

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, APRIL 24, 2017**

The City Council of the City of New Braunfels, Texas, convened in a Regular Session on April 24, 2017, at 6:00 p.m.

Councilmembers present were:

Present: 6 - Mayor Barron Casteel, Councilmember George Green, Councilmember Justin Meadows, Councilmember Chris Monceballez, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

Absent: 1 - Councilmember Ron Reaves

City Staff present were:

City Manager Robert Camareno, Assistant City Manager Kristi Aday, City Attorney Valeria Acevedo, City Secretary Patrick Aten, Assistant City Secretary Andrea Cunningham, Planning and Community Development Director Christopher Looney, and Senior Planner Holly Mullins.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:01 p.m. Councilmember García gave the invocation; and Mayor Casteel led the Pledge of Allegiance and the Salute to the Texas Flag.

PROCLAMATIONS:

A) Crawfest Days

Mayor Casteel proclaimed April 28-30, 2017, as New Braunfels Crawfest Days.

B) Cinco de Mayo

Mayor Casteel proclaimed May 5, 2017, as Cinco De Mayo Day.

1. MINUTES

A) Discuss and consider approval of the minutes of the special and regular City Council meetings of April 10, 2017.

Mayor Casteel read the aforementioned caption.

A motion was made by Councilmember Green, seconded by Mayor Pro Tem Peters, that this item be approved. The motion passed unanimously.

2. CITIZENS' COMMUNICATIONS

No one spoke during Citizens' Communications.

3. CONSENT AGENDA

- A) Approval for the City Manager to enter into an agreement with JR Raymond Demolition for the demolition of the structures located on the property at 302 South Castell Avenue.
- B) Approval of the first reading of an ordinance to create parking restrictions in river-related areas.
- C) Approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to add a no parking zone on Comal Avenue at East Jahn Street.
- 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 Parking by Permit Area B.

Approval of the Consent Agenda

Mayor Casteel read the aforementioned captions. A motion was made by Mayor Pro Tem Peters, seconded by Councilmember García, to approve the Consent Agenda. The motion passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Public hearing and consideration of the first reading of an ordinance regarding a rezoning request to apply a Special Use Permit to 1.186 acres out of the A-155, SUR-35 A P Fuquay Survey, Comal County, Texas, to allow the temporary placement and habitation of a travel trailer for resident security and operation of a Christmas tree sales lot with unimproved parking in the "C-1" Local Business District, addressed at 1293 FM 306.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

No one spoke during the public hearing.

Michael Biggs, the applicant, addressed questions from City Councilmembers.

A motion was made by Councilmember Green, seconded by Councilmember Meadows, that this item be approved. The motion passed via the following vote:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Mayor Pro Tem Peters, and Councilmember García

Opposed:

Councilmember Monceballez

- B) Public hearing and consideration of the first reading of an ordinance regarding a requested rezoning to apply a Special Use Permit to 1.089 acres, Lot 2-R, Moeller Subdivision, to allow the temporary placement and habitation of a travel trailer for resident security and an unimproved parking lot with the operation of a Christmas tree sales lot in the "C-3" Commercial District, addressed at 2742 FM 725.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

No one spoke during the public hearing.

A motion was made by Councilmember Meadows, seconded by Councilmember García, that this item be approved with staff recommendations. The motion passed unanimously.

- C) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the "Bailey's Pond" Planned Development District Detail Plan and related Development Standards, located on approximately 30 acres of land out of the A. M. Esnaurizar A-20 Survey, addressed at 1141 Highway 46 South.

Mayor Casteel read the aforementioned caption

Christopher Looney presented the item.

Chad Johannesen and Rebecca Lujan spoke during the public hearing.

The item failed due to lack of a motion.

- D) Discuss and consider a waiver from the requirement to construct public sidewalks adjacent to proposed Lots 1 and 2, Block 1, Kerlick Place Subdivision.

Mayor Casteel read the aforementioned caption.

Christopher Looney presented the item.

A motion was made by Mayor Pro Tem Peters, seconded by Councilmember Monceballez, to deny the sidewalk construction waiver, and to require the applicant to escrow funds. The motion passed unanimously.

5. EXECUTIVE SESSIONS

- 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, specifically:
- Carowest Land, Ltd. v. Yantis Company and the City of New Braunfels, (2010, 2015 and 2017 cases)
 - Alta Towers, LLC v. City of New Braunfels and City of New Braunfels Zoning Board of Adjustment
- B) Deliberate and consider the purchase of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:
- acquisition of land for city facilities

Mayor Casteel read the aforementioned caption

City Council recessed into Executive Session from 6:56 p.m. - 7:38 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 7:38 p.m.

Mayor Casteel announced that the City Council discussed only Item A; Item B was not discussed in Executive Session.

No action or vote was taken.

This regular meeting adjourned at 7:38 p.m.

Date Approved: May 8, 2017

BARRON CASTEEL, MAYOR

Attest:

PATRICK ATEN, CITY SECRETARY