



*Janeshia A. Grider, Mayor*

Sylvia Apodaca  
Christopher Garza  
Joe Molina

Mike Martin  
Sally Hitt  
Maria Lozano

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, OCTOBER 12, 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. A member of the public may testify from a remote location by videoconference at:

Topic: Regular City Council Meeting

Date and Time: October 12, 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

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**1. Call Meeting to Order**

Meeting called to order a 7:05 P.M.

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

Mr. Rich lead with 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**

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

5. **Citizen Participation**

Brian Rowlands- discussed passion for work and employment and addressed complaints against him

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

a. **Regular Minutes – September 7, 2023**

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to Approve Regular Minutes – September 7, 2023 with spelling correction Resend to rescind

**Aye:**

**Nay:**

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

Motion passed with a 7-0 Vote

b. **Regular Minutes – September 14, 2023**

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Molina to Approve Regular Minutes – September 14, 2023

**Aye:**  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider  
Mayor Pro-Tem Apodaca

**Nay:**

Motion passed with a 7-0 Vote

c. Regular Minutes – September 23, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Molina to Approve Regular Minutes – September 23, 2023

**Aye:**  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider  
Mayor Pro-Tem Apodaca

**Nay:**

Motion passed with a 7-0 Vote

d. Regular Minutes – September 27, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to Approve Regular Minutes – September 27, 2023

**Aye:**  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider  
Mayor Pro-Tem Apodaca

**Nay:**

Motion passed with a 7-0 Vote

e. Public Hearing Minutes – September 14, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Molina to Approve Public Hearing Minutes – September 14, 2023

**Aye:** **Nay:**

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

Motion passed with a 7-0 Vote

f. Public Hearing Minutes – September 27, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Molina to Approve Public Hearing Minutes – September 27, 2023

**Aye:** **Nay:**

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

Motion passed with a 7-0 Vote

**7. Executive Session**

- a. The City Council will meet in Closed Session pursuant to Texas Government Code Section 551.074, Personnel, and 551.071 Consultation with Attorney to receive advice, discuss and address the findings of the investigation on City Managers Suspension.

Regular meeting closed at 7:18 P.M.

**8. Reconvene to Open Session**

- a. 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.

Regular meeting reconvened to open session at 9:18 P.M.

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Garza to Put Brian Rowlan on Administrative leave starting October 16th with pay

<b>Aye:</b>	<b>Nay:</b>
Council Member Garza	
Council Member Hitt	
Council Member Lozano	
Council Member Martin	
Council Member Molina	
Mayor Grider	
Mayor Pro-Tem Apodaca	

Motion passed with a 7-0 Vote

Break Taken from 9:20P.M. - 9:41 P.M.

**9. Staff/Contractor Reports**

- a. Discussion and Update on construction materials left on Gaiety Lane.  
Armando and council Discussed Agenda Item 9A
- b. Discussion and Update on placing restrooms at Hugo Lentz Park.  
Acting City Manager William Hilburn Discussed Agenda Item 9B and options
- c. Discussion and Update on purchase of Water Cooler for Public Works Department.  
Armonda and Council Discussed Agenda Item 9C
- d. Discussion and Update on Ackerman Road Project.  
Engineer Bain Medina Bain Discussed Agenda Item 9D
- e. Discussion and Update on law firm cost.

Council Discussed Agenda Item 9E

- f. Discussion and Update on creating budget timeline.

Council Discussed April as a Good time to start Budget Process

- g. Discussion and Update from RRGp on Computer issues.

Council and Acting City Manager William Hilburn Discussed Item 9G

**10. Discussion And Possible Action**

- a. Discussion and Possible Action Appointing Crime Control Board Members.

Motion made by Council Member Martin seconded by Council Member Garza to Approve Jackie Wyn to the Crime Control Board

<b>Aye:</b>	<b>Nay:</b>
Council Member Garza	
Council Member Hitt	
Council Member Lozano	
Council Member Martin	
Council Member Molina	
Mayor Grider	
Mayor Pro-Tem Apodaca	

Motion passed with a 7-0 Vote

Motion made by Council Member Hitt seconded by Council Member Martin to Approve Glenda Bayer to the Crime Control Board

<b>Aye:</b>	<b>Nay:</b>
Council Member Garza	
Council Member Hitt	
Council Member Lozano	
Council Member Martin	
Council Member Molina	
Mayor Grider	
Mayor Pro-Tem Apodaca	

Motion passed with a 7-0 Vote

- b. Discussion and Possible Action on appointing secondary Acting City Manager in case of Chief Hilburn's absence.

Motion made by Council Member Lozano seconded by Council Member Hitt to Approve appointing Armando Marquez secondary Acting City Manager in case of Chief Hilburn's absence.

**Aye:**

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

**Nay:**

Motion passed with a 7-0 Vote

- c. Discussion and Possible Action on Ackerman Road change order 3 and 4.

Motion made by Council Member Martin seconded by Council Member Garza to Approve Change Order 4

**Aye:**

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

**Nay:**

Motion passed with a 7-0 Vote

- d. Discussion and Possible Action on permitting process and requirements for home owners and contractors.

Council Discussed Agenda Item 10D

- e. Discussion and Possible Action on 4907 Borchers liens.

Council and Acting City Manager Discussed Agenda Item E

- f. Discussion and Possible Action on extending iWork for Code enforcement purposes.

Motion made by Council Member Garza seconded by Council Member Molina to Approve extending iWork for Code enforcement purposes.

**Aye:**

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

**Nay:**

Motion passed with a 7-0 Vote

- g. Discussion and Possible Action on Chris Garza's resignation from Senior Center Board.

Council Discussed agenda item 10G

- h. Discussion and Possible Action on Resolution R-2023-764 on Cafeteria Plan.

Motion made by Council Member Molina seconded by Council Member Garza to Approve Resolution R-2023-764 on Cafeteria Plan

**Aye:**

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

**Nay:**

Motion passed with a 6-0 Vote  
Mayor Absent For vote

- i. Discussion and Possible Action on Resolution R-2023-765 on Mission Square-ICMA Retirement Plan.



Motion made by Council Member Garza seconded by Council Member Lozano to Approve Resolution R-2023-765 on Mission Square- ICMA Retirement Plan.

<b>Aye:</b>	<b>Nay:</b>
Council Member Garza	
Council Member Hitt	
Council Member Lozano	
Council Member Martin	
Council Member Molina	
Mayor Grider	
Mayor Pro-Tem Apodaca	

Motion passed with a 7-0 Vote

j. Discussion and Possible Action on Resolution R-2023-763 on appointment of a City Prosecutor.

Motion made by Council Member Garza seconded by Council Member Molina to Approve Resolution R-2023-763 on appointment of Rafael Antonio Arriaga as City Prosecutor.

<b>Aye:</b>	<b>Nay:</b>
Council Member Garza	
Council Member Hitt	
Council Member Lozano	
Council Member Martin	
Council Member Molina	
Mayor Grider	
Mayor Pro-Tem Apodaca	

Motion passed with a 7-0 Vote

**11. City Manager Announcements**

Acting City Manager William Hillburn Announced Trunk Or Treat event also announced City Hall Early Closure for training October 23<sup>rd</sup>  
Announced Early Voting from October 23<sup>rd</sup>-27<sup>th</sup>

**12. Request And Announcements**

Council Member Garza thanked everyone who participated and requested everyone follow construction signs

Council Member Molina Thanked everyone for support and announced November 4<sup>th</sup>  
Bexar Hazard Waste drop off  
Mayor Pro-Tem Apodaca Via Virtual Meeting and Bexar business meeting in December  
Council Member Hitt requested everyone drive safe  
Council Member Martin Thanked everyone  
Mayor Grider Announced Senior Center is open to surrounding Cities as well as Kirby

**13. Adjournment**

Meeting Adjourned at 12:07 P.M.

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Janeshia Grider,

Mayor

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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: October 6, 2023

TIME OF POSTING: 5:30 P.M.