

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 22, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on April 22, 2019, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember Shane Hines, Councilmember Justin Meadows, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

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

PROCLAMATIONS:

A) Letter Carriers' Food Drive Day

Mayor Casteel proclaimed May 11 as Letter Carriers' Food Drive Day.

B) Child Abuse Prevention Month

Mayor Casteel proclaimed April 2019 as Child Abuse Prevention and Awareness Month.

C) Community Development Week

Mayor Casteel proclaimed April 22-26 as Community Development Week.

D) Sexual Assault Awareness Month

Mayor Casteel proclaimed April as Sexual Assault Awareness Month.

E) Cinco de Mayo

Mayor Casteel proclaimed May 5 as Cinco de Mayo.

PRESENTATIONS:

A) Presentation on activities for Bike Month celebrated during the month of May.

Mayor Casteel read the aforementioned caption.

Ylda Capriccioso presented the item.

1. MINUTES

- A) Discuss and consider approval of the minutes of the regular City Council meeting of April 8, 2019.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the item. Councilmember Bowers 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.

Wayne Rudolph, David Feltmann, and David Warmke 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 the Mayoral appointment of three individuals to the Reinvestment Zone No. 1 (TIRZ) Board of Directors and the New Braunfels Development Authority for terms ending May 29, 2021.
- B) Approval of a resolution recommended by the New Braunfels Economic Development Corporation to enter into a Second Amendment with CBE Companies Inc. to extend its lease until 2021, reduce the grant payment to \$225,000, and reduce target employment for 2018 to 446 full-time positions.
- C) Approval of a contract with D&M Owens for the construction of parking lot improvements; materials testing; and authority for the City Manager to approve all expenditures up to the contingency amount for the

Bridge Street Parking Lot Project.

- D) Approval of a contract with GolfNow, LLC for management of a point of sale system, including marketing and support services for the Landa Park Golf Course.

Ordinances

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

- E) Approval of the second and final reading of an ordinance regarding Youth Programs Standards of Care for the Parks and Recreation Department.

Mayor Casteel read the aforementioned captions.

Councilmember Bowers moved to approve the Consent Agenda. Mayor Pro Tem Peters seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of a resolution in support of proposed state legislation that creates an exception in the law that will allow the City of New Braunfels City Council to approve the creation of a cemetery within the corporate limits of the City; and requesting state legislators support such legislation.

Mayor Casteel read the aforementioned caption.

David Pfeuffer presented the item.

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

- B) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow short-term rental of a single-family residence in the "C-O" Commercial Office District on 1.795 acres out of the AP Fuquay Survey 35 A-15, addressed at 1193 Gruene Road.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Hines moved to approve the item with staff recommendations. Councilmember Meadows seconded the motion which passed 5-2 with Councilmembers Hoyt and Garcia opposed.

- C) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-2" General Business District, addressed at 352 W. Mill Street.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Tom Tumlinson spoke in favor of the item during the public hearing.

Mayor Pro Tem Peters moved to approve the item with staff recommendations and with maximum occupancy be ten adults. Councilmember Garcia seconded the motion which passed 6-1 with Councilmember Hoyt opposed.

- D) Public hearing and first reading of an ordinance regarding the proposed amendment to the "Cotton Cottages" Planned Development District (CCPD) Concept Plan, Detail Plan and related Development Standards, comprising 5.732 acres out of Lot 2A-1, F & M Hanz Estate Resubdivision, located on the south side of Hanz Drive between Loop 337 and Gruene Road.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing.

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

- E) Discuss and consider approval of a resolution authorizing the City Manager to enter into an Advance Funding Agreement with the Texas

Department of Transportation for installing advanced traffic signal controllers, networking equipment, and other signal hardware for off-system traffic signals in the City of New Braunfels.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Bowers 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
- 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, and to deliberate the purchase of, exchange, lease or value of real property in accordance with Section 551.072, of the Texas Government Code, specifically:
 - Landa Park Miniature Railroad
- C) 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:
 - Billboards
- D) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

Mayor Casteel read the aforementioned captions.

City Council recessed into Executive Session from 7:40 p.m. - 8:22 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 8:22 p.m.

No vote or action was taken.

7. ADJOURNMENT

The meeting adjourned at 8:23 p.m.

Date Approved: May 13, 2019

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary