

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, MARCH 13, 2017**

The City Council of the City of New Braunfels, Texas, convened in a Regular Session on March 13, 2017, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember George Green, Councilmember Justin Meadows, Councilmember Ron Reaves, Councilmember Chris Monceballez, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

City Staff present were:

City Manager Robert Camareno, Assistant City Manager Kristi Aday, Assistant City Attorney J. Frank Onion, City Secretary Patrick Aten, Assistant City Secretary Andrea Cunningham, Public Works Director Greg Malatek, and Environmental Services Manager Bryan Ruiz.

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

PRESENTATIONS:

Robert Camareno presented an update on the Self Insurance Fund.

Holmes Murphy & Associates Vice President of Business Development, Jarrad Wills, spoke regarding the item.

1. MINUTES

- A) Discuss and consider approval of the minutes of the special and regular City Council meetings of February 27, 2017.

Mayor Casteel read the aforementioned caption.

A motion was made by Councilmember Green, seconded by Councilmember García, that this item be approved. The motion passed unanimously.

2. CITIZENS' COMMUNICATIONS

No one spoke during Citizens' Communications.

3. CONSENT AGENDA

- A) Approval of the appointment of one individual to the Animal Services Advisory Board for a term ending November 1, 2019.
- B) Approval of the appointment of two individuals to the Downtown Board for terms ending May 31, 2019.
- C) Approval of a resolution adopting an order cancelling the May 6, 2017 Regular Election for Mayor and City Council Districts Five and Six; and declaring the candidates for Mayor and City Council Districts Five and Six Elected.
- D) Approval of the purchase of replacement firefighter personal protective equipment from NAFECO, Inc., and declaring the old equipment surplus.
- E) Approval for the submission of a grant application to the American Library Association Public Programs Office to participate in the NASA@ My Library STEM Education initiative and authorizing the City Manager to accept funds and execute all contract documents associated with the grant, if awarded.
- F) Approval of a resolution recommended by the New Braunfels Industrial Development Corporation to provide up to \$450,000 to the City of New Braunfels for a project to operate and maintain Landa Park Golf Course at Comal Springs.
- G) Approval of indefinite delivery indefinite quantity contracts with additional professional services firms on an as-needed basis.
- H) Approval of an interlocal agreement between the City of New Braunfels and Comal County for the County to occupy approximately 5,700 square feet, have shared use of approximately 1,200 square feet and use of approximately 0.30 acres of adjacent property, located at 424 S. Castell Avenue for use as County offices and court facilities, and authorization for the City Manager to execute all necessary documents.
- I) 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 A.

- J) Approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to create no parking zones on Floral Avenue and Rainy Creek.
- K) Approval of the second and final reading of an ordinance regarding a proposed amendment to the "Highland Grove" Planned Development District Concept Plan and related Development Standards, on property comprising 228.68 acres located south and east of the intersection of Rueckle Road and Morningside Drive.

Approval of the Consent Agenda

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

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the appointment of one individual to the Library Advisory Board for a term ending September 26, 2019.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

A motion was made by Councilmember Green, seconded by Mayor Pro Tem Peters, to approve the appointment of Connie Born to the Library Advisory Board for a term ending September 26, 2019. The motion passed unanimously.

- B) 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 B.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

Josefa Cedillo, Violet Tanneberger, and Frank Szehner spoke during the public hearing.

A motion was made by Mayor Pro Tem Peters, seconded by

Councilmember García, that this item be postponed to the next regular City Council meeting on March 27, 2017. The motion passed via the following vote:

In Favor:

Mayor Casteel, Councilmember Meadows, Councilmember Reaves, Councilmember Monceballez, Mayor Pro Tem Peters, and Councilmember García

Opposed:

Councilmember Green

<City Council took a break.>

- C) Discuss and consider approval of the second and final reading of an ordinance amending Chapter 62, Article VII - Smoking in Public Places, of the Code of Ordinances, by amending definitions, adding electronic smoking devices, prohibiting smoking in bars, private clubs and hotel/motel rooms; adding vape shops to exceptions; and prohibiting outdoor smoking within five (5) feet of entrances, exits, operable windows and ventilation systems of places where smoking is prohibited.

Mayor Casteel read the aforementioned caption.

Bryan Ruiz presented the item.

Tim Souder, Chad Buchman, Joyce Yannuzzi, Joel Dunnington, Tony Siracusa, Corey Dement, Greg McFarland, Vance Hinton, and Jerry Saavedra spoke regarding the item.

A motion was made by Councilmember Monceballez, seconded by Councilmember Green, that this item be approved. A motion was made by Councilmember Meadows, seconded by Councilmember García, to amend the main motion by excluding bars and private clubs from the outside distance requirement.

Tim Souder, Jerry Saavedra, Joel Dunnington, and Island Toler spoke regarding the amendment.

The amendment passed 5 to 2, with Councilmembers Green and Monceballez opposed. The amended main motion passed via the following roll call vote:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Councilmember Reaves, Councilmember Monceballez, and Mayor Pro Tem Peters

Opposed:

Councilmember García

The City Council did not adjourn into Executive Session.

This regular City Council meeting adjourned at 7:49 p.m.

Date Approved: March 27, 2017

BARRON CASTEEL, MAYOR

Attest:

PATRICK ATEN, CITY SECRETARY