

**FINAL - MINUTES  
OF THE NEW BRAUNFELS CITY COUNCIL  
REGULAR MEETING OF MONDAY, NOVEMBER 25, 2024**

**AGENDA**

**CALL TO ORDER**

Mayor Linnartz called the meeting to order 6:00 p.m.

**CALL OF ROLL: CITY SECRETARY**

**Present:** 7 - Mayor Neal Linnartz, Mayor Pro Tem Andres Campos, Councilmember Christopher Willis, Councilmember D. Lee Edwards, Councilmember Lawrence Spradley, Councilmember Mary Ann Labowski, and Councilmember April Ryan

**REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.**

**INVOCATION: COUNCILMEMBER SPRADLEY**

Councilmember Spradley provided the invocation.

**PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG**

Mayor Linnartz led the Pledge of Allegiance and the Salute to the Texas Flag.

**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. In the interest of protecting the City's network and data, the City is not accepting flash drives or electronic files for use during Citizens Communications. Please use hard copies, the overhead projector or access the City's online digital form to upload electronic files you would like the Mayor and Council to view. The digital form would need to be uploaded two (2) hours prior to the City Council meeting. A link to this form can be accessed on the City Secretary's website.

**The following individuals spoke at this time: David Warmke**

**1. 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. Citizens must be present to pull an item.

**Consent items G, M, and N were pulled by David Warmke.**

*Resolutions & Action Items*

- A) Approval of the November 12, 2024 regular and executive session meeting minutes and the November 18, 2024 special meeting minutes.
- B) Approval of a contract modification with Clarion Associates, LLC for outreach and graphics services in association with a form-based zoning code for Downtown as part of the Land Development Ordinance (LDO).
- C) Approval of a professional services agreement with Freese and Nichols, Inc. for the completion of the plans, specifications, and cost estimates of the AAMPO Citywide Pedestrian Improvement Project.
- D) Approval of an amended engineering services agreement with TTL, Inc., for consulting services related to the Westside Library Construction Project.
- E) Approval of FY 2024 budget amendments for the General Fund, River Fund, Enterprise Equipment Replacement Fund, Facilities Maintenance Fund, Fleet Fund and the Downtown TIRZ Fund.
- F) Approval of an expenditure of \$280,000 to Schaefer Plastics North America, LLC for the purchase of residential refuse and recycling containers.
- G) Approval of a contract with E-Z Bel Construction for construction services for the Citywide Pedestrian Improvements Phase 1 Project and authority for the City Manager to approve changes and other necessary project expenditures up to the contingency.

**This item was pulled for individual consideration by David Warmke.**

- H) Approval of the Purchase of Vehicles from Reliable Chevrolet, for the City Police Department and approval to declare replaced units as surplus.
- I) Approval of purchases of vehicles and equipment with Centerline Supply Inc. and Siddons Martin Emergency Group, for various City Departments and approval to declare replaced units as surplus.
- J) Approval of a resolution of the City Council of the City of New Braunfels, Texas approving participation in settlement agreement between the State of Texas and Kroger; and authorizing the city

manager to execute all related documents, including the Subdivision Settlement Participation Form.

- K) Approval of a contract modification with ESP Associates, Inc. for professional services related to the Alligator Creek Trail West Project.
- L) Approval of a contract with SpawGlass Building Services for the renovation of the Landa Park Aquatic Complex Bathhouse and authorization for the City Manager to execute change orders up to the contingency amount.
- M) Approval of an FY 2025 Budget Amendment to various projects in the 2019 Bond Fund.

**This item was pulled for individual consideration by David Warmke.**

#### *Ordinances*

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

- N) Approval of a second and final reading of an ordinance designating Reinvestment Zone 2024-1 for tax abatement purposes, pursuant to Chapter 312 of the Texas Tax Code.

**This item was pulled for individual consideration by David Warmke.**

#### Approval of the Consent Agenda

**Mayor Linnartz read the aforementioned consent agenda items A, B, C, D, E, F, H, I, J, K, and L. Consent items G, M, and N were pulled for individual consideration.**

**Councilmember Edwards motioned to approve the consent agenda items A, B, C, D, E, F, H, I, J, K, and L. Councilmember Spradley seconded the motion which passed unanimously.**

## **2. INDIVIDUAL ITEMS FOR CONSIDERATION**

- 1-G) Approval of a contract with E-Z Bel Construction for construction services for the Citywide Pedestrian Improvements Phase 1 Project and authority for the City Manager to approve changes and other necessary project expenditures up to the contingency.

**This item was pulled for individual consideration by David Warmke.**

**Mayor Linnartz read the aforementioned item.**

**David Warmke asked questions regarding this item.**

**Garry Ford answered questions regarding this item.**

**Councilmember Spradley motioned to approve this item. Mayor Pro Tem Campos seconded the motion which passed unanimously.**

1-M) Approval of an FY 2025 Budget Amendment to various projects in the 2019 Bond Fund.

**This item was pulled for individual consideration by David Warmke.**

**Mayor Linnartz read the aforementioned item.**

**David Warmke asked questions regarding this item.**

**Karrie Cook answered questions regarding this item.**

**Councilmember Spradley motioned to approve this item. Councilmember Ryan seconded the motion which unanimously.**

1-N) Approval of a second and final reading of an ordinance designating Reinvestment Zone 2024-1 for tax abatement purposes, pursuant to Chapter 312 of the Texas Tax Code.

**This item was pulled for individual consideration by David Warmke.**

**Mayor Linnartz read the aforementioned item.**

**David Warmke asked questions regarding this item.**

**Jeff Jewell answered questions regarding this item.**

**Councilmember Ryan motioned to approve this item. Councilmember Labowski seconded the motion which passed unanimously.**

A) Public hearing and approval of a resolution to amend the River Road Principal Arterial thoroughfare between Loop 337 and Hueco Springs Loop Road in the City of New Braunfels Regional Transportation Plan.

**Mayor Linnartz read the aforementioned item.**

**Garry Ford presented this item using a powerpoint presentation and answered questions.**

**Councilmember Spradley motioned to approve this item.**

**Councilmember Labowski seconded the motion which passed unanimously.**

- B) Public hearing regarding the Program Year 2023 Consolidated Annual Performance and Evaluation Report for the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) and CDBG-CV Grant programs.

**Mayor Linnartz read the aforementioned item.**

**Jen Gates presented this item to council using a powerpoint presentation.**

- C) Public hearing and first reading of an ordinance to rezone approximately 0.3 acres out of the Villa Rio Subdivision, Block 1, Lot 1, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit for Short Term Rental of a Residence), currently addressed as 475 & 479 Barcelona Dr.

**Mayor Linnartz read the aforementioned item.**

**Christopher Looney presented this item using a powerpoint presentation.**

**Mayor Pro Tem Campos motioned to approve this item. Councilmember Ryan seconded the motion which passed unanimously.**

- D) Public hearing and first reading of an ordinance to rezone approximately 12 acres out of the J. Thompson Survey 21, Abstract 608, from M-1 (Light Industrial District) and APD (Agricultural/Pre-development District) to M-1A (Light Industrial District), currently addressed as 5309 IH 35 S.

**Mayor Linnartz read the aforementioned item.**

**Christopher Looney presented this item using a powerpoint presentation.**

**Mayor Pro Tem Campos motioned to approve this item. Councilmember Ryan seconded the motion which passed unanimously.**

- E) Public hearing and first reading of an ordinance to rezone approximately 9.4 acres out of the J.M. Veramendi Survey, Abstract No. 2, Comal County, from C-2 (General Business District), C-4

(Resort Commercial District) and M-1 (Light Industrial District) to MU-B SUP (High Intensity Mixed Use District with a Type 1 Special Use Permit), currently addressed at 373 & 403 E. Bridge St., 312, 340 & 373 E. Mill St., and 385 & 401 E. San Antonio St.

**Mayor Linnartz read the aforementioned item.**

**Jean Drew presented this item using a powerpoint presentation. Ashley Fairmond introduced herself as the applicant, presented powerpoint slides to council, and answered questions.**

**The following individuals spoke at this time: Tom Jones, Ashley Fairmond, David Warmke**

**Councilmember Labowski motioned to approve this item. Councilmember Ryan seconded the motion which passed unanimously.**

F) Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 2.7 acres out of the Sarah Dewitt Survey No. 48, Abstract No. 103, Guadalupe County, from APD SUP (Agricultural/Pre-development District with a Type 1 Special Use Permit) to C-1B (General Business District), located at the southwest corner of West Klein Road and Klein Meadows.

**Mayor Linnartz read the aforementioned item.**

**Matthew Simmont presented this item using a powerpoint presentation and answered questions. Matthew Simmont introduced Patrick C. as the applicant and presented powerpoint slides to council.**

**Councilmember Edwards motioned to approve this item with staff recommendations in rezoning to C1-A. Councilmember Spradley seconded the motion which passed unanimously.**

G) Public hearing and first reading of an ordinance to rezone 0.11 acres out of New City Block 1007, southeast portion of Lot 142, from C-2 (General Business District) to C-2 SUP (General Business District with a Special Use Permit for Short Term Rental of a Residence), currently addressed as 381 Tolle St.

**Mayor Linnartz read the aforementioned item.**

**Matthew Simmont presented this item using a powerpoint presentation.**

**The following individuals spoke at this time: John Bush**

**Councilmember Labowski motioned to approve this item. Mayor Pro Tem Campos seconded the motion which passed unanimously.**

H) Public hearing and first reading of an ordinance amending Chapter 144 regarding parking requirements

**Mayor Linnartz read the aforementioned item.**

**Christopher Looney presented this item using a powerpoint presentation and answered questions.**

**Mayor Pro Tem Campos motioned to approve this item. Councilmember Spradley seconded the motion which passed unanimously.**

### **3. EXECUTIVE SESSION**

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

A) Deliberate and consider the purchase, exchange, lease, contract terms, due diligence, or value of real property, in accordance with Section 551.072 of the Texas Government Code:

1. TSTC Campus

B) Deliberate the appointment, evaluation, duties, discipline, or removal of the City Attorney and City Manager in accordance with Section 551.074 of the Texas Government Code.

**The aforementioned items took place in executive session.**

### **4. IF NECESSARY, RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

**No action was taken at this time.**

### **ADJOURNMENT**

Mayor Linnartz adjourned at 7:37 p.m.

**Monday, November 25, 2024 New Braunfels City Council Regular Meeting**

By: \_\_\_\_\_  
NEAL LINNARTZ, MAYOR

**Attest:**

\_\_\_\_\_  
GAYLE WILKINSON, CITY SECRETARY