



Janeshia A. Grider, Mayor

Sylvia Apodaca
Christopher Garza
Joe Molina

Maria Lozano
Mike Martin
Sally Hitt

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, NOVEMBER 16, 2023 - 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

In accordance with Texas Government Code §551.127 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 by logging into the below web address and submitting a request to address the council via the Zoom chat, prior to the meeting being called to order:

Topic: Regular City Council Meeting
Date and Time: November 16, 2023 at 7:00 P.M. (Central Time)
Join Zoom Meeting:

Video Participation: Join Zoom Meeting
<https://zoom.us>
Meeting ID: 956 855 1663 and Passcode: 1955

1. Call Meeting to Order

Mayor Grider called meeting to order at 7:05 P.M.

2. Invocation and Pledge of Allegiance to the Flag

Mr. Rish Led with the Invocation and Pledge of Allegiance

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

Council Member Garza
Council Member Hitt
Council Member Lozano
Council Member Martin
Mayor Pro-Tem Apodaca
Mayor Grider

Absent

Council Member Molina

5. **Citizen Participation**

John Rish- discussed expenses and expanding to include sunrise

Patric White- discussed council and uniformity

Tory Riese- did not disclose address for Citizen Participation and was unable to participate

Jack Miller- discussed zoom and emails

Faye Kilm- discussed Police Department and Fire department discussed Citizen Participation

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

a. **Regular Minutes – November 9, 2023**

Requested to bring back next meeting

7. **Presentations and Updates**

a. **Discussion and Update on Ackerman Rd project.**

Humberto with Austin Bridge and Road Discussed Agenda item A and emergency contact

b. **Discussion and Update on Police stats.**

Chief Cardona Presented the Police stats

c. **Update on ability to lease out the zipper machine.**

Council Discussed Moving 7C to next meeting

- d. Update on usage of ARPA funds and spending deadline.

Council Discussed Moving 7D to next meeting

8. Discussion And Possible Action

- a. Discussion and Possible Action on Change Order 3 and 5 for Ackerman road project.

Council, Bain Medina Bain and Austin Bridge and Road Discussed Agenda item 8A

Motion made by Council Member Martin Seconded by Council Member Garza to approve change order #3

AYE: Council Member Garza
Council Member Hitt
Council Member Lozano
Council Member Martin
Mayor Pro-Tem Apodaca
Mayor Grider

NAY:

Motion passed with a 6-0 vote

Change order #5 tabled to next meeting consensus by Council

- b. Discussion and Possible Action on status of liens for the property at 4907 Borchers.

Council Discussed agenda item B

Motion made by Mayor Pro-Tem Apodaca Seconded by Council Member Hitt to not forgive the lien

AYE: Council Member Garza
Council Member Hitt
Council Member Lozano
Council Member Martin
Mayor Pro-Tem Apodaca

NAY:

Mayor Grider

Motion passed with a 6-0 vote

- c. Discussion and Possible Action on Ordinance Amending Title III, Chapter 30, Article I, Section 30.10 Citizen Participation of the Code of Ordinances of the City of Kirby, Texas, first reading.

Council Discussed Agenda item C

Motion made by Council Member Garza Seconded by Council Member Martin to not approve Ordinance O-2023-930

AYE:	NAY:
Council Member Garza	Council Member Hitt
Council Member Martin	Council Member Lozano
	Mayor Pro-Tem Apodaca
	Mayor Grider

Motion did not pass with a 2-4 vote

Motion made by Mayor Pro-Tem Apodaca Seconded by Council Member Hitt to Accept Ordinance O-2023-930

AYE:	NAY:
Council Member Hitt	Council Member Garza
Council Member Lozano	Council Member Martin
Mayor Pro-Tem Apodaca	
Mayor Grider	

Motion passed with a 4-2 vote

- d. Discussion and Possible Action on an Ordinance amending the fiscal year 2023-2024 budget of the Kirby Police Department to adjust for increased costs of patrol vehicles, first reading.

Council Discussed agenda item D to be brought back to a future meeting

9. **Executive Session- The City Council will meet in Executive Session pursuant to Texas Government Code Sections 551.071, Consultation with Attorney, and 551.074, Personnel Matters to Discuss the following:**

- a. Consultation with attorney to receive legal advice and updates regarding the independent investigation related to complaints against Council Member Garza.

Meeting Closed for Executive Session at 8:46 P.M.

10. Reconvene to Open Session

- a. Following deliberation in Closed Session, the City Council will reconvene in Open Session to take any action required on the matters discussed in Closed Session.

Meeting Reconvened at 9:21 P.M.

11. City Manager Announcements

No announcements made

12. Request And Announcements

Council Member Lozano- Thanked everyone who attending meeting requested Animal Control stats be placed on next meeting

Council Member Garza- requested an update on Water Department and requested Kirby growth expansion and annexation be placed on the next agenda, and Requested Attorney cost and performance on next agenda

Mayor Pro-Tem Apodaca- announced VFW needing support and wished everyone a happy thanksgiving

Council Member Hitt- thanked everyone for coming out and Announced Beautification Holiday Decorating Contest

Council Member Martin- Thanked Citizens for attending and city employees request Water issue be adressed

Mayor Grider- Apologized for Water department issues requested an update on the Water Department, requested a price quote on a new sound system

13. Adjournment

Meeting Adjourned at 9:33 P.M.

Janeshia Grider,

Mayor

Katelyn Ueckert
Interim City Secretary

The City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on this agenda if authorized by Texas Government Code Section 551.071, Consultation with Attorney, Texas Government Code Section 551.072, Deliberations about Real Property, Texas Government Code Section 551.074, Personnel Matters, and Texas Government Code Section 551.076, Security Devices or Security Audits.

This meeting is wheelchair parking accessible at the main entrance located at 112 Bauman. Auxiliary services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours prior to the meeting) by calling 210/661-3198 or Relay Texas 800/735-2989 (hearing/speech impaired assistance)

DATE OF POSTING: November 13, 2023

TIME OF POSTING: 6:00 P.M.