

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, FEBRUARY 25, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on February 25, 2019, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember Shane Hines, Councilmember Justin Meadows, Councilmember Harry Bowers, Councilmember Matthew E. Hoyt, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

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

PROCLAMATIONS:

- A) Teen Dating Violence Awareness Month
Mayor Casteel proclaimed February 2019 as Teen Dating Violence Awareness Month.
- B) Rare Disease Day
Mayor Casteel proclaimed February 28, 2019, as Rare Disease Day.
- C) Comal County Habitat for Humanity 25th Anniversary
Mayor Casteel recognized the 25th Anniversary of the Comal County Habitat for Humanity.

PRESENTATIONS:

- A) Presentation on the City's Adopt-A-Spot River Clean-Up Program and acknowledgement of program participants

Mayor Casteel read the aforementioned caption.

Mark Enders and Amy Niles presented the item.

1. MINUTES

- A) Discuss and consider approval of the minutes of the regular City Council meeting of February 11, 2019.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the item. Mayor Pro Tem Peters 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.

Ray Lorence spoke about streets.

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 appointment of one individual to the Impact Fee Advisory Committee for a term ending January 10, 2021.
- B) Approval of the appointment of one individual to the Community Development Advisory Committee for a term ending December 13, 2021.
- C) Approval of an annual contract renewal with Clean Harbors Environmental Services Inc. for the collection, management, and disposal of household hazardous waste accepted at City sponsored events.
- D) Approval of the City of New Braunfels FY 2018-19 First Quarter Investment Report.
- E) Approval of an Addendum to Lease Agreement between the City of New Braunfels and Sweetwater Aviation, LLC.
- F) Approval to authorize the City Manager to enter into a development agreement between the City of New Braunfels, New Braunfels Utilities,

and August Fields, LP for utility modifications as part of the Alves Lane Improvements Project.

- G) Approval of the renewal of annual contracts which include: legal bond counsel services and school crossing guard services.
- H) Approval to authorize the City Manager to enter into a development agreement between the City of New Braunfels, New Braunfels Utilities, and Mosaic Land Development, LLC for utility modifications as part of the Solms Road/Morningside Drive/Rueckle Road Reconstruction Project.
- I) Approval of a special warranty deed between Pecan Crossing Owners Association, Inc and the City of New Braunfels for the conveyance of two drainage rights-of-way, Lots 112 and 113, Block 3, Pecan Crossing, Unit Four 4, a subdivision situated in the City of New Braunfels, Guadalupe County Texas.

Ordinances

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

- J) Approval of the first reading of an ordinance to amend Chapter 66 of the Code of Ordinances, Sections 26 and 52, regarding membership qualifications of the Heritage Commission and the Historic Landmark Commission.
- K) Approval of the second and final reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking, standing or stopping along a portion of Rainy Creek.

Mayor Casteel read the aforementioned captions.

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

4. INDIVIDUAL ITEMS FOR CONSIDERATION

Councilmember Meadows moved to take items 4H and 4K out of order. Councilmember Hines seconded the motion which passed 6-1 with Councilmember Hoyt opposed.

- H) Public hearing and first reading of an ordinance regarding the

proposed rezoning of Lots 2 and 3, Country Meadows Subdivision, addressed at 2254 and 2316 FM 725, from "R-1" Single Family District and "APD" Agricultural/Pre-Development District to "C-1A" Neighborhood Business District and "C-O" Commercial Office District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Sandi Watson spoke on the item.

Councilmember Meadows moved to postpone the item to April 8. Councilmember Garcia seconded the motion which passed unanimously.

K) Public hearing and first reading of an ordinance rezoning Lots A & B City Block 5023, addressed at 415 and 435 S. Union Avenue, from "R-2" Single and Two-family District to "C-O" Commercial Office District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Rafael Marfil, David Crabill, Wilton Warnecke, Patricia Freer, Alma Martinez, Debbie Freer, Wayman Jones, Violet Tannenberger, and John Grimsley spoke on the item.

The item failed due to lack of a motion.

A) Discuss and consider approval of the appointment of two individuals to the Landa Park Golf Course Advisory Board for terms ending December 31, 2021.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Hines moved to appoint John Coker and Chris Owen to the Landa Park Golf Course Advisory Board. Councilmember Hoyt seconded the motion which passed unanimously.

- B) Discuss and consider approval of the appointment of one individual to the Watershed Advisory Committee for a term ending April 18, 2022.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Hines moved to appoint Daniel Oldani to the Watershed Advisory Committee. Councilmember Bowers seconded the motion which passed unanimously.

- C) Discuss and consider approval of the second and final reading of an ordinance amending Section 86-7 of the Code of Ordinances to include \$20 paid parking on the north side of East San Antonio Street between the intersection with South Liberty Avenue and the Comal River bridge, and \$30 paid parking at the parking spaces on Hinman Island Drive annually from May 1 through Labor Day.

Mayor Casteel read the aforementioned caption.

Kristi Aday presented the item.

This item was read and deliberated at the same time as item D.

- D) Discuss and consider approval of the second and final reading of an ordinance amending the Code of Ordinances Section 86-7 Operation of Vehicles in Parks revising Subsection (d) by establishing a resident parking pass for Prince Solms Park and Landa Park parking lots located off Elizabeth Avenue.

Mayor Casteel also read this caption.

Kristi Aday presented the item.

Bob Wolf, Kelly Broussard, James Riegler, George Green, and Shane Wolf spoke on the items.

Justin Meadows moved to approve the items with a three-year free parking permit for residents, a \$5 replacement fee, and to be effective on portions of E. San Antonio Street, Hinman Island Drive, and Elizabeth Street; and a two-year \$40 sports pass with a \$5 replacement fee. Councilmember Garcia seconded the motion which passed

unanimously via roll call vote.

<City Council took a break.>

- E) Public hearing and first reading of an ordinance rezoning approximately six acres out of the William Mockford Survey 285, addressed at 2850 Loop 337, from “R-2” Single and Two-family District to “C-1B” General Business District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

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

- F) Public hearing and consideration of the proposed Veramendi Sector Plan 2 within the Veramendi Water Improvement District #1 encompassing approximately 564 acres out of the Juan Martin de Veramendi Survey No. 2 Abstract 3, including property fronting Loop 337, from approximately 500 feet east of Independence Drive extending eastward to approximately 4,000 feet east of Oakwood Church, excluding the church property, and property east of the intersection of Oak Run Parkway and Geneva Street.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Mayor Pro Tem Peters moved to approve the item. Councilmember Bowers seconded the motion which passed unanimously.

- G) Public hearing and first reading of an ordinance regarding the proposed rezoning of 78.93 acres of land out of Subdivision 13 of the A.M. Esnaurizar Eleven League Grant, addressed at 4958 IH 35 North from “APD” Agricultural/Pre-Development District to “ZH-A” Zero Lot Line Home District.

Mayor Casteel read the aforementioned caption.

This item was withdrawn by the applicant. No action was taken.

- I) Public hearing and first reading of an ordinance regarding the proposed rezoning of 1.473 acres out of the Henry Foster Survey No. 34, Abstract No. 154, addressed at 1290 Rivercrest Dr. and 1293 Hillcrest Dr., to apply a Special Use Permit to allow a car wash in the "C-1" Local Business District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Daniel McCutchen, Thor Thornhill, and Glenn Effenberger spoke on the item.

Councilmember Hoyt moved to approve the item with a ten-foot masonry wall abutting the residences, enclose the conveyor and blower on the west side, enclose the roof of the conveyor and blower area, and add a four-foot masonry wall across a portion of the northwest edge of the business. Councilmember Hines seconded the motion which passed unanimously.

- J) Public hearing and first reading of an ordinance regarding the proposed rezoning of 97.27 acres out of the J S Johnson Survey, Abstract 190 and 91.422 acres out of the Sarah Dewitt Survey, Abstract 103, located north of the terminus of Sunshine Lane, southeast of the Legend Pond Subdivision and surrounding property addressed at 910 W. Zipp Rd., from "R-1A-6.6" Single Family District, "APD" Agricultural/Pre-Development District and Zipp Meadows Planned Development District to "ZH-A" Zero Lot Line Home District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Thor Thornhill spoke on the item.

Councilmember Meadows moved to approve the item. Councilmember Hines 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 the purchase, exchange, lease or value of real estate in accordance with Section 551.072 of the Texas Government Code
 - Property for city facilities

The City Council did not recess into Executive Session.

NOTE: The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).

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

7. ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Date Approved: March 11, 2019

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary