

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING**

1209 Fiorella

City Council Chambers

February 11, 2025

Tuesday

5:30 P.M.

MINUTES

I. CALL TO ORDER

Mayor Darrin Schroeder called the meeting to order at 5:30 p.m.

II. ROLL CALL

Present:

Mayor Darrin Schroeder

Mayor Pro Tem Sheena Martinez

Councilmember Paul Carey

Councilmember Phil King

Councilmember David Merz

Scott Dixon, City Administrator

Debra Howe, City Secretary

Jim Kohler, Police Chief

Breana Soto, Community Development Director

Others in Attendance:

Paul Wendland Attorney, DNRBS&Z

*No District 5 representative

III. PLEDGE OF ALLEIGENCE

IV. INVOCATION

Mayor Darrin Schroeder gave the invocation.

V. CITIZENS COMMENTS

The City Council will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual council members or staff; stand at the podium, speak clearly into the microphone, and state your name and residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. Speakers making personal, impertinent, profane, or slanderous remarks will be given one warning before losing the privilege to speak or may be removed from the room. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Bob Lee, 1314 Gentilz, spoke on his review of the proposed Unified Development Ordinance and what he had found missing. Mr. Lee had provided a five-page handout on his comments and asked they be read the public hearing. Mr. Lee briefly spoke on some of his review and the changes including no parking of RV's in the areas unless fully covered and at the back of the property. Mr. Lee suggested using the land owned by the city located near the Chevrolet dealership be considered for RV storage and the city could profit from the use.

Doug Whitaker, 1406 Gentilz, spoke on areas of the city with noticeable code violations. Mr. Whitaker felt the violations had been in existence for too long of a time and felt code enforcement was lacking and needed to improve on the enforcement.

Bruce Alexander, 516 Vienna, spoke on the city being a General Law “A” type city and having to follow state laws. Mr. Alexander said the city should not be holding public hearings shown on the agenda for the Downtown Plan, Comprehensive Plan, and UDO until the Planning and Zoning Commission made a recommendation. Mr. Alexander said they needed to wait and work on the zoning changes, review further the additional accessory buildings allow through HB 1779 and the Planning and Zoning Commission continue to work with SimpleCity on the plans then bring to the city council for consideration.

Karen Bruniar 112 River Forrest, spoke on being confused on HB2840 and whether citizens were allowed to speak during the meeting or just during citizen comments. Ms. Bruniar said she would be speaking on the items during the meeting.

Arnie Dollase, 109 River Bluff, spoke on upcoming Poppy Poster contest and provided a poster for display. Mr. Dollase also reminded everyone the Tour de Castroville was coming up in April.

Arlene Smith, 811 Lower LaCoste Rd. spoke on owning property in the historic district and not being in favor of allowing additional accessory buildings on all properties. Ms. Smith felt they should be looked at on a case by case basis.

Valarie Jungman, 211 Alvina/511 Paris, spoke on freedom of speech the citizens have and asked that the city council listen to the citizen comments.

Karen Fifield, 805 Washington, spoke on the city previously charging senior citizens late fees when a law was passed in 1996 exempting seniors. Ms. Fifield felt legal counsel and the City Administrator should have know of this law and the legal publishing that was required.

VI. CONSENT AGENDA

- a.** Minutes for January 28, 2025 Regular Called Meeting
- b.** Accept FY 2025 1st Quarter Investment Report.
- c.** Accept and approve FY 2025 First Quarter Financial Report.

A motion was made by Councilmember King and duly seconded by Councilmember Merz to approve the consent agenda. A vote was made (4:0 all ayes) the motion carried by all present.

VII. CITY COUNCIL LIAISON REPORTS

- a.** Airport Advisory Board - Special Called February 10th (meeting cancelled)- Councilmember Martinez
- Library Advisory Board - Special Called February 6th (meeting cancelled)
- Historic Landmark Commission - No Meeting to report on - Councilmember King
- Parks and Recreation Advisory Board - No Meeting to report on - Councilmember Merz
- Planning and Zoning Commission - No Meeting to report on - Councilmember Carey

There were no reports.

VIII. PRESENTATIONS

a. Presentation of TDA Form A 1024 CDBG Section 3 Goals and Concepts as related to the CDBG Program and Grant Contract CDV23-0365

City Administrator Scott Dixon briefed the city council on the CDBG Grant the city had received and this presentation was part of the process. Mr. Dixon said bids would be opened on February 13th with RESPEC Engineers. Mr. Dixon said the project was for water line replacement between Berlin and Washington. Councilmember Merz asked with the recent freezing of grant funding was this project in jeopardy of not being funded. Mr. Dixon said this project should be safe as it had already been awarded.

b. Presentation on the Downtown Master Plan, Comprehensive Plan, and UDO

Community Development Director Breana Soto briefed the city council on the proposed Downtown Comprehensive plans and the UDO ordinance. Ms. Soto said the city council would not take any action until a recommendation was provided by the Planning and Zoning Commission. Ms. Soto said the public hearings were for more citizens comments. Matt Lewis, SimpleCity, briefly reviewed the process they had been through to this point on the downtown plan. Mr. Lewis said there had been several community meetings with citizens for input on the downtown plan and UDO ordinance. Councilmember Martinez asked about the drawing on Page 50 showing a roundabout at the corner of Paris and Alamo streets and how it would work. Mr. Lewis said it could be placed in the center of the street. Ms. Martinez said at past meetings her suggestion was to put the Library on the public works property with coffee shops. Mr. Lewis said the comprehensive plan was existing patterns placed over green print showing the patterns of the city. Mr. Lewis said the comprehensive plan was a growth guidance plan for the future. Mr. Lewis said the horseshoe in the city was stability and was detrimental to the city if it was changed. The development patterns were traditional, cluster development, and village center. Mayor Schroeder said they were trying to let developers know what the city wanted and write that into the code to protect the city. Mr. Lewis spoke on goals for continuing Castroville which consisted of stormwater management, street planning, downtown planning, and highway 90 district and goals for new Castroville as growth guidance, cross town connections, secure natural features, and carrying over Castroville. Mickey Holzhaus spoke on the empty lot example and clarified additional ADU's were allowed with exceptions and a variance and the new UDO would allow without variance process. Mr. Holzhaus felt if put in the UDO everyone may put them in and the citizens were not in favor of allowing. Mayor Schroeder said they would get more information on the UDO and revisit the Adu's. An example of 505 Houston was given on current allowance of 6 new homes on the vacant lots and the UDO would now allow 12. Tammy Alexander 516 Vienna, questioned the old infrastructure if that many homes could be built saying she had very low water pressure now if neighbors were all using water. Ms. Alexander said the infrastructure would have to be replaced and that would be a cost to the citizens. Ms. Soto said the current ordinance as written, if something happened on the 505 Houston property the existing structures would not be allowed to be rebuilt.

Mayor Schroeder called a brief recess at 7:28 p.m.

Mayor Schroeder reconvened in open session at 7:38 p.m.

IX. PUBLIC HEARINGS

Mayor Schroeder opened all of the public hearings at 7:40 p.m. to allow comments on all of the items.

- a. **Public Hearing on the adoption of a Downtown Master Plan**
- b. **Public hearing on the adoption of the Comprehensive Plan**
- c. **Public hearing on the repealing of Chapter 24: Signs and Signage and Chapter 100: Subdivisions from the Codes of Ordinance, and the Comprehensive Zoning Ordinance and replacing with the new City of Castroville Unified Development Ordinance (UDO)**

Councilmember Martinez read the comments submitted by Robert Lee on the proposed UDO with his suggestions for improvements to the draft.

Claudia Holzhaus, 306 Madrid, spoke on the UDO and not seeing the side by side comparison the citizens had asked for. Ms. Holzhaus is the side by side would be very helpful and wanted council to use common sense on looking at changes. Ms. Holzhaus did not feel allowing ADU's would enhance neighborhoods and only a few wanted this, not the majority. Ms. Holzhaus would like to see all ADU's removed and certainly not in established neighborhoods.

Tammy Alexander, 526 Vienna, spoke briefly on downtown plan, felt the comprehensive plan needed to be put on hold until the zoning discussions were completed. Ms. Alexander said there had been several meetings with discussion on the UDO and the requests had been to leave the lot sizes at 13,887sq. ft., no cottages, and no ADU's in established neighborhoods. Ms. Alexander also saw where there was no street parking allowed and felt this would be a hardship as there was a lack of parking other than street parking in the city. Ms. Alexander also wanted a side by side comparison to see the changes.

Valarie Jungman, 218 Alvina/512 Paris, questioned why the city wanted more density.

Mayor Schroeder said he was looking at changes to the ADU allowance, addressing cottages, and duplexes shown in P3 and keeping Castroville the same.

Joe Holzhaus, 602 Berlin, spoke on the UDO on the P2.5 historic residential allowing ADU's. Mr. Holzhaus said he was against allowing accessory buildings on historic properties, should allow street parking, and keep lots to 13,887 sq. ft. Mr. Holzhaus said if the city went down to 12,000 sq. ft. this would allow 9 lots on a city block compared to 8. Mr. Holzhaus was concerned with P3 allowing cottage courts and 3500 sq. ft. lots. It was stated Country Village and River Bluff developments currently had smaller lots and those would be nonconforming. Mr. Holzhaus said P4 allowed more things and felt it was more about density.

Sander Avant, 113 471 N, spoke on the new development coming across the street from his property and how he felt the citizens did not have enough notice, plus continuous traffic issues on the road in front of his home. Mr. Avant said he had several questions on zoning and would send over his comments after the meeting. Mr. Avant said the city council needed to slow down the process.

Mickey Holzhaus, 514 Washington, spoke on the history of the how the city started from beginning to current the process they were discussing.

Tammy Alexander, 526 Vienna, asked how the city would control placement type zoning.

Vallarie Solis, 1216 Constantinople, spoke on the comprehensive plan and said the plan needed to address the old and new Castroville. Ms. Solis said the UDO needed to be revisited and she wanted to keep the uniqueness of Castroville intact. Ms. Solis was in favor of revitalization and wanted everyone served.

Councilmember Martinez read two emails submitted to the city council from Patrick and Meg Connor, 811 Washington. Mr. and Mrs. Connor both were appreciative of the meetings, information provided for the Downtown Plan, Comprehensive Plan, and the Unified Development Ordinance. Mr. and Mrs. Connor were in favor of all documents as presented.

There were no more comments made during the public hearings.

Closed: 8:32 p.m.

X. DISCUSSION AND ACTION ITEMS

a. Consider and take appropriate action on an amendment to the Flat Creek Development Agreement

Community Development Director Breana Soto briefed the city council on the amendment to the Flat Creek Development Agreement discussed at the last council meeting. Ms. Soto said the city council had discussed the model home with the different elevations and asked for more information including the value of the home. Councilmember King spoke on the definition/difference between stucco board and cement board. Mr. King gave the definitions and said stucco board was a lighter and good material. Jeff Czar, partner with Kingfish was in attendance for questions. Mr. Czar was asked for the layout of the homes offered in the development. Mr. Czar said the builder was to build different elevations and no two of the same would be directly across from each other. Mr. Czar said the homes were valued at mid \$500,000's and with the different material it was an additional \$10,000 for this upgrade. City Administrator Dixon said staff would bring back an amendment with specific elevation, hardee board and zip sheeting. **No action was taken.**

b. Discussion and possible action on the adoption of the Downtown Master Plan

c. Discussion and possible action for the adoption of the Comprehensive Plan

d. Discussion and possible action on the repealing of Chapter 24: Signs and Signage and Chapter 100: Subdivisions from the Codes of Ordinance, and the Comprehensive Zoning Ordinance and replacing with the new City of Castroville Unified Development Ordinance (UDO)

Mayor Schroeder opened b., c., and d. together for open discussion. Mayor Schroeder spoke on the downtown plan and the various plans reviewed to compile the proposed plan. Mayor Schroeder spoke on designation of Main Street and Hwy 90 engagement with TxDOT for better accessibility. Mayor Schroeder spoke on the comprehensive plan and the city looking at stability and conservation. Councilmember King asked about the map showing Country Village Development as area of change, not as stability. Community Development Director Soto said the area had not been fully built out and could change. Councilmember King said citizens were concerned because the city council was allowing smaller lots. Shown in the UDO in the horseshoe minimum lots were 12,000, RA was shown currently at 12,000 sq. ft. City Council discussed over one-half of the lots in the city including developments were

Currently non-conforming as they were under the current 13,887 sq. ft. requirement. The new UDO would correct this and owners would not need to go for variances to change/add anything on their properties. The city council was shown example of eight 12,000 sq. ft. lots with dimensions of 80 sq. ft. x 166 sq. ft. in a city block. Councilmember Merz said there was many blocks in the historic district with more than eight lots and he was not worried someone would come in and divide into more. Mayor Schroeder suggested putting all under P2.5 to lessen the confusion. Have the RC orange area as downtown zoning in Place Type 3 as this area allowed more commercial and residential but no townhomes. Councilmember King said they were trying to keep the as built areas and did not want to add any burdens on the citizens and protect not just the horseshoe but existing neighborhoods. Councilmember Martinez suggested adding a P3.5 for new development requirements. Mayor Schroeder said they need to protect the city and look at changing the name to traditional residential to identify better. Councilmember Merz said none of the city should be exempt and stay at 12,000 sq. ft., show the historic district better, and look at how people will live with the changes. Mr. Merz said areas of stability and the others should all be under same rules. City Administrator Dixon asked the question of how did they regulate the uses and how did we get to the place type zoning. Councilmember Merz expressed concern on some of the citizens making what he considered derogatory comments regarding renters. Mr. Merz said approximately half of his district were just that and their concerns were rent control. He was in favor of P2, P2.5, P3 all residential, P4 and P5 different uses with performance standards. Councilmember King asked about the home occupancy ordinance and if it was incorporated. Mr. Lewis said it was included with no signage allowed in residential areas. City Administrator Dixon said there were exemptions related to certain businesses such as tattoo and vape shops. Councilmember Martinez asked why the current sign ordinance was being changed. Ms. Soto said it was very hard to interpret the current ordinance. Ms. Martinez questioned the signage illumination restrictions between 11pm – 6am and how it would be enforced. A suggestion was for code enforcement be the enforcer. Ms. Martinez asked about the sidewalk sign requirement of 4 ft clearance and the signs as example of smaller spacing. The signage had to meet ADA compliance on clearance. There was no more discussion and not action was taken.

Mayor Schroeder called a brief recess at 10:30 p.m.

Mayor Schroeder reconvened in open session at 10:38 p.m.

e. Discuss and take appropriate action to authorize staff to apply for the Operation Lone Star Grant

Police Chief Jim Kohler briefed the city council on applying for the Operation Lone Star Grant in the amount of \$293,802.05. Chief Kohler said this amount would cover two additional vehicles, 6 Flock Cameras and officer overtime. Chief Kohler said he hoped to receive half of the amount requested. City Administrator Dixon asked what the percent of tickets were from the Stonegarden Grant. Chief Kohler said approximately 50% and most were for speeding. Chief Kohler said with this grant being a state grant it would be more restrictive but would be a benefit to the city.

A motion was made by Councilmember King and duly seconded by Councilmember Carey to adopt a Resolution applying for the Operations Lone Star Grant for funding from the Office of the Governor, State of Texas. A vote was taken (4:0 all ayes) the motion carried by all present.

f. **Consider and take appropriate action on appointment of Benjamin Jean to fill an open position on the Parks and Recreation Advisory Board**

City Secretary Debra Howe briefed the city council on the application submitted by Benjamin Jean for the open alternate position. Ms. Howe said at the last council meeting the city council had met and heard from Mr. Jean on his willingness to serve on the Parks and Recreation Board.

A motion was made by Councilmember Merz and duly seconded by Councilmember Carey to appoint Benjamin Jean to alternate position #1 for a term ending June 2025. A vote was taken (4:0 all ayes) the motion carried by all present.

g. **Authorize Staff to issue an RFP for Solid Waste Services**

City Administrator Scott Dixon briefed the city council on the solid waste services contract ending/renewal coming up in June 2025. Mr. Dixon said it was good practice to go out for proposals to make sure the city is getting the best price for the services. Mr. Dixon said the current provider Waste Management was doing a good job and this was not a reflection on their service to the community. Mr. Dixon said staff would bring back an RFP for approval at a later date.

h. **Consider and take appropriate action on approving the Medina County Elections Contract for the 2025 General and Special Elections**

City Secretary Debra Howe briefed the city council on the 2025 election contract with the Medina County Elections Department. Ms. Howe said the city had contracted with the county for several years now and the contract covered both general and special elections.

A motion was made by Councilmember Carey and Councilmember Martinez to approve the Medina County Elections Contract for the 2025 General and Special Elections and authorize the City Secretary to sign the agreement. A vote was taken (4:0 all ayes) the motion carried by all present.

i. **Discussion and take appropriate action amendments to the drought contingency policy**

City Administrator Scott Dixon briefed the city council on the information provided from larger cities as small cities did not have regulations related to drought stages that could be found. Mr. Dixon said staff was tasked to research water use restrictions related to car washes, if any; use of funds collected from excessive water usage; exemptions; and possible requirements to bring water rights with in-field lot development. Mr. Dixon said the public works department recommended option #1 for the collected fees to be put back into the water line improvements. Councilmember King suggested having a special account set up to hold at least a year's worth of funds and make a decision on uses later. Councilmember Merz wanted to make a decision now and was in favor of placing in the water acquisition fund to buy water in the future to stay in compliance. Mr. Dixon said there were two options provided for exemptions for council to consider. Mr. Dixon said they had discussed the developers having to bring water rights to the city before they build and should be under the same restrictions for connections etc. Mr. Dixon said another option was to remove timeline on builders laying sod. Mr. Dixon said there was a

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recommendation of exemptions for hospital, emergency services, nursing homes, assisted living facilities, doctor and dental offices. Councilmember Merz suggested staff bring back list of businesses once a year with exemptions to be reviewed by the city council. Mayor Schroeder asked for data on usage for the businesses under exemptions. At a previous meeting there was discussion on in-field lots when developed to bring water rights to the city. Mr. Dixon said the properties were responsible for the Impact Fees, tap fees but council could add a new fee for those properties. City Council wanted more data on usage on both commercial and residential. Also discussed was to remove stipulations on Stage 4 and 5 for hookups on new development and in-field lots. The final discussion was on car washes and looking at adding surcharges on them and requiring a water recycling system on the new car washes.

XI. Discussion on future agenda items

Councilmember King requested a discussion on the Historic District and deed language on the properties. Councilmember Merz said they should look at publishing dates for the fee exemptions for senior citizens.

XV. Adjourn

Mayor Schroeder adjourned the meeting at 11:46 p.m.

Mayor

ATTEST:

City Secretary