



Lisa B. Pierce, Mayor

Sylvia Apodaca
Mike Grant
Jerry Lehman

Kimberly McGehee-Aldrich
John W. Pierce
Debra Wilson

**CITY COUNCIL MINUTES
PUBLIC HEARING/REGULAR MEETING
THURSDAY, AUGUST 22, 2019 – 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

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

Mayor Pierce
Mayor Pro-Tem Aldrich
Council Member Lehman
Council Member Wilson
Council Member Pierce
Council Member Apodaca

ABSENT

Council Member Grant

Although Mayor Pierce deviated from the agenda, the minutes will be prepared in the order the agenda was posted.

5. Citizen Participation

1. Sharon Shuler - She said BJ Voigt deferred he time to her. She spoke about the Springfield Road Project and the AT&T utility easement ten feet out of her fence.

2. Chris Garza – He said Kirby Community coming together. He identified projects he wanted to undertake and asked if they could be placed on the next agenda.

6. Presentations

a. National Payroll Week Proclamation

Mayor Pierce recognized Nina Gador, Karen Brown and Chris Bodily and presented them with the Proclamation recognizing National Payroll Week.

Mayor Pierce closed the regular meeting and opened the public hearing at 7:25 P.M.

7. Consideration Of And Action On Minutes

Mayor Pro-Tem Aldrich moved to approve the minutes of August 8, 2019; seconded by Council Member Wilson. The motion carried with a 6-0 vote.

8. Public Hearing

Mayor Pierce opened items a. and b.

a. On Proposed Budgets For 2019-2020 Fiscal Year

Tina Ynfante, Finance Director, provided the revenues and expenditures for the proposed budgets for 2019-2020 fiscal year.

There were not an citizens to speak on the proposed budgets for 2019-2020 Fiscal Year.

b. On Proposed Tax Rate For 2019-2020 Fiscal Year

Tina Ynfante, Finance Director, provided the proposed tax rate for 2019-2020 fiscal year, 0.728626.

There were not any citizens to speak on the proposed tax rate for 2019-2020 Fiscal Year.

Mayor Pierce closed the public hearing at 7:42. P.M. and opened the regular meeting.

9. Discussion And Possible Action

a. Discussion And Possible Action To Award A Bid For Group Insurance

Jenni Haff, Marsh Wortham, presented the two options for employee benefits. The City will continue to pay 100% of the employee cost and 45% to dependent cost. Option 1 was from United Health Care and the second option was from Blue Cross and Blue Shield.

Ms. Haff presented the options for Dental, Vision, and Life insurance through Standard and Principal.

Mayor Pro-Tem Aldrich moved to accept Blue Cross Blue Shield Option 2 for medical insurance and Principal for Dental, Vision and Life insurance; seconded by Council Member Wilson. The motion carried with a 5-1 vote

AYES: 5

NAYES: 1 (Council Member Pierce)

b. Discussion And Possible Action On Appointing Up To Three Alternate Members To The Building And Standards Commission

Mayor Pierce stated there was one applicant, Esquiel Cantu.

Council Member Wilson moved to appoint Esquiel Cantu as an alternate member with a term expiring on October 1, 2019 to the Building and Standards Commission; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote

AYES: 6

NAYES: 0

c. Discussion And Possible Action On Appointing Members To the Kirby Senior Center Corporation Board

Norma Hamby, Senior Center Manager, stated there are not any applications to consider.

d. Discussion And Possible Action On Ordinance No. O-2019-860 Amending The Zoning Ordinance Of The City Of Kirby, Texas, To Rezone The Property From The

Current Zoning Of Commercial, Office, and Retail (C-1) To Single Family Dwelling District (R-1). The Property Is Located At CB 5865 BLK LOT S IRR 289.84 FT OF 17, Known As 5619 Seguin Road, Kirby, TX 78219. This Is The Second Reading.

Council Member Pierce moved to approve Ordinance No. O-2019-860 amending the Zoning Ordinance of the City of Kirby, Texas, to rezone the property from the current zoning of Commercial, Office, and Retail (C-1) to Single Family Dwelling District (R-1). The property is located at CB 5865 BLK LOT S IRR 289.84 FT OF 17, known as 5619 Seguin Road, Kirby, TX 78219; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 5-1 vote.

AYES: 5

NAYES: 1 (Council Member Lehman)

- e. Discussion And Possible Action On Ordinance No. O-2019-861 Amending The 2018-2019 Budget. This Is The Second Reading.

Council Member Pierce moved to approve Ordinance No. O-2019-861 amending the 2018-2019 Budget; seconded by Council Member Apodaca. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- f. Discussion And Possible Action On Ordinance No. O-2019-862 An Ordinance Repealing Article II, Noise, Of Chapter 94, Nuisance, Of The Code Of Ordinances Of The City Of Kirby, Texas, And Adopting A New Article II, Noise Of Chapter 94 Of The Code Of Ordinances Of The Code Of Kirby, Texas. This Is The Second Reading.

Mayor Pro-Tem Aldrich moved to approve Ordinance No. O-2019-862 an Ordinance repealing Article II, Noise, of Chapter 94, Nuisance, of the Code of Ordinances of the City of Kirby, Texas, and adopting a new Article II, Noise of Chapter 94 of the Code of Ordinances of the Code of Kirby, Texas; seconded by Council Member Pierce. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- g. Discussion And Possible Action On Kirby Community Volunteer Project At The Kirby Pool and Senior Center

Chris Garza announced improvements being considered by Kirby Community for volunteer projects. He wanted to donate chairs to be used at the pool and lighting at the gazebo.

- h. Discussion And Possible Action On City Of Kirby Charter Review Including Possible Appointment Of Seven Citizens To A Charter Review Commission

Mayor Pierce stated Council Member Wilson requested this item be placed on the agenda. She said seven members are needed for the Charter Review Commission. In order for amendments to the Charter to be placed on the May 2020 ballot, the proposed amendments must be completed by November. At this time there are three qualified applicants, Stephanie Faulkner, Mary Lawler, and Jean Manning.

Mayor Pierce provided the duties of Charter Review Commission and to be appointed the applicant must be a registered voter and reside in Kirby.

Mayor Pro-Tem Aldrich moved to appoint Stephanie Faulkner, Mary Lawler, Jean Manning to the Charter Review Commission; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

i. Update, Discussion And Possible Action On Binz Engleman Road Reconstruction Project

Mark Hill, Ford Engineering, provided an update on the Binz Engleman Road Reconstruction Project.

Mayor Pierce stated the letter to the residents must have specific details about the construction for the homeowners and any grass that is removed needs to be replaced with the same type of grass that was removed.

Council Member Wilson moved to authorize San Antonio Constructors start Phase 4 with the stipulations; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

j. A Resolution Of The City Council Of The City Of Kirby, Texas, Imposing A Prize Fee In The Amount Of Five Percent Of Any Bingo Prize Of More Than \$5.00 And To Continue Receipt By The City Of Kirby Of A Share Of Bingo Prize Fees Under Section 2001.502 Of The Texas Occupations Code

Council Member Pierce moved to approve Resolution No. R-2019-711 imposing a prize fee in the amount of five percent of any bingo prize of more than \$5.00 and to continue receipt by the city of Kirby of a share of bingo prize fees under section 2001.502 of the Texas Occupations Code; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

Mayor Pierce called for a recess at 8:32 P.M. and reconvened at 8:48 P.M. The recess was called to allow time to format a thumb drive for recording the meeting.

- k. Discussion And Possible Action On Ordinance No. O-2019-863 An Ordinance Repealing Section 30.10 Of The Code Of Ordinances Of The City Of Kirby, Texas, Concerning Citizen Participation At Meetings And Adopting A New Section 30.10 Of The Code Of Ordinances. This Is The First Reading.

Mayor Pierce read the ordinance and identified the existing provisions and new rules as to public participation at meetings through the adoption of House Bill 2840.

Council Member Wilson moved to approve Ordinance No. O-2019-863 an ordinance repealing Section 30.10 of the Code of Ordinances of the City of Kirby, Texas, concerning citizen participation at meetings and adopting a new Section 30.10 of the Code of Ordinances; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- l. Discussion And Possible Action To Dispense With The Second Reading Of Ordinance No. O-2019-863 So That Ordinance No. O-2019-863 Becomes Effective Immediately.

Council Member Pierce moved to dispense with the second reading of Ordinance No. O-2019-863 so that Ordinance No. O-2019-863 becomes effective immediately; seconded by Council Member Lehman. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- m. Discussion And Possible Action On Repairs To Starfire and Kirby Drive

City Manager Vernon presented information on the request and Gilbert Salas, Director of Public Works provided specifics about the request and bid. This repair has been authorized in the 2018-2019 budget.

Council Member Pierce moved to accept repairs on Starfire and Kirby Drive in the amount of \$24,872.50; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

- n. Discussion And Possible Action On Autism Sign On Deer Grove Street

Mayor Pierce asked Patricia Neil if she would like to speak at this time.

Ms. Neil spoke regarding the sign being requested by a resident to alert drivers there is a child with autism in the neighborhood.

Mayor Pierce stated staff will research the appropriate wording for the sign.

Council Member Pierce moved to postpone this item until further information is gathered; seconded by Council Member Apodaca. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

o. Discussion And Possible Action On A Groundwater Lease Agreement

City Manager Vernon explained the City leases 100-acre feet of ground water through RWRDG and the lease will expire December 31, 2019. If Council approves the Groundwater Lease Agreement, the new lease will expire December 31, 2024 and the cost will be \$130 per acre foot. The cost is funded through our water fund.

Council Member Pierce moved to accept \$13,000 2024; seconded by Mayor Pro-Tem Aldrich. The motion carried with a 6-0 vote.

AYES: 6

NAYES: 0

p. Workshop, Discussion And Possible Action On Proposed Budgets For Fiscal Year 2019-2020

Tina Ynfante, Finance Director, identified the changes to the proposed budgets for Fiscal Year 2019-2020.

City Manager Vernon stated the first reading on the proposed budgets for Fiscal Year 2019-2020 will be September 12, 2019. There will be a special meeting on August 29, 2019 to review the additional changes addressed in tonight's meeting.

10. Requests 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

Council Member Wilson – She said she is responsible keeping her property clean and garbage picked up and everyone else should abide by the same rules. She inquired if the property across the street from Big Boy's is required to have parking spaces. She has received complaints about overhanging limbs on roadways. She thanked Chris Garza and his group for trying to do different things for the City of Kirby.

Mayor Pro-Tem Aldrich – She asked City Manager Vernon if there was anything that can be done to get the trailer and brush taken care of on Big Boy’s property. She thanked everyone for attending the meeting.

Council Member Lehman – He thanked everyone for attending the meeting.

Council Member Pierce – He thanked everyone for attending the meeting and expressed to Chris Garza to keep going and echoed Council Member Wilson’s comments.

Mayor Pierce – She asked that all the forms that can be downloaded onto the website be posted under one tab. She asked that we revisit the ordinance that addresses the garbage cart placement, maintaining alleys and continue to promote MyGov. She asked that the issue with the easements on Springfield Road be resolved and completion of Binz Engleman Road reconstruction project. She asked that the barb wire on Springfield Road property be addressed. The Planning and Zoning Commission and Building and Standards Commission have not been able to conduct their meetings due to the lack of a quorum. This prohibits progress in the City. She requested a joint meeting, on a Saturday morning, between the Planning and Zoning Commission and Building and Standards Commission with City Council. She suggested addressing this after the budget has been adopted. She thanked everyone for attending the meeting and for their comments.

11. Adjournment

The meeting adjourned at 10:03 P.M.

Lisa B. Pierce
Mayor

Patty Cox, TRMC
City Secretary