

**MINUTES  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, AUGUST 12, 2019**

The City Council of the City of New Braunfels, Texas, met in a Regular Session on August 12, 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. Mayor Pro Tem Peters gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

**PROCLAMATIONS:**

A) Payroll Week

**The proclamation was not presented.**

**PRESENTATIONS:**

A) Presentation of the Airport Master Plan Update.

**Mayor Casteel read the aforementioned caption.**

**Robert Lee introduced the item. Michael Mallonee presented the item.**

**No action was taken.**

**1. MINUTES**

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

**Jim Holster, Jonathan McJunkin, and Pam Timmerman spoke.**

### **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) Acceptance of approximately 41 acres out of ABS 20 A.M. Esnaurizar Survey into the City of New Braunfels' extraterritorial jurisdiction located west of SH 123 N and north of Harboth Road.
- B) Approval of the City of New Braunfels FY 2018-19 Third Quarter Investment Report.
- C) Approval of a resolution of support for the Texas Department of Transportation's 2020 Unified Transportation Plan.
- D) Approval of a resolution authorizing the submission of projects for the 2019 Safe Routes to School Program.

#### *Ordinances*

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

- E) Approval of the first reading of an ordinance amending Section 126-346 (f) of the City of New Braunfels Code of Ordinances to restrict parking in front of the NBU access gate on Hunter Road.
- F) Approval of the first reading of an ordinance amending Section 126-146 (a) and adding Section 126-147 of the City of New Braunfels Code of Ordinances to revise the school speed zones on FM 1101.
- G) Approval of the second and final reading of an ordinance regarding the proposed rezoning of approximately 0.80 acres out of the A M

Esnaurizar Survey, addressed at 947 State Highway 46 South, from "R-2" Single and Two-family District to "MU-B" High Intensity Mixed Use District.

**Mayor Casteel read the aforementioned captions, except item H which was pulled from the Consent Agenda by Mayor Pro Tem Peters for further discussion.**

**Councilmember Hines moved to approve the Consent Agenda except item H. Councilmember Hoyt seconded the motion which passed unanimously via roll call vote.**

- H) Approval of the second and final reading of an ordinance regarding the proposed rezoning to amend an existing Special Use Permit to allow a commercial tuber entrance and takeout in the "C-4" Commercial Resort District on property presently addressed as 444 East San Antonio Street.

**Mayor Casteel read the aforementioned caption.**

**Stacy Snell presented the item.**

**Mayor Pro Tem Peters moved to approve the item with an added condition that the subject use remains subject to regulation by the TDLR, including the TDLR Variance Results Report issued to Gregg Weston issued June 2017 that allowed for postponement of compliance with Texas Accessibility Standards until future alterations or renovations are initiated or until a complaint is filed, whichever occurs first. Councilmember Hines 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 regarding amendments to Chapter 144, Zoning, Section 3.3-11, M-1 Light Industrial, Section 3.3-12, M-2 Heavy Industrial, Section 3.4-18, M-1A Light Industrial, Section 3.4-19, M-2A Heavy Industrial, and Section 4.2, Land Use Matrix.  
Staff recommends postponement of this item.

**Mayor Casteel read the aforementioned caption.**

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

- B) Public hearing and adoption of a resolution accepting 24.12 acres out of ABS 20 A.M. Esnaurizar Survey into the City of New Braunfels' extraterritorial jurisdiction located on the west side of SH 123 N, north of Harboth Road.

**Mayor Casteel read the aforementioned caption.**

**Stacy Snell 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.**

- C) Discuss and consider approval of the first reading of an ordinance to amend Chapter 6 of the City's Code of Ordinances prohibiting the use and display of bull hooks, and addressing the care of animals used in performing exhibitions.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

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

- D) Discuss and consider direction to staff regarding legislative priority recommendations to submit to the Texas Municipal League for inclusion in their advocacy efforts; and discuss appointment of a delegate to serve as the City's Liaison at the TML Annual Business Meeting.

**Mayor Casteel read the aforementioned caption.**

**Chris Looney presented the item.**

**No action was taken.**

## **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 Nautilus
  - Project Go
  - Project Maintenance
  - Cemex
- 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 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:
  - Water Districts

**Mayor Casteel read the aforementioned captions.**

**The City Council recessed into Executive Session from 6:48 p.m. - 7:42 p.m.**

**No vote or action was taken.**

*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.**

**The City Council reconvened into Open Session at 7:43 p.m.**

**No vote or action was taken.**

7. **ADJOURNMENT**

The meeting adjourned at 7:43 p.m.

Date Approved: August 26, 2019

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Barron Casteel, Mayor

Attest:

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Patrick Aten, City Secretary