

City of New Braunfels, Texas

550 LANDA STREET

Minutes

Monday, May 24, 2021

6:00 PM

Item 3C has been pulled from consideration

City Council

Rusty Brockman, Mayor-present

Shane Hines, Councilmember (District 1)-absent

Justin Meadows, Mayor Pro Tem (District 2)-present

Harry Bowers, Councilmember (District 3)-present

Matthew E. Hoyt, Councilmember (District 4)-present

Jason Hurta, Councilmember (District)-present

James Blakey, Councilmember (District 6)-present

The meeting was called to order by Mayor Brockman at 6:00 p.m. *Council resumed their pre-COVID-19 seating arrangement on the dais.* Councilmember Hoyt gave the invocation and Mayor Brockman led the Pledge of Allegiance and Salute to the Texas Flag.

ANNUAL ELECTION ACTIONS

- A) Complete and issue Certificates of Election to the Councilmember - incumbent Harry Bower and Councilmember – elect Lawrence Spradley.

Caitlin Krobot presented this item. Caitlin Krobot stated the certificates of election had been completed and issued to Councilmember incumbent, Harry Bowers and Councilmember elect, Lawrence Spradley before the council meeting began.

Councilmember Hoyt moved to affirm the certificates of election had been completed and issued to Councilmember incumbent, Harry Bowers and Councilmember elect, Lawrence Spradley. Councilmember Hurta seconded the motion which was unanimous via roll call vote.

- B) Administer the oath of office to District 3 Councilmember Harry Bowers-incumbent and District 4 Councilmember-elect Lawrence Spradley.

Judge Deborah Wigington came forward to administer the oath of office to Councilmember incumbent, Harry Bowers who was joined by his family. Councilmember Bowers was given a copy of his oath of office.

Retired Justice of the Peace, Wayne Dubose, came forward to administer the oath of office to Councilmember elect, Lawrence Spradley who was joined by his wife. Councilmember Spradley was given a copy of his oath of office.

Caitlin Krobot placed newly elected Councilmember Lawrence Spradley's name plate on the dais.

- C) Presentation and recognition of the public service rendered by Matthew Hoyt as District Councilmember four of the City of New Braunfels.

Mayor Rusty Brockman gave a moving speech recognizing Councilmember Hoyt's contributions as a member of city council, various boards, and his service to our community as a whole. Councilmember Hoyt's family was also recognized for their unselfish sacrifice made during Councilmember Hoyt's term on council. A gift of appreciation was presented to Councilmember Hoyt from the City of New Braunfels.

Councilmember Hoyt congratulated newly elected Councilmember Lawrence Spradley, offered his help to him and all of council. Councilmember Hoyt gave a moving speech thanking the City, all staff for their leadership and help, and district four for giving him the opportunity to serve. Councilmember Hoyt also thanked his family for their selfless support while he served on council.

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

Caitlin Krobot presented this item.

Councilmember Bowers moved to select Councilmember Justin Meadows as Mayor Pro Tem for the next year. Councilmember Hurta seconded the motion which passed unanimously via roll call vote.

PROCLAMATIONS:

- A) Building Safety Month Proclamation.

Mayor Brockman presented this proclamation.

- B) Community Action Month Proclamation.

Mayor Brockman presented this proclamation.

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.

The following individuals spoke at this time: Daniel Rath, Pam Kraft, William Rogers, David Gonzales, Justin Coleman, Thor Thornhill, Nicole Lawson, Timothy Davis, Kevin Robles, Dottie Collins, Alice Jewell, Mr. Edwards, Loree Shrank, Steven Brockman, Tiffanie Mendoza, and Ryan Garcia.

1. MINUTES

- A) Discuss and consider approval of the minutes of the Executive Session Meeting of May 10, 2021 and the City Council Meeting of May 10, 2021.

Mayor Brockman read the aforementioned caption.

Councilmember Hurta moved to approve this item. Councilmember Bowers seconded the motion which passed unanimously via roll call.

2. 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 of The City of New Braunfels, Texas, Approving The Solms Landing Public Improvement District Reimbursement Agreement (Improvement Area #1 And Improvement Area #2) Between The City And Solms Landing Development, LLC.
- B) Approval of a Resolution of The City of New Braunfels, Texas, Approving The First Amendment To Agreement Regarding The Dissolution of The Solms Landing Public Improvement District Between The City And Solms Landing Development, LLC And The Jerome W. Timmermann Family Trust.

- C) Confirmation of the appointment of Brian Martinez to the Civil Service Commission for an unexpired term ending August 10, 2022.

Ordinances

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

- D) Approval of the second and final reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise the effective time of Parking by Permit Areas A and B and amending Section 126-368 (m) of the City of New Braunfels Code of Ordinances to revise the reference to parking by permit areas in existing water recreation loading zones.

Mayor Brockman stated Consent agenda items A and B were pulled for individual consideration.

Mayor Brockman read the aforementioned captions, Consent agenda items C and D.

Councilmember Hurta moved to approve Consent agenda item C and D. Council member Bowers seconded the motion which passed unanimously via roll call.

Mayor Brockman took a break at 7:28 p.m. and reconvened at 7:42 p.m.

3. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Approval of a Resolution of The City of New Braunfels, Texas, Approving Solms Landing Public Improvement District Reimbursement Agreement (Improvement Area #1 And Improvement Area #2) Between The City And Solms Landing Development, LLC.

Mayor Brockman read the aforementioned Consent agenda item A into record.

Jared Werner presented this item.

The following individuals spoke to this item: William Rogers, Nicole Lawson, and Mr. Mahan.

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

- B) Approval of a Resolution of The City of New Braunfels, Texas, Approving The First Amendment To Agreement Regarding The Dissolution of The Solms Landing Public Improvement District Between The City And Solms Landing Development, LLC And the Jerome W. Timmermann Family Trust.

Mayor Brockman read the aforementioned Consent agenda item B into record.

Jared Werner presented this item.

The following individuals spoke to this item: William Rogers and Mr. Mahan.

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

Mayor Pro Tem Meadows requested Individual item 3F be moved to the beginning of the Individual Items for Consideration order.

Mayor Brockman stated Item 3C was pulled from consideration by staff.

Mayor Brockman addresses Item 3E and 3F at the beginning of Individual Items for Consideration.

- A) Public Hearing and first reading of an ordinance by the City Council of the City of New Braunfels, Texas incorporating the recently adopted charter amendments into a singular form.

Mayor Brockman read the aforementioned item into record.

Caitlin Krobot presented this item.

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

- B) Discuss and consider the appointment of 1 individual for a term ending April 18, 2024 to the Watershed Advisory Committee.

Mayor Brockman read the aforementioned item into record.

Caitlin Krobot presented this item.

The following individual spoke to this item: Larry Johnson.

Councilmember Bowers moved to appoint Ron Reaves to the Watershed Advisory Committee. Councilmember Hurta seconded the motion which passed unanimously via roll call vote.

- C) Discuss and consider approval of the appointment of 2 regular members and 2 alternate members for terms ending May 31, 2023, and 1 alternate member for an unexpired term ending May 31, 2022 to the Zoning Board of Adjustment.

Mayor read the aforementioned item into record and stated this item was pulled by staff.

- D) Public hearing and the first reading of an ordinance regarding Youth Programs Standards of Care for the Parks and Recreation Department.

Mayor Brockman read the aforementioned item into record.

Geronimo Aguirre presented this item.

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

- E) Discuss and consider approval of the second and final reading of an ordinance Regarding proposed rezoning of approximately 48 acres out of the O. Russell A-485 Survey 2, located in the 2200 block of FM 1102, from "M-1A" Light Industrial District To "MU-B" High Intensity Mixed Use District.

Mayor Brockman read the aforementioned into record.

Christopher Looney presented this item.

The following individuals spoke on this item: Thor Thornhill, Timothy Davis, David Gonzalez, Nicole Lawson, Tiffany Mendoza, and Ryan Garcia.

Mayor Pro Tem Meadows moved to postpone the item to June 14, 2021. (Mayor Pro Tem made note that in the past if a developer requests to postpone an item in the spirit of working with people in the area, Council has honored their request). Councilmember Hurta seconded the motion which passed 5-1 with Councilmember Spradley in opposition.

- F) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply Special Use Permit to allow a variety of residential and non-residential development on approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 614 & 720 W. Zipp Road, from "R-1A-6.6" Single Family District to allow uses allowed in the following zoning districts: "MU-B" High Intensity Mixed Use, "R-1A-4" Single-Family Small Lot Residential, "ZH-A" Zero Lot Line Home and "R-2A" Single and Two-Family Residential.

Mayor Brockman read the aforementioned into record.

Christopher Looney presented this item.

The following individuals spoke on this item: Timothy Davis, Caren Williams Mirch, Thor Thornhill, Matt Harrison, and Nicole Lawson.

Mayor Pro Tem Meadows moved to postpone the item to June 14, 2021. Councilmember Bowers seconded the motion which passed unanimously via roll call vote.

- G) Public hearing and consideration of a variance request to allow a proposed business, addressed at 494 North Seguin Avenue, to provide alcohol sales (wine and beer, on premises consumption) within 300 feet of a church.

Mayor Brockman read the aforementioned into record.

Christopher Looney presented this item.

The following individual spoke to this item: Rashmi Bhat.

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

- H) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow residential use in the M-2 Heavy Industrial District and short term rental of a single-family residence on approximately 0.15 acres out of the AM Esnaurizar A-1 Survey No. 1, addressed at 747 Oasis Street.

Mayor Brockman read the aforementioned into record.

Christopher Looney presented this item.

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

- I) 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 dwelling in the “C-3” Commercial District, addressed at 306 E. Faust Street.

Mayor Brockman read the aforementioned into record.

Christopher Looney presented this item.

The following individual spoke on this item: Jeff Coultas.

Councilmember Spradley moved to approve the item. Councilmember Hurta seconded The motion which passed unanimously via roll call vote.

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).

ADJOURNMENT

Mayor Brockman adjourned the meeting at 9:07 p.m.

Rusty Brockman, Mayor

Caitlin Krobot, City Secretary

DRAFT