



Janeshia A. Grider, Mayor

Sylvia Apodaca
Christopher Garza
Joe Molina

Mike Martin
Sally Hitt
Maria Lozano

CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, JUNE 22, 2023 - 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.

1. **Call Meeting to Order**

Mayor Grider called the meeting to order at 7:00 P.M.

2. **Invocation and Pledge of Allegiance to the Flag**

Mayor Grider 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.”

3. **Roll Call**

PRESENT

Mayor Grider
Council Member Garza (ZOOM)

ABSENT

Mayor Pro-Tem Apodaca
Council Member Hitt

Council Member Lozano
Council Member Martin
Council Member Molina

5. Citizen Participation

1. Chief William Hilburn – He asked Council for use of the Kirby Swimming Pool for a couple of hours to be used during training for the Fire Department. There would be the expense of a lifeguard.
2. Kim Aldrich – She commented on a post Council Member Garza made regarding Juneteenth and freedom of speech.
3. Lisa Pierce – She voiced her opposition to item 10. b.
4. Juan Valle - He said he supports single family use on Hedwig.
5. Ralph Bandino – He spoke about issues he has had regarding the alley behind his house, speeding on Kirby Drive, potholes pitbulls.
6. Jack Miller – He spoke about a proposed ordinance on the agenda and issues. He said he is a Texas gun law expert. He offered comments about Kim Aldrich and Council Member Molina.
7. Kyle Strong – He had stepped out of the Council Chamber.
8. Patrick White – He commented that Council Member Molina has been informed about a statement he made at a previous Council meeting and commented on a proposed ordinance on the agenda.
9. BJ Voigt – She stated that Council needs to be careful to not say something about someone when out in public restaurants or businesses. She thanked everyone who attended Hermann Sons Flag Day Ceremony. She provided their history.
10. Flower Castillo – She said she is a real estate agent and representing Kathy and Robert Rowe. She spoke about the property and the zoning issues.
11. Kathy Rowe – She said she owns 5458 Seguin Road. She provided the reason she was before Council regarding her property.

12. Matthew Gola - He said he lives behind 5458 Seguin Road and said the property needs to be zoned residential and explained why. Also, he provided history on 102 Hedwig.
13. Tori Rees – She spoke about 2nd Amendment rights, zoning issues, property values and item 10. b.
14. Rick Brisco – Legislative Director of Logan Carey, Texas, a grassroots Civil Rights organization specializing in first, second and fourth amendment issues. He addressed the proposed ordinance restricting firearms within in the city.

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

- a. Regular Minutes – June 8, 2023

Council Member Martin moved to accept the Regular Minutes – June 8, 2023; seconded by Council Member Molina. The motion carried with a 5-0 vote.

AYES: 5

NAYES: 0

7. **Presentations**

- a. **Fire Department Badge Pinning Ceremony**

Fire Chief Hilburn recognized Firefighter Dakota Higgins and officiated the Badge Pinning Ceremony.

Mayor Grider recognized B.J. Voigt.

Ms. Voigt reminded everyone about fireworks safety.

8. **Executive Session**

The City Council Will Meet In Closed Session Pursuant To Texas Government Code Section 551.074 To Interview Applicants For The Position Of City Manager And To Discuss The Terms And Conditions Of A Draft Contract For City Manager

- a. **Possible Discussion, Negotiation And Deliberation Regarding Terms And Conditions Of A Draft Contract For City Manager**

Mayor Grider added item 10.g. to the executive session.

10. g. Discussion And Possible Action On Establishing An Open Record Request Policy

Mayor Grider closed the regular session and convened into Executive Session at 8:06 P.M.

9. Reconvene To Open Session

Following Deliberation In Closed Session, The City Council Will Reconvene In Open Session To Take Any Final Action Required On The Matters Discussed In Closed Session.

a. Discussion And Possible Action On Contract Negotiations With City Manager

Mayor Grider closed the Executive Session and reconvened into regular session at 9:07 P.M.

Council Member Molina moved to amend the City Manager's contract to add \$500 monthly car allowance and five extra days to paid time off; seconded by Council Member Martin. The motion carried with a 4-1 vote.

AYES: 4

NAYES: 1 (Council Member Garza)

10. Discussion And Possible Action

Mayor Grider requested and received a consensus from Council to postpone items b, c, e and h.

- a. Discussion And Possible Action On Ordinance No. O-2023-925 An Ordinance Repealing Chapter 151 Of The Code Of Ordinances Of The City Of Kirby, Texas In Regard To Flood Damage Prevention, And Adopting New Chapter 151 Of The Code Of Ordinances Of The City Of Kirby In Regard To Flood Damage Prevention And Providing For A Penalty Of A Fine Of Not More Than \$500.00 For Each Violation (Plus Costs And Expenses) With Each Day A Violation Occurs To Constitute A Separate Offence. This Is The First Reading.

Council discussed this item. Mr. Kyle Strong was present to answer questions.

Council Member Molina moved to accept Ordinance No. O-2023-925 an Ordinance repealing Chapter 151 of the Code of Ordinances of the City of Kirby, Texas in Regard to Flood Damage Prevention, and Adopting New Chapter 151 of the Code of Ordinances of the City of Kirby In regard to Flood Damage Prevention and providing for a penalty of a fine of not more than \$500.00 for each violation (plus costs and expenses) with each day a violation occurs to constitute a separate offence; seconded by Council Member Martin. The motion carried with a 5-0 vote.

AYES: 5

NAYES: 0

- b. Discussion And Possible Action On Adopting Ordinance No. O-2023-926 An "Ordinance Restricting the Carrying of Firearms, Handguns, And Air Guns On City Property; Amending Chapter 134 Of The Kirby Municipal Code; Creating An Offense; Establishing A Penalty Fr Violations; And Providing An Effective Date. This Is The First Reading.

Mayor Grider stated this item was postponed.

- c. Discussion And Possible Action To Appoint Member(s) To the Crime Control And Prevention District Board

Mayor Grider stated this item was postponed.

- d. Discussion And Possible Action To Appoint A Member To The Beautification And Recycle Committee

There were not any applications to be considered.

- e. Discussion And Possible Action Regarding Placement Of Signs Prohibiting Firearms At City Council Meetings.

Mayor Grider stated this item was postponed.

- f. Discussion and Possible Action On Establishing a Code of Conduct and Ethics for Council Members, Board Members, Commission Members, and Committee Members.

Council and City Manager Rowland discussed this item. There was a consensus of Council to establish a Code of Conduct and Ethics for Council Members .

Council and City Manager Rowland discussed whether to continue having board members, commission and committee members sign the Code of Conduct and Ethics.

This item was postponed until more information is provided regarding nepotism.

- g. Discussion And Possible Action On Establishing An Open Records Request Policy.

This item was discussed during Executive Session.

- h. Discussion And Possible Action On Waiving The 6-Month Waiting Period To Apply For A New Special Use Permit Pursuant To Kirby Code of Ordinances §153.116.

Mayor Grider stated this item was postponed.

- i. Discussion And Update On The Ackerman Road Construction Project

Mr. Humberto Zambrano provided an update on the Ackerman Road Construction Project.

- j. Discussion And Possible Action On Council Meeting Session Time; Any Agenda Items Not Discussed By 10:00 P.M. To Be Placed On Next Scheduled Council Meeting Agenda

Council discussed this item.

City Manager Rowland suggested not reducing the time limit, but consider another processes. He recommended Parliamentary Procedures and beginning the meetings at 6:00 P.M.

Mayor Grider recognized Jack Miller.

Mr. Miller said Leon Valley had the same issues.

Council continued their discussion.

Council Member Molina moved to allow B.J. Voigt to speak; seconded by Council Member Martin. The motion carried with a 5-0 vote.

Mayor Grider recognized B.J. Voigt.

Ms. Voigt provided her thoughts on beginning the meeting earlier.

Mayor Grider said before any changes, get new policies in place first. Council concurred.

- k. Discussion And Possible Action On Austin Bridge And Road Working Day Charges Be Suspended From NTP (January 3rd) until April 3rd or when the Gas subcontractor mobilizes On The Above Referenced Project.

Mr. Zambrano and Mr. Carl Bain provided an updated on the project and requested suspension of working day charges from NPT January 3rd until April 3rd or when the gas subcontractor mobilized on the project.

Council Member Molina moved to accept the time change from January 3, 2023 to April 3, 2023 start date; seconded by Council Member Garza. The motion carried with a 4-1 vote.

AYES: 4

NAYES: 1 (Council Member Martin)

I. Discussion And Possible Action For Austin Bridge And Road To Close the Right Turn Lane From Ackerman to Binz Engleman

Mr. Zambrano explained the road closure of the right turn lane from Ackerman Road to Binz Engleman Road.

Council discussed this item.

Council Member Martin moved to allow Austin Bridge and Road to close the right turn lane from Ackerman Road to Binz Engleman Road; seconded by Council Member Lozano. The motion carried with a 5-0 vote.

AYES: 5

NAYES: 0

Council Member Martin moved to allow Mike Grant to speak; seconded by Council Member Molina. The motion carried with a 5-0 vote.

Mayor Grider recognized Mr. Grant.

Mr. Grant apologized for his late arrival and said he would speak on item 10. f. He spoke about nepotism.

11. City Manager Announcements

a. Announcements On City Events And Items Of Community Interest

City Manager Rowland announced several training opportunities for Council. He will forward the details to Council. On July 2 there will be Fireworks in the Park at Friendship Park, 5:00 P.M. – 10:00 P.M. He said city staff and Council will be working on the budget which is a 90 day process 90. He will email the dates for a City retreat to Council, and there will be new pictures taken of City Council to be placed in City Hall.

12. 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 Lozano thanked all departments for giving 100%, loyalty and dedication. Kirby Senior Center successful 30th anniversary; she welcomed Kathy Gomez, Senior Center Executive Director.

Council Member Garza welcomed Dr. Brian Rowland, City Manager. On July 2 is Fireworks in the Park, provide the draft ordinance to our community for insight. Thank you all for the work you do.

Council Member Molina thanked everyone for staying, thank you for attending the Kirby Senior Center Anniversary. He thanked True Vision Church for the June 10 fireworks display, children are out of school so be careful and watch out for them. The culvert on Ackerman Road that was discussed previously, is in Kirby city limits. He welcomed Dr. Rowland.

Council Member Martin thanked employees for all they do, welcomed Dr. Rowland, July 2 Fireworks in the Park, and will schedule meeting with Planning and Zoning Commission to discuss zoning issues.

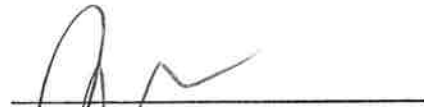
Mayor Grider welcomed Dr. Rowland, she thanked B.J. Voigt and Henmann & Sons for Flag Day event. She thanked B.J. Voigt for all she has done for the City. She agreed with Ms. Voigt that our organization within our City to improve community relationships and partnerships. She thanked True Vision Church, Pastor Brown, Pastor Mobley, Bexar County Commissioner Calvert for making sure the Juneteenth Celebration was in Kirby. We were put on the map because the grandmother of Juneteenth was here, Opal Lee. The San Antonio African-American Committee gave her a Freedom Award here. This will bring tourism to our City.

13. Adjournment

The meeting adjourned at 10:27 P.M.



Katelyn Ueckert,
Interim City Secretary



Janeshia Grider
Mayor