

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, MAY 22, 2017**

The City Council of the City of New Braunfels, Texas, convened in a Regular Session on May 22, 2017, at 6:00 p.m.

City Councilmembers present were:

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

City Staff present were:

City Manager Robert Camareno, Assistant City Manager Kristi Aday, City Attorney Valeria Acevedo, First Assistant City Attorney Frank Onion, City Secretary Patrick Aten, Assistant City Secretary Andrea Cunningham, Planning and Community Development Director Christopher Looney, Interim Building Official Adriana McDonald, and Planner Benjamin Campbell.

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

PROCLAMATIONS:

A) Building Safety Month

Mayor Casteel proclaimed the month of May as Building Safety Month.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of May 8, 2017, and the special City Council meetings of May 5, May 8, and May 15, 2017.

Mayor Casteel read the aforementioned caption.

A motion was made by Councilmember Green, seconded by Councilmember García, that this item be approved. The motion passed unanimously.

2. CITY COUNCIL ACTIONS

- A) Complete and issue Certificates of Election to the Mayor-elect and Councilmembers-elect.

Mayor Casteel read the aforementioned caption.

Patrick Aten completed and issued the Certificates of Election for the Mayor-elect and Councilmembers-elect.

- B) Administer oath of office to District 5 Councilmember-elect Wayne Peters.

Mayor Casteel read the aforementioned caption.

State District Judge Bruce Boyer administered the oath of office to District 5 Councilmember-elect Wayne Peters.

- C) Administer oath of office to District 6 Councilmember-elect Leah Garcia.

Mayor Casteel read the aforementioned caption.

State District Judge Bruce Boyer administered the oath of office to District 6 Councilmember-elect Leah García.

- D) Administer oath of office to Mayor-elect Barron Casteel.

Mayor Casteel read the aforementioned caption.

State District Judge Bruce Boyer administered the oath of office to Mayor-elect Barron Casteel.

- E) Discuss and consider the election of a Mayor Pro Tem.

Mayor Casteel read the aforementioned caption.

A motion was made by Councilmember Meadows, seconded by Councilmember Reaves, for Wayne Peters to be Mayor Pro Tem. The motion passed unanimously.

3. CITIZENS' COMMUNICATIONS

Tody Sindelar, Bill Norvell, and Don Pickett spoke regarding the 'Can Ban'.

Jerry Saucedo spoke regarding the Dia de los Muertos event in October.

4. CONSENT AGENDA

- A) Approval of the appointment of one individual to the Downtown Board for a term ending May 31, 2019.
- B) Approval of a resolution in support of the Comal County Historical Commission to obtain National Register of Historic Places designation for the property located at 131 South Hill Avenue, a local historic landmark known as the New Braunfels Fire Museum or the Old Central Fire Station.
- C) Approval of the purchase and installation of equipment for Police vehicles from GT Distributors, Inc., Applied Concepts, Inc. d/b/a Stalker Radar, Enforcement Video, LLC (WatchGuard), and the Lower Colorado River Authority (LCRA) via multiple cooperative contracts.
- D) Approval of an application to the Texas Parks and Wildlife Department for a Texas Paddling Trail on the Guadalupe River.

Approval of the Consent Agenda

Mayor Casteel read the aforementioned captions. A motion was made by Councilmember Green, seconded by Councilmember Reaves, to approve the Consent Agenda. The motion passed unanimously.

A motion was made by Councilmember Reaves, seconded by Councilmember García, to take Item 6B out of order. The motion passed unanimously.

6. EXECUTIVE SESSIONS

- 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, specifically:
 - New Braunfels Housing Authority and New Braunfels Community Resources, Inc.
 - Stop the Ordinances Please, et. al. adv. City of New Braunfels. No.

Mayor Casteel read the aforementioned caption.

City Council recessed into Executive Session from 6:36 p.m. - 7:54 p.m.

No vote or action was taken.

City Council reconvened into Open Session at 7:54 p.m., and resumed with the Regular Agenda.

5. INDIVIDUAL ITEMS FOR CONSIDERATION

A) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the "Town Creek" Planned Development District (TCPD) Concept Plan and related development standards, located at N. Academy Avenue and N. Walnut Avenue.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

David Wolters, Stephen Hanz, Jeff Jewell, Ryan Buck, Haley Parsons, and Chris Van Heerde spoke during the public hearing.

A motion was made by Councilmember Green, seconded by Mayor Pro Tem Peters, that this item be approved with staff and Planning Commission recommendations. A motion was made by Councilmember Meadows, seconded by Councilmember Reaves, to amend the main motion to allow for the secondary access to be located at either N. Guenther Avenue, N. Academy Avenue or Fredericksburg Road. The motion to amend passed unanimously.

The main amended motion passed via the following vote:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Councilmember Reaves, and Mayor Pro Tem Peters

Opposed:

Councilmember Monceballez, and Councilmember García

B) Public hearing and consideration of the first reading of an ordinance

regarding a proposed amendment to the “Reserve at Mockingbird Heights 2” Planned Development District (RMH2PD) Concept Plan on approximately 16.085 acres out of the A-608 J Thompson Survey 21, addressed at 1964 Lou Ann Drive.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

Gene Blanchard, Robert Patton, Joanne Blanchard, and James Ingalls spoke during the public hearing.

A motion was made by Councilmember Green, seconded by Mayor Pro Tem Peters, that this item be approved without the Planning Commission recommendation of pedestrian access.

Gene Blanchard, James Ingalls, and Joanne Blanchard spoke regarding the item.

The motion passed via the following vote:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Councilmember Reaves, Mayor Pro Tem Peters, and Councilmember García

Opposed:

Councilmember Monceballez

- C) Public hearing and consideration of the first reading of an ordinance regarding a requested amendment to Ordinance No. 2017-29, the “Highland Grove” Planned Development District Concept Plan, to remove 11.64 acres from “Highland Grove” Planned Development District (HGPD) and rezone the 11.64 acres and 38.1 acres out of the William H. Pate Survey, Abstract No. 259 and R. Ximenez Survey, Abstract No. 347, Guadalupe County, Texas, from “R-1A-6.6” Single Family District to “Highland Gardens” Planned Development District (HGARDPD), adopting a Concept Plan and associated Development Standards, located on FM 1044.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

Ruth Franks spoke during the public hearing.

A motion was made by Councilmember Green, seconded by Councilmember Reaves, that this item be approved with staff recommendations. The motion passed via the following vote:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Councilmember Reaves, Mayor Pro Tem Peters, and Councilmember García

Opposed:

Councilmember Monceballez

<City Council took a break.>

- D) Public hearing and consideration of the first reading of an ordinance regarding a requested rezoning to amend the August Fields Planned Development District Concept Plan, for property situated between FM 1101 and Alves Lane, west of Canyon Middle School and east of Freiheit Elementary School.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

Chris Van Heerde and Mike Kovalski spoke during the public hearing.

A motion was made by Mayor Pro Tem Peters, seconded by Councilmember Meadows, that this item be approved. The motion passed unanimously.

- E) Public hearing and consideration of the first reading of an ordinance regarding a requested rezoning of approximately 25.89 acres consisting of Lot 4B, Block 1, Moeller Subdivision, Unit 3, addressed at 381 W. Klein Road from "APD" Agricultural / Pre-Development District to "ZH-A" Zero Lot Line Home District.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

Allen Hoover spoke during the public hearing.

The item died for lack of a motion.

- F) Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of the property addressed at 175 Fredericksburg Road from “R-1” Single-Family District to “C-O” Commercial Office District with a Special Use Permit to allow the short term rental of a single-family residence.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

Richard Priesmeyer spoke during the public hearing.

The item died for lack of a motion.

- G) Discuss and consider approval of a conditional sign permit for Cross Lutheran Church and School, in the “R-2” Single and Two-Family District, currently addressed at 2171 East Common Street.

Mayor Casteel read the aforementioned caption.

Mark Hampton spoke regarding the item.

A motion was made by Councilmember Green, seconded by Councilmember Reaves, that this item be approved with staff recommendations. The motion passed via the following vote:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Councilmember Reaves, Mayor Pro Tem Peters, and Councilmember García

Opposed:

Councilmember Monceballez

This regular meeting adjourned at 10:12 p.m.

Date Approved: June 12, 2017

BARRON CASTEEL, MAYOR

Attest:

PATRICK ATEN, CITY SECRETARY