



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, DECEMBER 7, 2022, 6:00 P.M.

Councilmembers Present:

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

Councilmembers Absent:

Councilmember Kelly Smith

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Courtney Billi, Assistant City Secretary
Christine Green, Finance/HR Director
Ron Eberhardt, Police Chief
Steven Steinmetz, Public Works Director
Linda Crosland, Library Director
Cynthia Trevino, City Attorney

City Commissioners Present:

Jim Mueller, Chair, Water Commission
Keven Harshbarger, Vice-Chair, Water Commission
Karen Diaz, Chair, Planning and Zoning Commission
Michael Crow, Planning and Zoning Commissioner
Darren Bates, Planning and Zoning Commissioner
Nadine Knaus, Chair, Charter 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, December 7, 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. Proclamations/Presentations

a) Eagle Scout Ryan Johnson Certificate of Recognition

Mayor Erickson presented a Certificate of Recognition to Ryan Johnson for obtaining the rank of Eagle Scout.

b) Eagle Scout Charlie Hogue Certificate of Recognition

Mayor Erickson presented a Certificate of Recognition to Charlie Hogue for obtaining the rank of Eagle Scout.

4. Citizen Comment Period

Laura Matthews, 4903 Bluetop Lane, spoke regarding business management practices at Cube Smart.

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

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 November 2, 2022, City Council Regular Meeting.**
- b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – October 31, 2022.**
- c) Revelation Community Church (DBA Revelation Church San Antonio) Lease Agreement to continue leasing property located at 9357 Schoenthal Rd. for a period of two (2) years at the previously set rate of \$1,265 per month.**

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve Consent Agenda items a)-c). The City Council voted four (4) 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 and employee anniversaries and provided City Council with updates regarding Commission interviews and the employee/council Christmas party.

b) Finance/HR Monthly Activity Report.

Finance/HR Director Christine Green 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.

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

7. City Engineer Projects Status Reports

City Administrator Nancy Cain reviewed the City Engineer monthly activity report.

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

a) Planning and Zoning Commission:

- 1. Final Plat for The Ridge at Garden Ridge, being a 13.526 acre tract located at the southeast corner of the intersection of FM 2252 and FM 3009 and owned by Custom Clinics, LLC.**

1.1. Receive recommendation from the Planning and Zoning Commission.

Chair Diaz stated the Commission recommends approval of the Final Plat for The Ridge at Garden Ridge.

1.2. Discuss and take action on Final Plat.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Arvidson, to approve the Planning and Zoning Commission's recommendation and approve the Final Plat for The Ridge at Garden Ridge, being a 13.526 acre tract located at the southeast corner of the intersection of FM 2252 and FM 3009 and owned by Custom Clinics, LLC. The City Council voted four (4) 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 and Commissioner Crow reviewed a presentation related to impervious cover compliance.

b) Water Commission:

1. Water Rate Structure.

1.1. Receive recommendation from the Water Commission.

Vice-Chair Harshbarger reviewed a presentation related to the water rate structure for 2022 and stated the Commission recommends no change in the water rate structure at this time.

1.2. Discuss and take action on Water Rate Structure.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Bower, to approve the Water Commission's recommendation of no change to the water rate structure for Fiscal Year 2023. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

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

c) Charter Commission:

1. Receive monthly activity update as applicable.

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

d) Parks Committee:

1. Receive monthly activity update as applicable.

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 for Exemption from the requirements of the Sex Offender regulations established in Ordinance No. 217-012019 An Ordinance of the City of Garden Ridge, Texas, making it unlawful for certain sex offenders to reside within 1000 feet of a Child Safety Zone.

Mayor Erickson stated upon further consultation with the City Attorney it was determined that this petition was submitted in error; therefore, it does not require any discussion or consideration by City Council. He further explained that this item was left on the agenda for full transparency instead of removing this item after the original agenda had already been posted.

b) Resolution No. 496-122022 A Resolution of the City Council of the City of Garden Ridge, Texas, authorizing the purchase of 1.031 acres of property located at Sundew Lane/Blazing Star, Comal County, Garden Ridge, Texas; and authorizing the City Administrator to execute all required documentation associated with the purchase of the property.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Arvidson, to approve Resolution No. 496-122022 A Resolution of the City Council of the City of Garden Ridge, Texas, authorizing the purchase of 1.031 acres of property located at Sundew Lane/Blazing Star, Comal County, Garden Ridge, Texas; and authorizing the City Administrator to execute all required documentation associated with the purchase of the property. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

10. Updates

a) City Council Projects.

1. Mitigation of growth and encroachment impacts on Garden Ridge (Swint and Erickson).

Mayor Erickson and Mayor Pro-Tem Swint provided updates related to mitigation of growth and encroachment impacts on Garden Ridge.

2. Economic Development/Council Liaison to Tri-County Chamber of Commerce (Smith and Erickson).

Mayor Erickson stated there is nothing to report at this time.

3. Alamo Area Metropolitan Planning Organization Technical Advisory Committee Update (Valdez and Erickson).

Councilmember Valdez provided updates related to the Alamo Area Metropolitan Planning Organization Technical Advisory Committee.

4. Council Liaison to the Water Company/Utilities Department (Valdez and Erickson).

Councilmember Valdez stated there is nothing additional to report at this time.

5. Council Liaison to Comal ISD (Arvidson and Erickson).

Councilmember Arvidson provided updates related to Council Liaison to Comal ISD.

6. City Welcome Signage (Bower and Erickson).

Councilmember Bower stated there is nothing additional to report at this time.

11. Discussion of Future Agenda Items

Councilmember Valdez and Councilmember Swint requested to add Great Springs Project as a separate agenda item under City Council Projects.

Mayor Erickson requested to discuss the 2023 Texas Legislative Session.

12. Citizen Comment Period

Robert Dennard, 9357 Schoenthal Road, spoke regarding Revelation Community Church.

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, Tri-County Chamber of Commerce.

None at this time.

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 seek legal advice regarding pending litigation, Cause No. C2022-0615B, Michael C. Domgard II vs. City Council for the City of Garden Ridge, Texas.

2. To consult with and receive legal advice regarding variance and Special Use Permit processes related to development project: Guadalupe Readymix – proposed Concrete Batch Plant at 20762 FM 2252.

Mayor Erickson announced the City Council will recess at 7:35 p.m. and reconvene into Executive Session at 7:45 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 8:45 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.

a) Convene the Zoning Board of Adjustment.

Mayor Erickson convened the Zoning Board of Adjustment at 8:46 p.m.

b) Resolution No. 495-122022 A Resolution of the City of Garden Ridge, Texas, Zoning Board of Adjustment approving a settlement agreement related to Cause No. C2022-0615B, Michael C. Domgard II vs. City Council for the City of Garden Ridge, Texas.

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve Resolution No. 495-122022 A Resolution of the City of Garden Ridge, Texas, Zoning Board of Adjustment approving a settlement agreement related to Cause No. C2022-0615B, Michael C. Domgard II vs. City Council for the City of Garden Ridge, Texas. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

c) Petition by Michael Domgard for a variance to Ordinance No. 13-122018, Section 5, Residential, 5.1.2.5.2. to allow a 42.12 percent impervious cover limit for the construction of a pool on the 0.8180 acre property located at 9620 Trophy Oaks Drive, further known as Lot 38, Block 2, Trophy Oaks Subdivision, Garden Ridge, Texas.

Motion: A motion was made by Councilmember Arvidson, seconded by Mayor Pro-Tem Swint, to approve the petition by Michael Domgard for a variance to Ordinance No. 13-122018, Section 5, Residential, 5.1.2.5.2. to allow a 42.12 percent impervious cover limit for the construction of a pool on the 0.8180 acre property located at 9620 Trophy Oaks Drive, further known as Lot 38, Block 2, Trophy Oaks Subdivision, Garden Ridge, Texas. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

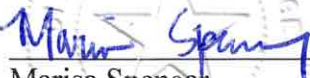
d) Close Zoning Board of Adjustment Portion of the Meeting.

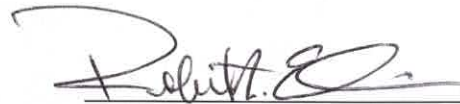
Mayor Erickson closed the Zoning Board of Adjustment portion of the meeting at 8:48 p.m.

16. Adjournment

There being no further business, the Wednesday, December 7, 2022, City Council regular meeting was adjourned at 8:48 p.m. by Mayor Erickson.

ATTEST


Marisa Spencer
City Secretary



Robb Erickson
Mayor