



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING THURSDAY, JANUARY 2, 2020, 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
Eric Lowman, Deputy 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

Other City Commissioners in Attendance:

None

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 Thursday, January 2, 2020, 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 Building Inspector Wilbert Lenz to Public Works Department Employee Manuel Troncoso.

Nancy Cain, City Administrator, stated Building Inspector Wilbert Lenz sent a thank you note to Public Works Department Employee Manuel Troncoso for his assistance in translating for him and a builder.

b) Thank you note from Chief Padula, Selma Police Department, to Lt. Bellinger.

Nancy Cain, City Administrator, stated a thank you note was received from Chief Padula, Selma Police Department, to Lt. Bellinger for his participation, professionalism, and input during a promotion process.

c) **Recognition of Utility Clerk Denise Bissell for completion and release from probationary period.**
Nancy Cain, City Administrator, recognized and congratulated Utility Clerk Denise Bissell for her completion and release from probationary period.

5. Citizen Comment Period

No one signed up to speak.

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 December 4, 2019, City Council Regular Meeting.**

b) **Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – November 30, 2019.**

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Swint, to approve Consent Agenda items 6. a) and 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.**

Nancy Cain, City Administrator, spoke regarding the implementation of electronic utility billing being delayed by one (1) month, stating implementation is scheduled to begin with the February bills.

b) **Police Department Monthly Activity Report.**

Chief Eberhardt reviewed the police department monthly activity report and spoke regarding a recent pursuit that led to an arrest, adding nobody was injured during the incident. Chief Eberhardt spoke regarding upcoming dates for the following classes open to Garden Ridge residents for free: Refuse To Be A Victim®, Civilian Response to Active Shooter Events, and Active Shooter Emergency Care Course. Chief Eberhardt also spoke regarding seeing an increase in mail theft incidents within the City and the surrounding areas.

c) **Public Works Monthly Activity Report.**

Eric Lowman, Deputy Public Works Director, reviewed the public works monthly activity report and spoke regarding the decrease in deer carcass removal totals throughout the last year.

Mayor Thompson reminded everyone that oak tree trimming concludes this month.

d) **Water Department Monthly Activity Report.**

Jacob Parsons, Water Manager, reviewed the water department monthly activity report and spoke regarding the completion of tank inspections.

e) **Library Monthly Activity Report.**

Linda Crosland, Librarian, reviewed upcoming events at the Garden Ridge Library and thanked Audi North Park for their generous donation to the Garden Ridge Library.

8. City Engineer Projects Status Reports

Pat Lackey, City Engineer, reviewed the Trihydro Corporation – Engineering Report for January 2020 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, and T. Blackwell Office Building.

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 stated the Planning and Zoning Commission did not meet in December. He reiterated the topics of discussion during the Commission's November meeting regarding the Draft Zoning Ordinance and legislative updates.

b) Quarry Commission Recommendations and Possible Action:

1. Receive monthly activity update as applicable.

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

c) Water Commission Recommendations and Possible Action:

1. Receive monthly activity update as applicable.

Chair Valdez stated the Water Commission did not meet in December and the Commission's next meeting is on Tuesday, January 28th, 2020.

d) Wildlife Management Advisory Commission Recommendations and Possible Action:

1. Wildlife Management Plan.

1.1. Receive recommendation from the Wildlife Management Advisory Commission.

Mayor Thompson stated Chair Segovia is not in attendance to formally provide the Commission's recommendation; however, Ms. Segovia briefed City Council on the final document along with the Commission's intent for approval when it was provided to City Council two (2) months ago, allowing adequate time for review and to address any questions.

The City Council discussed the Wildlife Management Plan, noting the document is exceedingly well written containing detailed and concise information. The City Council did not have any questions regarding the Wildlife Management Plan.

Mayor Thompson thanked the Wildlife Management Advisory Commissioners, including former Commissioner Jeremiah McKinney, for the time, work, and effort put into creating a Wildlife Management Plan for the City.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem McCaw, to approve the Wildlife Management Advisory Commission's recommendation and approve the Wildlife Management Plan for the City of Garden Ridge. During the discussion of the motion, Councilmember Lantzy spoke regarding delaying action on the Wildlife Management Plan due to potentially having questions for the Commission in the future. The City Council voted four (4) for and one (1) opposed (Councilmember Lantzy). The motion passed by a vote of 4-1.

2. Receive monthly activity update as applicable.

Mayor Thompson stated the Wildlife Management Advisory Commission did not meet in December and the Commission's next meeting is on Monday, January 27th, 2020.

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.

Mayor Thompson thanked the Parks Committee, volunteers, and the sponsors for another successful event.

f) *Volunteer Garden Ridge!*

1. Receive monthly activity update as applicable.

Nancy Cain, City Administrator, stated *Volunteer Garden Ridge!* reported 212 hours for December.

10. Approvals/Authorizations

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

a) Discuss and take action on authorizing Garden Ridge Volunteers to utilize City dumpster services.

Mayor Thompson spoke regarding City Council discussions spanning over many years about efforts to embrace all community volunteers and granting non-resident volunteers access to the bulk dumpsters is another effort to express appreciation for volunteer contributions to the City. He spoke regarding the process, stating the individual will submit a form and the respective volunteer organization coordinators will determine eligibility for the issuance of a dumpster pass.

The City Council agreed by consensus to move forward with drafting the necessary documents for approval in February to authorize Garden Ridge Volunteers residing outside the City limits to utilize City dumpster services. The City Council discussed the approved volunteer organizations including the Parks Committee, *Volunteer Garden Ridge!*, Comal Master Gardeners, Garden Ridge Library, and the Garden Ridge Citizen Police Academy Alumni Association.

b) Discuss and take action on Ordinance No. 143-012020 An Ordinance of the City Council of the City of Garden Ridge, Texas, granting an exclusive franchise agreement between the City of Garden Ridge, Texas, and BFI Waste Services, LP/DBA/Republic Services of San Antonio for the collection and disposal of solid waste and recycling service; authorizing the Mayor to execute the contract; setting forth general specifications establishing rates for collection and disposal of solid waste and recycling service; providing for enforcement and the collection of established rates; providing a penalty for violations of this Ordinance of a fine of not less than \$100.00 nor more than \$500.00 and making each day a separate offense; providing a cumulative and savings clause; providing for severability; and declaring an effective date.

Mayor Thompson spoke regarding the revisions to Ordinance No. 143, including the approved \$1.44 increase in service, updating the Ordinance to align with the current practice of offering bulk dumpsters on the first four (4) weekends of every odd month, and removing the exclusive roll off dumpster clause. Mayor Thompson spoke regarding confusion and miscommunication between Republic Services regarding the holiday schedule, stating the holiday schedule section is further clarified in this revised Ordinance No. 143.

Councilmember Bower recognized and praised the front office staff for absorbing the brunt of the holiday schedule confusion and provided edits throughout the Ordinance.

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Swint, to approve Ordinance No. 143-012020 An Ordinance of the City Council of the City of Garden Ridge, Texas, granting an exclusive franchise agreement between the City of Garden Ridge, Texas, and BFI Waste Services, LP/DBA/Republic Services of San Antonio for the collection and disposal of solid waste and recycling service; authorizing the Mayor to execute the contract; setting forth general specifications establishing rates for collection and disposal of solid waste and recycling service; providing for enforcement and the collection of established rates; providing a penalty for violations of this Ordinance of a fine of not less than \$100.00 nor more than \$500.00 and making each day a separate offense; providing a cumulative and savings clause; providing for severability; and declaring an effective date with the edits provided by Councilmember Bower as well as the minor change to clarify the holiday schedule section. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

c) 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 a December Market Summary and December Marketing Recap.

2. Take action on Market Governance Guidelines.

Councilmember Swint spoke regarding the Market Governance Guidelines. Nancy Cain, City Administrator, spoke regarding adding prior City Council approvals pertaining to the Market in order to create one (1) written policy for the Market.

The City Council discussed adding more specifics and defining the statements contained in the guidelines as well as the City Attorney reviewing the guidelines prior to City Council approval.

The City Council agreed by consensus to delay taking any action on the guidelines to the February City Council meeting to allow for further staff review as well as legal review and advice.

11. Updates

a) City Administrator Reports.

1. Update on CIP projects.

Nancy Cain, City Administrator, provided City Council with a status update on the CIP projects, stating all work has been completed and now waiting to receive the final invoice for payment and close out.

2. 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 the status and projected timeline for completing the installation. Chief Eberhardt addressed questions and comments from Councilmembers.

b) Mayor's Projects.

1. Communication Report.

Mayor Thompson spoke regarding residents contacting him as well as City Hall regarding garbage pickup during the week of Christmas, stating there was miscommunication with Republic Services regarding the holiday schedule and how it would affect the City. He reminded City Council that these communications led to further discussions with Tom Armstrong, Republic Services, resulting in the need to further clarify the holiday schedule in Ordinance No. 143, which Council approved earlier on this agenda. Mayor Thompson thanked the front office staff for their patience and courtesy shown during this matter.

Mayor Thompson spoke regarding a post on social media that indicated an individual wrote to the Mayor and City Council but received no response. Mayor Thompson updated City Council that he did receive a note from this individual; however, it was not sent until two (2) days after the post was made on social media. Mayor Thompson stated that he did in fact respond in detail to the individual, but he has not received a response back.

2. Citizen Contact Report.

Mayor Thompson spoke regarding a resident contacting the Public Works Department regarding the creek under Garden Ridge Drive being congested and thanked the Public Works Department for their immediate response by resolving the concern the same day.

Mayor Thompson spoke regarding receiving an inquiry from a neighborhood association regarding junked vehicles versus racecars. He stated since the City has no legal authority to intervene, the City provided the neighborhood association with detailed factual information on junked vehicles and racecars to allow them to take any action they choose. Mayor Thompson thanked Chief Eberhardt and the Police Department for conducting research and providing a wealth of information regarding this topic, adding the neighborhood association was very appreciative.

Mayor Thompson spoke regarding safety concerns at the intersections of FM 3009 and Schoenthal Road as well as FM 2252 and Bat Cave Road. Mayor Thompson spoke regarding wanting to hear about all concerns that citizens have since citizen input is also an important factor when talking and negotiating with TxDOT and other agencies to resolve any concerns.

3. City Facility Update.

3.1. Audio/Visual Upgrades and Streaming.

Marisa Spencer, City Secretary, provided City Council with an update on utilizing the audio/visual upgrades and streaming of City Council and Commission meetings.

4. TxDOT Coordination/FM 3009 Safety.

Mayor Thompson provided City Council with an update on TxDOT Coordination/FM 3009 Safety, stating TxDOT ordered speed limit signs to reduce the speed on FM 3009 with the intent to incorporate the change into a City Ordinance as early as the February City Council meeting.

5. Update on pending traffic control revisions to Ordinance No. 22.

Mayor Thompson provided City Council with an update on the pending traffic control revisions to Ordinance No. 22 and spoke regarding the publishing cost associated with revisions to Ordinances that include a penalty. He spoke regarding no parking zones on Tonkawa Pass and the reduced speed limit on FM 3009 being added to the Ordinance and stated the revised Ordinance No. 22 should be finalized for City Council action in February.

12. Discussion of Future Agenda Items: None at this time.

13. Citizen Comment Period: No one wished to speak.

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

Councilmember Arvidson spoke regarding Davenport High School opening in August, Councilmember Swint spoke regarding a current Danville Middle School essay contest, and Mayor Thompson spoke regarding the Scouts Pinewood Derby scheduled for Saturday, February 22nd.

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 requirements for Comal County Emergency Services and authority to contract for such services through an interlocal agreement.**

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.**

Mayor Thompson announced the City Council will recess at 7:53 p.m. and reconvene into Executive Session at 8:03 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 8:26 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 Bower, seconded by Councilmember Arvidson, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Thursday, January 2, 2020, City Council regular meeting was adjourned at 8:26 p.m. by Mayor Thompson.



Larry Thompson
Mayor

ATTEST



Marisa Spencer
City Secretary