



Kimberly McGehee Aldrich, Mayor

Sylvia Apodaca
Christopher Garza
Janeshia Grider

Mike Martin
Susan Street
Debbie Walczyk

**CITY COUNCIL MINUTES
SPECIAL MEETING
MONDAY, JULY 11, 2022 – 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

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:

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 (Attended by ZOOM)
Mayor Pro-Tem Grider
Council Member Martin
Council Member Street
Council Member Walczyk (Due to emergency left the meeting at 8:58 P.M.)

5. Citizen Participation

1. Ernest Spradling – He stated it is absurd the City Manager review is on an agenda on a Monday. Six months ago, Council voted 6-0 to give her a raise when her performance was reviewed. Now Council wants to discuss her performance because she wants to take a vacation. He said she has never taken a full week of vacation. This is not being fiscally responsible. He spoke in support of City Manager Vernon.

2. Cecilia Padilla - She expressed she wants to see more context in emails so people will know what is going on. It's good that people are being held accountable for their jobs. Spoke in regards to the recent water incident. She asked who is responsible for maintaining our equipment for our water supply? Is there a meter or device to monitor levels of our water supply? How often are these walls being inspected or maintained? Is there a log that we can view?

3. Eve Hatland - She said thank you because she had no idea how stressful the job you have is until this whole thing happened. But she was a witness to you trying to get water for the residents of Kirby. Everyone on council and staff we appreciate you as residents. Let's get involved and start helping the City of Kirby.

4. Jack Miller - He spoke in regards to the water situation. He saw the officials and citizens coming together and working together to provide water for the residents. He thanked Mr. Martin and City staff for all that they did during this time. As far as the City Manager goes, he has said it to her personally and will say it publicly, he likes her. Everything he has seen her do officially he has been impressed. As far as this whole vacation thing, the rules are vague. He spoke about a situation regarding emails that were screen shot to him and then they were taken down.

5. Sharon Shuler - She said this meeting is because the City Manager is taking vacation time. This is uncalled for. Ms. Vernon is a professional and has never been disrespectful. She is appreciative of her work and continues to support her. To the Council Members there is no way we can rate your performance. This could be your performance rating. It appears it is easy for you to quote from the Charter. Council needs to work together to resolve issues for the betterment of Kirby. She commended City Manager Vernon, Mayor Aldrich, employees, Council

Members and residents for stepping up to hand out water to the residents who were in need. She thanked the surrounding communities who came to help restore the well. She thanked HEB for their generous donation and for being a great neighbor. She urged residents to watch out for their families and neighbors.

6. Stephanie Faulkner - She said she notices flaw in the emails. She saw harassment, hostile work environment, and possible civil rights violations. She identified each according to labor laws. She spoke about recent social media activity with two Council Members. She said the two Council Members should resign immediately. That's what they used to say about two other Council Members.

7. Patricia Baber – She thanked Ms. Vernon and all employees, Council and volunteers who worked together during this current crisis. Our City Manager has done a great job. Its unfortunate we have a Council who does not work together for the good of the City. She hopes there will be changes with the appointment of the new Council Member. There's to be a review of the City attorney. She has reviewed and wonder how you plan to replace him and who you plan to replace him with? In her opinion he has done a great job for the City and is a very good attorney.

8. Roger Romens thanked the City for what they did in the recent emergency. Dispel some of the rumors and give a clear explanation what happened. He concurred with the first speaker why this meeting was called. It's not being fiscally responsible. This should have been included in a regular agenda and stated the reasons why. He asked Council if they were asked prior to the scheduling of vacation if she could take it and did you give the approval. If that occurred this is ridiculous. If it did occur that is an issue you need to consider.

9. Lisa Pierce – She said she is here to speak about the water and the current agenda item. She read the agenda item and asked that everyone understand that personnel matters can go into a closed meeting. This section is serious and extremely detrimental to the residents of Kirby. I would like to think that you are here to discuss the infractions of the City Manager, but you are not. You are here because at least two of your members are trying to settle a score with the City Manager. There is documented proof from when I was Mayor via email or social media posts. The language of the city charter is ambiguous and there has never been an agenda item to approve the City Manager vacation; employment agreement says its preferred. This sitting Council five of you just approved a 4% pay increase. She addressed the emails that were sent to Ms. Vernon and said they were appalling and she spoke about Ms. Vernon's strength. She concluded by expressing how absolutely grateful she was to every one of you who worked and were not there for the t-shirts and business cards. It was not over looked of the people who were genuinely there who helped the residents and comforted them. Thank you for everything.

10. Cory Mobley - He gave a glimpse of who he is. He said he has met some phenomenal people who can do amazing things to help people be better. Ms. Monique Vernon fits that list of people. Ms. Vernon has helped this City through three mayor transitions. She takes

goals and tasks Council presents and moves forward. How soon we forgot how this City Manager guided us through the pandemic. As City Manager she is forced to juggle several hats simultaneously. She's expected to juggle with perfection. The hypocrisy of this. Do not judge or you will be judged. He referenced a letter he and Michael Steve Brown, Pastor, True Vision Church, offering their support of Ms. Vernon. He stated we are wasting our time tonight.

The following citizens participants had provided the City Secretary with emails.

11. Glenda Curtis wrote in and expressed the discussion of removing the City Manager rears its ugly head every couple of months. She said we have the best City Manager. She wrote she does not know her on a personal basis, she knows her professionally. She is the reason we succeed. Ms. Vernon is always professional, extremely knowledgeable and she is the glue that keeps our City together and running smoothly. She has built a rapport and relationships with other cities, counties, etc. This is a waste of time for this to come up every other month. We waste the time of other Council Members, but we also have a lawyer present and his time is costing our City each time this is in open session or executive session. She said what happened this week with our water issue was terrible and frustrating but, this is a first. We did not even have this during the terrible freeze in February thanks to our employees. Other cities suffered greatly with water outages. For those few determined to remove our City Manager and waste time and money, the water problem is not another reason and believe me, you will try to add that to the fairy tale list to remove an outstanding Kirby asset. For you few, I ask that you take your negative energy, turn it into positive energy for your City. Our City cannot thrive, grow or even exist on your current energy. Ms. Vernon has always been transparent and does not have a personal agenda. She is what Kirby needs now and for a long time. She has brought use many successes and people respect her.

12. Maria Lozano - She wrote in to voice her disappointment regarding tonight's Special Session, which was requested to discuss City Manager Monique Vernon's possible write up for her alleged unaccountability and lack of performance. She said she read the emails attached to tonight's agenda which transpired between Councilwoman Street, Councilman Garza and City Manager Vernon. In reading these emails, the City Manager was nothing but professional and respectful while the Council Members came off as disrespectful, condescending and intimidating. "Place the items on this week's agenda or else!" Ms. Vernon does so much for our City. She's visible in many of our City events even those that occur on weekend. At this point it sounds more like a personal witch hunt rather than a genuine concern for our City. This is very disappointing considering how the new City Council Members promised to bring about change and do away with the "lynch mob mentality," when in reality, it appears that it simply passed the torch. My hope is that you prove me wrong tonight.

13. Celicia Garza - She wrote that she is unable to attend tonight's meeting because she is working. She would appreciate if all of her following questions can be read and addressed to the Council. 1. How many wells does Kirby have and how many are supposed to be functioning on a daily basis? 2. How many gallons does each tower hold. 3. According to the KSAT news

story, one well was already out of commission due to electrical repairs. How long is a well usually down for electrical repairs and what was the amount of time the well was down? Was there a delay in electrical parts? 4. The KSAT story also reported an undetected leak drained the back up water supply. With this said, what was the capacity in storage? How often is the backup supply checked as preventive measures for possible leaks or any other issues? 5. What changes will the City make so the undetected leaks of these measures will not happen again.

14. Roxanne Cardona - She thanked Council for letting her speak. She spoke about how words can have a positive and negative affect on decisions that are being made. Members of Council had sworn to change injustices, and promised to provide respect to employees and citizens. I have stood in these council meetings and have sworn in officers using words like integrity, professionalism public faith and responsibility. These officers will be upheld to a professional and ethical conduct. She gave an example of City Manager Vernon's leadership.

Mayor Pro-Tem Grider asked Council to allow Chief Cardona additional time to speak; seconded by Council Member Martin. The motion carried with a 7-0 vote.

Chief Cardona continued and spoke about City Manager's professionalism and applauded her leadership. She pleaded with Council to change their behavior. Our City Manager has been doing the job of three different employees. Allowing the employees to have time off while she continues to work on her own days off.

6. Discussion And Possible Action

- a. Deliberation On Performance Of The City Manager. Possible Executive Session Pursuant To Texas Government Code Section 551.074, Personnel Matters.

City Manager Vernon read into record a request to be held in open session as public hearing.

Council Members addressed citizen comments from Citizen Participation.

Council Member Street identified her concerns with City Manager Vernon's performance. She and another Council Member wanted items placed on an agenda. She did not know City Manager Vernon was going on vacation week of a council meeting. She asked are we following the rules or not?

Council Member Garza was participating via ZOOM. He said he wanted to place an item on an agenda. He referenced rules to follow. This is about following rules. He did not know City Manager Vernon was going on vacation.

Council Member Martin said no write up. City Manager Vernon has done nothing wrong. She notified Mayor Aldrich about her vacation.

Council Member Apodaca said City Manager Vernon has always been professional and does an outstanding job. She did not support a write up.

Council Member Walczyk said she agreed with Ms. Shuler. She said this meeting should not have happened. She stated that she has not read the Charter and said all Council need to read it.

Mayor Pro-Tem Grider read the emails that Council Member Garza had written. There has never been a problem with placing an item on an agenda for the next date. She read the emails that Council Member Street had written. Mayor Pro-Tem Grider stated that City Manager Vernon had responded to Council Member Streets email. Mayor Pro-Tem Grider said this is not only about emails. Imagine someone close to you goes to work every day and someone tells them they are corrupt and worthless. Nobody has the right to do that. On social media we are supposed to be leaders. Council Members are not doing that on their social media posts.

Mayor Aldrich called a point of order to allow Mayor Pro-Tem Grider an opportunity to finish speaking.

Mayor Pro-Tem Grider continued speaking. She stated that City Manager Vernon has done nothing that warrants the way she's being treated.

Council Member Garza said he does not receive the same treatment as other Council Members.

Mayor Aldrich said she called the meeting because two Council Members wanted agenda items when City Manager Vernon would not be available to attend.

City Manager Vernon stated the issues at hand are that she has been accused of violating the Charter and Code of Ordinances. She said she is not in violation of either. There is conflicting language in the Charter, ordinance and her contract. Since September 19, 2014 she has taken a maximum of 32-hours vacation at one time and has only missed three council meetings. She asked Council to establish procedures or continue precedence that has been established. She was available to answer questions from Council Members. She replied to questions and comments from Council Members Street and Garza.

Mayor Aldrich apologized to City Manager Vernon and her family and stated she is an outstanding City Manager.

Council Member Martin moved to adjourn the meeting with no action taken; seconded by Council Member Apodaca. With all voting "aye" the motion carried.

7. Adjournment

Meeting adjourned at 9:51 P.M.

Kimberly Aldrich, Mayor

ATTEST

Patty Cox, City Secretary, TRMC