

**DRAFT - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, DECEMBER 8, 2025**

AGENDA

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:03 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 CAPIZZI

Councilmember Capizzi 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) David Schoenvogel

Mayor Linnartz read the aforementioned proclamation.

David Schoenvogel accepted the proclamation and addressed council. Chad Donegan also addressed council and presented David Schoenvogel with a commemorative street sign.

CITIZENS COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concerns 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: Bob King, Jim Holster, Shawn Metz, Joey Lynn Mesaros, Dick Bogart, Richard Kelshimer

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 regular and executive session minutes for the November 24, 2025 council meeting.
- B) Approval of the City of New Braunfels FY 2025 Fourth Quarter Investment Report.
- C) Approval of one (1) Mayoral appointment of Serena Morris, with a term ending 11-30-2028 to the Partnership Committee.
- D) Approval of the first amended and restated development agreement between Lamar Advantage Holding Company and the City of New Braunfels related to the conversion of an existing static billboard (off-premises sign) to a digital billboard, on property on the south-bound side of IH 35 south of Alligator Creek, currently addressed at 4041 - 4029 S. IH 35
- E) Approval for purchases of vehicles with Chastang Autocar and Doggett Freightliner of South Texas for the Solid Waste Division and approval to declare replaced units as surplus.

- F) Approval of recommended changes to the New Braunfels Downtown Board Bylaws, including the creation of a Standing Committee and a recommendation for City Council to appoint applicants
- G) Approval of a Professional Services Agreement with Freese and Nichols, Inc. for the final plans, specifications, and estimates of the Alligator Creek Trail East Phase 1 Project.
- H) Approval of an amendment to the Interlocal Cooperation Agreement between the City of New Braunfels and the New Braunfels Independent School district (NBISD) for the provision of School Resource Officers by the New Braunfels Police Department at NBISD locations.
- I) Approval of a Memorandum of Understanding with New Braunfels Utilities for the coordination of capital projects.

Ordinances

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

- J) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1, 2, 3, and 4, Block 1, Mayfair - North Ransom Commercial Subdivision, consisting of approximately 25 acres.
- K) Approval of the first reading of an ordinance, in accordance with adopted agreements with the property owner, to annex for limited purposes Lots 1-9, and Lot 900, Block 1, Veramendi Precinct 11A Subdivision, and Lot 109, Block 19, Veramendi Precinct 11B Subdivision, consisting of approximately 45 acres.
- L) Approval of the second and final reading of an ordinance to revise Section 126 Article IV Division 3 of the Code of Ordinances of the City of New Braunfels to restructure speed limits and school speed zones and remove the school zone associated with the previous New Braunfels ISD Ninth Grade Center.
- M) Approval of the second and final reading of an ordinance to amend Section 126-133 of the Code of Ordinances of the City of New Braunfels to establish a school zone for Legend Point Elementary School.
- N) Approval of the second and final reading of an ordinance to amend

Section 126-132 of the Code of Ordinances of the City of New Braunfels to lower the speed limit in the residential area bounded by Wood Road, Walnut Avenue, and Loop 337.

- O) Approval of the second and final reading of an ordinance, at the request of Toni and Joe Rios, to rezone approximately 0.2 of an acre out of the Buena Vista Addition Subdivision, Block 3, Greater Part of Lot 8, from C-3 (Commercial District) to C-3 SUP (Commercial District with Special Use Permit to allow Short Term Rental of a residence), currently addressed at 265 School Avenue
- P) Approval of the second and final reading of an ordinance, at the request of Walmart Stores East, LP (Joe Frederick) on behalf of Frederick Frueholz, Jr. Estate (Joe H. Tays), regarding the proposed rezoning of approximately 72.097 acres out of the A.M. Esnaurizar Grant, Abstract No. 1, from APD AH (Agricultural/Pre-development, Airport Hazard Overlay District) to M-1A AH (Light Industrial, Airport Hazard Overlay District), generally located south of Kohlenberg Road and west of FM 1101
- Q) Approval of the second and final reading of an ordinance to amend Chapter 144 Zoning, Subsection 2.1, to align rezoning public notices, protests, and sign requirements with state House Bill (HB) 24
- R) Approval of the second and final reading of an ordinance amending the City's Code of Ordinances, Sec. 6-109, relating to home quarantine of animals
- S) Approval of the second and final reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 2, Sections 2-101 and 2-102, and Chapter 130-406, changing the membership criteria and composition of the Water/Wastewater Impact Fee Advisory Committee to comply with S.B. 1883.
- T) Approval of the second and final reading of an ordinance amending the New Braunfels Code of Ordinances, Chapter 100-20, changing the membership criteria and composition of the Roadway Impact Fee Advisory Committee to comply with S.B. 1883.

APPROVAL OF THE CONSENT AGENDA

Mayor Linnartz read the aforementioned ordinances of the Consent Agenda.

Councilmember Ryan motioned to the approve the consent agenda. Councilmember Capizzi 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.

Mayor Linnartz asked council if Item B can be taken up prior to Item A. There was no opposition for the item moving up. See item B.

- A) Discuss and consider approval of a resolution of the City of New Braunfels, Texas, authorizing the use of eminent domain proceedings for the acquisition of right-of-way that is necessary to advance and achieve the public use of improving Kohlenberg Road to meet the existing and future needs of the City, in the event negotiations are unsuccessful:
- a. Property owned by The Estate of Frederick Frueholz, Jr.: a 2.309 Acre (100,568 square foot) tract of land in the A.M. Esnaurizar Survey No. 98, of Comal County, Texas and being out of the called 239.708 acre tract conveyed to Frederick Frueholz Jr., recorded in Document No. 201306045302 of the Official Public Records of Comal County, Texas; and being more specifically out of the called 49.64 acre 1st Parcel of said 239.708 acres recorded as Volume 78, Page 399 - Tr. 2, Official Public Records of Comal County, Texas. (Comal County Parcel No. 71628)

Mayor Linnartz called for a five minute break at 8:45 p.m.

Mayor Linnartz reconvened the meeting at 8:51 p.m.

Mayor Linnartz read the aforementioned item.

Matt Eckmann presented this item to council using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Joe Tays

Mayor Pro Tem Spradley motioned to approve this item.

Councilmember Labowski seconded the motion which passed unanimously.

B) Discuss and consider a resolution to approve the City of New Braunfels 2025 Thoroughfare Plan Update.

Mayor Linnartz asked council if Item B can be taken up prior to Item A. There was no opposition for the item moving up.

Mayor Linnartz read the aforementioned item.

Jordan Matney, Garry Ford, and Chief Ruy Lozano presented this item using a powerpoint presentation and answered questions.

The following individuals spoke at this time: Kari Isaac, Martin Nealeigh, Beverly Fisher, Sara Vasquez, Angela Allen, Susan Collins, Joey Lynn Mesaros, Andrew Claussen, Jonathan Packer, Jodi Smith, Nate Crippen, Kristen Carden, Mark Gibson, Courtney Lyons-Garcia, Robert Boyd, Kevin Webb, Todd Blackman, Randall Allsup, Mike Scholze, Haley Furlough, Casey Lee

Councilmember Labowski motioned to approve this item with the exception of Seminole Drive in the Thoroughfare Plan. Mayor Pro Tem Spradley seconded the motion which failed with a 3/4 vote.

Opposed: Councilmember Capizzi, Councilmember Edwards, Councilmember Ryan, and Mayor Linnartz

Councilmember Capizzi motioned to approve this item as recommended by staff. Councilmember Ryan seconded the motion which passed.

Opposed:

Councilmember Carter, and Councilmember Labowski

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.

Mayor Linnartz convened back into executive session at 9:10 p.m.

A) Deliberate the appointment, evaluation, duties, discipline, or removal

of the City Manager in accordance with Section 551.074 of the Texas Government Code.

- B) 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, including but not limited to:
- City of New Braunfels v. Stoddard Construction Management, Inc. and Swiss Re Corporate Solutions America Insurance Corp.; C2024-1777D

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

Mayor Linnartz reconvened into open session at 9:22 p.m.

Mayor Pro Tem Spradley made a motion stating Mayor, I would like to make a motion and a vote of confidence in favor of our City Manager, Robert Camareno, by approving a 3% salary increase, bringing his annual salary to \$322,680.00. Councilmember Labowski seconded the motion which passed unanimously.

ADJOURNMENT

Mayor Linnartz adjourned the meeting at 9:30 p.m.

Neal Linnartz, Mayor

Gayle Wilkinson, City Secretary