

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, MAY 14, 2018**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on May 14, 2018, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember Justin Meadows, Councilmember Ron Reaves, Councilmember Chris Monceballez, Mayor Pro Tem Wayne Peters, Councilmember Leah García, and Councilmember Shane Hines

City staff present were: City Manager Robert Camareno, City Attorney Valeria Acevedo, Assistant City Manager Bryan Woods, Assistant City Manager Kristi Aday, City Secretary Patrick Aten, Assistant City Secretary Drew Lyons, Building Official TJ Grossi, Municipal Court Judge Rose Zamora, Teen Court Coordinator Norma Herrera, Planning and Community Development Director Chris Looney, Assistant Planning and Community Development Director Stacy Snell, Historic Preservation Officer Amy McWhorter, Real Estate Manager Matt Eckmann, City Engineer Garry Ford, and Parks and Recreation Director Stacey Dicke.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:04 p.m. Councilmember Reaves gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

A) Small Business Week

Mayor Casteel proclaimed April 29 - May 5, 2018, as Small Business Week, and recognized Natalie Rougeux as Small Business Person of the Year.

B) Flood Awareness Week

Mayor Casteel proclaimed May 21-25, 2018, as Flood Awareness Week.

C) Put on Purple Day

Mayor Casteel proclaimed May 18, 2018, as Put on Purple Day.

D) Bike Month

Mayor Casteel proclaimed May 2018 as Bike Month.

PRESENTATIONS:

A) Teen Court Mock Trial participants
Rose Zamora presented certificates to the Teen Court Mock Trial participants.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of April 23, 2018.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the item. Councilmember Meadows seconded the motion which passed unanimously.

2. 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.

Mayor Casteel read the aforementioned caption.

Carolyn Phelan spoke about local museums. Shaun Smith, Trey Cassreino, Chris Foglesong, and Yvonne Bays spoke against parking fees. Rita Remington spoke about her property on Walnut Avenue.

3. 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.

Resolutions & Action Items

- A) Approval of the appointment of one individual to the Airport Advisory Board for a term ending May 12, 2021.
- B) Approval of the appointment of one individual to the Downtown Board for a term ending May 31, 2020.
- C) Approval and authorization for the City Manager to enter into an Advance Funding Agreement with the Texas Department of Transportation for the development, design, and construction of

pedestrian improvements including sidewalks, ramps, crosswalks, and signage in various locations around the City of New Braunfels.

- D) Approval of a resolution approving the adoption of the Comal County Hazard Mitigation Action Plan 2017.
- F) Approval of a resolution and the ratification of the submission of a grant application to the Department of Transportation through the Texas Traffic Program's Selective Traffic Enforcement Program (STEP) of up to \$80,242.65 to fund salaries and equipment and authorizing the City Manager to accept funds and execute all contract documents associated with the grant, if awarded.
- G) Approval of a resolution authorizing a project expenditure by the New Braunfels Economic Development Corporation of up to \$450,000 to the City of New Braunfels for a project to construct transportation facilities to include the development, including design, environmental, and administrative services, of the Alamo Area Metropolitan Planning Organization New Braunfels Pedestrian Improvement Project.
- H) Approval of a resolution nominating TaskUs Inc. for designation as an Enterprise Zone Project under the State of Texas Enterprise Zone Program.

Ordinances

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

- I) Approval of the first reading of an ordinance amending Ordinance 2017-68, which authorizes the number of positions in each classification in the New Braunfels Police Department pursuant to Local Government Code, Chapter 143.
- J) Approval of the second and final reading of an ordinance regarding the proposed amendment to Ordinance No. 2011-97, adding "Boutique Hotel" as a permitted use in the "Gruene Lake Village" Special District.
- K) Approval of the second and final reading of an ordinance regarding the proposed rezoning request to apply a Special Use Permit to allow the short-term rental of a single family dwelling in the "C-2" Central Business District, on a portion of Lot 5, City Block 2017, addressed at 162 Meusebach Street.
- L) Approval of the second and final reading of an ordinance regarding the

proposed rezoning request to apply a Special Use Permit to allow the bulk storage of up to 80,000 gallons of fuel in belowground storage tanks on approximately 2.43 acres in the "C-3" Commercial District, on Lot 1R, Johnson Commercial Subdivision, addressed at 4340 South IH 35.

- M) Approval of the second and final reading of an ordinance regarding the proposed rezoning of 0.873 acres out of the J. M. Veramendi A-22 Survey, addressed at 2420 Katy Street, from "M-1" Light Industrial District to "ZH-A" Zero Lot Line Home District.
- N) Approval of the second and final reading of an ordinance regarding Youth Programs Standards of Care for the Parks and Recreation Department.
- O) Approval of the second and final reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to create Parking by Permit Area N.

Mayor Casteel read the aforementioned captions. Item 3E was pulled by staff for discussion.

Councilmember Garcia moved to approve the Consent Agenda except Item 3E. Councilmember Reaves seconded the motion which passed unanimously via roll call vote.

- E) Approval of a 0.736 of an acre utility easement between The City of New Braunfels and Green Valley Special Utility District out of 125.99 acres out of the Sarah DeWitt Survey, Abstract No. 103, Guadalupe County, Texas.

Mayor Casteel read the aforementioned caption.

Matt Eckmann presented the item.

Mayor Pro Tem Peters moved to approve the item with a 0.369 of an acre utility easement. Councilmember Garcia seconded the motion which passed unanimously.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Canvass returns of the regular election of May 5, 2018.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Reaves moved to accept the results of the election. Councilmember Garcia seconded the motion which passed unanimously.

- B) Discuss and consider approval of an ordinance declaring the canvass and result of an election held on May 5, 2018, to elect one member of the New Braunfels City Council; containing a savings clause; declaring an effective date; and declaring an emergency.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Reaves moved to approve the item. Mayor Pro Tem Peters seconded the motion which passed unanimously via roll call vote.

- C) Discuss and consider approval of the appointment of one individual to the Community Development Advisory Committee for a term ending December 13, 2020.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Meadows moved to appoint Jeffrey Ayers. Councilmember Reaves seconded the motion which passed unanimously.

- D) Discuss and consider approval of the second and final reading of an ordinance amending the Code of Ordinances Chapter 118, Article V, Parkland.

Mayor Casteel read the aforementioned caption.

Robert Camareno and Stacey Dicke presented the item.

Deedy Wright, Roxanna Deane, Penelope Speier, Tim Barker, John

Mathis, Thor Thornhill, and Bob Wolf spoke on the item.

Councilmember Meadows moved to approve the item with an implementation date of 120 days with a completed application. Councilmember Reaves seconded the motion.

Mayor Pro Tem Peters moved to amend the motion by changing the implementation date to 90 days with a filed completed application, and overall 75% implementation in year one. Councilmember Garcia seconded the motion to amend which passed unanimously.

The amended main motion passed unanimously via roll call vote.

<City Council took a break.>

- E) Discuss and consider approval of the second and final reading of an ordinance amending Chapter 114 of the City's Code of Ordinances to add regulations regarding the use of public right-of-way in a portion of Downtown New Braunfels for sidewalk cafes, and amending Appendix D to include associated fees.

Mayor Casteel read the aforementioned caption.

Amy McWhorter presented the item.

Councilmember Hines moved to approve the item. Councilmember Monceballez seconded the motion which passed unanimously via roll call vote.

- F) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards and Articulation Requirements for the proposed Comal County Jail addressed at 3000 IH 35.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

Mayor Pro Tem Peters moved to move item 4M up out of order. Councilmember Garcia seconded the motion which passed unanimously.

- M) Discuss and consider approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on both sides of Gruene Park Drive.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Charles Lano, David Starch, Ted Trusevich, and Bob Bower spoke against the item.

Mayor Pro Tem Peters moved to deny the item. Councilmember Garcia seconded the motion which passed unanimously.

Councilmember Reaves moved to move item 4L up out of order. Councilmember Monceballez seconded the motion which passed unanimously.

- L) Discuss and consider approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on the south side of Yu Drive.

Mayor Casteel read the aforementioned caption.

Ted Trusevich and Frank Rubalcava spoke against the item.

The item died due to lack of a motion.

- G) Discuss and consider a request for a conditional sign permit to add an electronic message sign to an existing pole sign at the Knights of Columbus Hall, addressed at 111 Landa Street.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Councilmember Garcia moved to approve the item with staff recommendations. Councilmember Reaves seconded the motion which passed unanimously.

- H) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards, Articulation and Exterior Building Materials requirements for two proposed temporary modular buildings at Freiheit Elementary School, addressed at 2002 FM 1101.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

Mayor Pro Tem Peters moved to approve the item with staff recommendations. Councilmember Hines seconded the motion which passed unanimously.

- I) Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, granting recognition to the New Braunfels Professional Fire Fighters Association, Local 3845 of the International Association of Fire Fighters, as the sole and exclusive bargaining agent for city firefighters, and determining that the City may meet and confer with the Association without an election by the voters in the City.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

- J) Discuss and consider approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on both sides of the 500 block of Hill Avenue.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Councilmember Hines moved to approve the item. Councilmember Meadows seconded the motion which passed unanimously via roll call vote.

- K) Discuss and consider the first reading of an ordinance amending Section 126-136 (a) to amend the school speed zone for the New Braunfels Christian Academy Elementary.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Councilmember Garcia moved to approve the item. Councilmember Meadows seconded the motion which passed unanimously.

5. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

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:

- Personnel

Mayor Casteel read the aforementioned caption.

City Council recessed into Executive Session from 8:56 p.m. - 9:08 p.m.

No vote or action was taken.

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

City Council reconvened into Open Session at 9:08 p.m.

No vote or action was taken.

7. ADJOURNMENT

The meeting adjourned at 9:08 p.m.

Date Approved: May 29, 2018

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary