



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, MAY 4, 2022, 6:00 P.M.

Councilmembers Present:

Mayor Robb Erickson
Mayor Pro-Tem Lisa Swint
Councilmember John McCaw
Councilmember Jesse Valdez
Councilmember Todd Arvidson
Councilmember Kay Bower

Councilmembers Absent: None

City Staff Present:

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

City Commissioners Present:

Kerim Jacaman, Vice-Chair, Planning and Zoning Commission
Michael Crow, Planning and Zoning Commissioner
Roy Leatherberry, Planning and Zoning Commissioner

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, May 4, 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/Proclamations

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

Mayor Erickson stated this item will be deferred to the June meeting.

b) Professional Municipal Clerks Week Proclamation.

Mayor Erickson presented a Proclamation to City Secretary Marisa Spencer and Assistant City Secretary Kat Balbi declaring May 1-7 as Professional Municipal Clerks Week.

c) National Police Week and Peace Officers Memorial Day Proclamation.

Mayor Erickson presented a Proclamation to Chief Eberhardt declaring May 15-21 as National Police Week.

4. Citizen Comment Period

Billy Williams, 8309 Eskimo Forest, spoke regarding drainage concerns.

Shelby Trial, 21657 Forest Waters Circle, spoke regarding the investigation of former Mayor Thompson.

Sharon Stripling, 21729 Forest Waters Circle, spoke regarding storing recreational vehicles and speed limits within the City.

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 April 6, 2022, City Council Regular Meeting.

b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – March 31, 2022.

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve Consent Agenda items a)-b). 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 a thank you note recognizing the Police Department, thanked the Garden Ridge Women's Club for their generous donations to the City, and stated *Volunteer Garden Ridge!* reported 247 hours for the month of April. She also spoke regarding First Friday and the Shred Event.

b) Finance/HR Monthly Activity Report.

City Administrator Nancy Cain stated there is nothing to report at this time.

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:

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

b) Quarry Commission:

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

c) Water Commission:

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

d) Wildlife Management Advisory Commission:

Mayor Erickson stated there is no representative present and there is nothing to report at this time.

e) Parks Committee:

City Administrator Nancy Cain reviewed the monthly activity update submitted by Rod Chamberlain.

9. Approvals and Authorizations

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

- a) Petition by Ralph/Beola Bradley 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 ten (10) feet into the fifteen (15) foot side yard setback along the southeast property line of their property at 19808 Regency Run further known as Lot 2, Block 1, Regency Oaks Subdivision, Unit 1.**

1. Discuss and take action on variance.

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

The City Council discussed the estimates provided by the petitioners to relocate the shed and to remove the shed.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember McCaw, to deny the petition by Ralph and Beola Bradley 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 ten (10) feet into the fifteen (15) foot side yard setback along the southeast property line of their property at 19808 Regency Run further known as Lot 2, Block 1, Regency Oaks Subdivision, Unit 1. The City Council voted four (4) for and one (1) opposed (Councilmember Arvidson). The motion passed by a vote of 4-1.

- b) Ordinance No. 18-052022 An Ordinance of the City Council of the City of Garden Ridge, Texas, establishing regulations for the control and care of animals in the City of Garden Ridge; establishing related service fees; providing a penalty for violations of this Ordinance; providing a cumulative and savings clause; providing for severability; and declaring an effective date.**

Mayor Pro-Tem Swint spoke regarding the proposed amendments to Ordinance No. 18 regarding pet pigs.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Valdez, to approve Ordinance No. 18-052022 An Ordinance of the City Council of the City of Garden Ridge, Texas, establishing regulations for the control and care of animals in the City of Garden Ridge; establishing related service fees; providing a penalty for violations of this Ordinance; providing a cumulative and savings clause; providing for severability; and declaring an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- c) City of Garden Ridge Tagline.**

Mayor Erickson spoke regarding the City of Garden Ridge Tagline.

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem Swint, approving “Naturally Home” with Adobe Handwriting – Ernie as the new City of Garden Ridge Tagline. 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. Davenport High School Homecoming Parade and update on Light The Tower efforts (Erickson).

Mayor Erickson provided an update on Light The Tower efforts and spoke regarding Davenport High School Homecoming Parade.

The City Council agreed by consensus to continue supporting Davenport High School Homecoming Parade and Light The Tower efforts.

2. 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 spoke regarding meeting with Comal County officials concerning new residential development on Bat Cave Road and the impacts on Garden Ridge.

The City Council agreed by consensus to continue expressing the City's concerns regarding the impacts these developments have on the City and to consider drafting a resolution of intent to continue working with Comal County Commissioner's Court.

3. Traffic along FM 3009 (Bower).

Councilmember Bower spoke regarding traffic along FM 3009.

11. Discussion of Future Agenda Items

Councilmember Arvidson requested to discuss mitigation of growth and encroachment impacts on Garden Ridge.

Mayor Erickson requested to discuss City partnership with TriCounty Chamber of Commerce.

12. Citizen Comment Period

Billy Williams, 8309 Eskimo Forest, spoke regarding The Woods of Garden Ridge Homeowners Association.

Roger Parker, 22895 Bat Cave Road, spoke regarding development along Bat Cave Road in Comal County.

Ann Hill-Marsh, 8263 Apache Forest, spoke regarding drainage concerns.

Robert Aguilar, 8275 Apache Forest, spoke regarding drainage concerns.

Paula Stampley, 8226 Shining Elk, spoke regarding property tax exemptions and mitigating hog damage.

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 recognizing Eagle Scouts and establishing an Adopt-A-Highway program. 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 a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code, to include the following matters: To discuss dissolution of Boards and Commissions, impact on relevant ordinance provisions, and related matters.**
- 2. To receive legal advice regarding proposed revisions to Ordinance No. 7 and any potential liability issues.**
- 3. 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 8:25 p.m. and reconvene into Executive Session at 8:35 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 9:52 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 McCaw, seconded by Councilmember Bower, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, May 4, 2022, City Council regular meeting was adjourned at 9:52 p.m. by Mayor Erickson.

ATTEST



Marisa Spencer
City Secretary



Robb Erickson
Mayor