

**MINUTES  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, SEPTEMBER 24, 2018**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on September 24, 2018, at 6:00 p.m.

City Councilmembers present were:

**Present:** 6 - Mayor Barron Casteel, Councilmember Shane Hines, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

**Absent:** 1 - Councilmember Justin Meadows

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

**PROCLAMATIONS:**

A) Living Legends

**Mayor Casteel proclaimed Mike Dietert, Jackie Heitkamp, and Tobin Hoffmann as Living Legends of New Braunfels.**

B) Gruene Music & Wine Fest Weekend

**Mayor Casteel proclaimed October 4-7, 2018 as Gruene Music & Wine Fest Weekend.**

C) German-American Day

**Mayor Casteel proclaimed October 6, 2018 as German-American Day.**

D) 2018 River Season Teamwork

**Mayor Casteel recognized the combined efforts for the success of the 2018 river season.**

<Councilmember Bowers left the meeting.>

**PRESENTATIONS:**

A) 2018 River Season Report

**Mayor Casteel read the aforementioned caption.**

**Amy Niles and Judy Young presented the item.**

B) Update on the 175th Anniversary Celebration

**Mayor Casteel read the aforementioned caption.**

**Judy young presented the item.**

C) Comprehensive Solid Waste Management Plan

**Mayor Casteel read the aforementioned caption.**

**Mike Mundell and Michelle Leonard presented the item.**

<Councilmember Bowers returned tot he meeting.>

**1. MINUTES**

A) Discuss and consider approval of the minutes of the regular City Council meeting of September 10, 2018, and the special meetings of September 4 and September 17, 2018.

**Mayor Casteel read the aforementioned caption.**

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

**2. 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.

**Mayor Casteel read the aforementioned caption.**

**J.R. Couser spoke about downtown parking. Linda Holt spoke about noise in her neighborhood.**

**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 a resolution recommended by the Guadalupe Appraisal District approving roof repairs, exterior repairs, and parking expansion.
- B) Approval for reassignment of contracts with Schrickel, Rollins and Associates, Inc. to Parkhill, Smith, and Cooper, Inc.
- C) Approval of an annual expenditure with Galls Inc. for uniforms for the Fire and Police Departments for \$62,000.
- D) Approval of an annual contract with UnitedHealthcare for the provision of stop loss insurance for the City of New Braunfels.
- E) Approval to ratify a contract modification to The AMMO Group for Marketing of the Community Recreation Center/Das Rec for additional website development and social media efforts for \$23,600.
- F) Approval of a budget transfer in the FY 2017-18 General Fund, within the Parks and Recreation Department.
- G) Approval for the City Manager to enter into an interlocal agreement with New Braunfels Independent School District for cost participation and City use of Oak Run and New Braunfels Middle Schools' athletic fields for community recreation programming.
- H) Approval of an amendment to the contract between the City of New Braunfels and the Greater New Braunfels Chamber of Commerce Inc. concerning the use of Hotel Occupancy Tax and the appropriate budget amendment in the Hotel/Motel Tax Fund.
- I) Approval of a recommendation from the New Braunfels Utilities Board of Trustees to use Governmental Accounting Standards Board Statement 62 to defer a one-time pension expense that was incurred due to the Texas Municipal Retirement Plan benefit plan change.
- J) Approval of a recommendation from the New Braunfels Utilities Board of Trustees to use Governmental Accounting Standards Board

Statement 62 to defer lease payments associated with the Guadalupe-Blanco River Authority Mid-Basin Water Project.

#### *Ordinances*

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

- K) Approval of the first reading of an ordinance amending Ordinance 2011-93, specifically Section IV, by eliminating assignment pay for Criminal Investigator-Detective assignment within the Police Department.
- L) Approval of the first reading of an ordinance authorizing the assignment pay for Support Services assignments within the Fire Department.
- M) Approval of the second and final reading of an ordinance establishing the number of positions in each classification in the New Braunfels Fire Department and Police Department pursuant to Local Government Code, Chapter 143.
- N) Approval of the second and final reading of an ordinance annexing approximately 154 acres of land on the southeast corner of the intersection of FM 1044 and Klein Road, including the adjacent Klein Road right-of-way, adjacent to the existing city limits.
- O) Approval of the second and final reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 122-Taxation, Article II - Hotel Occupancy Tax, Section 122-36-Use of Proceeds, to allow use of hotel tax revenues to meet the Convention and Tourism Fund reserve balance of the Greater New Braunfels Chamber of Commerce.

**Mayor Casteel read the aforementioned captions.**

**Councilmember Garcia moved to approve the Consent Agenda. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.**

#### **4. INDIVIDUAL ITEMS FOR CONSIDERATION**

Councilmember Bowers moved to take item 4I and 4K out of order. Councilmember Garcia seconded the motion which passed unanimously.

- I) Public hearing and first reading of an ordinance regarding a proposed rezoning to apply a Special Use Permit to allow the short term rental of a single family residence in the "C-1" Local Business District addressed at 132 East North Street.

**Mayor Casteel read the aforementioned caption.**

**Councilmember Garcia moved to postpone the item to October 8. Councilmember Hines seconded the motion which passed unanimously.**

- K) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards, Articulation and Exterior Building Material requirements for a proposed office/warehouse development in the "C-1B" General Business District at 1913 Post Road.

**Mayor Casteel read the aforementioned caption.**

**Councilmember Garcia moved to postpone the item to October 8. Councilmember Hines seconded the motion which passed unanimously.**

- A) Discuss and consider approval of the appointment of two individuals to the Library Advisory Board for terms ending September 26, 2021.

**Mayor Casteel read the aforementioned caption.**

**Patrick Aten presented the item.**

**Councilmember Garcia moved to appoint Jeff Ayers and Ky Slone to the Library Advisory Board. Mayor Pro Tem Peters seconded the motion which passed unanimously.**

- B) Discuss and consider possible action regarding the FY 2019 Street Improvement Plan.

**Mayor Casteel read the aforementioned caption.**

**Greg Malatek presented the item.**

**Councilmember Garcia moved to approve the item. Councilmember Hines seconded the motion which passed unanimously.**

- C) Discuss and consider approval of an ordinance authorizing the issuance of the City of New Braunfels, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2018; levying an ad valorem tax and pledging certain surplus revenues in support of the certificates; approving an official statement, a paying agent/registrar agreement and other agreements relating to the sale and issuance of the certificates; and ordaining other matters relating to the issuance of the certificates.

**Mayor Casteel read the aforementioned caption.**

**Jared Werner and Andrew Friedman presented the item.**

**Mayor Pro Tem Peters moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously via roll call vote.**

<City Council took a break.>

- D) Discuss and consider approval to authorize the City Manager to enter into an interlocal agreement for the Biblioteka cloudLibrary cloudLink services with the member cities' Coordinating Committee of the cloudLibrary.

**Mayor Casteel read the aforementioned caption.**

**Gretchen Pruett presented the item.**

**Councilmember Hines moved to approve the item. Councilmember Bowers seconded the motion which passed unanimously.**

- E) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow short-term rental of a single-family residence in the "C-3" Commercial District addressed at 730 S. Mesquite Avenue.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

**Councilmember Hines moved to approve the item with staff recommendations. Councilmember Garcia seconded the motion**

**which passed 5-1 with Councilmember Hoyt opposed.**

- F) Public hearing and first reading of an ordinance regarding the proposed rezoning to apply a Special Use permit to allow short-term rental of a single-family residence in the "R-3" Multifamily District addressed at 274 N. Liberty Avenue.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

**Brad Adams spoke during the public hearing.**

**Councilmember Garcia moved to approve the item with staff recommendations. Councilmember Bowers seconded the motion which passed unanimously.**

- G) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 40.9 acres out of the A M Esnaurizar Survey, Abstract 20, located on the northwest corner of the intersection of State Highway 46 South and Saengerhalle Road from "APD" Agricultural/Pre-Development District and "R-2" Single-Family and Two-Family District to "C-1B" General Business District and "ZH-A" Zero Lot Line Home District.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

**Louis Cavallero, Victor Johnson, Matt Johnson, and Thor Thornhill spoke during the public hearing.**

**Councilmember Hoyt moved to approve the item. Councilmember Bowers seconded the motion which passed 5-1 with Councilmember Garcia opposed.**

- H) Public hearing and first reading of an ordinance regarding the proposed rezoning of 1 acre out of the L. Salinas Survey-458, Abstract 531, Comal County, Texas, addressed at 318 FM 1863, from "APD" Agricultural/Pre-Development District to "C-1A" Neighborhood Business District.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

**Carlton Henk and Thor Thornhill spoke during the public hearing.**

**Councilmember Hines moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.**

- J) Discuss and consider a waiver from the requirement to construct sidewalks along Schumanns Beach Road for the proposed final plat of E & S Subdivision.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

**Councilmember Hines moved to approve the item. 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 issues regarding economic development negotiations in accordance with Section 551.087, of the Texas Government Code, including but not limited to:
  - Project Rethread
- B) Deliberate the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code
  - Property for city facilities
- C) 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 9:02 p.m. - 10:10 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 10:10 p.m.

Mayor Pro Tem Peters moved to give a vote of confidence to the City Attorney, extend her contract for another year, and increase her salary to \$145,260 effective November 2, 2018. Councilmember Garcia seconded the motion which passed unanimously.

7. ADJOURNMENT

The meeting adjourned at 10:12 p.m.

Date Approved: October 8, 2018

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Barron Casteel, Mayor

Attest:

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Patrick Aten, City Secretary