

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, MARCH 11, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on March 11, 2019, at 6:00 p.m.

City Councilmembers present were:

Present: 6 - Councilmember Shane Hines, Councilmember Justin Meadows, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

Absent: 1 - Mayor Barron Casteel

The meeting was called to order by Mayor Pro Tem Peters in the New Braunfels City Hall Council Chambers at 6:02 p.m. Mayor Pro Tem Peters gave the invocation and led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

A) American Legion Day

Mayor Pro Tem Peters proclaimed March 15, 2019, as American Legion Day.

PRESENTATIONS:

A) 175th Medallion presentation

Mayor Pro Tem Peters read the aforementioned caption.

Anne Miller presented the City with the 175th Anniversary Medallion.

B) Presentation on the U.S. Census Bureau's 2020 Decennial Census Complete Count Committee.

Mayor Pro Tem Peters read the aforementioned caption.

Richard Castenon presented the item.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City

Council meeting of February 25, 2019.

Mayor Pro Tem Peters read the aforementioned caption.

Councilmember Hines moved to approve the item. Councilmember Hoyt 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 Pro Tem Peters read the aforementioned caption.

No one spoke.

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 a resolution adopting an order cancelling the May 4, 2019 Regular Election for City Council District One; and declaring the candidate for City Council District One Elected.
- B) Approval of a resolution approving the form of Notice for the Special Election to be held in the City of New Braunfels on May 4, 2019, for a bond election and making conforming changes to comply with state law.
- C) Approval of a contract for medical examinations and health testing through Life Extension Clinics Inc D/B/A Life Scan Wellness Centers for the City Firefighters at an annual cost of \$70,380.
- D) Approval of a 2006 Tymco Street Sweeper to be declared as surplus and the sale to the Victoria Regional Airport.
- E) Approval of a contract with The Levy Company, L.P. for on-call maintenance and installation services for traffic signals.

- F) Approval of a resolution in support of HB 481 related to storage and recovery of potable water in the brackish portion of the Edwards Aquifer.
- G) Approval of a resolution, ratification of the submission of an application for the continued funding of a Criminal Investigations Division Officer utilizing a U.S. Department of Justice Violence Against Women Formula Grant for Program Year 2020, and authorization for the City Manager to act on behalf of the City in all matters related to this grant.
- H) Approval of a resolution, ratification of the submission of an application for funding of the purchase of Hazmat equipment utilizing a U.S. Department of Homeland Security State Homeland Security Program - Regular Projects Grant for Program Year 2020, and authorization for the City Manager to act on behalf of the City in all matters related to this grant.
- I) Approval of a contract modification to Urban Civil Engineering for sidewalk design work on Timber Hollow and Crown Ridge as part of the proposed 2019 Bond Citywide Streets and Sidewalks 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.)

- J) Approval of the second and final reading of an ordinance regarding the proposed rezoning of 1.473 acres out of the Henry Foster Survey No. 34, Abstract No. 154, addressed at 1290 Rivercrest Dr. and 1293 Hillcrest Dr., to apply a Special Use Permit to allow a car wash in the "C-1" Local Business District.
- K) Approval of the second and final reading of an ordinance regarding the proposed rezoning of 97.27 acres out of the J S Johnson Survey, Abstract 190 and 91.422 acres out of the Sarah Dewitt Survey, Abstract 103, located north of the terminus of Sunshine Lane, southeast of the Legend Pond Subdivision and surrounding property addressed at 910 W. Zipp Rd., from "R-1A-6.6" Single Family District, "APD" Agricultural/Pre-Development District and Zipp Meadows Planned Development District to "ZH-A" Zero Lot Line Home District.

Mayor Pro Tem Peters read the aforementioned captions.

Councilmember Hines moved to approve the Consent Agenda.

Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Public hearing and first reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to create a new Parking by Permit Area O.

Mayor Pro Tem Peters read the aforementioned caption.

Greg Malatek presented the item.

Shelby Harden, Charlene Hensley, Margaret Tuch, and Robert Strong spoke during the public hearing.

Councilmembers also gave direction to add no parking along one side of Unicorn Avenue.

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

- B) Discuss and consider approval of the first reading of an ordinance amending Chapter 130, Article IV, Division 5, Division 6, and Division 7 of the Code of Ordinances relating to Water Conservation and Critical Period Management Plan, Regulated Activities, and Drought Management Plan.

Mayor Pro Tem Peters read the aforementioned caption.

Ian Taylor presented the item.

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

- C) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards, Exterior Building Material requirements for a proposed expansion to the Comal County Landa Building in the "C-2" General Business District addressed at 199 Main Plaza.

Mayor Pro Tem Peters read the aforementioned caption.

Chris Looney presented the item.

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

- D) Discuss and consider approval of the first reading of an ordinance amending Code of Ordinances Chapter 126 Traffic and Vehicles to prohibit shared mobility services using motor-assisted scooter and electric bicycles.

Mayor Pro Tem Peters read the aforementioned caption.

Greg Malatek presented the item.

Councilmember Hoyt moved to approve the item. Councilmember Bowers seconded the motion which passed 5-1, with Councilmember Hines opposed.

- E) Discuss and consider approval of the first reading of an ordinance granting the extension of rehabilitation tax relief for a second five-year period to the property addressed as 455 S. Academy Avenue, a Local Historic Landmark known as the Schaeffer-Brewer House.

Mayor Pro Tem Peters read the aforementioned caption.

Amy McWhorter presented the item.

Jay Brewer spoke on the item.

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

- F) Discuss and consider approval of the first reading of an ordinance granting the extension of rehabilitation tax relief for a second five-year period to the property addressed as 586 W. Mill Street, a Local Historic Landmark known as the Froehlich-Stein House.

Mayor Pro Tem Peters read the aforementioned caption.

Amy McWhorter presented the item.

Stephanie Jones spoke on the item.

Councilmember Hines moved to approve the item. Councilmember Bowers seconded the motion which passed unanimously.

- G) Discuss and consider a request for a conditional sign permit to allow a pole sign that would be taller and with a larger sign cabinet than allowed by ordinance, for TexStar Bank, presently addressed at 954 Loop 337.

Mayor Pro Tem Peters read the aforementioned caption.

Chris Looney presented the item.

Denise Childers spoke on the item.

Councilmember Hines moved to postpone the item to March 25. Councilmember Bowers seconded the motion which passed unanimously.

- H) Discuss and consider a request for a conditional sign permit for a subdivision entry sign for the Heather Glen Subdivision addressed at 445 Nissan Way.

Mayor Pro Tem Peters read the aforementioned caption.

Chris Looney presented the item.

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

- I) Discuss and consider approval of walkway improvements around the City Tube Chute.

Mayor Pro Tem Peters read the aforementioned caption.

Kristi Aday presented the item.

Councilmember Meadows moved to approve the item with option 2. Councilmember Garcia 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 the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code
 - Property for city facilities

Mayor Pro Tem Peters read the aforementioned caption.

City Council recessed into Executive Session from 8:04 p.m. - 8:14 p.m.

No vote or action was taken.

NOTE: The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).

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

The City Council reconvened into Open Session at 8:15 p.m.

No vote or action was taken.

7. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Date Approved: March 25, 2019

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary