



City of Garden Ridge

"A way of life, not just a place to live"

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, JUNE 1, 2022, 6:00 P.M.

Councilmembers Present:

Mayor Robb Erickson
Mayor Pro-Tem Lisa Swint
Councilmember Kelly Smith
Councilmember Jesse Valdez
Councilmember Todd Arvidson
Councilmember Kay Bower (arrived at 6:27 p.m.)

Councilmembers Absent: None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary/Communications Specialist
Karen Ford, Finance/HR Director
Tina Ynfante, Finance/HR Assistant
Ron Eberhardt, Police Chief
Steven Steinmetz, Public Works Director
Linda Crosland, Librarian
Cynthia Trevino, City Attorney

City Commissioners Present:

Karen Diaz, Chair, Planning and Zoning Commission
Kerim Jacaman, Vice-Chair, Planning and Zoning Commission
Michael Crow, Planning and Zoning Commissioner
Darren Bates, Planning and Zoning Commissioner
Jim Mueller, Chair, Water Commission

1. Call to Order/Roll Call

With a quorum of the City Councilmembers present, Mayor Erickson called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, June 1, 2022, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance: Mayor Erickson led the Pledge of Allegiance and the Texas Pledge.

3. Presentations

a) Tri-County Chamber of Commerce Presentation-Executive Director Mindy Paxton.

Mayor Erickson introduced Executive Director Mindy Paxton. Ms. Paxton spoke regarding the Tri-County Chamber of Commerce and the memberships benefits.

4. Citizen Comment Period

Billy Williams, 8309 Eskimo Forest, thanked the Mayor, City Administrator, Public Works Director, and City Engineer for visiting the Woods of Garden Ridge to view their drainage concerns.

Bill Swint, 8440 Twisted Oaks, spoke regarding concerns related to proposed development.

Robert Bittermann, 22031 Nacogdoches Road, spoke regarding concerns related to proposed development.

Darren Bates, 20103 Regency Run, spoke regarding a recent meeting conducted by Guadalupe Ready Mix.

Sharon Stripling, 21729 Forest Waters Circle, spoke regarding speed limits within City limits and the Draft Zoning Ordinance.

5. Consent Agenda

THESE ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A COUNCILMEMBER. PUBLIC COMMENT ON THESE ITEMS MAY BE HEARD DURING CITIZENS' PARTICIPATION; HOWEVER, THAT DOES NOT MEAN THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

- a) Approval of Minutes for the May 4, 2022, City Council Regular Meeting.**
- b) Approval of Minutes for the May 18, 2022, City Council Special Meeting.**
- c) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – April 30, 2022.**
- d) Destruction of City records in accordance with the City of Garden Ridge Records Retention Plan.**

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Arvidson, to approve Consent Agenda items a)-d). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

6. Staff Reports

a) City Administrator Monthly Activity Report.

City Administrator Nancy Cain reviewed thank you notes recognizing City Staff, thanked the Knotty Knotters for their generous donation to the Library, and stated *Volunteer Garden Ridge!* reported 296 hours for the month of May. She spoke regarding First Friday, the Shred Event, and personnel updates.

b) Finance/HR Monthly Activity Report.

Finance/HR Director Karen Ford spoke regarding continuity of operations related to the Finance/HR Department.

c) City Secretary Monthly Activity Report.

City Secretary Marisa Spencer reviewed the monthly activity report and spoke regarding continuity of operations related to the Administrative Department.

d) Police Department Monthly Activity Report.

Chief Eberhardt reviewed the monthly activity report and spoke regarding continuity of operations related to the Police Department.

e) Public Works Department Monthly Activity Report.

Public Works Director Steven Steinmetz reviewed the monthly activity report and spoke regarding continuity of operations related to the Public Works Department.

f) Library Monthly Activity Report.

Librarian Linda Crosland reviewed the monthly activity report and spoke regarding continuity of operations related to the Library.

7. City Engineer Projects Status Reports

City Engineer Sam Johnson reviewed the Trihydro Engineering Report and spoke regarding the FM 2252 TxDOT Project and Land Development Projects.

8. City Commission and Committee Reports/Recommendations/Possible Actions

a) Planning and Zoning Commission:

- 1. Receive recommendation regarding Master Development Plan for Guadalupe Ready Mix, LLC, for the development of a Concrete Batch Plant on property located at 20762 FM 2252 in Garden Ridge, Texas.**

Chair Diaz stated the Commission recommends approval of the Master Development Plan for Guadalupe Ready Mix, LLC, for the development of a Concrete Batch Plant on property located at 20762 FM 2252 contingent upon the City Engineer's floodplain review.

David Earl, Earl & Associates, P.C. representing Guadalupe Ready Mix, presented the Master Development Plan and spoke regarding the City Engineer's floodplain review, site design, operations, and permits.

Mayor Erickson announced the City Council will recess the open meeting and reconvene in a closed session consultation with the City Attorney at 7:25 p.m. Mayor Erickson reconvened the open meeting at 8:08 p.m.

1.1. Discuss and take action on Master Development Plan.

The City Council discussed the Master Development Plan and the silo height depicted in the proposed Master Development Plan. Mr. Earl addressed questions from Councilmembers.

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Valdez, to table action on this item and request Guadalupe Ready Mix to come back to City Council with a modified plan that matches their intentions related to the height of the silo. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

Chair Diaz provided City Council with an update on the topics discussed at the Commission's meeting.

b) Quarry Commission:

City Secretary Marisa Spencer reviewed the monthly activity update submitted by Chair Barucky.

c) Water Commission:

Mayor Erickson stated the Commission did not meet in May and there is nothing to report at this time.

d) Wildlife Management Advisory Commission:

Mayor Erickson stated the Commission did not meet in May and there is nothing to report at this time.

e) Parks Committee:

Rod Chamberlain, Parks Committee, provided City Council with an update on the committee's projects and efforts.

9. Approvals and Authorizations

The following items are for discussion, consideration, and action.

a) Petition by Richard E. Kreutzer for a variance to Ordinance No. 13-122018, Section 5, Residential, 5.1.7.2.4.2. Side Yards, Interior Lots, to allow an encroachment of an existing shed five (5) feet into the fifteen (15) foot side yard setback along the north property line of their property at 8227 Shining Elk; further known as Lot 26, Block 2, The Woods of Garden Ridge Subdivision.

Mayor Erickson stated the City Council acting in the official capacity as the Zoning Board of Adjustment will consider a petition by Richard Kreutzer for a variance to Ordinance No. 13 as stated on the agenda.

Richard Kreutzer presented his variance petition.

1. Hold a public hearing.

Mayor Erickson opened the public hearing at 8:30 p.m.

Two (2) citizens spoke regarding the petition and City Secretary Marisa Spencer stated no written comments were submitted.

Mayor Erickson closed the public hearing at 8:32 p.m.

2. Discuss and take action on variance.

The City Council discussed the variance petition and Mr. Kreutzer addressed questions from Councilmembers.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Bower, to deny the petition by Richard E. Kreutzer for a variance to Ordinance No. 13-122018, Section 5, Residential, 5.1.7.2.4.2. Side Yards, Interior Lots, to allow an encroachment of an existing shed five (5) feet into the fifteen (15) foot side yard setback along the north property line of their property at 8227 Shining Elk; further known as Lot 26, Block 2, The Woods of Garden Ridge Subdivision. The City Council voted four (4) for and one (1) opposed (Councilmember Arvidson). The motion passed by a vote of 4-1.

b) Amendments to City of Garden Ridge Personnel Policy Manual.

Finance/HR Director Karen Ford reviewed the proposed amendments to City of Garden Ridge Personnel Policy Manual.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Valdez, to approve the amendments to City of Garden Ridge Personnel Policy Manual as presented. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

c) City partnership with Tri-County Chamber of Commerce.

Mayor Erickson spoke regarding the City of Garden Ridge partnering with Tri-County Chamber of Commerce.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Smith, to allocate \$5,000 to become a member of Tri-County Chamber of Commerce. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

d) City of Garden Ridge 50th Anniversary.

Mayor Erickson and Councilmember Bower provided updates regarding the City of Garden Ridge 50th Anniversary.

10. Updates

a) City Council Projects.

1. Meeting with Comal County officials concerning new residential development on Bat Cave Road and the impacts on Garden Ridge (Erickson and Swint).

Mayor Erickson and Mayor Pro-Tem Swint provided City Council with an update on meeting with Comal County officials concerning new residential development on Bat Cave Road and the impacts on Garden Ridge.

2. Mitigation of growth and encroachment impacts on Garden Ridge (Arvidson).

Councilmember Arvidson spoke regarding mitigation of growth and encroachment impacts on Garden Ridge. Councilmember Arvidson and Councilmember Smith agreed to work together in communication efforts with developers.

3. Traffic along FM 3009 (Bower).

Councilmember Bower spoke regarding traffic along FM 3009.

11. Discussion of Future Agenda Items

Councilmember Valdez requested to discuss "What's Developing in Garden Ridge" and the Alamo Area Metropolitan Planning Organization Technical Advisory Committee.

12. Citizen Comment Period

Michael Crow, 8315 Wild Wind Park, spoke regarding compliance related to City ordinances.

13. Reports and Comments from Mayor and City Councilmembers

The Mayor and/or City Councilmembers may comment, make general announcements, and/or provide progress reports on events, activities and/or committees/board meetings concerning the following:

Alamo Area Metropolitan Planning Organization, Boy Scouts and/or Girl Scouts, City of Garden Ridge sponsored events and outreach efforts, Comal ISD (Garden Ridge Elementary/Danville Middle School/Davenport High School), Counties (Bexar/Comal/Guadalupe), Families of Garden Ridge, Garden Ridge Lions Club, Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol, Garden Ridge Women's Club, Greater Bexar County Council of Cities, Northeast Partnership.

Councilmember Arvidson spoke regarding Comal ISD graduations and recognized Josh Harshbarger for obtaining the rank of Eagle Scout. Mayor Erickson spoke regarding Families of Garden Ridge Adopt-A-Highway Program, County/City Officials Luncheon, Northeast Partnership, Garden Ridge Elementary School, and Davenport High School.

14. Executive Session

The City Council will recess its open meeting and reconvene in Executive Session:

a) Pursuant to Texas Government Code Section 551.071(1) and 551.071(2) – Consultation with Attorney and 551.072 – Deliberations About Real Property.

- 1. To receive legal advice regarding proposed revisions to Ordinance No. 7 and any potential liability issues.**
- 2. To seek legal advice regarding pending litigation, Cause No. C2022-0615B, Michael C. Domgard II vs. City Council for the City of Garden Ridge, Texas.**

Mayor Erickson announced the City Council will recess at 9:17 p.m. and reconvene into Executive Session at 9:25 p.m., to discuss and seek legal advice on the items stated above.

Mayor Erickson adjourned the Executive Session and reconvened back into Regular Session at 9:44 p.m.

15. Business Items

The City Council will reconvene into Regular Session upon conclusion of the Executive Session and may recall any item posted for Executive Session for action, as necessary.

No action taken.

16. Adjournment

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Valdez, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, June 1, 2022, City Council regular meeting was adjourned at 9:44 p.m. by Mayor Erickson.

ATTEST


Marisa Spencer
City Secretary



Robb Erickson
Mayor