

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, SEPTEMBER 25, 2017**

The City Council of the City of New Braunfels, Texas, convened in Regular Session on September 25, 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, City Attorney Valeria Acevedo, Assistant City Manager Kristi Aday, Assistant City Manager Bryan Woods, City Secretary Patrick Aten, Planning and Community Development Director Chris Looney, River Operations Manager Amy Niles, Public Works Director Greg Malatek, and Real Estate Manager Matthew Eckmann

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:04 p.m. Councilmember Green gave the invocation and Mayor Casteel led the Pledge of Allegiance and the Salute to the Texas Flag.

PROCLAMATIONS:

Mayor Casteel proclaimed October 5-8, 2017, as Gruene Music & Wine Fest Weekend.

Mayor Casteel proclaimed Marian Benson, Doug Miller, and Bette Spain as Living Legends of New Braunfels.

PRESENTATIONS:

A) 2017 River Season Report.

Mayor Casteel read the aforementioned caption.

Kristi Aday and Amy Niles presented the item.

No action was taken.

B) Presentation and possible action on new Recreation Center facility naming and branding.

Mayor Casteel read the aforementioned caption.

Kristi Aday presented the item.

Bob Gray spoke on the item.

Councilmember Reaves moved to name the new recreation center facility "Das New Braunfels Recreation Center" or "Das New Braunfels Rec Center" with the understanding that staff and the consultant will further discuss marketing options within those options and with leeway to develop options to later be presented to City Council. Councilmember Meadows seconded the motion which passed 6-1:

In Favor:

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

Opposed:

Councilmember Monceballez

- C) Presentation on proposed amendments to the Code of Ordinances, Chapter 144, Zoning.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

City Council directed Staff to look at M-1 Districts and their proximity to residential areas in regards to the proposed change to the zoning ordinance to allow crematoriums in the M-1, M-2, M-1A, and M-2A districts. City Council also directed Staff to come back to the next City Council meeting with recommendations on changes to the Code that would require City Council action for parking variance requests.

1. MINUTES

- A) Discuss and consider approval of the minutes of the special City Council meeting of September 5, 2017, and the regular City Council meeting of September 11, 2017.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the minutes. Councilmember Monceballez seconded the motion which passed unanimously.

2. CITIZENS' COMMUNICATIONS

No one spoke during Citizens' Communications.

<City Council took a break.>

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 the grant contract for the Routine Airport Maintenance Program through the Texas Department of Transportation in the amount of up to \$50,000 for eligible maintenance expenses and authorizing the City Manager to accept funds and to execute all contract documents associated with grant.
- B) Approval of an annual contract with Life Account, LLC d/b/a Compass Professional Health Services for healthcare consulting services for City employees.
- C) Approval of the renewal of an annual contract with Aetna Life Insurance Company for the provision of administrative services for the City's medical insurance.
- D) Approval of a resolution adopting the investment policy for the City of New Braunfels including the broker/dealer list
- E) Approval of a resolution designating the investment officers for the City of New Braunfels.
- F) Approval of an annual contract with Aetna Life Insurance Company for the provision of stop loss insurance for the City of New Braunfels.
- G) Approval of a purchase from Bluebonnet Motors, Inc. of two vehicles for the New Braunfels Police Department.

Ordinances

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

- H) Approval of the first reading of an ordinance amending Ordinance 2011-93, Section IV, by changing assignment pay for Criminal Investigator-Detective assignment within the Police Department.
- I) Approval of the second and final reading of an ordinance authorizing the number of positions in each classification in the New Braunfels Fire Department and New Braunfels Police Department pursuant to Local Government Code Chapter 143 as part of the annual budget process.
- J) Approval of the second and final reading of an ordinance granting the extension of rehabilitation tax relief for a second five year period to the property addressed as 193 W. San Antonio Street, a Local Historic Landmark known as the Jacob Schmidt Building.
- M) Approval of the second and final reading of an ordinance amending Section 114-92 of the City of New Braunfels Code of Ordinances to provide requirements for access near public highway-rail grade crossings.

Mayor Casteel read the aforementioned captions for Items 3A through 3M. Items 3K and 3L were pulled from the Consent Agenda for further discussion.

Councilmember Garcia moved to approve the Consent Agenda except Item 3K and 3L. Councilmember Monceballez seconded the motion which passed unanimously via roll call vote.

- K) Approval of the second and final reading of an ordinance amending Chapter 126-104 to conform to House Bill 62 adopted by the Texas Legislature in the 85th regular session that allows an operator of a motor vehicle to read, write, or send an electronic message on a wireless communication device while stopped, and provides affirmative defenses to prosecution.

Mayor Casteel read the aforementioned caption.

Councilmember Meadows moved to approve the item. Mayor Pro Tem Peters seconded the motion which passed 6-1 via roll call vote:

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

Opposed: Councilmember Green

- L) Approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on both sides of Loop 337 from State Highway 46 to 1,320 feet east of the intersection with Oakwood Boulevard.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

<City Council took a break.>

Councilmember Reaves moved to approve the item with the amendment that the ordinance become effective January 1, 2018. Councilmember Garcia seconded the motion which passed unanimously via roll call vote.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the second and final reading of an ordinance amending portions of the Code of Ordinances, Section 126-354 Parking by Permit Only, regarding the administration of parking permits.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

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

- B) Discuss and consider approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on Golf Course Road.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

Councilmember Reaves moved to approve the item with the amendment that the ordinance become effective December 1, 2017. Councilmember Meadows seconded the motion which passed unanimously via roll call vote.

- C) Discuss and consider a request for a conditional sign permit for a pole sign along the IH 35 Access Road at the future Long Motors at 116 IH 35 South.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Mayor Pro Tem Peters moved to approve the item with the condition no other free-standing signs be permitted on the property. Councilmember Garcia seconded the motion which passed unanimously.

- D) Discuss and consider authorizing the City Manager to execute a requested license agreement between West 209 Investments, LLC and the City of New Braunfels for sidewalk vault lights in the right-of-way adjacent to property addressed at 209 W. San Antonio Street.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Councilmember Reaves moved to approve the item. Councilmember Meadows seconded the motion which passed unanimously.

- E) Discuss and consider approval of additional expenditures for acquisition funds for the purchase of necessary properties on the Solms/Morningside Rueckle Road Reconstruction Project and Klein Road Reconstruction Project.

Mayor Casteel read the aforementioned caption.

Matt Eckmann presented the item.

Councilmember Green moved to approve the item. Councilmember Monceballez seconded the motion which passed 6-1:

In Favor:

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

Opposed:

Councilmember Reaves

- F) Discuss and consider possible direction to staff regarding the placement of brown street signs in the Gruene Historic District.

Mayor Casteel read the aforementioned caption.

Councilmember Monceballez moved to direct Staff to work to move forward with installing brown historic district street signs at four different intersections in Gruene. Councilmember Meadows seconded the motion which passed unanimously.

- G) Discuss and consider possible action on the creation of a Bond Advisory Committee.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item outlining membership and timeline of the committee.

Mayor Pro Tem Peters moved to approve the item with the committee members being appointed on October 23 and the at-large members being appointed on November 13. Councilmember Garcia seconded the motion which passed unanimously.

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 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:

- Stop the Ordinances Please, et. al. v. City of New Braunfels.

- B) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

Mayor Casteel read the aforementioned captions.

City Council recessed into Executive Session from 9:54 p.m. - 10:26 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 10:26 p.m.

No vote or action was taken.

The meeting adjourned at 10:27 p.m.

Date Approved October 9, 2017

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary