

Niederwald City Council
January 2, 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 Reynell Smith called the meeting to order at 7:00 p.m.

Role was called. Council members in attendance were:

Charles Bisson
Ken Perry
Connie Wood
Dianne Shirey
City Administrator Richard Crandal

A moment of silence was observed

Presentations: None

Public Comment: None

Agenda Item 1. Swearing in of new Mayor and Council Member

Synopsis: New Mayor Charles Bisson, new Council Member Dawn Bowen, were sworn in by City Administrator/City Secretary Richard Crandal. Council Member Connie Wood was also sworn in to renew her position.

Motion: No Motion

Agenda Item 2. Discussion and possible action on the minutes of December 5, 2022 City Council meeting

Synopsis: The minutes of December 5, 2022 council meeting were presented.

Motion: Council Member Perry motioned to accept the minutes as presented, Council Member Shirey seconded the motion.

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

Motion Passed

Agenda Item 3. Discussion and possible action on approving Texas Disposal Systems request for rate increase.

Synopsis: Frankie Bates from Texas Disposal Systems was in attendance to speak with the Council Members. The remaining current contract with Texas Disposal Systems is two and a half years. Frankie proposed a 10% increase for the remainder of the contract; a net 6% increase over the term of the contract, as this is a freeze on the annual 3 per cent rate increases. This rate increase is due to recent inflation in fuel, labor, parts and maintenance, and supply chain cost.

Motion: Council Member Perry motioned to accept the proposed rate increase, Council Member Bowen seconded the motion.

Vote: Perry - Yes
Bowen – Yes
Wood – Abstain
Shirey – Yes

Motion Passed

Mayor Bisson adjourned the council meeting at 7:26 p.m. to go into a public hearing.

Public Hearing – Annexation of 2.32 acres near 13397 Camino Real

Richard received a petition for annexation of 2.32 acres near 13397 Camino Real. The tract does not currently have a 911 address registered. The 2.32 acres to be annexed is near the previously annexed tracts for Mark Renfroe at 13397 Camino Real. Mayor Bisson closed the public hearing at 7:28 p.m. and re-convened the council meeting at that time.

Agenda Item 4. Discussion and possible action on approving Annexation Service Agreement

Synopsis: Per state statute for annexation, an Annexation Service Agreement must be approved. This says that the City will not exclude their property from any services the City provides anyone else.

Motion: Council Member Wood motioned to approve the Annexation Service Agreement, Council Member Perry seconded the motion.

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

Motion Passed

Agenda Item 5. Discussion and possible action on annexation of 2.32 acres located near 13397 Camino Real

Synopsis: The public hearing has been held and annexation needs council approval.

Motion: Council Member Wood moved to approve the annexation of 2.32 acres located near 13397 Camino Real, Council Member Shirey seconded the motion.

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

Motion Passed

Agenda Item 6. Discussion and possible action on hiring a City Clerk for assisting City Administrator and act as Municipal Court Clerk

Synopsis: Richard advised the council that it is unrealistic, upon his retirement, for one person to perform the duties of City Administrator, City Secretary, Code Enforcement Officer, and Municipal Court Clerk. The City Administrator will need a City Clerk that can perform the duties of Municipal Court Clerk and assistant to City Administrator. Council Member Shirey questioned if the position for City Clerk would be a full time or part time position. Richard proposed that it would be a full time position, since the duties to be performed would include Municipal Court Clerk as well as assisting the City Administrator.

Motion: Council Member Wood motioned to hire a City Clerk for assisting City Administrator and act as Municipal Court Clerk after Richard Crandal submits his resignation, Council Member Perry seconded the motioned.

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

Motion Passed

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

Synopsis: Richard advised the council of 6301 Niederwald Strasse, 14 acres on 3G Ranch Road; a private road. The property owners wish to subdivide the property. The property does not meet City of Niederwald subdivision ordinances because it does not have direct access on a public road, nor do the proposed lots have 150’ frontage on a public road. Hays County has said that 3G Ranch Road is a private drive for public purposes. It has been acknowledged by Hays County that a school bus or fire truck would not be able to travel the road and have adequate radius to turn around, and they are looking into altering their approach on such matters. The property owners of 6301 Niederwald Strasse, the Gangis, have hired an attorney to represent them. All communication since has been through City of Niederwald City Attorney. A package was submitted for subdivision of 6301 Niederwald Strasse, but it was not administratively complete. Richard continued on to the City viewing structures that don’t comply with the City’s Ordinances. The owner of 510 Arrowhead demolished and removed the foundation for the second house on the property, and has decided to start over with expanding the manufactured home. Richard reached out to ensure that the City was following the correct procedures to begin a Municipal Court with the City Attorney. He was advised that each city has the ability to have a Municipal Court upon becoming a city. A Municipal Court seal for the City has also been reviewed and is in the process of creation. A request to waive the requirement for platting was requested, and approved, for a tract at 2150 Mathias Lane. Richard also forwarded a complaint about road damage on Gini Lane, he intends to address the road conditions soon.

Motion: No Motion

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 Motion

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

Synopsis: Richard presented outstanding invoices for payment. Two invoices were presented for Bovey & Cochran, LLC for \$2,913.28 and \$4,629.28 for a total of \$7,542.56. These invoices include charges for services provided for violation letters, 6301 Niederwald Strasse, Brohn Homes Subdivision Development Agreement, and finalizing the subdivision ordinance.

Motion: Council Member Perry motioned to approve the \$7,542.56 to Bovey & Cochran, LLC, Council Member Bowen seconded the motion.

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

Motion Passed

Announcements:

February 6, 2023 - Council Meeting

Meeting was adjourned at 8:15 p.m.

Attest:

Mayor
City of Niederwald

City Secretary
City of Niederwald