



*Janeshia A. Grider, Mayor*

Sylvia Apodaca  
Christopher Garza  
Joe Molina

Maria Lozano  
Mike Martin  
Sally Hitt

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, OCTOBER 26, 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 26, 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**

Mayor Grider Called Meeting to order at 7:12 P.M.

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

Mr. Rich 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  
Council Member Molina  
Mayor Grider

**Absent**

Mayor Pro-Tem Apodaca

5. **Citizen Participation**

Brittany Trevino- Discussed right to be heard.

Joe Ramon- Discussed VFW and community, Discussed Road construction.

Robert Kyle-Discussed citizens' rights to speak Discussed Attorney Generals reasonable time ruling.

Susan Street-Discussed Borchers liens Discussed Ackerman Rd flaggers Discussed Senior Center Halloween event.

Patric White- Discussed council and prior City Manager Brian Rowland

Tory Riese- Discussed council's actions asked council to be reasonable.

Stacy Halton- Discussed water department in City of Kirby

Roger Romans- Discussed agenda item E Discussed VIA and Discussed state law.

Ismael- Discussed rights and control and interest in Kirby discussed apples.

Joseph Anthony- Discussed Council problems

Jeff Eckland- Discussed EDC and funding without a plan

Jack Miller- Discussed council limiting citizens to speak and discussed utilizing rights.

Mark Ruiz- Discussed Roasted Wild Boar Leg

Wayne Kerr- Discussed Citizens right to speak.

Danny Flunker- Discussed first Amendment

Brent McCain-Discussed rights to speak.

Gina Brandes and Michelle Holder- Discussed theft at Deans Auto their family business

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

a. Regular Minutes – July 6, 2023

Re-evaluate attendance and bring back to next meeting.

b. Regular Minutes – October 12, 2023

Re-evaluate October 12 minutes for deliberation and vote after executive session and bring back to next meeting.

**7. Presentations**

a. Givler Engineering introduction presentation

David Givler and Greg Wassom Presented introduction to Givler

b. Beautification and Recycle Committee Yard of the Quarter

Glenda Curtis Accepted award on behalf of Harold and Lilian on Vinecrest

**8. Discussion And Possible Action**

a. Discussion and Update on correcting the resolution number for the cafeteria plan.

Mr. Riese Request Additional time to speak

Motion made by Council Member Garza seconded by Council Member Martin to give Tory Riese 3 additional minutes to speak on agenda item

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Council Member Hitt  
Council Member Molina  
Mayor Grider

Motion does not pass 3-3 vote.

Tory Riese Discussed Vote to speak

Motion made by Council member Garza Second by Council Member Lozano to change the resolution for the Cafeteria plan from R-2023-764 to R-2023-766

Aye :

Council Member Garza  
Council Member Hitt  
Council Member Martin  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Nay:

Motion Passed with a 6-0 Vote

b. Discussion and Possible Action on releasing 4907 Borchers Liens due to tax sale.

Tory Riese Requested additional time to speak

Motion Made by Council Member Martin Seconded by Council Member Garza to give Tory Riese 3 additional minutes to speak on agenda item

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Council Member Hitt  
Council Member Molina  
Mayor Grider

Motion does not pass 3-3 vote.

Patric White Requested additional time to speak

Motion Made by Council Member Martin Seconded by Council Member Garza to give Patric White 3 additional minutes to speak on agenda item

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Council Member Hitt  
Council Member Molina  
Mayor Grider

Motion does not pass 3-3 vote.

City Council and Dalia Alvarez Property owner Discussed 4907 Borchers Liens

Motion made by Council Member Garza Seconded by Council Member Molina to table Discussion and Possible Action on releasing 4907 Borchers Liens due to tax sale until Dalia can supply the judgment of foreclosure and further documentation

Aye :

Council Member Garza  
Council Member Hitt  
Council Member Martin  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Nay:

Motion Passed with a 6-0 Vote

- c. Discussion and Possible Action on Ackerman Rd change order 3 and 5 and update on project.

Tory Riese Requested additional time

Motion Made by Council Member Garza Seconded by Council Member Martin to give Tory Riese 3 additional minutes to speak on agenda item

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Council Member Hitt  
Council Member Molina  
Mayor Grider

Motion does not pass 3-3 vote.

Patric White Requested additional time to speak

Motion Made by Council Member Garza Seconded by Council Member Martin to give Patric White 3 additional minutes to speak on agenda item

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Council Member Hitt  
Council Member Molina  
Mayor Grider

Motion does not pass 3-3 vote.

Humberto absent for agenda item

Motion made by Council Member Garza seconded by Council Member Martin to table Agenda item C until next meeting

Aye :

Council Member Garza  
Council Member Hitt  
Council Member Martin

Nay:

Council Member Lozano  
Council Member Molina  
Mayor Grider

Motion Passed with a 6-0 Vote

Motion made by Council Member Martin seconded by Council Member Garza to take a 10 min Break

Aye :

Nay:

Council Member Garza  
Council Member Hitt  
Council Member Martin  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Motion Passed with a 6-0 Vote

Break taken at 9:29 to 9:40

- d. Discussion and Possible Action to hire Employment Company for Executive positions such as City Manager, Financial Director/ HR Manager.

Mr. Reise asked for additional time.

Motion made by Council Member Garza Seconded by Council Member Martin to give Tory Riese 5 minutes on Agenda item 8D

Aye :

Nay:

Council Member Garza  
Council Member Martin

Council Member Hitt  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Motion does not pass 2-4 vote.

Tory Riese Discussed using outside firm for hiring Executive positions.

Chris from TriStar Discussed company and successes.

Patric White Discussed mayor of Live Oak

Mr. Lunt with T2L Discussed company and methods.

Ms. Gorshing with CPS Hr Consulting Discussed company and successes and work with recruitment services.

Mr. Dickson with Texas First Group Discussed methods and company.

Mr. Boese with Clear Career Professionals Discussed company methods and processes.

Council Discussed options.

Motion made by Council member Lozano Second by Council Member Garza to Hire Texas First Group for interim City Management services after City Attorney reviews the contract.

Aye :

Nay:

Council Member Garza  
Council Member Hitt  
Council Member Martin  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Motion Passed with a 6-0 Vote

Motion made by Council member Garza Second by Council Member Martin to Hire Clear Career Professional to hire a permanent City Management after City Attorney reviews the contract.

Aye :

Nay:

Council Member Garza  
Council Member Hitt  
Council Member Martin  
Council Member Lozano  
Council Member Molina

Mayor Grider

Motion Passed with a 5-1 Vote

- e. Discussion and Possible Action to hire consultant to evaluate the placement of an election for an Economic Development Corporation, dissolve or reduce tax from Crime Control & Prevention District Board, and withdrawal from San Antonio Metropolitan Transit Authority on May 2024 Ballot.

Council Discussed separating Agenda item 8E into three separate items.

Tory Riese Discussed Open Meetings Act

Council Discussed Agenda item 8E

Debra McMillan Discussed Kirby's lack of land discussed inadequate infrastructure and skilled workers discussed VIA contract.

Marina Espinalda Discussed Via and transportation experience and benefits.

Motion made by Council Member Garza second by Council Member Martin to Allow James Keen to speak.

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Mayor Grider  
Council Member Hitt  
Council Member Molina

Motion Failed with a 3-3 vote

Mr Marx and Mr Herrera with Via Discussed Via benefits and contract.

Roger Romans Discussed Agenda item 8E

Mr. Riese requested more time to speak on Agenda Item 8E

Motion Made by Council Member Garza Seconded by Council Member Martin to allow Tory Riece three minutes to speak.

Aye :

Council Member Garza  
Council Member Martin  
Council Member Lozano

Nay:

Mayor Grider  
Council Member Hitt  
Council Member Molina

Motion Failed with a 3-3 vote

No action taken on agenda item 8E

- f. Discussion and Possible Action on approving members for economic development committee.



Motion Made by Council Member Garza Seconded by Council Member Martin to appoint Hernandez Puente to the Economic Development committee.

Aye :

Nay:

Council Member Garza  
Council Member Martin  
Council Member Hitt  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Motion Passed With a 6-0 Vote

Motion Made by Council Member Garza Seconded by Council Member Martin to appoint Jaun Cantu to the Economic Development committee.

Aye :

Nay:

Council Member Garza  
Council Member Martin  
Council Member Lozano

Mayor Grider  
Council Member Hitt  
Council Member Molina

Motion Failed with a 3-3 vote

Motion Made by Council Member Garza Seconded by Council Member Lozano to appoint Tangela Dove to the Economic Development committee.

Aye :

Nay:

Council Member Garza  
Council Member Martin  
Council Member Lozano

Mayor Grider  
Council Member Hitt  
Council Member Molina

Motion Failed with a 3-3 vote.

- g. Discussion and Possible Action to change November and December Council dates due to holiday schedule.

City Council discussed agenda item G

Motion Made by Council Member Garza Seconded by Council Member Hitt to Change November and December Council dates due to holiday schedule to November 16<sup>th</sup> and December 7<sup>th</sup> and create an ordinance

Aye :

Nay:

Council Member Garza  
Council Member Martin  
Council Member Hitt  
Council Member Lozano  
Council Member Molina  
Mayor Grider

Motion Passed With a 6-0 Vote

- h. Discussion and Possible Action to Purchase Holiday Decorations for City of Kirby Christmas Tree Lighting.

Council discussed agenda item H

Council discussed other options and planning for next year

No action taken

- i. Discussion and Possible Action to contract an outside law enforcement agency to assist Kirby Police Department due to officer vacancies.

Glenda Curtis discussed theft and safety discussed needing more of a police presence

Council discussed agenda item I

Chief Cardona discussed agenda item I

No action taken

- j. Discussion and Possible Action to organize a petition to amend the charter for board and commissions qualifications and/or disqualifications.

Council and City Attorney discussed agenda item J

No action taken

- k. Discussion and Possible Action on support for City of Kirby Halloween community events.

Council discussed agenda item K

**9. City Manager Announcements**

Acting City Manager William Hilburn Announced early voting and Community Garage sale November 17-19th

**10. Request And Announcements**

Council Member Lozano thanked everyone who came, Requested the Citizen Participation time limit be added to next agenda, announced October is Breast cancer awareness month, announced St Joan Of Ark Festival

Council Member Garza requested he would like ordinance on citizen participation looked into for lawfulness and if it suits City of Kirby meetings, request zooms sound looked into, announced fall festivals for St Joan of ark and Baptist church, request update on Binz Engleman opening, Announced via link

Council Member Molina Thanked everyone who came out and city staff

Council Member Hitt Announced Beautification and Recycle Committee change of meeting date to November 14

**11. Adjournment**

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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 23, 2023

TIME OF POSTING: 6:00 P.M.