

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 27, 2026**

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:00 p.m.

CALL OF ROLL: CITY SECRETARY

Present: 7 - Mayor Neal Linnartz, Councilmember Toni Carter, Councilmember Michael Capizzi, Councilmember D. Lee Edwards, Mayor Pro Tem Lawrence Spradley, Councilmember Mary Ann Labowski, and Councilmember April Ryan

REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.

INVOCATION: COUNCILMEMBER CARTER

Councilmember Carter provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

Mayor Linnartz led the Pledge of Allegiance and the Salute to the Texas Flag.

PROCLAMATIONS:

A) Children's Music and Art Instruction Day

Mayor Linnartz read the aforementioned proclamation.

Members from the Jean & Sue McLane Community Arts Program of New Braunfels, Inc. accepted the proclamation and addressed council.

CITIZENS COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time. In the interest of protecting the City's network and data, the City is not accepting flash drives or electronic files for use during Citizens Communications. Please use hard copies, the overhead projector or access the City's online digital form to upload electronic files you would like the Mayor and Council to view. The digital form would need to be uploaded two (2) hours prior to the City Council meeting. A link to this form can be accessed on the City Secretary's website. Individuals desiring to speak at citizen's communications should line up behind the podium and be ready to speak.

The following individuals spoke at this time: Jim Holster

1. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business. Citizens must be present to pull an item.

Action Items

- A) Approval of the city council April 6, 2026 special meeting minutes, and the April 13, 2026 regular and executive session meeting minutes.
- B) Approval of the City of New Braunfels FY 2026 First Quarter Investment Report.
- C) Approval of a contract amendment with Emergicon to incorporate Fire Department Billing Cost Recovery Services for the City of New Braunfels Fire Department through EMERGIFIRE LLC.
- D) Approval to renew certain established annual contracts, as allowed for by their contract language and in accordance with City Charter Section 9.17.
- E) Approval of FY 2026 budget amendments for the Airport Fund and General Fund- Economic & Community Development Department.
- F) Approval of a settlement agreement between the City of New Braunfels and Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr., deceased, for the acquisition of the necessary right-of-way as part of the Kohlenberg Road Project and authorization for the City Manager to execute all necessary settlement and conveyance documents.
- G) Approval of Donation Agreement with New Braunfels Lions Club for Disc Golf Improvements to Prince Solms Park.

Resolutions

- H) Approval of a resolution; approving the submission of a grant application to the U.S. Department of Homeland Security, Urban Area Security Initiative (UASI) - Regular Projects grant for Program Year 2026 to request funding towards the purchase of tactical medical unit communications systems, a dive trailer, and two police utility terrain

vehicles (UTV's) and their associated trailers, and designation of the City Manager as the grants authorized official, to act on behalf of the City in all matters related to the grant if awarded, and designation of the Director of Finance as the Financial Officer for the grant.

- I) Approval of a resolution for a Memorandum of Understanding between Comal County and the City of New Braunfels supporting the submission of a grant application for the purchase of updated recruiting materials for the New Braunfels Police Department using a joint allocation of funding provided by the FY 2025 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation.
- J) Approval of a resolution of the New Braunfels City Council authorizing the submission of an application for funding under the Motor Vehicle Crime Prevention Authority Fiscal Year 2027 SB 224 Catalytic Converter Grant Program; designating the City Manager or their designee as Authorized Official to act on behalf of the City in all matters related to the grant, including the execution of all required documentation; and designating Jace Hobbs, or his designee, as Program Director and Sandy Paulos, or her designee, as Financial Officer for the grant if awarded.
- K) Approval of a resolution adopting the City of New Braunfels Arts & Culture Master Plan.

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)

- L) Approval of the first reading of an ordinance amending Chapter 138 of the City of New Braunfels Code of Ordinances, related to the New Braunfels Police Department's rotation list system for incident management tows and updating fees charged by tow companies to the vehicle owners.
- M) Approval of the second and final reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1, 2, and 900, Block 2, Mayfair - South Ransom Commercial Subdivision, consisting of approximately 10 acres.
- N) Approval of a second and final reading of an ordinance updating Section 86-3, "Rules and Regulations for Control of Park and Recreation Areas" of the New Braunfels Code of Ordinances

authorizing the city manager to set operating hours for city parks facilities and park concessions.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned resolutions and ordinances of the consent agenda.

Mayor Pro Tem Spradley made a motion to approve the consent agenda. Councilmember Ryan seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

Individuals desiring to speak to any individual item should line up behind the podium and be ready to speak when public comment is recognized.

- A) Public hearing and first reading of an ordinance, requested by John Holler, to rezone approximately 1.5 acres out of the Baystone Subdivision, Lots 1 and 2, from R-2 AH (Single-Family and Two-Family Airport Hazard District) and R-2 AH SUP (Single-Family and Two-Family Airport Hazard District with a Special Use Permit for Multifamily Use) to C-1A AH (Neighborhood Business Airport Hazard District), currently addressed at 222 and 224 Alves Lane.

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented this item to council using a powerpoint presentation and answered questions.

The applicant, John Holler, and Norma Ballero addressed council and spoke on this item as well and answered questions.

Councilmember Capizzi motioned to approve this item. Mayor Pro Tem Spradley seconded the motion which passed.

Opposed:

Councilmember Carter, and Councilmember Labowski

- B) Public hearing and first reading of an ordinance, requested by Killen, Griffin & Farrimond, PLLC on behalf of Farmers Mutual Fire, Leslie Lammers and Tom Tumlinson, Melvin Nolte, Jr, Chad L. Nolte, Sandra J. Nolte, Comal Properties, LLC, and Qdream, LLC, to rezone approximately 2.112 acres out of City Blocks 2004, 2007, and 2014, from C-2 (General Business District), M-1 (Light Industrial District), and M-1 SUP (Light Industrial District with a Special Use Permit for an

STR) to MU-B SUP (High Intensity Mixed Use District with a Special Use Permit), currently addressed at 342, 352, & 353 East Bridge Street, 343 & 353 East Mill Street, 218, 232, 266, & 288 North Market Avenue, and 309 & 351 East San Antonio Street.

Mayor Linnartz read the aforementioned item.

Mayor Linnartz recused himself from this item and left council chambers at 6:33pm.

Jordan Matney presented this item to council using a powerpoint presentation and answered questions.

A representative from Killen, Griffin & Farrimond, Ashley Farrimond, addressed council and presented using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Merry Saegert, Julie King

Councilmember Capizzi motioned to approve this item with staff recommendations. Councilmember Labowski seconded the motion which passed.

Opposed:

Councilmember Carter

Recused:

Mayor Linnartz

C) Public hearing and first reading of an ordinance, requested by Monica Mason, on behalf of Brett Baer, to rezone approximately 0.2 of an acre out of the City Block Subdivision 5068, Lot 5, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 226 North Liberty Avenue.

Mayor Linnartz returned to the council chambers at 7:13 p.m.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented this item to council using a powerpoint presentation. The applicant, Monica Mason, and Max Staurt addressed council and answered questions.

Mayor Linnartz read the aforementioned item. Councilmember

Edwards motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.

D) Public hearing and first reading of an ordinance, requested by Nicolas Vargas, to rezone approximately 0.25 of an acre out of the City Block Subdivision 1073, Lot 11, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow a Short-Term Rental of a Residence), currently addressed at 182 Perryman Street.

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented this item to council using a powerpoint presentation. The applicant, Nicolas Vargas, addressed council and answered questions.

Mayor Pro Tem Spradley motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.

PRESENTATIONS:

A) Second annual update on the City's 2024-2029 Strategic Plan.

Mayor Linnartz read the aforementioned item.

Jordan Matney and Jared Werner presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Edward Rivera

No action was taken at this time.

3. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

a. Discuss Legal Options Relating to the Status of Real Estate

Negotiations to Secure Necessary Right-of-Way for the Kohlenberg Road Improvements Project:

i. a 1.034 Acre (45,040 square foot) tract of land and a 0.581 acre (25,301 square foot) temporary construction easement in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 71705).

ii. a 0.576 Acre (25,077 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas, and being out of the remainder of the called 92.49 acre tract recorded in Document No. 200306025956 of the Official Public Records (O.P.R.) of Comal County, Texas (Comal County Parcel No. 428468).

b. Cause No. 2025CV0719; City of New Braunfels v. Joe Henry Tays, Individually and as Independent Executor of the Estate of Frederick Frueholz, Jr. (Deceased)

B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:

1. Texas State Technical College

4. IF NECESSARY, RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

Item B of the aforementioned executive session items took place at 5:00 p.m. City council did not reconvene back into closed session.

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 8:26 p.m.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY