

City of New Braunfels, Texas

City Hall – Council Chambers Regular City Council Meeting Minutes Monday, March 22, 2021 6:00 p.m.

City Council

Rusty Brockman, Mayor- Present
Shane Hines, Councilmember (District 1) - Present
Justin Meadows, Mayor Pro Tem (District) - Present
Harry Bowers, Councilmember (District 3) - Present
Matthew E. Hoyt, Councilmember (District 4) - Present
Jason Hurta, Councilmember (District 5) - Present
James Blakey, Councilmember (District 6) - Present

The meeting was called to order by Mayor Brockman at 6:03 p.m. Mayor Brockman gave the invocation and led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

- A) Theatre in Our Schools Month.

Mayor Brockman presented the proclamation.

PRESENTATIONS:

- A) Presentation of the 2020 Achievement of Excellence in Libraries Award to the New Braunfels Public Library.

Mayor Brockman read the aforementioned caption.

Gretchen Pruett presented this item.

1. MINUTES

- A) Discuss and consider approval of the minutes of the March 8, 2021 City Council meeting.

Mayor Brockman read the aforementioned caption.

Councilmember Hines moved to approve the item. Councilmember

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Bowers seconded the motion which was approved unanimously via roll call vote.

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.

George Green spoke during Citizen's Communications.

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 contract with Imperium Public Affairs to coordinate legislative support services during the 2021 legislature.
- B) Approval of a resolution of the City of New Braunfels consenting to the addition of certain land into Comal County Water improvement District Number 1A (Veramendi)
- C) Discuss and consider approval of naming new park property Timmermann Park.
- D) Approval for purchase of 3 prefabricated restroom-concession buildings from Restroom Facilities Ltd for placement at Zipp Family Sports Park In the amount of \$867,030 plus a 10% contingency and authority for the City Manager to execute any change orders up to the contingency amount.
- E) Approval of a professional services agreement with Vickrey & Associates, LLC. for preliminary design services of Alligator Creek Trail Master Plan.
- F) Approval of a resolution of the City Council of the City of New Braunfels, Texas approving a recommendation of the New Braunfels Economic Development Corporation to provide up to \$58,000 the City of New Braunfels to partially fund a professional services agreement with Vickrey & Associates, LLC, for preliminary design services of Alligator Creek Trail Master Plan for the Parks Department.

- G) Approval of a resolution of the City of New Braunfels, Texas, setting The public hearing on amending the Solms Landing Public Improvement District within the corporate boundaries of the City of The City of New Braunfels, Texas, pursuant to chapter 372 of the Texas Local Government Code; authorizing the mailing and publication Of the public hearing in accordance with chapter 372 of the Texas Local Government Code.
- H) Approval of issuance of contract modification with Freese & Nichols, Inc. to continue work on the technical assessment and adoption Support to the southeast sector of the City of New Braunfels Thoroughfare Plan.
- I) Approval of annual routine recurring expenditures for FY 2021 in Accordance with City Charter Section 9.17.

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 a request from the Humane Society of New Braunfels Area (HSNBA) to waive development related fees for their new, spay and neuter building.
- K) Approval of the second and final reading of proposed amendments to Chapter 6, Animals, related to tethering, keeping of rabbits, general standards of pet care, and penalties, as recommended by the Animal Services Advisory Board.

Mayor Brockman read the aforementioned captions A through K.

Councilmember Hurta moved to approve consent agenda items A-K, Councilmember Hines seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Approval of the appointment of two individuals for terms ending 3/11/2024 and one individual for an unexpired term ending 3/11/23 to the Heritage Commission.

Mayor Brockman read the aforementioned caption.

Caitlin Krobot presented this item.

Caitlin Krobot asked for a vote for Council's preference for the two terms for the Heritage Commission ending 3-11-2024 and the unexpired term ending 3-11-2023.

Councilmember Hines moved to appoint Pamela Brandt and Lauren Strack for terms on the Heritage Commission ending 3/11/2024 and Kristi Joy Simmons for an unexpired term ending 3/11/2023. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.

- B) Public hearing and first reading of an ordinance regarding a proposed rezoning to amend an existing Special Use Permit to allow for two-story townhomes on approximately 10 acres located on the west side of Independence Drive, approximately 1,300 feet north of the intersection of Independence Drive and Oak Run Parkway.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke on this item: James Ingalls, Cory Elrod, Ron Reaves, Tim Barker, Thor Thornhill, and Joe Turner.

Mayor Pro-Tem Meadows moved to approve the item. Councilmember Hines seconded the motion which passed 4-3 via roll call vote with Councilmember Bowers, Councilmember Blakey, and Mayor Brockman in opposition.

- C) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 19.963 acres out of the Sarah DeWitt Survey No. 48, Abstract No. 103, in Guadalupe County, Texas, located at the northeast corner of the intersection of FM 725 and East Klein Road, from "R-1" Single-Family District and "APD" Agricultural/Pre-Development District to "REAPD" River's Edge

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke on this item: Molina Sanders, Jason Leach, Thor Thornhill, Rene Price, Karen Nussbaumer, and Ron Griffith.

Councilmember Hines moved to approve the item. Mayor Pro-Tem Meadows seconded the motion which passed

unanimously via roll call vote.

Mayor Brockman took a break at 8:17 p.m. and reconvened at 8:27 p.m.

- D) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow outdoor music in the C-1" Local Business District adjacent to residential use on approximately 1.2 acres consisting of Lot 5, Block 1, Rio Vista addition addressed at 1951 Gruene Road.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

Councilmember Hines moved to postpone the item to the April 12, 2021 Council meeting. Councilmember Hurta seconded the motion which passed unanimously via roll call vote.

- E) Public hearing and first reading of an ordinance regarding a proposed revision to the Town Creek Planned Development (TCPD) concept plan and development standards, on approximately 66 acres located at North Academy and North Walnut Avenues.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individual spoke on the item: Chris Van Heerde.

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

- F) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of two single-family residences in the "C-2" General Business District, addressed at 274 and 290 East Bridge Street.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

Councilmember Hurta moved to approve the item. Councilmember Hines seconded the motion which passed 6-1 via roll call vote with Councilmember Hoyt in opposition.

- G) Public hearing and first reading of an ordinance regarding a proposed amendment to an existing Special Use Permit allowing a manufactured home community in the "M-1A" Light Industrial District on approximately 45 acres out of the Orilla Russell Survey No. 2, Abstract No. 485, Comal Count, Texas, located on the south side of Orion Drive, West of Goodwin Lane and east of the Pacific Rail Road.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individual spoke on this item: James Ingalls.

Mayor Pro-Tem Meadows moved to approve the item. No second was made, motion failed.

- H) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street.

Mayor Brockman read the aforementioned caption.

Christopher Looney presented this item.

The following individuals spoke on this item: Nikki Barnett, and Mike Rusk.

Councilmember Hines moved to postpone the item to the April 26, 2021 Council meeting. Councilmember Bowers seconded the motion which passed unanimously via roll call vote.

- I) Discuss and consider approval of a resolution supporting the submission of City of New Braunfels and Texas Department of Transportation projects to the Alamo Area Metropolitan Planning Organization for federal funding in Fiscal Years 2023-2026.

Mayor Brockman read the aforementioned caption.

Gary Ford presented this item.

Councilmember Hines moved to approve the item. Council-Member Hurta seconded the motion which passed unanimously via roll call vote.

- J) Discuss and consider approval of the installation of speed humps on Kowald Lane between Post Road and IH-35.

Mayor Brockman read the aforementioned item.

Garry Ford presented this item.

No motion was made. Item died.

- K) Public hearing and first reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise Parking by Permit Area G.

Mayor Brockman read the aforementioned item.

Mayor Brockman recused himself at 9:19 p.m. leaving Mayor Pro-Tem Meadows to preside over this item.

Garry Ford presented this item.

The following individual spoke on this item: Nan Duhan.

Councilmember Hines moved to approve the item. Council-member Hurta seconded the motion which was unanimously approved via roll call vote.

- L) Public hearing and first reading of an ordinance to amend Section 126-186 to restrict through truck traffic on Lake Front Avenue between the IH 35 Frontage Road and Freiheit Road and Freiheit Road between Lake Front Avenue and SH 46.

Mayor Brockman read the aforementioned item.

Garry Ford presented this item.

Councilmember Hurta moved to approve the item. Council-member Blakey seconded the motion which passed unanimously via roll call vote.

- M) Public hearing and first reading of an ordinance to amend Section 126-346 to establish a no parking zone on E San Antonio Street at N Gilbert Avenue.

Mayor Brockman read the aforementioned item.

Garry Ford presented this item.

Councilmember Hurta moved to approve the item. Mayor Pro-Tem Meadows seconded the motion which unanimously passed via roll call vote.

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 appointment, evaluation, duties, discipline, or removal of the City Manager in accordance with Section 551.074 of the Texas Government Code.

Mayor Brockman read the aforementioned caption and recessed into Executive Session at 9:35 p.m.

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.

Mayor Brockman reconvened into open session at 10:43 p.m.

No action was taken.

7. ADJOURNMENT

Mayor Brockman adjourned at 10:43 p.m.

Rusty Brockman, Mayor

Caitlin Krobot, City Secretary

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