



*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, APRIL 13, 2023 - 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.

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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. Gilbert Hise – He introduced himself stating he is the President of the Board of Directors for the African-American Western Heritage Center Incorporated located in Bexar County on the east side. He provided his background. His organization is contemplating to create a new school district for the east side.

2. Jack Miller – He said he had a couple of things to discuss. The minutes are still not accurate, in the future keep contents at minimal and accurately reflect the record. He said thank you for disarming me when I walked in here and expressed his thoughts. He spoke about calling Point of Order during meetings. He thanked Council Members Street and Garza for not voting to move him and not violating his first amendment rights.

3. Maria Lozano – She announced her candidacy for Kirby City Council. She said she enjoyed living in Kirby. She provided her background.

4. Sara Patten – She said she will speak on an agenda item.

5. Joe Molina – He spoke about the Ackerman Road Construction project. The contact number on the flyer does not work and now is busy all the time. There needs to be better communication with the residents. The residents on Wheatland are complaining about the noise coming from behind their homes.

6. Roger Romens – He said he will speak on an agenda item.

7. Jessica Sanchez – Mayor Aldrich read an email provided by City Secretary from Ms. Sanchez. Council Member Street called point of order. There was discussion with the city attorney.

Council Member Street moved to not have the email by Jessica Sanchez to be read; seconded by Council Member Martin. The motion failed with a 1/4/2 vote.

AYES: 1      NAYES: 4 (Council Members Garza and Martin, Mayor Pro-Tem Grider and Mayor Aldrich)      ABSTAIN: 2 (Council Members Apodaca and Walczyk)

Mayor Aldrich continued to read the email without mentioning names. Ms. Sanchez wrote her concern was there was one of the City's Council Members on school grounds for a school activity and she was aware of their criminal background and being a registered sex offender from another state. She expressed her concerns about this.

**6. Consideration Of And Action On Minutes**

a. Regular Minutes – March 9, 2023

City Secretary withdrew the March 9, 2023 Minutes from the agenda.

b. Regular Minutes – March 23, 2023

Council Member Apodaca moved to accept the March 23, 2023 Minutes; seconded by Mayor Pro-Tem Grider. The minutes passed with 6-0-1 vote.

AYES: 6

NAYES: 0

ABSTAIN: 1 (Council Member Garza)

**7. Discussion And Possible Action**

a. Discussion And Possible Action On A Request For A Specific Use Permit For The Property Located At CB 4018G (SPRINGFIELD INDUSTRIAL PARK), Property ID: 1286024, CB: 4018G, Lot 4, Otherwise Known As 1440 Springfield Road, Kirby, TX 78219, Which Is Zoned Light Industrial (LI) To Be Used For The Following Purpose: Installing A Portable Office And Storage Of Equipment (Bobcats, Excavators, Trailers And Dumpsters For Lease And Personal Use)

Mayor Aldrich said applicant withdrew his application for the Specific Use Permit for the property located at CB 4018G (SPRINGFIELD INDUSTRIAL PARK), Property ID: 1286024, CB: 4018G, Lot 4, otherwise known as 1440 Springfield Road, Kirby, TX 78219, which is zoned Light Industrial (LI) to be used for the following purpose: installing a portable office and storage of equipment (bobcats, excavators, trailers and dumpsters for lease and personal use).

b. Update And Discussion On Street Zipper Projects (Garza)

Mayor Aldrich recognized Jack Miller and informed him he will speak at the beginning of each agenda item and if the discussion has started and he is not in the Council Chamber City Council will continue with the item.

Mr. Miller addressed the cost of rental equipment the City paid for when using the Zipper at Friendship Park.

Council discussed the cost to use the Zipper to repair the streets and discussed the next streets to be repaired. They concurred each member will provide Interim City Manager Cardona the names of three streets. Interim City Manager Cardona will provide the list to Frank Salazar, Public Works Director.

Council Member Martin moved to allow Maria Lozano to speak on this item; seconded by Council Member Garza. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

Mayor Aldrich recognized Maria Lozano.

Ms. Lozano asked if anyone has viewed the initial testing site? She identified problems with the area and said the Zipper is a bandaid and temporary solution.

Interim City Manager Cardona explained the fire engine pulled up on the Friendship Park area where it had been fixed and revitalized and created an indentation from the tire. After inspection it was noted by Public Works there were several places that looked like it was bubbling up and moisture in the ground. Public Works said there might have been a leak. This is the first patch they did with the Zipper.

c. Discussion and Possible Action On The Multi Assistance Center At Morgan's Wonderland Non-Exclusive Service Agreement

Chief Hilburn introduced Sara Patton and Janet Gillman, Multi Assistance Center At Morgan's Wonderland. Ms. Gillman explained their program. Ms. Patton explained their focus was to improve the quality of life for people with disabilities and special needs. This is an extension of Morgan's Wonderland the first ultra accessible theme park within Morgan's.

Chief Hilburn spoke about the City's role in the partnership.

Council Member Garza moved to accept the Multi Assistance Center at Morgan's Wonderland non-exclusive service agreement; seconded by Mayor Pro-Tem Grider. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Council Member Walczyk)

d. Discussion And Possible Action on Axon Agreement for 5 Additional In Car Cameras

Interim City Manager Cardona explained why this item is being brought before City Council. When the order for in car cameras was placed there was miscommunication. One camera was ordered and five more are needed. Currently \$1,000 is needed and that amount is

in the Police Department budget. The additional five payments in the amount of \$12,799.08 each will be financed. This was originally going to be in the Crime Control and Prevention Board budget, but without a finance director the Board is not able to meet.

Council Member Martin moved to accept the Axon agreement for five additional in car cameras; seconded by Council Member Street. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

e. Update And Discussion On Amazon Thru Traffic And Possible Code Violations

Interim City Manager Cardona said she has received complaints about noise and flashing lights at Amazon's warehouse. Jessica Breaux, Representative from Amazon has expressed she wants to speak with Council, but was not available tonight.

Mayor Aldrich said she will speak with her and share the concerns of the residents.

f. Discussion and Update on the Kirby Senior Center Audit Report

Mayor Aldrich recognized Jack Miller.

Mr. Miller said we need an audit report. This will prevent improprieties, false allegations, and criminal activities.

Ms. Bogardus, Vice-President of Kirby Senior Center Board, said the Senior center will disclose any items they have. The budget available is the 2021 budget.

Council Member Garza moved to allow Roger Romens to speak; seconded by Council Member Street. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

Mayor Aldrich recognized Roger Romens.

Mr. Romens asked if an audit has been conducted for fiscal year ending September 30, 2022. If not, why not.

g. Discussion And Possible Action On Designating Acting City Manager

Mayor Aldrich recognized Jack Miller.

Mr. Miller said the city manager job is extremely important.

City Council discussed designating an acting city manager.

Council Member Walczyk moved to appoint Chief William Hilburn as Acting City Manager; seconded by Mayor Pro-Tem Grider. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- h. Discussion and Possible Action to Allow Interim City Manager And City Manager To Designate An Acting City Manager As Needed

Interim City Manager Cardona explained if the Interim City Manager and Acting City Manager are not available there will need to be someone to take lead of the situation in case of an emergency.

Council Member Martin moved to allow the Interim City Manager to designate an Acting City Manager in case the Interim City Manager and Acting City Manager are not available; seconded by Council Member Walczyk.

There was discussion about the motion.

Council Member Martin amended his motion to the Interim City Manager and Acting City Manager to designate an Acting City Manager until the next City Council meeting; seconded by Council Member Walczyk. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- i. Discussion And Possible Action To Reappoint David Barboza As The Kirby Senior Center Board President (Senior Center Request)

Mayor Aldrich recognized Roger Romens.

Mr. Romens said City Council is authorized to appoint or remove members of the Kirby Senior Center Board. City Council does not have authority to override the actions of the Board.

Mayor Aldrich said Mr. Romens is correct. This Board decided who they want.

Mayor Pro-Ten Grider moved to reappoint David Barboza to the Kirby Senior Center Board; seconded by Council Member Street. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- j. Discussion and Possible Action on the City Of Kirby City Attorney Budget (Walczyk)

Council discussed the attorney fees and ways to stay within the budget.

Council Member Street moved to take a ten minute break; seconded by Council Member Martin. The motion carried with a 6-1 vote.

AYES: 6

NAYES: 1 (Mayor Aldrich)

Mayor Aldrich convened for a ten minute break at 9:04 P.M.

Mayor Aldrich reconvened the meeting at 9:15 P.M.

- k. Discussion On Possible Action On Updating The City of Kirby's Comprehensive Plan (Walczyk)

Council Member Walczyk asked that this item be postponed indefinitely until a member of the Planning and Zoning Commission is available to attend the meeting.

- l. Discussion And Possible Action On Adding Line Items To The General Budget (Walczyk)

Council Member Walczyk said after a finance director is hired there needs to be more transparency in the general fund. Citizens need to know where the money went.

- m. Discussion And Update On The Progress Of The Employment Committee (Martin)

Council Member Walczyk provided an update on the progress of the Employment Committee.

- n. Discussion And Possible Action On A "Entrepreneurial Day For Children" City Event At John Sterling Park (Walczyk)

Council Member Walczyk said this is a two part request. First, this Saturday at John Sterling Park children will learn how to make different items and the second is selling their items they made at the May garage sale event.

Council Member Garza moved to allow Council Member Walczyk to hold "Entrepreneurial Day For Children" event; seconded by Mayor Pro-Tem Grider. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- o. Discussion And Possible Action On The Esri Contract Renewal

Interim City Manager Cardona presented this item.

Council discussed the Pro-West Association package. Chief Hilburn explained the purpose of the Pro-West Association package.

Council Member Street moved to renew the Esri contract; seconded by Council Member Garza. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

- p. Discussion And Possible Action To Waive Garage Sale Permit Fees For Annual Community Garage Sale Event

Council discussed this item.

Council Member Walczyk moved to waive garage sale permit fees for the annual Community Garage Sale Event; Seconded by Council Member Apodaca second. The motion carried with 7-0 vote.

AYES: 7

NAYES: 0

- q. Discussion And Possible Action To Authorize The City To Enter Into A Joint Election Agreement With Bexar County Elections Department For Services During Early Voting And Election Day And Authorizing The City Manager To Sign The Memorandum Of Understanding And Joint Election Agreement.

Discusión y posible acción para autorizar a la ciudad a entrar en un acuerdo electoral conjunto con el Departamento de Elecciones del Condado de Bexar para los servicios durante la votación anticipada y el día de las elecciones y autorizar al Gerente de la Ciudad a firmar el Memorando de Entendimiento y el Acuerdo Electoral Conjunto.

Council Member Street moved to authorize the city to enter into a Joint Election Agreement with Bexar County Elections Department for services during Early Voting and Election Day and authorizing the City Manager to sign the Memorandum of Understanding and Joint Election Agreement; seconded by Council Member Garza. The motion carried with a 7-0 vote.

AYES: 7

NAYES: 0

## 8. 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 thanked Hopkins Elementary for inviting Council to judge their Salsa contest and because they had a petting zoo. She and Council Member Garza went to Gibbs Sprawl Road to get contact information for someone they could discuss installing a left turn lane. TXDot will work with solving the issue. The mail issue on Ackerman will be rectified. An item for the next agenda is the sewer ordinance regarding property owner responsibility to city main.

Council Member Garza said agenda items are check with Austin Bridge about timeline to move the barrier on Binz Engleman, address speeding on Kirby Drive and Wheatland, construction on Ackerman Road, discuss traffic control by Binz Engleman. Thanked Hopkins Elementary for invitation to the Salsa contest. He thanked everyone who attended Northeast Partnership luncheon today. City Council is actively trying to be involved with events. He thanked everyone who stayed and watching. He wished everyone a wonderful night.

Mayor Pro-Tem Grider thanked Hopkins Elementary for their invitation. On April 22 celebrating Earth Day at Friendship Park 2-5 P.M.; May 21 Bike Event 1-5 P.M.; Believe It Foundation will be providing information about bike safety. Agenda item is Discussion and possible action about Hugo Lentz Park and water access. She thanked Beautification & Recycle Committee for Friendship Park sign clean up. She thanked Fenick for the rose bushes. Another agenda item: city purchase pebbles rocks. The Easter Egg Hunt was a great success. She thanked Chief Hilburn for saving the annual event. April is Child Abuse Awareness Month. She said she is an advocate for Kirby, there are real issues, future and past and everything is a process. Another agenda item is Ackerman Road and VIA.

Council Member Apodaca said since Ackerman Road traffic is being detoured be aware of the speed limit on Kirby Dr. She attended Northeast Partnership luncheon. Good information about the airport construction. Saturday is a meet and greet with candidates, 10 A.M.– 2 P.M. at EZ One Stop. Volunteers are needed for the Economic Development Committee. An agenda item to appoint a chairperson for upcoming events. This will help when someone has questions, they can be directed to one person. Maybe start with the upcoming 4<sup>th</sup> of July event.

Council Member Walczyk said she received information from Henry Cuellar regarding a lot of money coming to Texas and she has applied for some. Funding is available for infrastructure and new police cars. She asked for an update on the agenda for every City Council meeting on Ackerman Road or weekly synopsis to City Council so people know what is going on. She asked if Public Works would check on Starfire bridge. April is Animal Cruelty month.

Council Member Martin said Dollar General is asking for help because of the way students treat adult customers, and students stealing. He asked if temporary speed bumps could be placed on Happiness, Kirby Drive, Diadem because traffic is horrible.

Mayor Aldrich addressed all candidates running for office stating that one council member cannot pass something by themselves. It is done by the Council body. April is Sex Assault Awareness Month and urged parents to watch their children. Also, on April 27 she will be out of

town and Mayor Pro-Tem Grider will be conducting the meeting. She thanked everybody for watching and those who stayed here with us, thank you City staff, and have a good night.

9. Adjournment

Mayor Aldrich adjourned the meeting at 10:01 P.M.

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Kimberly Aldrich, Mayor

ATTEST

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Patty Cox, City Secretary, TRMC  
City Secretary