

Niederwald City Council
April 3, 2023 Council Meeting Minutes

The following represents the actions taken by the Niederwald City Council in the order they occurred during the City Council meeting.

Mayor Charles Bisson called the meeting to order at 7:01 p.m.

Role was called. Council members in attendance were:

Dawn Bowen
Ken Perry
Connie Wood
Reynell Smith
City Administrator Richard Crandal

Absent: Diane Shirey

A moment of silence was observed.

Presentations: None

Public Comment: Patricia Wyble submitted a public comment form inquiring about the status of pothole road repair. Richard Crandal informed her that the city does have the asphalt, but it is very tacky. Richard plans to get some asphalt millings to compact with the asphalt to prevent the asphalt from sticking to vehicles as well as create a better patch on the road. He also advised that he has solicited bids to resurface the road but has not received any bids back yet.

Agenda Item 1. Discussion and possible action on minutes of March 13, 2023 City Council meeting.

Synopsis: The minutes of March 13, 2023 council meeting were presented.

Motion: Council Member Wood motioned to accept the minutes as presented, Council Member Smith seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Agenda Item 2. Discussion and possible action on Windridge Drive complaints regarding gunfire.

Synopsis: Bruce Schneider provided a letter to the city regarding gunfire in the City of Niederwald city limits. In the letter he listed a few requests he believes might help the situation. These requests include:

- Put a streetlight at every highway intersection along Hwy 21 and Hwy 2001
- Mail a copy of the Discharge of Firearms Ordinance to every resident in the city limits of Niederwald.
- Hire an off-duty police officer to work Friday and Saturday nights in 2024.
- Advise residents that LoneStar Gun Range is located just outside of Lockhart and allows people to shoot guns legally.

Council Member Smith commented that it would be almost impossible for the police to enforce the Discharge of Firearms Ordinance adopted by the City of Niederwald because of the layout of the city limits. The only ordinance the City of Niederwald can enforce in the Niederwald ETJ is the City's Subdivision Ordinance. Bruce also requested that the city provide Hays County with a copy of the City of

Niederwald Discharge of Firearms Ordinance. Richard advised the Council that the City of Niederwald sent a rough draft for an interlocal agreement to assist in enforcing the city's Discharge of Firearms Ordinance and was told by Hays County Sheriff's legal counsel that they would not enforce the ordinance unless it involved health and safety. Council Member Wood suggested that the city contact GoForth Water to see if they would be willing to assist with mailing of the Discharge of Firearms Ordinance for the City of Niederwald. GoForth Water has changed their billing process, and due to this change it would be very difficult for them to assist in this matter. It was noted that Bruce Schneider did offer to pay for the postage to mail out the Discharge of Firearms Ordinance to residents. Council Member Wood inquired about Mr. Schneider's suggestion for streetlights at every highway intersection along Hwy 21 and Hwy 2001. Richard advised the Council each streetlight cost \$44.44, and there are about 13 intersections along Hwy 21 and Hwy 2001. This is an annual cost of about \$6,932. Council Member Bowen commented that the street intersections are dangerous because they are dark and noted that is a different topic than the Discharge of Firearms that is being discussed. Council Member Smith agreed that it is dangerous, especially for the school bus stops. To address the request to let residents know about the LoneStar Gun Range, Council Member Wood suggested that if notices do go out for the Discharge of Firearms Ordinance, the city should include information about LoneStar Gun Range. Regarding Mr. Schneider's request for an off-duty police officer, Council Member Smith noted that the city has already checked on hiring a police officer before, and that it is completely out of budget at this time for the city. Council Member Wood suggested the city try an interlocal agreement with Hays County Sheriff and Caldwell County Sheriff again.

1st Motion: Council Member Bowen motioned to reach out to Hays County Sheriff and Caldwell County Sheriff offices for an interlocal agreement with the City of Niederwald. Council Member Wood seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey – Absent

Motion Passed

2nd Motion: Council Member Wood motioned to coordinate with Lockhart ISD and Hays ISD for bus routes for streetlight placement. Council Member Bowen seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Agenda Item 3. Discussion and possible action on approving Prairie Lakes Final Plats Phase 1 Section 1 and Phase 1 Section 2.

Synopsis: Sara presented the Prairie Lakes Final Plat Phase 1 Section and the Prairie Lakes Final Plat Phase 1 Section 2 to the Council. Council Member Bowen inquired on how many residential lots there would be for Phase 1 Section 1 and Phase 1 Section 2 of the Prairie Lakes subdivision. Sara advised that Phase 1 Section 1 of Prairie Lakes was a total of 37.623 acres with 148 residential lots, and 7 drainage lots. The lots are located on about 20.7 acres of the 37.623 acres. Richard informed the Council that the lots will be sewerred. Phase 1 Section 2 is 23.561 acres with 138 residential lots and 2 drainage lots using 17.662 acres of the 23.561 acres. This is a total of 286 lots total for Phase 1 Section 1 and Phase 1 Section 2. Sara advised the Council that Ric Zamora, the City Engineer, had sent a letter of recommendation for approval for the final plats being presented.

Motion: Council Member Perry motioned to approve the Prairie Lakes Final Plat Phase 1 Section 1 and Phase 1 Section 2. Council Member Smith seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Agenda Item 4. Discussion and possible action on updating signature card for Frost Bank and TexPool accounts and issue a debit card.

Synopsis: Currently the signature card has Connie Wood, Charles Bisson, and Richard Crandal. With Richard retiring effective June 30, 2023, the signature card for Frost Bank and TexPool as well as the debit card will need to be revised to include Sara Montgomery. Richard advised the Council that it is easier to drop a person from the signature card than it is to add to the signature card due to the process of reviewing and accepting the minutes that approved the motion to add to the signature card.

Motion: Council Member Wood motioned to add Sara to the signature cards and issue a debit card in Sara's name. Council Member Perry seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Agenda Item 5. Discussion and possible action to hire a part-time employee for maintenance.

Synopsis: Mayor Bisson suggested that a part-time employee for maintenance to mow the rights-of-way, the City Park, and road maintenance be put on the agenda for discussion. Council Member Smith noted that a part-time employee during the summertime when the grass needs to be mowed would be acceptable, but in the wintertime, there would not be as much work available. Council Member Bowen advised the Council that part-timers are not required to have more than 4 hours a month. Council Member Wood suggested contract labor since there wouldn't always be a heavy need for maintenance year around. Council Member Smith inquired about a job description for part-time employee for maintenance. Richard advised that a job description had not been created yet for the position. Council Member Wood suggested the city use contract labor while a job description is being created for a part-time maintenance employee.

1st Motion: Council Member Smith motioned that Sara put together a job description and details of what that position would require. Council Member Wood seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

2nd Motion: Council Member Bowen motioned that Sara research vendors for maintenance. Council Member Wood seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Agenda Item 6. Discussion and possible action on creating a committee to initiate the hiring process for Assistant City Secretary/Court Clerk.

Synopsis: Richard is retiring in June, and Sara may be promoted to his position. Sara advised the Council that if this does happen, she will need an assistant to assist with some of the office duties. Court Clerk training to Municipal Court takes place in June 2023. Sara advised that it would be ideal to have a person on board by this time to go to the Court Clerk Level 1 training and certification by that time. Council Member Wood suggested that we address who would be on the hiring committee for the position. Sara commented that she would like to be one of the people on the hiring committee since she would be the person working in the office with the individual. Mayor Bisson suggested that Council Member Bowen be on the hiring committee since she has HR experience. Mayor Bisson volunteered to be on the hiring committee.

Motion: Council Member Wood motioned that the city start the hiring process and create the hiring committee comprising of Charles Bisson, Dawn Bowen, and Sara Montgomery. Council Member Bowen seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Agenda Item 7. Report on city operations and activities by City Administrator

Synopsis: Richard advised the Council on city operations. Las Estancias Subdivision has a few lots left that are vacant and have suddenly begun to develop quickly. Sara and Richard worked with Anthony Tegbe to verify income for the 2017/2018 audit. Richard projects that the 2017/2018 audit as well as the 2018/2019 audit will be ready to present to the Council next Council Meeting. The final plat for Prairie Lakes Phase 1 Section 1 and Phase 1 Section 2 were received and reviewed to be presented to the Council. 6301 Niederwald Strasse submitted three variance requests with fee payment. Due to not having the regular scheduled Council Meeting for the month of March, the variance hearing for Quinta Subdivision had to be rescheduled and reposted to be on the May City Council Meeting. The notices to the property owners within 200' of Quinta Subdivision were also re-sent notifying neighboring residences of the change of date for the variance hearing for Quinta Subdivision. Camino Real Subdivision has started moving in the development process, and Richard projects to receive a preliminary plat for the Camino Real Subdivision to be presented to Council in May. Richard and Sara have had discussions with Prairie Lake Subdivision multi-use lots pertaining to entrance/egress and apartment complexes/town homes. The development agreement for Prairie Lakes would need to be amended to allow for town homes, and Richard hopes to have those discussions for amendment on next month's agenda. The preliminary plat and development agreement for Brohn Homes is still in review. Richard has been discussing a possible limited purpose annexation for sales tax purposes with Brohn Homes since the property is not currently within the city limits. Richard advised the Council that the septic system at 878 Engelke is functioning, and the issue has been resolved. Richard and Sara have a Zoom meeting, early

April, with the City of Umland Planner and City Administrator to try and resolve the ETJ swap regarding Benjamin Gonzales' property at 11301 Camino Real.

Motion: No Action Taken

Agenda Item 8. Discussion and possible action on financial reports for fiscal year to date

Synopsis: The financial reports for the fiscal year to date were presented to the Council.

Motion: No Action Taken

Agenda Item 9. Discussion and possible action on paying outstanding bills in excess of City Administrator's authorized limits.

Synopsis: Sara presented outstanding invoices for payment. The first invoice presented was from Bovey and Cochran in the amount of \$2870.78. Most of the invoice was for 6301 Niederwald Strasse communication equaling about \$1798.28. The remaining charges were for the Prairie Lakes Subdivision final plats for about \$164, septic violation in the amount of \$593.50, review of the Camino Real Development Agreement for the Bluestem Franchise Agreement in the amount of \$66, and consultation for Hwy 21 Storage parking lot for \$33. Sara also presented 12 invoices from ATS for inspections at \$65 each for a total of \$780.

Motion: Council Member Bowen motioned to pay invoices. Council Member Perry seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Yes
Smith – Yes
Shirey - Absent

Motion Passed

Announcements:

May 1, 2023 - Council Meeting

Meeting was adjourned at 8:04 p.m.

Attest:

Mayor
City of Niederwald

City Secretary
City of Niederwald