



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, AUGUST 5, 2020, 6:00 P.M.

Councilmembers Present:

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

Councilmembers Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Karen Ford, Finance/HR
Ron Eberhardt, Police Chief
Jacob Parsons, Water Manager
Eric Lowman, Deputy Public Works Director
Linda Crosland, Librarian
Cynthia Trevino, City Attorney

City Commission Representatives Present:

Dr. Jim Miller, Chair, Planning and Zoning Commission
Jesse Valdez, Chair, Water Commission

Other City Commissioners in Attendance:

Ken Kneupper, Vice-Chair, Wildlife Management Advisory Commission
Keven Harshbarger, Vice-Chair, Water Commission
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, August 5, 2020, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call: See above.

Mayor Thompson spoke regarding Pam Smotherman and requested everyone join him and observe a moment of silence, honoring the life of Pam Smotherman.

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

4. City/Employee Recognitions/Employee Introductions

a) Thank you card from Asa Banks to Officer Hackenberg.

Nancy Cain, City Administrator, stated a thank you card was received from Asa Banks to Officer Hackenberg for taking the time to attend his birthday party.

b) Thank you note from Randy Maschek to the Water Department.

Nancy Cain, City Administrator, stated a thank you note was received from Randy Maschek to the Water Department for being responsive, helpful, and courteous.

5. Citizen Comment Period – limited to 30 minutes total

Mayor Thompson reviewed the Rules for Citizens' Participation.

Alex Webster, 25714 Lewis Ranch Road, spoke regarding his Eagle Scout Project at Paul Davis Park.

Tony Frasco, 8802 Wild Wind Park, spoke regarding hours of operation pertaining to businesses, the proposed FY2021 budgets, garden home development, and the Police Department.

6. Consent Agenda

THESE ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A COUNCILMEMBER. PUBLIC COMMENT ON THESE ITEMS MAY BE HEARD DURING CITIZENS' PARTICIPATION; HOWEVER, THAT DOES NOT MEAN THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

- a) Approval of Minutes for the July 1, 2020, City Council Regular Meeting.**
- b) Approval of Minutes for the July 22, 2020, City Council Special Meeting.**
- c) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – June 30, 2020.**
- d) Ordinance No. 11-082020 An Ordinance of the City Council of the City of Garden Ridge, Texas, establishing a comprehensive set of permit fees, service fees, and user fees designed for the health, safety, and welfare of the residents; providing a separate schedule of fees which outlines functions and activities which require a permit, 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 public 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 and licenses issued; providing for severability; and declaring an effective date.**

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Swint, to approve Consent Agenda items 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.

Nancy Cain, City Administrator, provided City Council with an update on a structure located on Bat Cave as well as the status of the proposed Fiscal Year 2021 Budgets.

Karen Ford, Finance/HR, spoke regarding funding and expenditures through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Marisa Spencer, City Secretary, spoke regarding precautionary public health measures implemented at City Hall and continuity of operations related to the Administrative Department. She provided City Council with an update regarding the ability to conduct telephonic and videoconference meetings.

b) Police Department Monthly Activity Report.

Chief Eberhardt reviewed the monthly activity report and spoke regarding continuity of operations related to the Police Department. He provided City Council with an update regarding alarm permit letters to citizens, a recent warrant arrest, an active homicide investigation, and Municipal Court.

c) Public Works Monthly Activity Report.

Eric Lowman, Deputy Public Works Director, reviewed the monthly activity report and spoke regarding continuity of operations related to the Public Works Department. He addressed questions from Councilmembers.

d) Water Department Monthly Activity Report.

Jacob Parsons, Water Manager, reviewed the monthly activity report and spoke regarding continuity of operations related to the Water Department. He addressed questions from Councilmembers.

e) Library Monthly Activity Report.

Linda Crosland, Librarian, reviewed the monthly activity report and spoke regarding continuity of operations related to the Library. She also spoke regarding Nena Bratianu and displayed a plaque that will be placed in the Garden Ridge Library, honoring the life of Nena Bratianu.

8. City Engineer Projects Status Reports

a) FM 2252 TxDOT Project.

Pat Lackey, City Engineer, reviewed the Trihydro Corporation Engineering Report for August 2020 and addressed questions from Councilmembers. The topics of discussion included the FM 2252 TxDOT Project and FM 2252 Wastewater Project.

b) FM 2252 Wastewater Project.

1. Review and discuss solicitation of bids.

1.1. Take action to authorize the solicitation of bids regarding Force Main Sanitary Sewer Project.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to authorize the solicitation of bids regarding Force Main Sanitary Sewer Project. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

1.2. Take action to authorize the solicitation of bids regarding Supply of Goods and Special Services for Grinder Pump Equipment, Installation, On-Call Emergency Service and Repair, and Service Agreement.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro-Tem McCaw, to authorize the solicitation of bids regarding Supply of Goods and Special Services for Grinder Pump Equipment, Installation, On-Call Emergency Service and Repair, and Service Agreement. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

1.3. Take action to authorize the solicitation of bids regarding Special Services for Bulk Wastewater Pumping, Hauling, and Disposal.

Motion: A motion was made by Councilmember Swint, seconded by Councilmember Bower, to authorize the solicitation of bids regarding Special Services for Bulk Wastewater Pumping, Hauling, and Disposal. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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

a) Planning and Zoning Commission:

1. Receive monthly activity update as applicable.

Chair Dr. Miller provided City Council with an update on the ordinance revision process relating to the draft zoning ordinance and addressed questions from Councilmembers.

Nancy Cain, City Administrator, spoke regarding public hearings the Commission will be holding on Tuesday, August 11th and stated the City Council will receive the Commission's recommendation and conduct public hearings on Thursday, August 13th.

b) Quarry Commission:

1. Take action on the resignation of Commissioner Mark DuBois.

Mayor Thompson and Councilmembers thanked Mark DuBois for his volunteer service to the community.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro-Tem McCaw, to accept the resignation of Commissioner Mark DuBois. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

Mayor Thompson stated the Commission has not met and there are no items to report on at this time.

c) Water Commission:

1. Request for water leak adjustment for 9296 Garden Ridge Drive for the billing period of April 23, 2020 – May 21, 2020.

1.1. Receive recommendation from Water Commission.

Chair Valdez provided City Council with a summary of the Commission's discussion regarding this request. He stated the Commission recommends the Water Manager's proposal of a credit in the amount of \$772.01 for approval by City Council, adding the amount is based on calculating the cost of water lost at the lowest tier rate.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember Swint, seconded by Mayor Pro-Tem McCaw, to approve the Water Commission's recommendation for request for water leak adjustment for 9296 Garden Ridge Drive for the billing period of April 23, 2020 – May 21, 2020, and credit the account in the amount of \$772.01. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Advanced Metering Infrastructure System (AMI) and Meter Data Management System (MDMS).

2.1. Receive recommendation from Water Commission.

Chair Valdez provided City Council with a summary of the City of Garden Ridge Water Meter Project Report and spoke regarding the Advanced Metering Infrastructure System (AMI) and Meter Data Management System (MDMS). He stated the Commission recommends the City Council authorize the solicitation regarding an Advanced Metering Infrastructure System (AMI) and Meter Data Management System (MDMS).

2.2. 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 and authorize the solicitation of bids regarding Advanced Metering Infrastructure System (AMI) and Meter Data Management System (MDMS). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Receive monthly activity update as applicable.

Chair Valdez provided City Council with an update on topics discussed at the Commission's July meeting. He spoke regarding Commissioner activities and projects and leak adjustment requests.

Mayor Thompson and City Council thanked Chair Valdez and the Water Commission for their expertise, hard work, preparation, and dedication in their projects.

d) Wildlife Management Advisory Commission:

Mayor Thompson stated the Commission has not met and there are no items to report on at this time.

e) Parks Committee:

Rod Chamberlain, Parks Committee, provided City Council with an update on current and future Parks Committee efforts and projects. He spoke regarding park facilities, committee membership, landscaping around the new pavilion at Paul Davis Park, and recommending revisions to Ordinance No. 24.

Mayor Thompson and Councilmembers thanked Rod Chamberlain and the Parks Committee for their hard work.

f) *Volunteer Garden Ridge!*

1. Receive monthly activity update as applicable.

Nancy Cain, City Administrator, stated *Volunteer Garden Ridge!* reported 114 hours for the month of July, despite the necessary COVID restrictions.

Councilmember Bower thanked Families of Garden Ridge for their efforts with FM 2252 roadside cleanup.

10. Approvals/Authorizations

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

a) 2020 Tax Rates.

1. Review the 2020 No-New-Revenue, Voter-Approval, and De Minimis Tax Rate Calculations.

Mayor Thompson spoke regarding the new terminology and calculations for the 2020 No-New-Revenue, Voter-Approval, and De Minimis Tax Rate Calculations. Mayor Thompson spoke regarding the tax rate proposal of \$0.321106 for the 2020 tax year, stating this is the same rate as the 2019 tax year.

2. Propose, by record vote, a tax rate for the 2020 tax year.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to propose a tax rate of \$0.321106 for the 2020 tax year. 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.

3. Announce date, time, and place of 2020 Tax Rate Public Hearing and Adoption.

Nancy Cain, City Administrator, announced the 2020 Tax Rate Public Hearing and Adoption is scheduled for Wednesday, August 26th at 6:00 p.m. in the City Council Chambers.

b) COVID-19.

1. Discuss status, updates, response, and matters related to the COVID-19 Virus.

Mayor Thompson provided City Council with an update on the status and actions taken at the federal, state, and local level in response to COVID-19. He spoke regarding Governor Abbott's disaster declaration renewal, Executive Orders GA-28 and GA-29, as well as the joint statement on school re-openings issued by Governor Abbott, Lt. Governor Patrick, Speaker Bonnen, Senate Education Chairman Taylor, and House Education Chairman Huberty.

Mayor Thompson spoke regarding testing related to COVID-19, continuity of operations related to City parks and the Community and Event Center, and the Community Blood Drive sponsored by the City of Garden Ridge and the Garden Ridge Lions Club scheduled for August 29th at the Community and Event Center.

2. Ordinance No. 210 meeting requirements and possible action for exceptions during COVID-19.

Mayor Thompson spoke regarding the provision in Ordinance No. 210-022018 that requires all Commissioners to attend at least two (2) City Council regular meetings each calendar year.

The City Council agreed by consensus to waive the provision in Ordinance No. 210-022018 that requires all Commissioners to attend two (2) City Council regular meetings each calendar year until further notice.

3. Take possible action on matters related to the COVID-19 Virus, if needed.

No action taken.

11. Updates

a) City Administrator Reports.

1. Upcoming City Council Special Meetings and Public Hearings.

Nancy Cain, City Administrator, spoke regarding the City Council Special Meetings and Public Hearings scheduled for Thursday, August 13th and Wednesday, August 26th.

2. Update on Oak Wilt.

Eric Lowman, Deputy Public Works Director, provided City Council with an update on Oak Wilt within the City of Garden Ridge, including containment and treatment efforts.

3. Finalization of investigation report on complaint against Chief Eberhardt and Officers of the Garden Ridge Police Department.

Nancy Cain, City Administrator, provided City Council with an update on the finalization of an investigation report regarding a complaint against Chief Eberhardt and Officers of the Garden Ridge Police Department.

The City Council agreed by consensus to move forward with drafting and signing a letter of support to be placed in Chief Eberhardt's personnel file.

b) City Council Projects.

1. Post Office Update (Councilmember Bower).

Councilmember Bower spoke regarding the Post Office located in Schertz.

c) Mayor's Projects.

1. Communication Report.

Mayor Thompson spoke regarding the 2020 Census, stating the response rate for City of Garden Ridge is currently ranked as #2 in Texas and on average, the City of Garden Ridge has remained ranked in the top 100 of cities in the nation.

Mayor Thompson spoke regarding options for relocating the City sign on FM 2252 as well as looking into options regarding electronic signage within the City.

Mayor Thompson spoke regarding the Comal County School Task Force and providing situational awareness related to school district decisions.

Mayor Thompson spoke regarding communicating with various news outlets to provide information related to the homicide the Police Department is investigating.

2. Citizen Contact Report.

Mayor Thompson spoke regarding citizens contacting him about alarm permit letters sent to citizens by the Police Department and stated Chief Eberhardt is working to rectify the concerns caused by the previous letters.

Mayor Thompson spoke regarding a citizen contacting him about the permit fee for installing a flagpole and stated the citizen concern led to the proposed Ordinance No. 11-082020 that was approved by City Council during this meeting's consent agenda.

Mayor Thompson spoke regarding citizens contacting him about the GoFundMe account created for the family of Pam Smotherman and stated over 350 people have donated and expressed their support.

12. Discussion of Future Agenda Items

None at this time.

13. Citizen Comment Period – limited to 20 minutes total

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/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 four (4) new Eagle Scouts in the City of Garden Ridge.

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(1)– 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.

Mayor Thompson announced the City Council will recess at 8:05 p.m. and reconvene into Executive Session at 8:07 p.m., in accordance with Texas Government Code Section 551.071(1) – Consultation with Attorney to discuss and seek legal advice on the items stated above.

Mayor Thompson adjourned the Executive Session and reconvened back into Regular Session at 8:24 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.

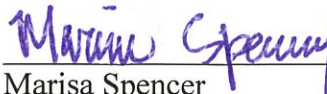
17. Adjournment

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, August 5, 2020, City Council regular meeting was adjourned at 8:25 p.m. by Mayor Thompson.



Larry Thompson
Mayor

ATTEST



Marisa Spencer
City Secretary

**SIGN IN TO SPEAK AT THE AUGUST 5, 2020
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 must 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. Second citizen comment period
 1. You are not required to sign up.
 2. 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	TELEPHONE NUMBER (OPTIONAL)	SUBJECT
1. Alex Webster	25714 Lewis Ranch Rd	210-305-3860	Eagle Scout Project
2. Tony Fraser	8802 Wild Wind Park		many
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

last item