

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, MAY 13, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on May 13, 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 6:00 p.m. Councilmember Bowers gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

A) Small Business Week

Mayor Casteel proclaimed May 5-11, 2019 as Small Business Week.

B) Drug Court Month

Mayor Casteel proclaimed May 2019 as Drug Court Month.

C) Flood Awareness Week

Mayor Casteel proclaimed May 19-25, 2019 as Flood Awareness Week.

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of April 22, 2019.

Mayor Casteel read the aforementioned caption.

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

Rusty Brockman spoke about the Memorial Day Ceremony on May 27.

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 Arts Commission recommendations for allocating grant awards from hotel occupancy tax to various arts organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.
- B) Approval of the Heritage Commission recommendations for allocating grant awards from hotel occupancy tax to various heritage organizations of the City and authorizing the City Manager to execute contracts with the aforementioned organizations for the purpose of disbursement and use of funding.
- C) Approval of a budget amendment in the FY 2018-19 2013 General Obligation Bond Fund.
- D) Approval of the City of New Braunfels FY 2018-19 Second Quarter Investment Report.
- E) Approval of a construction contract with D&M Owens for construction of additional parking at Das Rec, materials testing contract with Raba Kistner and approval for the City Manager to approve all other expenditures up to the contingency amount.

Ordinances

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

- F) Approval of the first reading of an ordinance amending Appendix D-Fee Schedule in the City's Code of Ordinances to authorize the rounding down the total of fees owed to the nearest whole dollar amount.

- G) Approval of the first reading of an ordinance amending the Code of Ordinances Section 86-97 Landa Park miniature golf and paddle boat fees.

Mayor Casteel read the aforementioned captions.

Councilmember Hines moved to approve the Consent Agenda. Councilmember Garcia seconded the motion which passed unanimously.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Canvass returns of the regular and special elections of May 4, 2019.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Hines moved to accept the results of the canvass. Councilmember Garcia seconded the motion which passed unanimously.

- B) Discuss and consider approval of an ordinance declaring the canvass and result of the Regular election held on May 4, 2019, to elect one member of the New Braunfels City Council; containing a savings clause; declaring an effective date; and declaring an emergency.
- C) Discuss and consider approval of an ordinance declaring the canvass and result of an election held on May 4, 2019, to submit four (4) propositions to the registered voters of the City of New Braunfels, Texas, regarding the issuance of general obligation bonds by the city; containing a savings clause; declaring an effective date; and declaring an emergency.

Mayor Casteel read the aforementioned captions 4B and 4C together.

Patrick Aten presented the items.

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

- D) Discuss and consider approval of a resolution authorizing the Texas Housing Foundation to exercise its powers within the territorial boundaries of the City of New Braunfels to develop an affordable housing project; and authorizing the city manager to execute a cooperation agreement.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

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

- E) Discuss and consider the approval of the appointment of five individuals to the Downtown Board for a term ending May 31, 2022.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Hines moved to appoint Robin Jeffers, Kelly Broussard, Cathy Talcott, Wade Goodwin, and Dani Hensley to the Downtown Board. Councilmember Bowers seconded the motion which passed unanimously.

Councilmember Hines moved to reconsider the item. Mayor Pro Tem Peters seconded the motion which passed unanimously. Councilmember Hoyt moved to appoint Robin Jeffers, Kelly Broussard, Cathy Talcott, Michael Agnese, and Dani Hensley to the Downtown Board. Councilmember Garcia seconded the motion which passed unanimously.

- F) Discuss and consider approval of a resolution authorizing the City Manager to enter into an Advance Funding Agreement with the Texas Department of Transportation to purchase Advanced Traffic Management System software for traffic signals in the City of New Braunfels.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

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

- G) Discuss and consider approval of the second and final 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-O" Commercial Office District on 1.795 acres out of the AP Fuquay Survey 35 A-15, addressed at 1193 Gruene Road.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

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

- H) Discuss and consider approval of the second and final reading of an ordinance regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family residence in the "C-2" General Business District, addressed at 352 W. Mill Street.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Councilmember Hines moved to approve the item with the condition of maximum occupancy of 10 adults. Councilmember Bowers seconded the motion which passed 6-1 via roll call vote, with Councilmember Hoyt opposed.

- I) Discuss and consider approval of the second and final reading of an ordinance regarding the proposed amendment to the "Cotton Cottages" Planned Development District (CCPD) Concept Plan, Detail Plan and related Development Standards, comprising 5.732 acres out of Lot 2A-1, F & M Hanz Estate Resubdivision, located on the south side of Hanz Drive between Loop 337 and Gruene Road.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

Michael Flume spoke on the item.

Councilmember Meadows moved to approve the item with a condition that only four units be built on the tract. Mayor Pro Tem Peters seconded the motion which passed 4-3 via roll call vote with Councilmembers Hines, Hoyt, and Garcia opposed.

J) Public hearing regarding the proposed amendment to Veramendi, Sector Plan 1A, within the Comal County Water Improvement District #1, encompassing 273.37 acres out of the Juan Martin de Veramendi Survey No.2, Abstract 3, including property adjacent to and east of the Oak Run Subdivision.

Mayor Casteel read the aforementioned caption.

Stacy Snell presented the item.

No one spoke during the public hearing. No action was taken.

K) Public hearing and approval of the first reading of an ordinance granting rehabilitation tax relief for a five-year period to the property addressed as 575 S. Hill Avenue, a contributing resource in the Sophienburg Hill Historic District.

Mayor Casteel read the aforementioned caption.

Amy McWhorter presented the item.

No one spoke during the public hearing.

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

L) Public hearing and approval of the first reading of an ordinance granting rehabilitation tax relief for a five-year period to the property addressed as 564 S. Hill Avenue, a contributing resource in the Sophienburg Hill Historic District and a local Historic Landmark known as the Kopplin-Leitch House.

Mayor Casteel read the aforementioned caption.

Amy McWhorter presented the item.

No one spoke during the public hearing.

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

M) Discuss and consider a request to consent to the creation of the Lone Oak Farm MUD (Municipal Utility District) within the City's ETJ within Guadalupe County.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Kelly Leach spoke on the item.

Councilmember Hines moved to consent to the creation of the municipal utility district with staff recommendations. Councilmember Meadows seconded the motion which passed 6-1 with Councilmember Garcia opposed.

N) Discussion and possible direction to staff to review ordinances related to traveling exotic animals within the city limits.

Mayor Casteel read the aforementioned caption.

Councilmember Hoyt presented the item.

Council gave direction to staff to review definitions of animal cruelty, including the specific prohibition of bull hooks. After review, possible revisions will be vetted through the Animal Services Advisory Board.

7. ADJOURNMENT

The City Council did not recess into Executive Session.

The meeting adjourned at 7:35 p.m.

Date Approved: May 28, 2019

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary