



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, DECEMBER 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, Chair, Water Commission
Johnell Holly, Chair, Quarry Commission
Cynthia Shanahan-Segovia, Chair, Wildlife Management Advisory Commission

Other City Commissioners in Attendance:

Ken Kneupper, Wildlife Management Advisory Commissioner
Shannon Drichta, Wildlife Management Advisory Commissioner
Dr. Denise Miner-Williams, Wildlife Management Advisory Commissioner
Wayne Mudge, Quarry Commissioner
Joseph Haltaman, Water Commissioner
Andre Bullard, Water Commissioner
James Mueller, Water 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, December 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 Patrick and Jeannie Jang to Water Department Employee Chris Graef.**

Nancy Cain, City Administrator, stated a thank you note was received from Patrick and Jeannie Jang to Water Department Employee Chris Graef for being professional, helpful, and efficient while resolving a water concern at their residence.

b) Thank you note from Darren Bates to Water Department Employee Duane Scognio.

Nancy Cain, City Administrator, stated a thank you note was received from Darren Bates to Water Department Employee Duane Scognio for his assistance during a water main break at their residence.

c) Thank you note from Garden Ridge Library to Garden Ridge Police Department.

Nancy Cain, City Administrator, stated a thank you note was received from the Garden Ridge Library to the Garden Ridge Police Department for their participation in the Trunk or Treat Event.

d) Thank you note from Marilyn Winters to City Secretary Marisa Spencer, Public Works Department Employee Stanley Georg, and Community and Event Center Manager Kim Ryan.

Nancy Cain, City Administrator, stated a thank you note was received from Marilyn Winters to City Secretary Marisa Spencer, Public Works Department Employee Stanley Georg, and Community and Event Center Manager Kim Ryan for their assistance and support with preparations and setup for early voting and election day voting. Ms. Cain also stated Ms. Winters expressed appreciation to the office staff for being very accommodating to all election workers.

e) Thank you note from Rod Chamberlain to the Public Works Department.

Nancy Cain, City Administrator, stated a thank you note was received from Rod Chamberlain, The Forest of Garden Ridge Homeowners Association President, to the Public Works Department for their attention to safety and level of professionalism leading to a job well done.

f) Recognition of Employee Service Years with the City of Garden Ridge.

Nancy Cain, City Administrator, recognized City employees with anniversary dates in the month of December for their hard work, dedication, and tenure with the City of Garden Ridge. This recognition included: Officer Corey Hackenberg-4 years and Lieutenant Dan Bellinger-17 years.

5. Citizen Comment Period – limited to 30 minutes total

Mayor Thompson reviewed the rules for Citizen Comment Period.

Shannon Drichta, 9380 Cinchona Trail, spoke regarding Comal ISD board meetings and concerns regarding traffic and safety.

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 for the November 6, 2019, City Council Regular Meeting.

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

c) Destruction of City records in accordance with the City of Garden Ridge Records Retention Plan.

d) Approval of the Certification of Tax Levy for the Tax Year 2019 for the City of Garden Ridge.

e) Approval of City Administrator's Recommendation for Appointments to the Capital Improvements Advisory Committee.

f) Ordinance No. 54-122019 An Ordinance adopting a comprehensive water company for the City of Garden Ridge; providing definitions; statement of organization; establishing a Water Commission; general policies; regulations and rules; rates and billing cycles; providing for a penalty; providing for severability; and declaring an effective date.

g) Ordinance No. 22-122019 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.

- h) Agreement with Texas Commission on Environmental Quality to install standard highway markers on the recognized highways leading into the area served by the City of Garden Ridge in view of having received a superior public water system rating in accordance with Texas Commission on Environmental Quality standards.**

Mayor Thompson stated in the interest of the City Council requesting to shorten the length of meetings, action items that are straightforward or routine will be placed in the consent agenda and sent to Councilmembers in advance to review and request clarification from City Staff if needed. He stated these items and any supporting documents will still be included in the packet available to the public on the City's website prior to the meeting with adequate time for citizens to discuss these items with their Councilmembers.

Mayor Thompson stated he recommends City Council pull consent agenda item g) Ordinance No. 22 and move the item to the January agenda due to substantive errors and corrections noticed after the agenda was posted. He stated City staff will make the necessary revisions and City Council will once again receive this in advance, thanking Councilmember Bower for her role in helping staff with the revisions.

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem McCaw, to pull Consent Agenda item g) Ordinance No. 22-122019 and move the item to the January agenda for consideration. 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 Bower, to approve Consent Agenda items 6. a), b), c), d), e), f), and h). 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 Community and Event Center Manager Kim Ryan submitted her resignation effective April 2020, and the City will be looking for a replacement for the position. She reminded everyone of the January City Council meeting being rescheduled to Thursday, January 2nd, announced the Danville Middle School Choir and Orchestra will be performing at City Hall on December 13th, and stated the City Christmas Party will be held on December 13th as well. She spoke regarding the implementation of electronic utility billing beginning January 2020. Mayor Thompson spoke regarding the benefits of electronic utility billing, encouraging those who have not signed up to fill out the form and spread the word.

b) Police Department Monthly Activity Report.

- Traffic and Code Compliance Enforcement, criminal activity, and upcoming events.**

Chief Eberhardt reviewed the police department monthly activity report and spoke regarding working with the Comal County Engineers Office for authorization to erect and maintain no thru truck traffic signs outside the City limits to allow these trucks adequate areas to turn around in an effort to curtail some of the thru truck traffic (see attached map). Chief Eberhardt stated that three out of the four crashes reported in November were vehicle versus deer collisions and reminded residents that it is a violation of city ordinance to feed the deer, stating a citation was issued to an individual that had multiple active feeders on their property. Chief Eberhardt also stated he followed up on a citizen comment regarding urban hunting in the City of Longview and reported to City Council that he contacted the City of Longview and was told they do not allow urban hunting nor were they aware of any such activity occurring in their city.

c) Public Works Monthly Activity Report.

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

Steven Steinmetz, Public Works Director, reviewed the public works monthly activity report and spoke regarding three (3) dogs at the animal shelter, including addressing questions and comments from Councilmembers.

d) Water Department Monthly Activity Report.

- **Water pumping/usage from City wells, water system infrastructure maintenance, repairs and/or projects, leak adjustments, Water and/or Drought Management (current Watering Stage).**

Jacob Parsons, Water Manager, reviewed the water department monthly activity report and stated the Water Company received a superior rating from Texas Commission on Environmental Quality (TCEQ). He addressed questions and comments from Councilmembers.

e) Library Monthly Activity Report.

- **Upcoming events.**

Linda Crosland, Librarian, reviewed upcoming events at the Garden Ridge Library.

8. City Engineer Projects Status Reports

Pat Lackey, City Engineer, reviewed the Trihydro Corporation – Engineering Report for December 2019 and addressed questions from Councilmembers. The topics of discussion included the following items: FM 2252 TxDOT Project, FM 2252 Wastewater Project, The Woods of Garden Ridge / Bindseil Lane Drainage Project, T. Blackwell Office Building, Northeast Bible Church, and Amended Plat Reviews Pending.

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

a) Planning and Zoning Commission Recommendations and Possible Action:

1. Receive monthly activity update as applicable.

Chair Dr. Miller provided City Council with an update on the topics discussed at the Commission's November meeting. He spoke regarding Chance Sparks with Freese and Nichols, Inc. attending the meeting to discuss legislative updates and the Draft Zoning Ordinance with the Commission.

b) Quarry Commission Recommendations and Possible Action:

1. Receive monthly activity update as applicable.

Chair Holly stated the Quarry Commission did not meet in November and the Commission's next meeting is on Monday January 13th, 2020.

c) Water Commission Recommendations and Possible Action:

1. Request for water leak adjustment for 19907 Wild Crest for the billing period of June 24, 2019 - July 22, 2019.

1.1. Receive recommendation from the Water Commission.

Chair Valdez stated the Commission reviewed the request for a water leak adjustment and stated the Commission recommends City Council approve the Water Manager's proposal of a \$3,959.58 account credit due to the Water Department's investigation of data revealing a water loss from June 30th to July 9th.

1.2. Take action on recommendation.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Arvidson, to approve the Water Commission's recommendation regarding the request for water leak adjustment for 19907 Wild Crest for the billing period of June 24, 2019-July 22, 2019, and credit the account in the amount of \$3,959.58. The City Council voted four (4) for and one (1) opposed. The motion passed by a vote of 4-1 (Councilmember Lantzy).

2. Request for water leak adjustment for 21319 Forest Waters Circle for the billing period of July 22, 2019 - August 22, 2019.

2.1. Receive recommendation from the Water Commission.

Chair Valdez stated the Commission reviewed the request for a water leak adjustment and stated the Commission recommends City Council approve the Water Manager's proposal of a \$571.18 account credit due to the Water Department's investigation of data revealing a water loss from August 7th to September 4th.

2.2. Take action on recommendation.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Bower, to approve the Water Commission's recommendation regarding the request for water leak adjustment for 21319 Forest Waters Circle for the billing period of July 22, 2019-August 22, 2019, and credit the account in the amount of \$571.18. The City Council voted four (4) for and one (1) opposed. The motion passed by a vote of 4-1 (Councilmember Lantzy).

3. Request for water leak adjustment for 9331 Gardenia Bend Drive for the billing period of July 22, 2019 - August 22, 2019.

3.1. Receive recommendation from the Water Commission.

Chair Valdez stated the Commission reviewed the request for a water leak adjustment and spoke regarding the Water Department being unable to obtain data through a laptop read for the billing period in question due to the amount of time passed. Chair Valdez stated the resident was in attendance at the Water Commission meeting and spoke regarding the high water usage being related to an equipment malfunction of the irrigation control box; therefore, not an actual leak but still constituting a water loss.

3.2. Take action on recommendation.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to deny the request for water leak adjustment for 9331 Gardenia Bend Drive for the billing period of July 22, 2019-August 22, 2019. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

4. Receive monthly activity update as applicable.

Chair Valdez provided City Council with an update on the topics discussed at the Commission's November meeting, including the number and amounts of additional water leak adjustment requests reviewed by the Commission with recommendations to the City Administrator for approval. He stated the Commission rescheduled their December meeting to Tuesday, December 17th due to Christmas. He addressed questions and comments from Councilmembers.

d) Wildlife Management Advisory Commission Recommendations and Possible Action:

1. Letter of appreciation to Craig Hensley, Texas Parks and Wildlife Department.

Chair Segovia spoke regarding the letter of appreciation to Craig Hensley, Texas Parks and Wildlife Department, prepared and signed by all the Commissioners for his dedication in going above and beyond for the City and requested the City Council sign the letter so it can be sent to Mr. Hensley as well as his supervisor.

2. Receive monthly activity update as applicable.

Chair Segovia provided City Council with an update on the topics discussed at the Commission's November meeting. She spoke regarding upcoming education sessions, feral hogs, deer management, the butterfly meadow in Paul Davis Park, and the Wildlife Management Plan. She stated the Commission will not meet in December and they rescheduled their January meeting to Monday, January 27th.

e) Garden Ridge Parks Committee:

1. Receive monthly activity update as applicable.

Dr. Jim Miller, Parks Committee, spoke regarding the annual Christmas tree lighting event and encouraged everyone to attend this tradition on December 5th at 5pm at the Community and Event Center.

f) Volunteer Garden Ridge!

1. Receive monthly activity update as applicable.

Nancy Cain, City Administrator, stated *Volunteer Garden Ridge!* reported 225 hours for November.

10. Approvals/Authorizations

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

a) Public Information Officer.

1. Update on potential retention of Public Information Officer services.

Mayor Thompson stated there are no additional updates at this time, but this item is still pending.

b) Garden Ridge Market Days.

1. Discuss status and monthly activity update.

Councilmember Swint provided City Council with a monthly activity update and spoke regarding the Market Manager Report, which included the November Market Summary, November Marketing Recap, and December Highlights. The City Council discussed the need to consider any liabilities to the City with regards to activities that are primarily aimed to provide entertainment. Cynthia Trevino, City Attorney, spoke regarding the specific liabilities with regards to ponies and farm animals.

2. Take action on modifications to operating procedures.

Councilmember Swint stated the modifications for City Council action include considering the following items:

- Removing the Mayor from the Market governance
- Providing the Market with more autonomy by authorizing primary oversight to the City Administrator
- Expanding the Market to the Community and Event Center during January, February, July, and August due to those being the two (2) coldest months and the two (2) hottest months to increase turnout

Mayor Thompson spoke regarding the need for written guidelines and operating procedures to allow for Market autonomy, the costs incurred when expanding the Market to the Community and Event Center, and how other Markets typically close during a few months out of the year for weather purposes.

The City Council discussed creating Market guidelines and operating procedures, the complexion and future of the Market, goals for the Market and the City, liability concerns, and City Council involvement when it comes to decision making. The City Council also discussed the Market covering any additional expenses associated with expanding the Market to the Community and Event Center.

The City Council agreed by consensus to remove the Mayor from the Market governance.

The City Council agreed by consensus to put together written and specific guidelines, regulations, rules, operating procedures, operating costs, and any matters related to the Market in order to provide the Market with more autonomy.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to hold the Garden Ridge Market Days event at the Community and Event Center four (4) days a year for the monthly market in January, February, July, and either August or September. During the discussion of the motion, the City Council discussed putting guidelines and operating procedures in writing as soon as possible for review and consideration and reconsidering the guidelines and operating procedures on a set basis based on the future goals of the City. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

11. Updates

a) City Administrator Reports.

1. Update on Feral Hogs.

Nancy Cain, City Administrator, provided City Council with an update regarding the status of feral hog trapping services and stated there has not been any recent reports of yard damage.

2. Update on CIP projects.

Nancy Cain, City Administrator, spoke regarding the remaining CIP funds and stated the project should be closed out prior to the January City Council meeting.

3. Update on security upgrades at Paul Davis Park.

Chief Eberhardt provided City Council with an update regarding the security upgrades at Paul Davis Park. He spoke regarding digital locks on the bathrooms as well as the status and projected timeline for completion of trenching and hardware installation.

4. Update on City use of password management system.

Marisa Spencer, City Secretary, stated there are no additional updates at this time, but this item is still pending.

b) Mayor's Projects.

1. Communication Report.

Mayor Thompson spoke regarding the front office staff communicating the change in garbage collection services due to Thanksgiving. He thanked the front office for creating the informational and catchy message that was posted on the City's website as well as the City's social media platforms.

2. Citizen Contact Report.

Mayor Thompson spoke regarding the Public Works Department contacting TxDOT regarding a drainage concern as it related to the MS4 Stormwater Management Program submitted by Public Works Director Steven Steinmetz and thanked the Public Works Department for their collaborative effort in resolving this concern.

Mayor Thompson spoke regarding the Police Department addressing concerns regarding commercial trucks being able to turn around prior to entering the City limits and thanked Chief Eberhardt for his efforts in communicating and coordinating with Comal County to allow no thru truck traffic signs to be strategically placed in locations outside the City limits.

3. City Facility Update.

3.1. Audio/Visual Upgrades and Streaming.

Marisa Spencer, City Secretary, provided City Council with an update on integrating the online portal that enables indexing streamed videos to the City's website and stated City Council and Commission meetings will be streamed directly to the City's website where agendas and minutes are posted. She also thanked Shelby Trial for his assistance and countless volunteer hours spent helping the City throughout all of the upgrades to the City Council Chambers.

4. TxDOT Coordination/FM 3009 Safety.

Mayor Thompson spoke regarding TxDOT committing to lower the speed limit on FM 3009 by the end of October. He stated after calling on November 1st for an update, he received information weeks later indicating TxDOT had not submitted the necessary paperwork. Mayor Thompson spoke regarding TxDOT continuing to be unresponsive, untimely, and uncoordinated throughout their projects, stating the City will not stop their efforts until the necessary changes are made by TxDOT.

c) City Council Projects.

1. Length of City Council Meetings (Lantzy).

Councilmember Lantzy spoke regarding how other cities conduct business during City Council meetings.

2. Pets (Bower).

Councilmember Bower spoke regarding being a responsible pet owner.

12. Discussion of Future Agenda Items

None at this time.

13. Citizen Comment Period – limited to 20 minutes total

Mayor Thompson reviewed the rules for Citizen Comment Period.

Ken Kneupper, 8891 Schoenthal Road, spoke regarding Comal ISD widening roadways and various projects TxDOT is currently working on.

Shannon Drichta, 9380 Cinchona Trail, spoke regarding automated meter reading infrastructure and costs.

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 School/Danville Middle School/Davenport High School)

Counties (Bexar/Comal/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 spoke regarding the Garden Ridge Lions Club delivering meals for Thanksgiving and Christmas.

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.**

b) Pursuant to Texas Government Code Section 551.074 – Personnel Matters and Section 551.071 – Consultation with Attorney, if necessary.

- 1. To discuss the duties, responsibilities, and potential corrective action in relation to incident involving Eric Lowman and Brian Horne.**

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

- 1. To seek legal advice regarding requirements for Comal County Emergency Services and authority to contract for such services through an interlocal agreement.**
- 2. To seek legal advice regarding settlement offer and potential litigation related to Republic Services waste management agreement.**

Mayor Thompson announced the City Council will recess at 8:32 p.m. and reconvene into Executive Session at 8:42 p.m., in accordance with Texas Government Code Section 551.071 – Consultation with Attorney, and Section 551.074 – Personnel Matters to discuss and seek legal advice on the items stated above.

Mayor Thompson adjourned the Executive Session and reconvened back into Regular Session at 9:38 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.

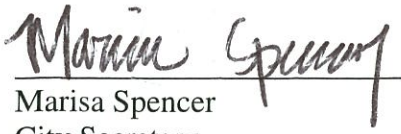
Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Lantzy, to approve the settlement offer with Republic Services and prepare an amendment to Ordinance No. 143 in order to increase the trash service fee by \$1.44 per household per month. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

17. Adjournment

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Bower, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, December 4, 2019, City Council regular meeting was adjourned at 9:40 p.m. by Mayor Thompson.


Larry Thompson
Mayor

ATTEST


Marisa Spencer
City Secretary