

**FINAL - MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, JANUARY 27, 2025**

AGENDA

CALL TO ORDER

Mayor Linnartz called the meeting to order at 6:03pm.

CALL OF ROLL: CITY SECRETARY

Present: 6 - Mayor Neal Linnartz, Mayor Pro Tem Andres Campos, Councilmember Christopher Willis, Councilmember D. Lee Edwards, Councilmember Mary Ann Labowski, and Councilmember April Ryan

Absent: 1 - Councilmember Lawrence Spradley

REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.

INVOCATION: COUNCILMEMBER EDWARDS

Councilmember Edwards provided the invocation.

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

Mayor Linnartz led the Pledge of Allegiance and the Salute to the Texas Flag.

PRESENTATIONS:

A) Presentation and recognition of Juan Ortiz's retirement.

Mayor Linnartz read the aforementioned item.

Matthew Eckmann and Elizabeth Ghiorso introduced Juan Ortiz and recognized his retirement.

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. In the interest of protecting the City's network and data, the City is not accepting flash drives or electronic files for use during Citizens Communications. Please use hard copies, the overhead projector or access the City's online digital form to upload electronic files you would like the Mayor and Council to view. The digital form would need to be uploaded two (2) hours prior to the City Council meeting. A link to this form can be accessed on the City Secretary's website.

The following individuals spoke at this time: Bentley Paiz, David Warmke, Paul Williams

1. 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. Citizens must be present to pull an item.

David Warmke pulled item E for individual consideration.

Staff pulled item H for individual consideration.

Paul Williams pulled item K for individual consideration.

Action Items

- A) Approval of the January 13, 2025, minutes to the regular council meeting.
- B) Approval of a budget amendment for the FY 2025 Golf Course Fund budget totaling \$485,500 for completing the clubhouse deck and golf course bunker renovation permitting and design.
- C) Approval of an FY 2025 budget amendment for the General Fund and the Special Revenue Fund totaling \$265,000 to reallocate street maintenance funding.
- D) Approval to authorize the City Manager to execute an Interlocal Cooperative Purchasing Agreement with Galveston County, Texas in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code for goods and services.
- E) Approval of a contract with Landscape Commander, LLC for landscape maintenance services at City buildings and parks.

David Warmke pulled this item for individual consideration.

- F) Approval of a purchase with Fit Supply, LLC for fitness equipment for Das Rec and to declare the existing equipment as surplus.
- G) Approval of a purchase with Shade Pro for an outdoor shade structure for the Das Rec back lawn.
- H) Approval of a purchase with EZ-Go RXV for (64) golf carts, EZ-Go

RXV Passenger golf cart (1), EZ-Go Utility Hauler (1) for the Landa Park Golf Course through a Buy Board Contract and the associated budget amendment.

Staff pulled this item to request postponement due to a clerical error.

Ordinances

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

- I) Approval of the first reading of an ordinance regarding an amendment to Chapter 118 Subdivision Platting, Section 118-30. - Certificates and statements
- J) Approval of the second and final reading of an ordinance to amend Section 126-346 and Section 126-369 of the Code of Ordinances of the City of New Braunfels to revise no parking and loading zones in the Cotton Crossing subdivision.
- K) Approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 1.7 acres out of the Tri-Acres Subdivision, Lots 2 and 3, from C-1A AH (Neighborhood Business Airport Hazard Overlay District) and R-3 AH (Multifamily Airport Hazard Overlay District) to C-1B AH SUP (General Business Airport Hazard Overlay District with a Special Use Permit), currently addressed at 1182 & 1212 Old FM 306.

Paul Williams pulled this item for individual consideration.

Approval of the Consent Agenda

Mayor Linnartz read the aforementioned consent agenda with the exception of items E, H, and K.

Councilmember Ryan made a motion to approve the consent agenda with the exception of items E, H, and K. Mayor Pro Tem Campos seconded the motion which passed unanimously.

2. INDIVIDUAL ITEMS FOR CONSIDERATION

E-1) Approval of a contract with Landscape Commander, LLC for landscape maintenance services at City buildings and parks.

David Warmke pulled this item for individual consideration.

Mayor Linnartz read the aforementioned item.

David Warmke asked questions about the item.

Matthew Eckmann clarified the item.

Councilmember Edwards motioned to approve this item. Councilmember Willis seconded the motion which passed unanimously.

H-1) Approval of a purchase with EZ-Go RXV for (64) golf carts, EZ-Go RXV Passenger golf cart (1), EZ-Go Utility Hauler (1) for the Landa Park Golf Course through a Buy Board Contract and the associated budget amendment.

Mayor Linnartz read the aforementioned item.

Staff requested for the item to be postponed to the first regularly scheduled meeting in February.

Councilmember Ryan motioned to postpone this item to the first regularly scheduled meeting in February. Councilmember Labowski seconded the motion which passed unanimously.

K-1) Approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 1.7 acres out of the Tri-Acres Subdivision, Lots 2 and 3, from C-1A AH (Neighborhood Business Airport Hazard Overlay District) and R-3 AH (Multifamily Airport Hazard Overlay District) to C-1B AH SUP (General Business Airport Hazard Overlay District with a Special Use Permit), currently addressed at 1182 & 1212 Old FM 306.

Paul Williams pulled this item for individual consideration.

Mayor Linnartz read the aforementioned item.

James Ingalls spoke regarding this item.

Christopher Looney addressed concerns.

The following individuals spoke at this time: Paul Williams

Councilmember Willis motioned to approve this item. Councilmember Edwards seconded the motion which passed unanimously.

A) Public hearing and first reading of an ordinance regarding the

proposed rezoning of approximately 60 acres out of the A.M. Esnaurizar Survey, Abstract 20, from R-3L AH (Multifamily Low Density Airport Hazard Overlay District) to R-1A-4 AH (Single-Family Small Lot Residential Airport Hazard Overlay District), currently addressed at 1280 Saengerhalle Road

Mayor Linnartz read the aforementioned item.

Christopher Looney presented the item to council using a powerpoint and answered questions.

Applicant representative Shannon Mattingly addressed council.

The following individuals spoke at this time: David Warmke, Pam Kraft

Councilmember Edwards motioned to approve this item. This item failed for lack of a second.

B) Public hearing and first reading of an ordinance to rezone 0.15 acres out of the Jahn Addition Subdivision, New City Block 1022, Block 11, Lot 1, from M-1 (Light Industrial District) to M-1 SUP (Light Industrial District with a Special Use Permit for a Telecommunications Tower), currently addressed at 514 S Castell Ave.

Mayor Linnartz read the aforementioned item.

Mayor Pro Tem Campos recused himself.

Christopher Looney presented the item to council using a powerpoint and answered questions.

Applicant representatives presented their portion of the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Rick Smith, Damon Bendock, Jill Liteman, David Azuna

Councilmember Willis expressed concern over the setback and location of the proposed tower and mentioned the possibility of giving an extension to the applicant to vet other sites.

Mayor Linnartz expressed concerns over the setback of the proposed tower and mentioned the possibility of giving a time extension but stated that could not be taken up as it is not on the agenda.

Councilmember Labowski stated that she agreed and that the proposed location was not the right location for the tower and that council should wait.

Mayor stated that he owns a commercial property within the red-ringed area shown by the applicant and was not contacted the by applicant.

Councilmember Willis motioned to deny this item. Councilmember Edwards seconded the motion which passed unanimously.

Absent:

Councilmember Spradley

Recused:

Mayor Pro Tem Campos

- C) Discuss and consider the second and final reading of an ordinance to rezone 0.22 acres out of the Parkview Estates Subdivision, Unit 1, Block 1, Lot 8, from C-1 (Local Business District) to C-1 SUP (Local Business District with a Special Use Permit for a Short-Term Rental of a residence), currently addressed at 443 Lockener Avenue

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Joel Fergosa

Councilmember Edwards motioned to approve this item. Mayor Pro Tem Campos seconded the motion which passed unanimously.

Absent:

Councilmember Spradley

- D) Public hearing and first reading of an ordinance to rezone approximately 17 acres out of the Freiheit 2 Subdivision, Block 4, Lots 2, 3, and 4, from R-2 AH (Single Family and Two-Family Airport Hazard Overlay District) to MU-B AH SUP (High-Intensity Mixed Use Airport Hazard Overlay District with a Special Use Permit to allow Industrial and Commercial Uses), currently addressed at 622 South Kowald Lane

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented the item to council using a powerpoint and answered questions.

Applicant representative Shannon Mattingly presented her portion of the item using a powerpoint and answered questions.

Councilmember Willis motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.

Absent:

Councilmember Spradley

- E) Public hearing regarding proposed amendments to the Mayfair Development and Design Control Document (DDCD) pertaining to maximum driveway width allowance for single-family residential lots sixty feet or greater in width, an update to the Parks Schedule and Master Framework Plan, and revisions to minimum parking requirements.

Mayor Linnartz read the aforementioned item.

Christopher Looney presented the item to council using a powerpoint and answered questions.

The following individuals spoke at this time: Mike Meek

Councilmember Edwards motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.

Absent:

Councilmember Spradley

- F) Public hearing and first reading of an ordinance to rezone 0.55 acres out of the Unicorn Heights Subdivision, Extension 4, Lot 13, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Auto Body Repair), currently addressed at 950 IH 35 South

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented the item to council using a powerpoint and answered questions.

Applicant Carlos Alonzo addressed council and answered questions.

Councilmember Ryan motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.

Absent:

Councilmember Spradley

G) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 10.43 acres out of the Orilla Russell Survey, Abstract No. 485, from APD AH (Agricultural/Pre-development Airport Hazard Overlay District) to M-1A AH (Light Industrial Airport Hazard Overlay District), currently addressed at 3137 FM 1102

Mayor Linnartz read the aforementioned item.

Matthew Simmont presented the item to council using a powerpoint and answered questions.

Councilmember Edwards motioned to approve this item. Mayor Pro Tem Campos seconded the motion which passed unanimously.

Absent:

Councilmember Spradley

3. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

- A) 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, including but not limited to:
 - Federal Telecommunications Act
 - NBU impact fees for McWhinney Ploetz Development

- B) Deliberate issues regarding economic development negotiations in accordance with Section 551.087 of the Texas Government Code:
 - 1. Project Nemo

The aforementioned items took place during Executive Session.

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

No action was taken at this time.

ADJOURNMENT

Mayor Linnartz adjourned at 7:46pm.

By: _____
NEAL LINNARTZ, MAYOR

Attest:

GAYLE WILKINSON, CITY SECRETARY