



MINUTES OF CITY COUNCIL SPECIAL MEETING,
AUGUST 21, 2018

Members Present:

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

Members Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Ron Eberhardt, Police Chief
Karen Ford, Finance/HR
Shelley Goodwin, City Secretary

City Commissioners in attendance

Troy Bippert, Wildlife Management Advisory Commission
Mark Hausheer, Vice Chair, Planning and Zoning Commission
Ken Knuepper, Wildlife Management Advisory Commission
Mike Shands, Chair, Quarry Commission

1. Call to Order

With a quorum of the City Council members present, Mayor Thompson called the special meeting of the Garden Ridge City Council to order at 6:00 p.m. on Tuesday, August 21, 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. Citizen's Participation – Limited to (30) minutes

Mark Hausheer, 20914 Misty Arbor, thanked the City Council for being good stewards and keeping the tax rate the same as last year. He encouraged the City Council to not hire a Deer Manager without going through a bid process.

4. Business Items

The following items are for discussion, consideration and action.

a) Approvals/Authorizations/Reports/Discussions

i. 2018 Tax Rate.

1. Review and discuss the proposed 2018 Tax Rate of \$0.323146.

Mayor Thompson stated the City proposes to leave the 2018 Tax Rate at the same tax rate as last year, \$0.323146 since the property values have gone up and I &S rate has gone down. He also reviewed the proposed Maintenance and Operation Rate and the Debt Rate.

2. Hold a public hearing to receive comments for or against the adoption of a tax rate of \$0.323146 for the 2018 tax year.

Mayor Thompson opened the public hearing at 6:03 p.m. and asked if anyone wished to speak.

Mike Shands, 8827 Tuscan Hills Dr., stated there has been a lot of talk on NextDoor questioning why their tax bill is higher but the tax rate is the same as last year. He stated he has explained to several people most property values went up, but the tax rate stayed the same.

The City Council discussed several ways to communicate to residents why their tax bill increased but the tax rate did not. They also discussed that the school district taxes are frozen for 65 year olds and older. The City Council also discussed the amount generated from the increase in property values.

Mayor Thompson asked if anyone else wished to speak. No one did, so Mayor Thompson closed the public hearing at 6:18 p.m.

3. Announce date, time and place of:

- a. **Second public hearing on proposed 2018 Property Tax Rate (Monday, August 27, 2018, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).**
- b. **Adoption of the 2018 Property Tax Rate (Wednesday, September 5, 2018, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).**

Nancy Cain, City Administrator, reviewed the upcoming procedures and meetings for adopting a tax rate. She announced the date, times and location for the second public hearing and meeting for adoption of the 2018 Property Tax Rate.

ii. City Ordinances Revision Program

1. Modify

- a. **Ordinance 123-082018-Adoption Outdoor Burning Rules as outlined in Title 30 of the Texas Administrative Code for the City of Garden Ridge, Texas; establishing Exceptions for Outdoor Burning, requirements for Authorization, General Requirements for Burning; Severability and Remedies clause.**
 - i. **Present to City Council.**
 - ii. **Discussion and possible action on Ordinance.**

Mayor Thompson stated Ordinance 123 is part of the ordinance rewrite process. He stated the Parks Commission, Police Chief and Bracken Volunteer Fire Department have all reviewed the

proposed amendments and have stated they can enforce this Ordinance. He presented the Ordinance and stated the City Council has only had a few days to review the Ordinance, but if they wish to take action the Agenda has been posted to do that.

The City Council discussed the Ordinance and thanked everyone who worked on this Ordinance.

Motion: A motion was made by Councilmember Erickson, seconded by Mayor Pro-Tem McCaw, to approve Ordinance 123-082018-Adoption Outdoor Burning Rules as outlined in Title 30 of the Texas Administrative Code for the City of Garden Ridge, Texas; establishing Exceptions for Outdoor Burning, requirements for Authorization, General Requirements for Burning; Severability and Remedies clause. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Mayor Thompson stated the next few Ordinances need to be repealed because they are no longer necessary or in conflict with State Law. He stated the City Council will need to adopt Ordinances to repeal the old Ordinances.

2. Repeal

- a. Ordinance 213-082018-Repealing Ordinance 64, passed and approved August 1, 1990, authorizing the Municipal Court to collect a special expense of thirty-five dollars (\$35.00) for the issuance and service of a warrant of arrest for an offense; and authorizing the Municipal Court to collect a special expense of ten dollars (\$10.00) or actual costs, whichever is less, for dismissal of a case because of actions by or on behalf of the defendant which were subsequent to the date of the alleged offense; such fines are to be paid into the City Treasury and used for the benefit of the City; and prescribing an effective date.**
 - i. Present to City Council.**
 - ii. Discussion and possible action on Ordinance.**

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to approve Ordinance 213-082018-Repealing Ordinance 64, passed and approved August 1, 1990, authorizing the Municipal Court to collect a special expense of thirty-five dollars (\$35.00) for the issuance and service of a warrant of arrest for an offense; and authorizing the Municipal Court to collect a special expense of ten dollars (\$10.00) or actual costs, whichever is less, for dismissal of a case because of actions by or on behalf of the defendant which were subsequent to the date of the alleged offense; such fines are to be paid into the City Treasury and used for the benefit of the City; and prescribing an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- b. Ordinance 214-082018-Repealing Ordinance 87, passed and approved December 15, 1995, prohibiting the possession of all firearms and concealed handguns on certain City premises and providing for a penalty of a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500).**
 - i. Present to City Council.**
 - ii. Discussion and possible action on Ordinance.**

Mayor Thompson stated Ordinance 87 needs to be repealed because it conflicts with State Law.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to approve Ordinance 214-082018-Repealing Ordinance 87, passed and approved December 15, 1995, prohibiting the possession of all firearms and concealed handguns on certain City premises and providing for a penalty of a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

c. Ordinance 215-082018-Repealing Ordinance 31, passed and approved March 29, 1979, authorizing Gloria K. Clennan, the Tax Assessor and Collector of Comal County, Texas, to act as Tax Assessor and Collector for the City of Garden Ridge, Texas, and providing that compensation be paid such tax assessor and collector.

i. Present to City Council.

ii. Discussion and possible action on Ordinance.

Motion: A motion was made by Councilmember Arvidson, seconded by Mayor Pro-Tem McCaw, to approve Ordinance 215-082018-Repealing Ordinance 31, passed and approved March 29, 1979, authorizing Gloria K. Clennan, the Tax Assessor and Collector of Comal County, Texas, to act as Tax Assessor and Collector for the City of Garden Ridge, Texas, and providing that compensation be paid such tax assessor and collector. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iii. Resolution 438-082018-Authoring the City Building Inspector to issue a building permit for the construction or installation of an accessory building at 9305 Bluebell Drive due to special circumstances related to location of proposed construction.

1. Discussion and possible action on Resolution 438-082018.

Mayor Thompson stated Ordinance 13 requires that any lot having an Extreme High Voltage electric transmission easement shall ensure that construction of an accessory building be at least seventy (70) feet from the center of such easement. He stated City Public Service has confirmed that there is no requirement for the additional easement that is required in Ordinance 13. He stated this Resolution would correct the issue and allow the Building Inspector the availability to issue a permit for the resident located at 9305 Bluebell Drive and then the City will correct Ordinance 13 during the rewrite process.

The City Council discussed CPS requirements and the 45' setback easement requirements in the Ordinance.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Erickson, to approve Resolution 438-082018-Authoring the City Building Inspector to issue a building permit for the construction or installation of an accessory building at 9305 Bluebell Drive due to special circumstances related to location of proposed construction. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Modify name of the Jay F. Feibelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center.

1. Discussion and possible action on the name change.

Mayor Thompson stated he received a request from the Community Center Manager to modify the name of the Jay F. Feibelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center. He stated the Manager feels this would help clarify some confusion and assist with renting out the center more.

The City Council discussed the proposed name change.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to modify name of the Jay F. Feibelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

v. Discussion and direction on hiring a Wildlife Manager.

Mayor Thompson stated with all the concerns that have been expressed, he feels the City Council should consider either the Wildlife Manager contract negotiations continue or that negotiations should end and be sent back to the Commission to explore other options.

Nancy Cain, City Administrator, stated the Wildlife Manager has become a fairly contentious situation that has been brought to light over the week. She stated she felt it was necessary to bring back to City Council to update them on the situation. She recommended the City Council send this item back to the Commission for them to explore other options.

The City Council discussed the contract negotiations with the Wildlife Manager, exploring other options for management, and issues raised by some of the residents of Garden Ridge.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Bower, to rescind the July 5th City Council motion for Nancy Cain, City Administrator, to negotiate a contract with Randy Tomasini for the purpose of Wildlife Manager. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Erickson, to direct the Wildlife Management Advisory Commission to explore other options for Wildlife Management. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

5. Citizen Comment Period – limited to 20 minutes total

See “Rules for Citizen’s Participation” under Item 6.

Shelby Trial, 21657 Forest Waters Circle, thanked the City Council for adopting Ordinance 123. He also thanked Councilmember Lantzy for donating the fire ring.

Ken Kneupper, 8891 Schoenthal Rd., thanked the City Council for all they do for the residents of Garden Ridge.

Paul Klinge, 9305 Bluebell, stated there are other wildlife issues than deer, he has a buzzard issue. He also stated he believes in second chances and feels that Mr. Tomasini should not be excluded from submitting a bid for Wildlife Management, but other options should also be explored as well.

6. Adjournment

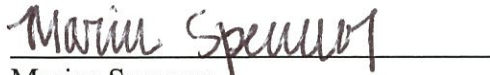
There being no further business, the Tuesday, August 21, 2018, Garden Ridge City Council special meeting was adjourned at 7:08 p.m. by Mayor Thompson.



Larry Thompson
Mayor

Minutes prepared by Shelley Goodwin

ATTEST



Marisa Spencer
Interim City Secretary

SIGN IN TO SPEAK AT THE AUGUST 21, 2018 CITY COUNCIL SPECIAL MEETING CITIZEN COMMENT PERIOD

Rules for Citizens' Participation:

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
 - ii. Show the City Council the same respect that you would like to be shown.
 - iii. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - 1. You are required to sign up to speak.
 - 2. You are limited to one 3 minute period.
 - ii. Business item period
 - 1. You are required to sign up to speak.
 - 2. You are limited to one 3 minute period.
 - iii. Second citizen comment period
 - 1. You are not required to sign up.
 - 2. You are limited to one 2 minute period.
 - iv. State your name and address before your comments begin.
 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042

NAME	ADDRESS	SUBJECT
1. Mark Havshee	20914 Misty Arbor	Tax Rate and Wildlife Manager
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____