



MINUTES OF CITY COUNCIL REGULAR MEETING,
FEBRUARY 7, 2018

Members Present:

Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Todd Arvidson
Councilmember Kay Bower
Councilmember Robb Erickson
Councilmember Bryan Lantzy

Member Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Ron Eberhardt, Police Chief
Royce Goddard, Water Department Manager
Linda Crosland, Librarian
Shelley Goodwin, City Secretary

Commission Representative Present:

Cynthia Shanahan-Segovia, Vice Chair, Wildlife Management Advisory Commission

1. Call to Order

With a quorum of the City Council members present, Mayor Thompson called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, February 7, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Mayor Thompson led the Pledge of Allegiance.

3. Proclamation

Teen Dating Violence Awareness Month

Mayor Thompson read the proclamation proclaiming Teen Dating Violence Awareness Month.

Briana Saltis, Program Director at Crisis Center of Comal County, thanked Mayor Thompson for the recognition of Teen Dating Violence Awareness Month. She also reviewed the different

services the Comal County Crisis Center provides and encouraged everyone to wear orange on February 13, 2018.

4. City/Employee Recognitions

Nancy Cain, City Administrator, stated she received an email thanking the Police Department for their quick response during a house fire.

5. Citizen's Participation – Limited to (30) minutes

Shelby Trial, 21657 Forest Waters Circle, encouraged the City Council to let the *Volunteer Garden Ridge!* team handle the new water tank beautification project.

6. Consent Agenda

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A MEMBER OF CITY COUNCIL. PUBLIC COMMENT ON CONSENT AGENDA ITEMS MAY BE HEARD DURING CITIZEN'S PARTICIPATION, BUT COMMENTS HEARD DURING CITIZEN'S PARTICIPATION DOES NOT MEAN THAT THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

- a) **Approval of Minutes:**
 - i. **January 3, 2018 City Council Regular Meeting**
- b) **Financial Statement and Investment Report –December 31, 2017**
- c) **Ordinance 209-022018 ordering a General Election on May 5, 2018 for the City of Garden Ridge for the purpose of electing Aldermen to City Council, Places One, Four and Five; making provisions for the conduct of such election and resolving other matters related to the conduct of such election**

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Bower, to approve the Consent Agenda items 6. a), b), and c). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. Business Items

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

- a) **Action on items pulled from the Consent Agenda**

No Consent Agenda items were pulled.

Mayor Thompson stated the Agenda format has changed to help with the flow of the Council Meeting and the Future Agenda document has also changed to match the format of the meeting.

i. City Administrator Monthly Activity Report

- **Community Center usage and financial report, Building Permits issued to date for residential, commercial and minor Construction projects, City Council Idea/Suggestions, Communication efforts, Citizen Concern/Input, and upcoming events**

Nancy Cain, City Administrator, stated the agenda packet contained her activity report.

Councilmember McCaw stated the Community Center acoustics are poor and need to be worked on.

Mayor Thompson reminded the City Council of the history of the CIP Bond Funds that were going to be used at the Community Center. He stated the Community Center Manager is working on raising issues that need to be addressed. He stated that in the next few months, the City Council will be receiving a report on needs from the Community Center Manager.

ii. Police Department Monthly Activity Report

- Traffic Enforcement, Criminal activity within the City, and Code Compliance Enforcement

Ron Eberhardt, Police Chief, stated the City Council packet contained his activity report. He added the Police Department held an Active Shooter Emergency Care Course on February 3, 2018, which was a huge success. He stated the first class was for Garden Ridge Citizen Police Academy alumni. He also reminded residents of the fundraiser for Lt. Dan Bellinger. He also stated residents might have seen cameras on poles along FM 2252. These cameras were installed by TxDOT for the purpose of traffic counts.

Mayor Thompson added TxDOT installed the traffic counting cameras at the request of the City. He asked everyone to spread the word about the fundraiser for Dan Bellinger. He also thanked the Police Department for changing the graphics on the police cruisers. He also encouraged residents to call City Hall or a Councilmember if they have concerns instead of taking to Social Media about their concerns.

iii. Public Works Monthly Activity Report

- Street and Right-Of-Way Maintenance**
- Drainage Facility and Easement Maintenance**
- Animal Control (domestic and wild)**
- Public Works Projects**

Mayor Thompson stated Steven Steinmetz, Public Works Director is out sick.

Nancy Cain, City Administrator, stated the report reflects that the City had 20 cats, but 6 cats were adopted, so the City currently has 14 cats. She also stated the Oak Wilt abatement that was undertaken in Paul Davis Park is now complete.

iv. Water Manager Monthly Activity Report

- Water pumping/usage from city wells**
- Water system infrastructure maintenance, repairs and/or projects**
- Water and/or Drought Management (current Watering Stage)**

Royce Goddard, Water Manager, stated his report is in the City Council packet. He provided the updated water usage for Edwards Well (17,000,005 gallons) and Trinity Well (608,000 gallons).

v. Library Monthly Activity Report

- Upcoming events**

Linda Crosland, Librarian, stated the Science Program is currently on hold. She stated the After School Care Director has told them that they do not have enough staff to support the program, but will try again in March. She stated the February 3rd Model Car class was not as successful as she had hoped, but they will try again next month. First Friday Family Night was very successful and next month the theme will be a Family Camp Out.

b) City Engineer Projects Status Reports:

- i. CIP Project for 2013**
- ii. CIP Project for 2015**
 - a. Phase I**
 - b. Phase II**
 - c. Trinity Wells #9 and #10 Project**
- iii. Sewer System (FM 2252)**

Dan Mummert, P.E., Trihydro, City Engineers, reviewed the City Engineer report and PowerPoint (attached).

- 2015 CIP Street and Drainage Project – the contractor has completed the outstanding punch list items and the project is ready to be closed out.

Mayor Thompson stated Qro Mex has completed its work for the City and they are requesting payment. However, there is an outstanding complaint from a resident. He stated the homeowner submitted receipts, but they were not official receipts or invoices. The resident was asked to submit valid receipts and has yet to do so.

The City Council discussed the outstanding receipts and the different processes for payment of the retainage fee to Qro-Mex.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Arvidson, to approve the payment of the \$447,935.88 retainage fee to Qro-Mex minus the outstanding \$1,700 for the resident's complaint, and giving the resident 30 days to submit the required documents to the City Administrator. If the required documents are not provided to the satisfaction of the City Administrator within 30 days, the remaining \$1,700 will be paid to Qro-Mex. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- Trinity Wells #9 and #10 Project – the contractor is laying block and should be completed this week. He stated they are still waiting for a letter from TCEQ on Well #10, but feels since the City already does testing on the well leach field, it should be grandfathered. He also stated he needs direction regarding the fencing for the new Well site.

Mayor Thompson stated if TCEQ does not accept the leach field where it is, then the City will need to move it out of the 150 foot sanitary easement. He also discussed the deadline for the fence approval and the differences between a galvanized fence and powder coated fence.

The City Council discussed the different fence options and how the different colors could affect the well beautification project.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Lantzy, to approve the green powder coated fence. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

The City Council discussed the well beautification project and instructed residents that if they had suggestions or pictures of other well beautification projects to submit them to City Hall. They also agreed by consensus to have the *Volunteer Garden Ridge!* team head up the well beautification project and submit their recommendations to the City Council for approval.

d) City Commission and Committee Reports/Recommendations/Possible Actions

- i. **Planning and Zoning Commission Recommendation and Possible Action:**
No report.
- ii. **Quarry Commission Recommendations and Possible Action:**
No report.
- iii. **Water Commission recommendations and Possible Action:**
No report.
- iv. **Wildlife Management Advisory Commission:**
 - a. **Receive monthly activity update.**
 - b. **Update on the 2017 Survey process**

Cynthia Shanahan-Segovia, Vice Chair, Wildlife Management Advisory Commission, updated the City Council on the upcoming education sessions, Bottle Jaw Disease that has been found in Garden Ridge, and the Wildlife Survey process. She also informed the City Council that the Commission plans to publish a newsletter to be sent out separately from the Grapevine.

Councilmember Erickson (Commission Ex-Officio), stated the Commission has created a schedule of training sessions for each meeting. The training sessions will begin at the March 19, 2018 meeting.

Mayor Thompson reported that a resident developed a buzzard problem at their home. He stated USDA Wildlife has informed the City that the problem is a result of the feeding and watering of wildlife. He also stated that buzzards are a protected species.

Nancy Cain, City Administrator, stated 1161 Wildlife Surveys have been completed and returned, however 23 of those surveys will not be tallied due to various reasons. She stated currently the expenses for the survey total \$842.42, and final expenses will be provided once security hours are totaled.

Mayor Thompson moved Agenda item 7. i) v. up in the Agenda.

7. i) v. Deer Management

a. Report on Hollywood Park Deer Management (McCaw)

Councilmember McCaw stated he had recently read several comments on Social Media regarding Hollywood Park's Wildlife Management, so he called Randy Tomasini, Deer Manager for Hollywood Park. He stated Hollywood Park used the TTP system for their management until they got their deer counts down, and then they switched over to TTR. He added they still use TTP when necessary. He also stated in order to do TTR, we have to have a Texas Parks and Wildlife approved site, which is difficult to find. He also stated if the deer are transported to another location, their survival rate is low.

Cynthia Shanahan-Segovia, Vice Chair, Wildlife Management Advisory Commission, stated the darting system requires that a licensed veterinarian be present during the darting and the deer need to be held for 60 days before they can be processed.

v. Garden Ridge Parks Committee:

a. Update on activities

Shelby Trial, Parks Committee Chair, showed a PowerPoint slide show (see attached) of the landscaping work done by the Boy Scouts Pack from Our Lady of Perpetual Help Church and Gerry Bower, who also donated the materials. He stated he has been in contact with Bracken Fire Department who has given the approval of a fire ring at Paul Davis Park, which means Ordinance 123 will need to be amended. He stated for the last several months, he has been highlighting two Committee members, this month the highlights will be on Missy Lantzy and Linda Potts.

- Missy Lantzy, aka Christmas Lantzy because of her elf outfit at the Tree Lighting, is married to Councilmember Lantzy and has been with the Committee since the beginning. She is very dedicated and is very involved with the July 4th Celebration.
- Linda Potts is not a City resident, but has been on the Committee for 10 months. She takes care of the Park Lane Park and most of the time pays for expenses herself.

Mayor Thompson thanked Missy Lantzy and Linda Potts for their dedication and hard work. He also thanked Gerry Bower for his landscaping advice and for his donations.

vi. Volunteer Garden Ridge!

a. Update on activities

Shelby Trial, *Volunteer Garden Ridge!* Coordinator stated he and John Andrews had contacted the Comal Master Gardeners for their assistance with the Library landscaping. He stated the Club has approved the landscaping Project at the Library, and he is hoping that the City can get approval for City Hall and the Community Center as well.

Mayor Thompson stated the process for getting the Comal Master Gardeners Club to approve the Library landscape was a significant undertaking and he thanked all who were involved in making this happen. He also thanked the following *Volunteer Garden Ridge!* team members:

- Lilia Hausheer for translating the Election Ordinance from English to Spanish
- Kathy Trial for editing the City Council Agendas and Minutes
- Sue Eberhardt, Shelby Trial and Investigator Spiller for hanging the pictures in the lobby, which is the first part of the lobby project

Shelby Trial stated several members assisted with the Wildlife Survey. Nine members assisted with labeling and stuffing the envelopes and three members sealed and put postage on the envelopes. He also stated there are two to four members that assist with the Utility Billing every month.

e) Ordinances

- i. Consider approval of amendments to Ordinance 53 establishing additional measures for regulating alarm systems and permit applications; providing for penalties for non-compliance; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date (Removed from November 1, 2017 Regular Meeting Agenda).**

Mayor Thompson stated there is a new process in place for amending Ordinances, which includes bringing all stakeholders together to review and give input on the Ordinance.

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Lantzy, to approve Ordinance 53 establishing additional measures for regulating alarm systems and permit applications; providing penalties for non-compliance; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

The City Council discussed and identified typos within the Ordinance, the cost for permits and renewals, and the proof of compliance. They also reviewed the violations and penalty clause and effective date.

Friendly Amendment to the Main Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Lantzy to approve the Ordinance with typos corrected, add attachment document, add per year to False Alarms table, and change effective date to March 1, 2018. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- ii. Consider approval of Ordinance 210-022018 adopting a uniform Board and Commission policy and procedure for the City of Garden Ridge.**

Mayor Thompson stated Councilmember Bower researched how other municipalities governed their Boards and Commissions. He stated then he and Councilmember Bower held a meeting with the Chairs and one other member from each Commission for their input before the Ordinance was sent to the City Attorney to review.

The Councilmembers discussed absences and term limits. They also discussed typos:

- third paragraph: change “seeing” to “seeking”
- page 6 B: change “your” to “the”
- second line: change “your” to “his/her”
- third line: change “he” to “his” and “she” to “her”

- page 10: remove extra line before Section 5

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Bower, to approve Ordinance 210-022018 adopting a uniform Board and Commission policy and procedure for the City of Garden Ridge, with corrections discussed earlier. The City Council voted four (4) for and one (1) opposed (Erickson). The motion carried.

f) Resolutions

i. Consider approval of Resolution 427-022018 to extend the implementation of the effective date of the Master Land Use Plan.

Cynthia Trevino, City Attorney, stated she is asking to extend the implementation of the Master Land Use Plan to May 1, 2018. She stated she recently received the ordinance revision recommendations from the consultant who developed the MLUP and has not had enough time to make all the corrections to the ordinances.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Erickson, to approve Resolution 427-022018 to extend the implementation of the effective date of the Master Land Use Plan. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

g) Approvals/Authorizations/Reports

i. Oak Wilt

- a. Report on possible new case of Oak Wilt**
- b. Status of City Park breakout and mitigation update**
- c. Discussion on communication and education**

Nancy Cain, City Administrator, stated the City was informed of a new case of Oak Wilt on Dr. Earl's property. Leaves were collected and sent off for testing. She stated while looking at Dr. Earl's property, Mr. Edmonson saw symptoms of oak wilt at an additional tree in the Park so that tree and surrounding area were included in the trenching and treatment already underway. The cost for trenching and treatment in the Park is \$5,576. She reviewed the maps of the old case, the new case and the possible additional case of Oak Wilt. She also stated Mr. Edmundson is willing to hold an educational session on Oak Wilt in April.

Mayor Thompson asked everyone to spread the word about Oak Wilt as well as the educational session once the date is set.

ii. Consider approval of appointments to the City of Garden Ridge Municipal Court and authorizing staff to file appropriate documents with the State of Texas

- a. Prosecutor**
- b. Alternate Prosecutor**

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Lantzy, to approve the appointment of Tom Howe as Municipal Court Prosecutor and Ryan Henry as Municipal Court Alternate Prosecutor. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iii. Consider approval of amending Community Center fees and Rental Categories and direction to Staff as necessary.

Mayor Thompson stated he met with the Community Center Manager and they discussed rental fees and categories.

The City Council discussed the list of concerns the Community Center Manager provided a while back.

Mayor Thompson stated the next step for the Community Center is to work on the monthly report, capital improvement projects, and storage issues. He stated if anyone has any improvement suggestions, please send them to the City Secretary to forward to all Councilmembers.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Erickson, to approve amending Community Center Fees and Rental Categories, effective immediately for those who are not currently under a rental contract. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Receive a presentation and consider approval of 2017 Racial Profile Report

Ron Eberhardt, Police Chief, presented the 2017 Racial Profile Report. He stated the approval of the Report will be forwarded to the Texas Commission on Law Enforcement. He also stated next year the report will be different and have to include warning statistics.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember McCaw, to approve the 2017 Racial Profile Report. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

h) City Administration Project Updates:

i. Building Codes Update

Mayor Thompson stated the Building Code Ordinance needs to be updated to the 2018 International Codes.

ii. Animal Services Ordinance Update

Mayor Thompson stated the Animal Services Ordinance is currently being updated to make it a more useful document.

i) City Council Discussions/Project Updates:

i. Mayor's communication efforts

Mayor Thompson stated a picture of the FM 2252 sign has been added to the home page banner on the City website. He stated this way everyone has the opportunity to see the different messages posted.

ii. Postal mail issues occurring within the City and assignment of a Councilmember to lead the project

Mayor Thompson stated this Agenda item was on last month as a discussion item and no one volunteered to lead this project. He asked if there was a City Council volunteer.

Councilmember Lantzy volunteered to lead the postal mail issues project.

iii. Vulcan Construction Materials, LLC Update (Thompson)

Mayor Thompson stated the City mailed out 18 letters and emailed 6 media sources regarding concerns about Vulcan Construction Materials, LLC. He stated as of today, there have only been two responses to the letter; however TCEQ is holding a public hearing on Tuesday, February 27, 2018 at 7 p.m. at the New Braunfels Civic Center. He also asked that a Notice of Quorum please be posted.

iv. Ordinance Update Process

Mayor Thompson stated a new ordinance update process has been developed. He stated all the key personnel affected by an Ordinance are brought together to provide input, then the Ordinance is sent to the City Attorney for review.

v. Deer Management

a. Report on Hollywood Park Deer Management (McCaw)

Previously moved up and discussed as part of Agenda item 7. d). iv.

vi. Future Agenda Items

Mayor Thompson stated the Agenda Process has changed and Council now receives the Minutes as soon as they are available so they can be reviewed and changes can be submitted to the City Secretary by the deadline. He also stated Council receives the Agenda Packet one week before the Council Meeting, so it can be reviewed and questions sent to the City Administrator in advance of the meeting. He asked if anyone had any items to add to the Rolling Agenda. The following items were requested:

- Website input (Erickson)
- Adopt a Highway Program with TxDOT (Erickson)

8. Citizen's Participation – Limited to twenty (20) minutes

Ken Kneupper, 8891 Schoenthal Rd., stated the Wildlife Management Advisory Commission will hold an education session on Wildlife in Garden Ridge at their March 19, 2018 Regular Meeting.

9. 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 ("AAMPO")

Boy Scouts and/or Girl Scouts

City Commissions (Planning and Zoning, Quarry, Water, and Wildlife Management Advisory)

Comal ISD/Garden Ridge Elementary

Counties (Bexar, Comal and Guadalupe)

Garden Ridge Lions Club

Garden Ridge Police Academy Alumni Association/Citizen Patrol

**Greater Bexar County Council of Cities
Joint Base Land Use Study-Randolph
Northeast Partnership**

Councilmember McCaw stated he has attended some of the Wildlife Management Advisory Commission meetings and is very impressed with the work they are doing.

Mayor Thompson stated that he attended the Northeast Partnership Mayor's Meeting and he informed them of the Fundraiser for Lt. Dan Bellinger.

Mayor Thompson stated he also attended the Northeast Partnership Luncheon where he and another Councilmember had the opportunity to speak with Representative Donna Campbell's assistant. He let her know that he was disappointed that Representative Campbell supported taking away the rights of Local Authority. He stated he also attended the Northeast Partnership Meeting and invited a candidate who is running for State Representative, District No. 73 to join him. He stated this candidate introduced himself and spoke regarding his support of local government, which was well received since cities are not getting support from our Representatives.

10. Executive Session

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

- a) Pursuant to Texas Government Code Chapter 551.072 to deliberate the purchase, exchange, lease or value of real property and update regarding related negotiations for utility projects.**
- b) Pursuant to Texas Government Code Chapter 551.074, to discuss Personnel Matters and duties of the position of Water Manager.**

Mayor Thompson announced the City Council will recess into Executive Session at 9:35 p.m., in accordance with Texas Government Code Chapter 551.074 to discuss Personnel Matters and duties of the position of Water Manager, and 551.072 to deliberate the purchase, exchange, lease or value of real property for utility projects.

Mayor Thompson adjourned the Executive Session at 10:09 p.m. and the City Council reconvened back into regular session.

11. Business Items (continued)

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.

Mayor Thompson stated no action is necessary.

12. Adjournment

There being no further business, the Wednesday, February 7, 2018, Garden Ridge City Council regular meeting was adjourned at 10:09 p.m. by Mayor Thompson.



Larry Thompson
Mayor

ATTEST



Shelley Goodwin, TRMC
City Secretary