



City of Garden Ridge

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

MINUTES

CITY COUNCIL REGULAR MEETING

WEDNESDAY, SEPTEMBER 4, 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, Assistant City Secretary
Cynthia Trevino, City Attorney
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
Jesse Valdez, Water Commissioner/Planning and Zoning Commissioner
Cynthia Shanahan-Segovia, Chair, Wildlife Management Advisory Commission
Mike Shands, Chair, Quarry Commission

Other City Commissioners in Attendance:

Karen Diaz, Vice-Chair, Planning and Zoning Commission
Kerim Jacaman, Planning and Zoning Commissioner
David Dauer, Planning and Zoning Commissioner
Kitty Owen, Planning and Zoning Commissioner
Ken Kneupper, Wildlife Management Advisory Commissioner

1. Call to Order

With a quorum of the City Councilmembers present, Mayor Thompson called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, September 4, 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

a) Thank you note from Sergio Martinez to Officer Thoemke.

Nancy Cain, City Administrator, stated a thank you note was received from Sergio Martinez to Ofc. Thoemke for his exceptional performance when responding to a medical emergency.

b) Thank you note from Daniel-Rebecca Shive Plante to Officer McKay.

Nancy Cain, City Administrator, stated a thank you note was received from Daniel-Rebecca Shive Plante to Ofc. McKay for going above and beyond to encourage and make their daughter feel special on her birthday.

c) Thank you note from Linda Potts to Public Works Department.

Nancy Cain, City Administrator, stated a thank you note was received from Linda Potts to the Public Works Department for their commitment and hard work at Park Lane Park.

d) Letter of appreciation from Joseph Haltaman regarding Chief Eberhardt.

Nancy Cain, City Administrator, stated a letter of appreciation was received from Joseph Haltaman regarding Chief Eberhardt for him and his daughter's assistance in clearing limbs and debris after a storm.

e) Thank you note from Councilmember Bower to Sgt. Osborn.

Nancy Cain, City Administrator, stated a thank you note was received from Councilmember Bower to Sgt. Osborn for his supportive nature when responding to a concern regarding a solicitor in her neighborhood.

f) Thank you note from Councilmember Bower to Duane Scognio.

Nancy Cain, City Administrator, stated a thank you note was received from Councilmember Bower to Duane Scognio for his generosity and conscientiousness when responding to a loose dog in Paul Davis Park.

5. Citizen Comment Period

Mayor Thompson reviewed the rules for Citizen Comment Period.

Theresa Anderson, 21303 Liguria Drive, spoke regarding her water bill, water usage, and the water rate structure.

Billy Chamberlain, 8810 Comanche Path, spoke regarding variances and city ordinances.

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. August 7, 2019 City Council Regular Meeting
2. August 20, 2019 City Council Special Meeting
3. August 26, 2019 City Council Special Meeting

b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – July 31, 2019.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Swint, to approve the Consent Agenda items 6. a) – b). 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.

b) Police Department Monthly Activity Report

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

Chief Eberhardt reviewed the police department monthly activity report and stated the next Pizza with the Police is Tuesday, September 17th in the City Council Chambers and National Night Out is Tuesday, October 1st at the Community and Event Center. Chief Eberhardt reminded everyone about the 2020 census currently being conducted and the importance of cooperating with the workers in order to get accurate population data.

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 and stated there are currently no dogs or cats at the City's animal shelter.

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 and spoke regarding citizen concerns related to water usage and water bills for the month of August. Jacob Parsons, Water Manager, stated the Water Department ensured the water meters, usage amounts, and billing software were accurate and functioning properly. Mr. Parsons requested Mayor Thompson discuss the water rate change process and the Water Rate Study Proposal previously approved by City Council.

Mayor Thompson addressed the water rate changes that were discussed by City Council over the last 3 months and by the Water Commission over the last 6 months, adding that the Water Rate Study has been a topic of discussion for well over a year. Mayor Thompson stated the water rate changes were communicated on the previous month's water bills and through the monthly Grapevine newsletters in July and August. He spoke regarding finding that the Garden Ridge Rate Structure proposal contained the figures from the Water Rate Study proposed year one in the column titled current rate. He stated since the water rates have not been raised since 2015, the City Council approved the Water Rate Study proposed year two rates, which were accurately represented on the Garden Ridge Rate Structure proposal. Mayor Thompson stated that he felt it was important to disclose this information to City Council as soon as possible and ask Councilmembers if they desired to schedule a special meeting to allow for further discussion and possible action regarding the water rates since the agenda does not allow for action to be taken.

The City Council discussed the water rate structure, water usage, irrigation systems, encouraging conservation, and water restrictions. The City Council agreed by consensus to not schedule a special meeting at this time.

Councilmember Bower spoke regarding having an unusual water bill last month and the Water Department locating an issue with the sprinkler system. She thanked Jacob Parsons and the Water Department for their help in pin-pointing the problem.

e) Library Monthly Activity Report

Linda Crosland, Librarian, reviewed upcoming events at the Garden Ridge Library and spoke regarding visits to Garden Ridge Elementary School and Danville Middle School to fill open slots for programs.

8. City Engineer Projects Status Reports

Steven Young, City Engineer, reviewed the Trihydro Corporation – Engineering Report for August 2019 and addressed questions from Councilmembers. The topics of discussion included the following items: FM 2252 TxDOT Project, FM 2252 Wastewater and Waterline Project, Bindseil Lane Drainage, Sumac Circle Drainage, Naco Loop Waterline, and T. Blackwell Garden Ridge Office.

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

a) Planning and Zoning Commission Recommendations and Possible Action:

1. Expiring terms (September 30, 2019) of Commissioners.

- 1.1. Receive recommendation for the reappointment of Commissioner Miller, Commissioner Heier, Commissioner Valdez, and Commissioner Dauer to serve another term (term expiring September 30, 2021).**

Chair Dr. Miller stated the Commission unanimously voted to recommend the reappointment of himself, Commissioner Heier, Commissioner Valdez, and Commissioner Dauer to serve another term with term expiring on September 30, 2021.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to reappoint Commissioner Miller, Commissioner Heier, Commissioner Valdez, and Commissioner Dauer to serve another term with term expiring September 30, 2021, on the Planning and Zoning Commission. 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 August meeting. Chair Dr. Miller spoke regarding the Draft Zoning Ordinance, legislative changes, and the strategic steering committee.

Mayor Thompson thanked Chair Dr. Miller and the Commissioners for their dedication and continued volunteer service on the Planning and Zoning Commission.

b) Quarry Commission Recommendations and Possible Action:

1. Expiring terms (September 30, 2019) of Commissioners.

1.1. Receive recommendation and take action on the reappointment of Commissioner Shands and Commissioner Haddad to serve another term (term expiring September 30, 2021).

Chair Shands stated the Commission unanimously voted to recommend the reappointment of himself and Commissioner Haddad to serve another term with term expiring September 30, 2021.

Motion: A motion was made by Councilmember Swint, seconded by Councilmember Arvidson, to approve the Quarry Commission's recommendation and reappoint Commissioner Shands and Commissioner Haddad to serve another term with term expiring September 30, 2021, on the Quarry Commission. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

1.2. Receive recommendation and take action on the reappointment of Commissioner Mudge and Commissioner Holloway for another term of office as specified in Ordinance No. 210-022018, Section III. E. for the purpose of good cause.

Chair Shands stated Commissioner Mudge and Commissioner Holloway have a wealth of knowledge that is valuable to the Quarry Commission and currently there are not any applicants interested in serving on the Quarry Commission. Chair Shands stated the Commission unanimously voted to recommend the reappointment of Commissioner Mudge and Commissioner Holloway for another term of office as specified in Ordinance No. 210, Section III. E. for the purpose of good cause due to their wealth of knowledge specific to the Quarry Commission and the lack of candidates showing interest to serve on the Quarry Commission.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to approve the Quarry Commission's recommendation and reappoint Commissioner Mudge and Commissioner Holloway to serve another term with term expiring September 30, 2021, on the Quarry Commission for the purpose of good cause. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Request from Buckley Powder Co., for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2019-September 30, 2020.

2.1. Receive recommendation from Quarry Commission.

Chair Shands stated the Commission reviewed and discussed the request from Buckley Powder Co. for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2019-September 30, 2020, and unanimously voted to recommend approval of the request.

Mayor Thompson spoke regarding the timing of the Partial Exemption Permits. Mayor Thompson stated he communicated to the Hanson Plant Manager that the Commission will not conduct a special meeting in the future to accommodate these requests.

2.2. Take action on recommendation.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Swint, to approve the Quarry Commission's recommendation and approve the request from Buckley Powder Co. for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2019-September 30, 2020. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2.3. Set fee for Partial Exemption Permit.

Nancy Cain, City Administrator, stated in accordance with Ordinance No. 34 the City Council must set an annual fee for a Partial Exemption Permit for blasting. She stated the fee assessed for the permits issued in fiscal year 2019 was \$22,054.20 and it is recommended that the Partial Exemption Permit fee for fiscal year 2020 be increased by 12% to \$24,700.70 to offset administrative costs incurred by the City.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro-Tem McCaw, to set the annual fee for a Partial Exemption Permit for blasting at \$24,700.70 for fiscal year 2020. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Receive monthly activity update as applicable.

Mayor Thompson thanked Chair Shands and the Commissioners for their dedication and continued volunteer service on the Quarry Commission.

c) Water Commission Recommendations and Possible Action:

1. Expiring terms (September 30, 2019) of Commissioners.

1.1. Receive recommendation for the reappointment of Commissioner Harshbarger to serve another term (term expiring September 30, 2021).

Commissioner Valdez stated the Commission unanimously voted to recommend the reappointment of Commissioner Harshbarger to serve another term with term expiring September 30, 2021.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember Swint, seconded by Councilmember Arvidson, to reappoint Commissioner Harshbarger to serve another term with term expiring September 30, 2021, on the Water Commission. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Water Commission Place 5.

2.1. Receive recommendation for the appointment of James Mueller to the Water Commission Place 5 effective October 1, 2019, with term expiring September 30, 2021.

Commissioner Valdez stated Commissioner Holloway provided his intent to not seek reappointment; therefore, the Commission interviewed James Mueller. Commissioner Valdez spoke regarding Mr. Mueller's background and experience and stated the Commission unanimously voted to recommend the appointment of James Mueller to the Water Commission Place 5 effective October 1, 2019, with term expiring September 30, 2021.

2.2. Take action on recommendation.

Motion: A motion was made by Councilmember Swint, seconded by Councilmember Bower, to approve the Water Commission's recommendation and appoint James Mueller to the Water Commission Place 5 effective October 1, 2019, with term expiring September 30, 2021. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Ordinance No. 61-112017 An Ordinance establishing the drought management plan for the City of Garden Ridge; providing definitions, establishing trigger points for Stages 1 through 5, restricting the use of water upon implementation of specific stages of said plan; establishing water surcharge rates for Stages 3 through 5 of said plan; providing a variance procedure; providing a penalty clause, providing for severability and providing an effective date and amending Ordinance No. 61-012014 adopted January 9, 2014.

3.1. Receive recommendation to amend Section 4.04 Water Rate Surcharge to unrestrict funds.

Commissioner Valdez stated the Water Commission recommends amending Section 4.04 Water Rate Surcharge as detailed in the revised version of Ordinance No. 61 in order to unrestrict funds.

Mayor Thompson stated City Council will take action on this recommendation later on the agenda when they take action on Ordinance No. 61-092019.

4. Receive monthly activity update as applicable.

Commissioner Valdez provided City Council with an update on the topics discussed at the Water Commission's August meeting. He spoke regarding planning, infrastructure, equipment, and educational opportunities.

Mayor Thompson thanked Commissioner Valdez and the Commissioners for their dedication and continued volunteer service on the Water Commission.

d) Wildlife Management Advisory Commission Recommendations and Possible Action:

1. Expiring terms (September 30, 2019) of Commissioners.

1.1. Receive recommendation for the reappointment of Commissioner Segovia, Commissioner Krawczynski, Commissioner Kneupper, and Commissioner Sullivan to serve another term (term expiring September 30, 2021).

Chair Segovia stated the Commission unanimously voted to recommend the reappointment of herself, Commissioner Krawczynski, Commissioner Kneupper, and Commissioner Sullivan to serve another term with term expiring September 30, 2021.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Lantzy, to reappoint Commissioner Segovia, Commissioner Krawczynski, Commissioner Kneupper, and Commissioner Sullivan to serve another term with term expiring September 30, 2021, on the Wildlife Management Advisory Commission. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Wildlife Management Advisory Commission Place 7 Vacancy.

2.1. Receive recommendation for the appointment of Shannon Drichta to fill the vacancy with term expiring September 30, 2020.

Chair Segovia stated the Commission interviewed Shannon Drichta and spoke regarding her background and experience. Chair Segovia stated the Commission unanimously voted to recommend the appointment of Shannon Drichta to the Wildlife Management Advisory Commission Place 7 vacancy with term expiring September 30, 2020.

2.2. Take action on recommendation.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Swint, to approve the Wildlife Management Advisory Commission's recommendation and appoint Shannon Drichta to the Wildlife Management Advisory Commission Place 7 with term expiring September 30, 2020. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Wildlife Management Plan for the City of Garden Ridge.

3.1. Receive recommendation from the Wildlife Management Advisory Commission.

3.2. Take action on recommendation.

Chair Segovia stated the Commission voted to recommend the approval of the Wildlife Management Plan for the City of Garden Ridge; however, at this time it is incomplete and requires further editing by the Commission.

4. Receive monthly activity update as applicable.

Chair Segovia provided City Council with an update on the topics discussed at the Commission's August meeting. She spoke regarding the Commission conducting deer counts, the Wildlife Management Plan, upcoming educational sessions, and the dedication of the Gardens of Garden Ridge.

Mayor Thompson thanked Chair Segovia and the Commissioners for their dedication and continued volunteer service on the Wildlife Management Advisory Commission.

e) Garden Ridge Parks Committee:

1. Receive monthly activity update as applicable.

Dr. Miller, Parks Committee, provided City Council with an update on the topics discussed at the Parks Committee monthly meetings. He spoke regarding leadership for each event put on by the Parks Committee, improvements in Paul Davis Park, outreach efforts, and looking into a website for scheduling volunteers.

f) Volunteer Garden Ridge!

1. Receive monthly activity update as applicable.

Nancy Cain, City Administrator, stated *Volunteer Garden Ridge!* reported 310 hours for August.

10. Approvals/Authorizations

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

a) 2019 Tax Rate.

1. Review and discuss the 2019 Tax Rate Proposal of \$0.321106.

Mayor Thompson stated this is the fourth meeting regarding the 2019 tax rate and detailed the following requirements related to the adoption of the proposed tax rate.

2. Ratify the property tax increase of \$52,228.00 as reflected in the 2020 Budget for the City of Garden Ridge General Fund and Interest and Sinking Fund.

Motion: A motion was made by Councilmember Swint, seconded by Mayor Pro-Tem McCaw, to ratify the property tax increase of \$52,228.00 as reflected in the 2020 Budget for the City of Garden Ridge General Fund and Interest and Sinking Fund. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Approve \$0.225158 as the 2019 Maintenance and Operation Rate for the City of Garden Ridge.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Bower, to approve \$0.225158 as the 2019 Maintenance and Operation Rate for the City of Garden Ridge. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

4. Approve \$0.095948 as the 2019 Debt Service Rate for the City of Garden Ridge.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Swint, to approve \$0.095948 as the 2019 Debt Service Rate for the City of Garden Ridge. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

5. Take action on Ordinance No. 221-092019 An Ordinance of the City Council of the City of Garden Ridge adopting a Tax Rate of \$0.321106 per one hundred dollars (\$100.00), consisting of the approved Maintenance and Operation Rate and Debt Service Rate of assessed valuation for the City of Garden Ridge, Texas to be effective for the Tax Year 2019 (Fiscal Year 2020).

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Arvidson, to approve Ordinance No. 221-092019 An Ordinance of the City Council of the City of Garden Ridge adopting a Tax Rate of \$0.321106 per one hundred dollars (\$100.00), consisting of the approved Maintenance and Operation Rate and Debt Service Rate of assessed valuation for the City of Garden Ridge, Texas to be effective for the Tax Year 2019 (Fiscal Year 2020). The City Council voted by roll call:

Mayor Pro-Tem McCaw (Place 1) – aye
Councilmember Swint (Place 2) – aye
Councilmember Lantzy (Place 3) – aye
Councilmember Arvidson (Place 4) – aye
Councilmember Bower (Place 5) – aye

The motion carried unanimously.

- b) **Take action on Ordinance No. 61-092019 An Ordinance establishing the drought management plan for the City of Garden Ridge; providing definitions, establishing trigger points for stages 1 through 5, restricting the use of water upon implementation of specific stages of said plan; establishing water surcharge rates for stages 3 through 5 of said plan; providing a variance procedure; providing a penalty clause; providing for severability; and declaring an effective date.**

Mayor Thompson stated this revised Ordinance No. 61 incorporates the Water Commission's recommendation to amend Section 4.04 Water Rate Surcharge to unrestrict funds and has been reformatted for consistency among Ordinances.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro-Tem McCaw, to approve Ordinance No. 61-092019 An Ordinance establishing the drought management plan for the City of Garden Ridge; providing definitions, establishing trigger points for stages 1 through 5, restricting the use of water upon implementation of specific stages of said plan; establishing water surcharge rates for stages 3 through 5 of said plan; providing a variance procedure; providing a penalty 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) **Take action on Ordinance No. 11-092019 An Ordinance establishing a comprehensive set of permit fees, service fees, and user fees designed for the health, safety and welfare of the residents of the City of Garden Ridge; providing a separate schedule of fees which outlines functions and activities which require a permit or have a service fee or have a user fee; providing for a penalty of a fine of not less than one hundred dollars (\$100.00), nor more than two thousand dollars (\$2000.00) for each violation involving safety, zoning or public health; providing for a penalty of a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each violation not involving safety, zoning, or health; providing for each day of continued violation of this ordinance being considered a separate violation; providing for a time limit for the validity of permits issued; providing a time limit for the validity of all licenses issued; and providing for severability.**

Mayor Thompson spoke regarding Ordinance No. 11 containing all fees that pertain to other city ordinances. He stated as fees are being placed directly in the ordinances they correspond with; Ordinance No. 11 will continue to be amended as needed in order to eventually eliminate the need for a separate fee schedule ordinance.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Swint, to approve Ordinance No. 11-092019 An Ordinance establishing a comprehensive set of permit fees, service fees, and user fees designed for the health, safety and welfare of the residents of the City of Garden Ridge; providing a separate schedule of fees which outlines functions and activities which require a permit or have a service fee or have a user fee; providing for a penalty of a fine of not less than one hundred dollars (\$100.00), nor more than two thousand dollars (\$2000.00) for each violation involving safety, zoning or public health; providing for a penalty of a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each violation not involving safety, zoning, or health; providing for each day of continued violation of this ordinance being considered a separate violation; providing for a time limit for the validity of permits issued; providing a time limit for the validity of all licenses issued; and providing for severability. During the discussion of the motion, Councilmember Bower suggested two (2) minor edits to the ordinance: delete the redundant phrase in the first paragraph on page five (5) to avoid confusion and change "her" to "his or her" on page seven (7).

Motion Amended: A motion was made by Councilmember Lantzy, seconded by Councilmember Swint, to modify the motion and incorporate the two (2) minor edits recommended by Councilmember Bower. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

d) Garden Ridge Farmers' Market.

- 1. Discuss and take action on sustainability and feasibility, budget, duration, name, vendor categories, and acceptable products.**

Mayor Thompson stated Councilmember Swint will present options and recommendations for City Council to discuss and take action on due to this being the last month of the approved support of the Garden Ridge Farmers' Market.

Councilmember Swint provided an overview of the Market and spoke regarding the various options as well as action items, providing the following recommendations:

- Continue Market under the governance of the Mayor, City Administrator, and Councilmember Swint with monthly updates and reauthorize continuance every six (6) months.
- Rename to Garden Ridge Market Days.
- Authorize hiring a Market Manager and approve the compensation plan of \$15 of \$30 booth fee.
- Consider the following changes to Vendor Categories: add non-profit (one free space allocated per month with preference given to local organizations. First come, first serve. Once a year. No political organizations.), accept wine vendors with proper permitting under Temporary Food Establishment category, and discuss adding more commercial vendors at increased cost.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to approve Councilmember Swint's recommendations regarding the Market as detailed above. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

e) Resolution No. 455-092019 A Resolution by the City Council of the City of Garden Ridge, Texas, authorizing an agreement to contribute right of way funds (\$9,481.78) with the Texas Department of Transportation for the FM 2252 Improvement Project.

1. Discuss and take action on Resolution No. 455-092019.

Nancy Cain, City Administrator, stated with the expansion of FM 2252, TxDOT is requesting a contribution of right of way funds in the amount of \$9,481.78.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Swint, to approve Resolution No. 455-092019 A Resolution by the City Council of the City of Garden Ridge, Texas, authorizing an agreement to contribute right of way funds (\$9,481.78) with the Texas Department of Transportation for the FM 2252 Improvement Project. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

f) Acquisition by TxDOT of 0.0960 acre of land being part of two 0.75-acre tracts out of the George M. Nolson Survey No. 96, Abstract 120, and owned by the City of Garden Ridge with acquisition being for right of way for the FM 2252 Improvement Project.

Nancy Cain, City Administrator, reviewed the area of land proposed in the acquisition. Nancy Cain, City Administrator, stated that Councilmember Lantzy thoroughly reviewed the property appraisal.

Councilmember Lantzy spoke regarding the appraisal, stating this is a good offer for the City of Garden Ridge.

1. Acceptance of property appraisal for purchase at \$28,386.00 and \$3,000.00 incentive.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to accept the property appraisal for purchase at \$28,386.00 and \$3,000.00 incentive for acquisition by TxDOT of 0.0960 acre of land being part of two 0.75-acre tracts out of the George M. Nolson Survey No. 96, Abstract 120, and owned by the City of Garden Ridge with acquisition being for right of way for the FM 2252 Improvement Project. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Authorize City Administrator to execute Agreement and Deed.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Swint, to authorize the City Administrator to execute Agreement and Deed for the acquisition by TxDOT of land owned by the City of Garden Ridge for right of way for the FM 2252 Improvement Project. 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 Oak Wilt in the City of Garden Ridge.

Nancy Cain, City Administrator, stated Robert Edmonson with Texas A&M Forest Service provided an Oak Wilt Public Education Session on Thursday, August 29, in the City Council Chambers. She stated the session was live streamed and the video is available for viewing on the City's YouTube Channel, which can be accessed by going to the Oak Wilt page on the City's website.

3. Update on legislative changes in relation to City Ordinances.

Nancy Cain, City Administrator, provided City Council with an update on legislative changes in relation to City Ordinances. She spoke regarding legislative changes having a significant impact on the zoning ordinance rewrite as well as many other ordinances. Cynthia Trevino, City Attorney, stated these legislative changes have significantly impacted all cities and all cities will be working on updating their codes and ordinances.

4. Update on implementation status of Ordinance No. 34-072019.

Nancy Cain, City Administrator, requested City Attorney Cynthia Trevino to provide City Council with an update on the implementation status of Ordinance No. 34.

Cynthia Trevino, City Attorney, spoke regarding the implementation status of the changes to Ordinance No. 34, including the educational programs, blasting permit fee, citizen blast impact reports, and third-party monitoring service. She stated she will continue to provide City Council with an update on these topics until they are fully implemented.

5. Update on City use of password management system.

Marisa Spencer, City Secretary, provided City Council with an update on the groups, costs, and implementation timeline of City use of the LastPass password management system.

b) Mayor's Projects.

1. Communication Report.

Mayor Thompson spoke regarding the Homes for our Troops Volunteer Day and Key Ceremony for Sgt. LisaMarie Wiley, encouraging anyone interested to attend and be involved.

Mayor Thompson spoke regarding an increased number of citizens showing interest in being actively involved in aspects of the city, which led to extending the length of a recent Coffee with the Mayor. Mayor Thompson spoke regarding a student from Danville Middle School that attended Coffee with the Mayor and brought up the idea of obtaining perspectives of her peers regarding new equipment and additions to city parks.

2. Citizen Contact Report.

Mayor Thompson spoke regarding a citizen contacting him about rebuilding a mailbox area on Garden Ridge Drive and thanked the Public Works Department for making that happen.

Mayor Thompson spoke regarding the increased volumes of citizen contacts regarding water bills, water usage, and the water rate structure.

3. City Facility Update.

3.1. Audio/Visual Upgrades and Streaming.

Marisa Spencer, City Secretary, spoke regarding the timeline for implementing the online portal for streaming and indexing City Council meetings, adding that Commission agenda templates and streaming will follow.

4. Ordinance Revision Process.

Mayor Thompson stated the Zoning and Subdivision Ordinance is currently in the revision process by the Planning and Zoning Commission, the Water Commission is currently reviewing the Water Ordinance, and the Parks Committee provided recommendations for revisions to Ordinance No. 24 to include the new pavilion.

5. TxDOT Coordination.

Mayor Thompson stated this item will be combined with the below item.

6. GRES Traffic Flow and FM 3009 Safety.

Mayor Thompson spoke regarding working with Senator Campbell's office and TxDOT to conduct a traffic study on FM 3009. Mayor Thompson reiterated that over the past year there has been double-digit numbers of meetings with county, CISD, and TxDOT representatives to address safety of FM 3009 – including speed, traffic flow, distracted driving, school traffic including pick-up/drop-off cueing, and the possibility of relief for residents entering onto FM 3009 from their neighborhood(s). He stated recent discussions have included the commitment from TxDOT to lower the speed limit on FM 3009 to 50mph, proposition of an independent study to address the traffic flow at Garden Ridge Elementary School, and determining the feasibility of a traffic light in the Trophy Oaks Drive area, adding he is cautiously optimistic of progress towards a safer Garden Ridge.

Councilmember Swint spoke regarding concerns with bus routes, stating she will continue to look into those issues to determine any possible options to pursue.

c) City Council Projects.

1. Volunteer Appreciation Day (McCaw and Swint).

Councilmember Swint stated the event will consist of a dedication of the Gardens of Garden Ridge outside the Garden Ridge Library on Saturday, September 28th from 2pm-4pm.

2. New Resident Package (Swint and Bower).

Councilmember Swint and Councilmember Bower stated this is a continued work in progress.

3. Traffic Flow in the City of Garden Ridge (Lantzy).

Councilmember Lantzy spoke regarding traffic flow related to businesses located on FM 2252 and looking into options pertaining to commercial vehicles leaving their businesses while still complying with city ordinances. Chief Eberhardt spoke regarding the placement and wording on newly obtained replacement signs on Nacogdoches Loop about no thru truck traffic.

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

Councilmember Arvidson provided an update regarding the contested hearing, stating that judges decided that Vulcan Construction Materials, LLC met the burden of proof for air quality permitting and will begin the process of obtaining the water permit.

12. Discussion of Future Agenda Items

Councilmember Lantzy requested to discuss the length of City Council meetings.

Mayor Thompson stated a discussion regarding a city electronic sign will be on the October agenda.

13. Citizen Comment Period

Ken Kneupper, 8891 Schoenthal Road, thanked Councilmember Swint for her commitment in gathering detailed information regarding Garden Ridge Market Days and spoke regarding the Citizens Police Academy Alumni Association's Annual Car Show.

Dr. Jim Miller, 9910 Marie Meadow, spoke regarding water bills, water conservation education, and the Hanson Quarry Open House.

Shannon Drichta, 9380 Cinchona Trail, thanked City Council for the opportunity to serve on the Wildlife Management Advisory Commission. She spoke regarding water bills and progress with the school district.

Billy Chamberlain, 8810 Comanche Path, spoke regarding watering and work taking place on his property.

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**

Mayor Pro-Tem McCaw stated the Garden Ridge Lions Annual Fish Fry BBQ and Auction is on Saturday, October 5th and encouraged citizens to attend the event. Councilmember Swint spoke regarding Comal ISD and recommended Davenport High School be added to the list. Councilmember Arvidson spoke regarding Comal ISD and communications with the Board of Trustees.

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.**

Mayor Thompson announced the City Council will recess at 9:12 p.m. and reconvene into Executive Session at 9:20 p.m., in accordance with Texas Government Code Section 551.071, to consult with the attorney on the one (1) item stated above.

Mayor Thompson adjourned the Executive Session and reconvened back into Regular Session at 9:51 p.m.

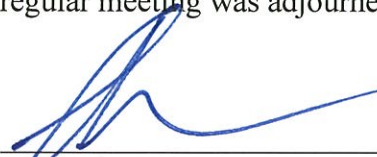
16. Business Items

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 Mayor Pro-Tem McCaw, seconded by Councilmember Swint, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, September 4, 2019, City Council regular meeting was adjourned at 9:51 p.m. by Mayor Thompson.



Larry Thompson
Mayor

ATTEST



Marisa Spencer
City Secretary

**SIGN IN TO SPEAK AT THE SEPTEMBER 4, 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 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	TELEPHONE NUMBER (OPTIONAL)	SUBJECT
1. Theresa Anderson	21303 Liguria	210-410-1193	Water
2. Billy Chamberlin	8810 Comanche Path	(210) 215-7983	Blackwell Ins. Var.
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

9/4/19 City Council Regular Meeting

2nd Citizen Comment Period

NAME	ADDRESS	SUBJECT
1. Newburger	8891 SCHOENTHAL RD.	FARMER'S MARKET DAYS
2. Shannon Drichka	9380 cinchona Trail	FM 3009 DOT
3. Billy Chamberlain	8810 Comanche Path	Water Bill
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