



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING TUESDAY, JULY 2, 2019, 6:00 P.M.

Councilmembers Present:

Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Lisa Swint
Councilmember Bryan Lantzy
Councilmember Todd Arvidson
Councilmember Kay Bower

Councilmembers Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Utility Clerk
Sarah Griffin, City Attorney (present until 7:53 p.m. through all items in 10. Approvals/Authorizations)
Cynthia Trevino, City Attorney (arrived at 7:46 p.m. during item b) in 10. Approvals/Authorizations)
Ron Eberhardt, Police Chief
Jacob Parsons, Water Manager
Steven Steinmetz, Public Works Director
Karen Ford, Finance/HR
Linda Crosland, Librarian

City Commission Representatives Present:

Dr. Jim Miller, Chair, Planning and Zoning Commission
David Heier, Chair, Water Commission/Planning and Zoning Commissioner
Cynthia Shanahan-Segovia, Chair, Wildlife Management Advisory Commission

Other City Commissioners in Attendance:

David Dauer, Planning and Zoning Commissioner
Kerim Jacaman, Planning and Zoning Commission
Jesse Valdez, Planning and Zoning Commissioner/Water Commissioner
Joseph Haltaman, Water Commissioner
Keven Harshbarger, Water Commissioner
Ken Kneupper, Wildlife Management Advisory Commissioner
Paul Sullivan, Wildlife Management Advisory Commissioner

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 Tuesday, July 2, 2019, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call – See above.

3. Pledge of Allegiance

Mayor Thompson led the Pledge of Allegiance and the Texas Pledge.

4. City/Employee Recognitions/Employee Introductions

9400 Municipal Parkway * Garden Ridge, Texas 78266-2600
Phone (210) 651-6632 * Fax (210) 651-9638 * www.ci.garden-ridge.tx.us

- a) **Thank you from Hanson Aggregates – Servtex Quarry on behalf of the Randolph Area Christian Assistance Program (RACAP) to the City of Garden Ridge for participating in the 2019 Food Drive.**

Nancy Cain, City Administrator, stated a thank you was received from Hanson Aggregates – Servtex Quarry on behalf of the Randolph Area Christian Assistance Program (RACAP) to the City of Garden Ridge for participating in the 2019 Food Drive.

- b) **Thank you from Councilmember Bower to Sgt. Dennis, the Garden Ridge Police Department, the Garden Ridge Citizens Police Academy Alumni Association, and the City of Garden Ridge for offering the Active Shooter Emergency Care Course (A.S.E.C.C.).**

Nancy Cain, City Administrator, stated a thank you was received from Councilmember Bower to Sgt. Dennis, the Garden Ridge Police Department, the Garden Ridge Citizens Police Academy Alumni Association, and the City of Garden Ridge for offering the Active Shooter Emergency Care Course (A.S.E.C.C.).

5. Citizen Comment Period – limited to 30 minutes total

Mayor Thompson reviewed the rules for Citizen Comment Period.

Ramona Banfield, 8911 Ponderosa Way, spoke regarding the history of the City of Garden Ridge.

Julie Farrar, 9001 Ponderosa Way, spoke regarding the history of the City of Garden Ridge.

Martha Stipp, 21007 Cedar Branch, spoke regarding Ordinance No. 55.

Ken Kneupper, 8891 Schoenthal Road, spoke regarding Ordinance No. 55.

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:

1. June 5, 2019 City Council Regular Meeting

- b) **Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – May 31, 2019.**
- c) **2020 Comal Appraisal District Budget.**
- d) **Ordinance No. 54-072019 An Ordinance adopting Comprehensive Water Ordinance number 54-072019 for the City of Garden Ridge, Texas, and repealing Ordinance 54-042017 adopted April 5, 2017; providing revised section 25, rates and fees, 25.2 basic water rates for single family residences, a., b., c., meters inside city limits, and meters outside city limits; providing definitions; statement of organization; general policies; regulations and rules; rates and billing cycles; providing for a penalty; providing for severability; and declaring an effective date.**

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

7. Staff Reports

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

a) 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 she had nothing to add to her monthly activity report.

Mayor Thompson thanked City Administrator Nancy Cain, City Secretary Marisa Spencer, and Councilmember Bower for their efforts in the City seal on the wall in the Council Chambers.

b) Police Department Monthly Activity Report

- Traffic Enforcement, criminal activity within City, and Code Compliance Enforcement.

Ron Eberhardt, Police Chief, reviewed the police department monthly activity report and stated the first responder's pancake breakfast brought in over \$1,500 to be donated to the Children's Advocacy Center of Comal County.

c) Public Works Monthly Activity Report

- Street and right-of-way maintenance, drainage facility and easement maintenance, City facility maintenance, Animal Services (domestic and wild), Oak Wilt, Public Works Projects, and City parking lots.

Steven Steinmetz, Public Works Director, reviewed the public works monthly activity report.

Mayor Thompson spoke regarding the storm damage debris cleanup efforts by the Public Works and Water Departments. The City Council thanked the Public Works and Water Department for taking immediate action and helping the citizens of Garden Ridge.

d) Water Department 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).

Jacob Parsons, Water Manager, reviewed the water department monthly activity report.

e) Library Monthly Activity Report

- Upcoming events.

Linda Crosland, Librarian, reviewed upcoming events at the Garden Ridge Library. She spoke regarding the Code Club and thanked the Garden Ridge Lions Club for their donation to begin the Code Club.

Mayor Thompson thanked Librarian Linda Crosland and the Garden Ridge Library for their creativity and innovation with all the programs they offer. Mayor Thompson also thanked all City of Garden Ridge staff for being instrumental in preparing for the 4th of July Event.

8. City Engineer Projects Status Reports

a) CIP Project for 2015

1. Update on Warranty Items

b) FM 2252 Sewer and Water Project

c) Drainage:

1. Bindseil Lane

2. Sumac Circle

Dan Mummert, City Engineer, reviewed the Trihydro Corporation – Engineering Report for July 2019 and addressed questions from Councilmembers.

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

a) Planning and Zoning Commission Recommendations and Possible Action:

1. Planning and Zoning Commission Place 3 Vacancy.

1.1. Receive recommendation for the appointment of Kerim Jacaman to fill the vacancy with term expiring September 30, 2020.

Chair Dr. Miller stated the Commission interviewed two candidates and recommends the appointment of Kerim Jacaman to fill the Planning and Zoning Commission Place 3 vacancy with term expiring September 30, 2020.

1.2. Take action on recommendation.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Bower, to approve the Planning and Zoning Commission's recommendation and appoint Kerim Jacaman to the Planning and Zoning

Commission Place 3 with term expiring September 30, 2020. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

Chair Dr. Miller provided City Council with an update on the topics discussed at the Commission's June meetings. He spoke regarding the City Attorney's presentation on temporary signs, Ordinance No. 210, Ordinance No. 55, and the Draft Zoning Ordinance.

The City Council discussed forming a strategic steering committee that consists of two Councilmembers and two Commissioners to create a timeline and plan for implementation of the Zoning Ordinance. Mayor Pro-Tem McCaw and Councilmember Lantzy stated they would be the two representatives from the City Council.

b) Quarry Commission Recommendations and Possible Action:

1. Receive monthly activity update as applicable.

Councilmember Lantzy provided City Council with an update on the items discussed at the Quarry Commission special meeting in June.

c) Water Commission Recommendations and Possible Action:

1. Request for water bill adjustment/credit for 9742 Trophy Oaks Drive for billing period of March 21, 2019 – April 22, 2019.

1.1. Receive information from Water Commission.

Chair Heier stated the resident did not attend the Water Commission meeting and after reviewing the documentation, the Water Commission did not find any reasons to recommend a water bill adjustment/credit.

1.2. Take action on request for water bill adjustment/credit for 9742 Trophy Oaks Drive.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Swint, to deny the request for water bill adjustment for 9742 Trophy Oaks Drive for billing period of March 21, 2019 – April 22, 2019. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Request for water bill adjustment/credit for 21375 Gunther Grove for billing period of April 22, 2019 – May 23, 2019.

2.1. Receive information from Water Commission.

Chair Heier stated the Water Commission reviewed the data, spoke with the resident, and found that the water usage was attributed to the irrigation system usage. Jacob Parsons, Water Manager, stated he also spoke with the resident and agrees with the Water Commission's findings.

2.2. Take action on recommendation.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to deny the request for water bill adjustment for 21375 Gunther Grove for billing period of April 22, 2019 – May 23, 2019. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Receive monthly activity update as applicable.

Chair Heier provided City Council with an update on the topics discussed at the Water Commission's June meeting. He spoke regarding Ordinance No. 54, creating a leak adjustment process and document, water leases, and educational opportunities.

Councilmember Arvidson stated he was interested in finding out more information regarding monitoring wells in the City of Garden Ridge and would report his findings to City Council.

d) Wildlife Management Advisory Commission Recommendations and Possible Action:

1. Wildlife Management Advisory Commission Place 7 Vacancy.

1.1. Receive recommendation for the appointment of Mark Ecton to fill the vacancy with term expiring September 30, 2020.

Chair Segovia stated the Commission interviewed Mr. Ecton and voted to recommend him to fill the vacancy; however, that evening he sent an email stating he no longer wished to join the Commission. Mayor Thompson stated he reached out to Mr. Ecton to verify his rescinding of interest in the Commission.

1.2. Take action on recommendation.

No action taken.

2. Receive monthly activity update as applicable.

Chair Segovia provided City Council with an update on the topics discussed at the Commission's June meeting. She spoke regarding the Wildlife Management Plan and upcoming educational sessions.

e) Garden Ridge Parks Committee:

1. Status of new park areas.

Shelby Trial, Parks Committee Chair, spoke regarding Park Lane Park. He thanked Linda Potts for her 4th of July decorating at Park Lane Park and encouraged everyone to visit the park.

2. Receive monthly activity update as applicable.

Shelby Trial, Parks Committee Chair, spoke regarding work in Paul Davis Park. He stated Pavilion 3 is complete, the basketball court is near complete, and progress is continuing on the reclaimed area. He stated the Parks Committee is working on preparing for the 4th of July Event. He stated a flyer is available at the table in the Council Chambers, was included with the June water bill, and posted on the City's website.

Mayor Thompson thanked Shelby Trial and the Parks Committee.

f) Volunteer Garden Ridge!

1. Receive monthly activity update as applicable.

Nancy Cain, City Administrator, stated *Volunteer Garden Ridge!* reported 294 hours for June. Mayor Thompson spoke regarding looking for someone to administer and expand this program.

10. Approvals/Authorizations

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

a) Letter of Agreement with Johnny's Wrecker Service to extend the term of current contract for a 90-day period to allow the City of Garden Ridge to conduct the bidding process for wrecker service contract.

1. Take action on Letter of Agreement.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Arvidson, to approve a Letter of Agreement with Johnny's Wrecker Service to extend the term of current contract for a 90-day period to allow the City of Garden Ridge to conduct the bidding process for wrecker service contract. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

b) Ordinance No. 34-072019 An Ordinance of the City of Garden Ridge, Texas, prohibiting blasting within the City limits; providing for partial exemption permit; establishing regulations pertaining to blasting; establishing criminal and civil penalties for violations; providing that this Ordinance shall be cumulative; providing for severability; including a repealer clause; and declaring an effective date.

1. Take action on Ordinance No. 34-072019.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Arvidson, to approve Ordinance No. 34-072019 An Ordinance of the City of Garden Ridge, Texas, prohibiting blasting within the City limits; providing for partial exemption permit; establishing regulations pertaining to blasting; establishing criminal and civil penalties for violations; providing that this Ordinance shall be cumulative; providing for severability; including a repealer clause; and declaring an effective date. During the discussion of the motion, Councilmember Lantzy stated he would like blasting limits to remain the same and discussed having an executive session for him to provide more information to City Council. Mayor Thompson expressed concern whether this information was applicable for an executive session and spoke regarding the reasons for such.

Mayor Pro-Tem McCaw spoke regarding the need to put this in place, stating the ordinance could be amended in the future if needed. Mayor Thompson asked for a roll call vote.

Mayor Pro-Tem McCaw – aye

Councilmember Swint – aye

Councilmember Lantzy – nay

Councilmember Arvidson – aye

Councilmember Bower – aye

The motion passed by a vote of 4-1.

- c) Ordinance No. 22-072019 An Ordinance regulating traffic on streets, roads, and highways within the City of Garden Ridge by establishing stop sign locations and placement of traffic control devices; establishing prima facie speed limits and placement of traffic control devices; establishing through truck traffic regulations and placement of traffic control devices; establishing no parking zones; and regulating and requiring permits for certain assemblages and processions, providing for a fine not to exceed five hundred dollars (\$500.00) for each violation concerning assemblages and processions.**

1. Take action on Ordinance No. 22-072019.

Mayor Thompson reminded City Council about the request for additional stop signs that was brought forth by a citizen to Councilmember Lantzy and discussed by the City Council during the June meeting. He stated this Ordinance represents the additional stop signs and their location.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Swint, to approve Ordinance No. 22-072019 An Ordinance regulating traffic on streets, roads, and highways within the City of Garden Ridge by establishing stop sign locations and placement of traffic control devices; establishing prima facie speed limits and placement of traffic control devices; establishing through truck traffic regulations and placement of traffic control devices; establishing no parking zones; and regulating and requiring permits for certain assemblages and processions, providing for a fine not to exceed five hundred dollars (\$500.00) for each violation concerning assemblages and processions. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

11. Updates

a) City Administrator Reports.

1. Update on CIP projects.

Nancy Cain, City Administrator, spoke regarding the remaining 2015 CIP funds.

2. Update on Paul Davis Park fencing.

Nancy Cain, City Administrator, stated the fencing at Paul Davis Park is predominantly complete with only minor finishing touches remaining.

3. Update on signs in the City of Garden Ridge.

Nancy Cain, City Administrator, stated City Council was provided with an attorney/client privileged document regarding the questions raised by Councilmember Lantzy at the June City Council meeting. Councilmember Lantzy stated this answered his questions.

4. Update on inquiries from June 5, 2019, City Council Regular Meeting regarding drainage issues related to The Park at Garden Ridge Subdivision.

Mayor Thompson stated these inquiries arose during the June 5, 2019, public hearing for the Special Use Permit submitted by Northeast Bible Church. Mayor Thompson and Nancy Cain, City Administrator, reviewed the document containing the inquiries as well as answers to each inquiry.

5. Update on Oak Wilt in the City of Garden Ridge.

Mayor Thompson spoke regarding efforts to increase public awareness and vigilance about Oak Wilt. Nancy Cain, City Administrator, stated mitigation and prevention efforts have been effective and there are no new cases of Oak Wilt in the City of Garden Ridge.

6. Update on City use of password management system.

Marisa Spencer, City Secretary, stated implementation training sessions will be scheduled in order to help everyone set up accounts as well as provide training on how to use the many features. Mayor Thompson spoke regarding the benefits, reasoning, and various features of using a password management system, adding this is an effective tool to provide staff in order to protect the City.

b) Mayor's Projects.

1. Communication Report.

Mayor Thompson spoke regarding the efforts in helping citizens after the recent storm and thanked the office staff as well as public works staff.

Mayor Thompson spoke regarding the increased calls and messages pertaining to solicitors in the City of Garden Ridge and encouraged everyone to continue being aware of solicitors and to notify dispatch immediately.

2. Citizen Contact Report.

Mayor Thompson spoke regarding two citizen emails he received and responded to regarding the new fence at Paul Davis Park.

3. City Facility Update.

3.1. Audio/Visual Upgrades and Streaming.

Marisa Spencer, City Secretary, spoke regarding the cost and implementation timeline for the software provider that provides the function of indexing meetings to the agenda. Mayor Thompson thanked City Secretary Marisa Spencer for her continued work on this project.

4. Ordinance Revision Process.

Mayor Thompson stated the Zoning and Subdivision Ordinance is currently in the revision process by the Planning and Zoning Commission and the Water Commission is currently reviewing the Water Ordinance.

5. TxDOT Coordination.

Mayor Thompson stated he has been working with Senator Campbell's office and they have contacted TxDOT. He stated they are waiting to hear back from TxDOT about conducting a traffic study.

6. GRES Traffic Flow and FM 3009 Safety.

Mayor Thompson stated he does not have new updates at this time, but these items are still pending.

c) City Council Projects.

1. Design on Water Tanks at Well Site 9 and 10 (McCaw).

2. Design on Retainer Wall of City Hall (McCaw).

Mayor Pro-Tem McCaw stated he has a meeting tomorrow with an individual to discuss the various options.

3. Update on Vulcan Construction Materials, LLC Project (Arvidson).

Councilmember Arvidson spoke regarding the contested case hearings that lasted about two days.

12. Discussion of Future Agenda Items

Councilmember Bower requested to add the park monument back to the agenda.

Councilmember Arvidson requested to add well monitoring.

Councilmember Lantzy requested to discuss traffic flow.

Councilmember Swint requested to add the Garden Ridge Farmers' Market back to the agenda.

Mayor Pro-Tem McCaw requested to discuss potential ordinances regarding drones, small cells, and dark sky.

Councilmember Bower requested to add a Hog Wild Local Government Seminar debrief.

13. Citizen Comment Period – limited to 20 minutes total

Dr. Miller, 9910 Marie Meadow, thanked the City for providing the storm damage debris dumpsters and stated he would be interested in knowing an overall cost amount including staff time.

14. 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
Counties (Bexar, Comal and Guadalupe)
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**

15. Executive Session

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

a) Pursuant to Texas Government Code Section 551.071 – Consultation with Attorney

- 1. To seek legal advice in connection with deliberating the purchase, lease, exchange, or value of real property and regarding related negotiations for City building projects, and utility projects.**
- 2. To seek legal advice regarding legal liability for potential claims related to drainage in The Park at Garden Ridge Subdivision.**
- 3. To seek legal advice regarding requirements for Comal County Emergency Services and authority to contract for such services through an interlocal agreement.**
- 4. To seek legal advice in connection with pending or contemplated litigation based on demand letter regarding enforcement of City's Solicitation Ordinance.**

Mayor Thompson spoke regarding the purpose and use of Executive Sessions, reminding everyone that action cannot take place in Executive Sessions. Mayor Thompson announced the City Council will recess at 8:37 p.m. and reconvene into Executive Session at 8:50 p.m., in accordance with Texas Government Code Sections 551.071, to consult with the attorney on the four (4) items stated above.

Mayor Thompson adjourned the Executive Session and reconvened back into Regular Session at 10:20 p.m.

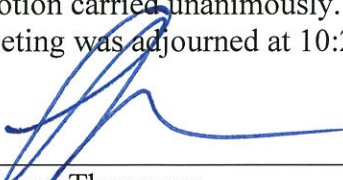
16. Business Items

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.

Mayor Thompson asked if any Councilmembers wanted to recall any items posted for Executive Session to allow for any action they wanted to take. Receiving no responses from Councilmembers, Mayor Thompson closed Business Items.

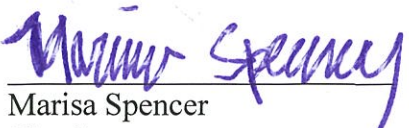
17. Adjournment

Motion: A motion was made by Councilmember Swint, seconded by Councilmember Lantzy, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, July 2, 2019, City Council regular meeting was adjourned at 10:21 p.m. by Mayor Thompson.



Larry Thompson
Mayor

ATTEST



Marisa Spencer
City Secretary

**SIGN IN TO SPEAK AT THE JULY 2, 2019
CITY COUNCIL REGULAR 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 should 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/business item period
 - 1. You are required to sign up to speak and you are limited to one 3-minute period.
 - ii. Second citizen comment period
 - 1. You are not required to sign up and you are limited to one 2-minute period.
 - iii. State your name and address before your comments begin.
 - iv. 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. ✓ Ramon Banfield	8911 Ponderosa Way	Name a Park after Harold Miller developer of Garden Ridge
2. ✓ Julie Farrar	9001 Ponderosa Way SA 78266	" "
3. ✓ Martha Stipp	21007 Cedar Branch	Ordinance 55
4. ✓ KEN KNEPPER	9981 SCHWENTHAL RD.	ORDINANCE 55
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LAST 2 rows
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July 2, 2019, City Council Regular Meeting 2nd Citizen Comment Period

	NAME	ADDRESS	SUBJECT
1.	Jim Miller	9910 MARIE MEADOW	Bleach Dumpsters
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