances In Regard To Construction Storm Water Management Practices As Required By The United States Environmental Protection Agency And The Texas Commission On Environmental Quality; And Providing That The City May Seek Injunctive Relief To Restrain Violations Or To Compel Abatement Or Remediation Of Violations; Providing For A Civil Penalty Of Up To \$1,000 Per Day For A Violation Of This Chapter; Setting A Fee For Reviewing Proposed Storm Water Pollution Prevention Plans; And Providing For An Effective Date; seconded by Council Member Street. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

e. Reports By Council Liaisons

1. Animal Advisory Committee – Council Member Walczyk
2. Beautification And Recycle Committee – Mayor Pro-Tem Grider
3. Building And Standards Commission – Council Member Martin
4. Crime Control And Prevention District – Council Member Garza
5. Economic Development Committee Council Member Apodaca
6. Planning And Zoning Commission – Mayor Aldrich
7. Senior Center Corporation Board – Council Member Street

1. Animal Advisory Committee – Council Member Walczyk

Council member Walczyk didn't have anything to report.

2. Beautification And Recycle Committee – Mayor Pro-Tem Grider

Mayor Pro-Tem Grider provided an update.

3. Building And Standards Commission – Council Member Martin

Council Member Martin didn't have anything to report.

4. Crime Control And Prevention District – Council Member Garza

Council Member Garza didn't have anything to report.

5. Economic Development Committee Council Member Apodaca

Council Member Apodaca didn't have anything to report.

6. Planning And Zoning Commission – Mayor Aldrich

Mayor Aldrich didn't have anything to report.

7. Senior Center Corporation Board – Council Member Street

Council Member Street was unavoidably detained and had nothing to report.

**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 Interest

Council Member Street – She requested an item for the August 11, 2022 agenda: make final decision on water rebate for Kirby residents. She thanked all the volunteers, City employees, Council Members, Universal City, Schertz, New Berlin, Live Oak and Northeast Partnership for their assistance with our water emergency.

Council Member Garza – He addressed last Monday's meeting. He requested items to be placed on the July 28, 2022 agenda: the situation that happened on Hickory with public works to identify process on how to handle these situations; Discuss Ordinance 903; Discussion and Possible Action on city attorney's contract. Address Monique Vernon in open session about City Council Members, public hearing about water situation, revisit the rebate to give the community, accountability will be at the forefront of his discussion. Special thanks to all the volunteers, the other cities, Northeast Partnership, and everyone in the community. Officers, fire department and city employees. I truly appreciate the hard work you do. I appreciate the Council Members who sprang into action. He thanked Council Member Walczyk for helping to obtain water. This is a working Council.

Mayor Pro-Tem Grider – She thanked all of our City staff for doing a great job. She thanked all the Committees, Maria for buying lunch and all agencies. Impressive time line 10 hours. All hands on deck. Leaders create other leaders. An item for the next agenda is Council retreat. Protect yourself, family – COVID is out there.

Council Member Walczyk – She provided comments to Ms. Padilla and Ms. Pierce about the water situation. She said Mayor Aldrich and City Manager Vernon did a great job. An item for the August 11 agenda: water contingency plan. She said on Monday she had a health issue and left the meeting. We lost two fabulous officers, one retired and one has a new job.

Council Member Apodaca – She thanked all City employees, Committees. Attended Northeast Partnership and was informed Balcones Heights Festival on July 15 and July 29; in Marion Annual City Festival on August 6; Tommy Calvert mentioned on August 7 at the ATT Center 1:00 P.M. – 4:00 P.M. giving away free school supplies.

Council Member Martin – He thanked everyone for doing a great job with the water situation. Rules and regulations will be followed.

Mayor Aldrich – She thanked Sergio from Senator Menendez’ office for attending our meeting tonight. She inquired about forming a task force to help support surrounding cities if they have a natural disaster we can go help. She thanked staff and said we have the best police and fire departments. Congratulations Sgt. Scurlock and Officer Sizenbach. Check on your neighbors, kids, animals, and everyone be safe.

**11. Adjournment**

Meeting adjourned at 8:53 P.M.

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Kimberly Aldrich, Mayor

ATTEST

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Patty Cox, City Secretary, TRMC