

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING
1209 Fiorella
City Council Chambers
February 25, 2025
Tuesday
5:30 P.M.
MINUTES**

I. CALL TO ORDER

Mayor Darrin Schroeder called the meeting to order at 5:32 p.m.

II. ROLL CALL

Present:

Mayor Darrin Schroeder
Mayor Pro Tem Sheena Martinez
Councilmember Phil King
Councilmember David Merz

Scott Dixon, City Administrator
Debra Howe, City Secretary
John Gomes, Public Works Director
Breana Soto, Community Development Director
Darin Hamm, Tourism/Business Development Director

Absent:

Councilmember Paul Carey

Others in Attendance:

Dan Santee Attorney, DNRBS&Z

*No District 5 representative

III. PLEDGE OF ALLEIGENCE

IV. INVOCATION

Councilmember Phil King 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 district 5 needing representation before he was sworn in as an elected official in May. Mr. Lee said he had spoken at the recent Parks Board meeting on the board being included in the Downtown Plan, Comprehensive Plan update and the UDO process. Mr. Lee felt the board needed to

be more involved with parkland decisions. Mr. Lee felt the city council should not be discussing the UDO until the recommendation came from the Planning and Zoning Commission. Mr. Lee said he had spoken with the City of Boerne on place zonings and recommended the city look at what they had adopted before the city approved the UDO. Mr. Lee said Boerne had completed most of their plan in-house and thought the city could benefit from having a discussion with them.

Bruce Alexander, 516 Vienna, asked the city council to postpone any action on the Downtown Master Plan, Comprehensive Plan or the UDO. Mr. Alexander said he was in support of filling district 5 seat before the May election. Mr. Alexander also spoke briefly on the agenda he had pulled up on the website that was different from the agenda at the meeting. Mr. Alexander felt the council should not have an executive session since his version did not have it listed. Mr. Alexander quoted Local Government Code 211.0165 stating that he felt the citizens including himself had not been properly notified when the historic district was created and was not legal.

* City Secretary Debra Howe clarified that the agenda the city council and others received was posted at the official location at least 72 hrs. in advance and was unsure as to how he received the working draft. Ms. Howe said the posting on the website was a courtesy posting for the public. City Administrator Scott Dixon clarified that there were two different options to view the agenda and packet and the PDF version had the correct agenda and the HTML version had, for some reason, the working document shown. Mr. Dixon said this was a new program and staff was still learning the process. Mr. Dixon said they would be putting in an inquiry to the company on this issue.

VI. CONSENT AGENDA

- a. Minutes for February 11, 2025 Regular Called Meeting
- b. Approve amendment to the Flat Creek Development Agreement.

A motion was made by Councilmember King and duly seconded by Councilmember Merz to approve the consent agenda. A vote was made (3:0 all ayes) the motion carried by all present.

VII. PRESENTATIONS

- a. Gas System Status Update by Public Works Director, John Gomez

Public Works Director John Gomez briefed the city council on the status of the Gas System. Mr. Gomez said the city was in the process of hiring experienced employees to help the city oversee the system needs. Mr. Gomez said the city had hired Simon Pena as a consultant and he was helping with the compliance requirements and Texas Regulator Consultants were helping with the day to day operations and they were training personnel to be qualified operators of maintenance in the future. Mr. Gomez spoke on the recent odorization of the gas system and the issues citizens had encountered. Mr. Gomez provided information on the number of calls (43), number of repairs on the city side for residential (2), commercial (3) and two pipe leaks at the city gate. Mr. Gomez said the strong odor noted could have been from the odorizer flow valve having been wide open or not properly closed off. Mr. Gomez said they did have some members of the community pleased with the odorizing testing due to finding leaks

inside their homes. Mr. Gomez said they would be checking with CPS personnel for history on handling incidents like this in the past. Mr. Gomez said the city's Odorizer is in disrepair and CPS did not disclose during the lock change in October. Mr. Gomez said staff would continue to monitor and make adjustments as needed.

b. Presentation of Texas "Tourism Friendly" to City Council

Councilmember Martinez recommended skipping the item as there was no information included in the packet. Council agreed.

VIII. PROCLAMATIONS

a. American Red Cross Proclamation

Mayor Schroeder read a proclamation proclaiming the month of March as American Red Cross month.

IX. CITY ADMINISTRATOR REPORT

a. CA Report Subjects:

Gas Operations Update, CPS Wholesale Electric Negotiations, Regional Park Community Center Project, WWTP Dams & Ponds, Regional Park Irrigation, Waste Management Contract, UDO Progress, AACOG Renewal, USDA Hangar Project, Budget Workshops, Communications Policy, City Hall Remodel, Elevated Water Storage Project, CDBG Waterline Project, Athens Area Drainage Project, Community Survey, City Administrator Contract Extension

City Administrator Scott Dixon briefed the city council on his report. Mr. Dixon highlighted the community center project saying the city had not received any funds as of yet, but Grant Consultant Betty Soto should have an approval letter sometime in the next few days with a construction meeting planned for March 6th. Mr. Dixon said the ponds and dams were a project the parks board was discussing and wanted to hold a joint meeting with the city council on alternative uses. Mr. Dixon said his suggestion was for staff to have a staff update meeting for both the city council and the parks board with no agenda or action instead of a Special Called requiring a quorum of 4. Mr. Dixon said staff would consult with legal counsel on the proper procedure. Mayor Schroeder wanted to make sure the boards were included in areas they were part of. Mayor Schroeder wanted the parks board to be kept up to date on the city council's ideas, but it was different with board involvement on projects with the city council. Councilmember Martinez said she had received questions on why the building at the park had been demolished so early in the project and now having waited. City Administrator Dixon said the city had followed the direction of the USDA and had removed it expecting to have the area ready for the new building but the scheduled had slowed down and now the city was in a waiting position. Councilmember Martinez wanted to invite the city council candidates to the upcoming budget discussions. Mr. Dixon said all budget meetings were open to the public. Councilmember Merz reiterated the city had followed the USDA schedule for the project because the project was to have been completed by the end of the year. Councilmember King also said the city council had approved the demolition when it was proposed.

X. PUBLIC HEARING

- a. Public Hearing on the adoption of the Downtown Master Plan, the adoption of the Comprehensive Plan, and 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). new City of Castroville Unified Development Ordinance (UDO)

Opened: 6:18 p.m.

Community Development Director Breana Soto briefed the city council on the Planning and Zoning Commission (P & Z) recommendation to approve the downtown master plan. Ms. Soto said the P & Z did agree with city council to the areas of change in the Comprehensive Plan and would have made a recommendation but thought the Comprehensive Plan should be adopted at the same time as the UDO. Ms. Soto said they agreed on the changes from P3 to P2.5 in the UDO with residential staying at 12,000 sq. ft. and the area being renamed from transitional to traditional. Ms. Soto said the board agreed ADU's would be allowed by going through the public process and city council approval for a Specific Use Permit. Ms. Soto said they looked at size of the ADU not being over 800 sq. ft.; P2 was more rural with larger lots; P3 allowed multi family; and allowing RV lots through the same public process to be allowed with a Specific Use Permit.

Tammy Alexander, 516 Vienna, was not in favor of the Downtown Master Plan saying it was expanding the district and infringing on residential. Ms. Alexander was not in favor of plans shown for the public works property or a kiosk at Houston Square. Ms. Alexander was in favor of street parking in P2.5 area. Ms. Alexander asked that the city council not take any action that evening.

Bruce Alexander, 516 Vienna, said the P & Z had made a recommendation on the Downtown Master Plan but his recommendation was to have the Historic Landmark Commission and the Parks Advisory Board review all of the plans before any action should be taken. Mr. Alexander read from the city ordinance, Chapter 82 stating the boards associated with the plans are required to make recommendations to the city council and only the P & Z had reviewed the plans. Mr. Alexander felt these boards should review before P & Z made a recommendation and should be tabled until the District 5 position was filled.

Mickey Holzhaus, 514 Washington, clarified the P & Z approved the Downtown Master Plan by a 3:2 vote and no action was taken on the Comprehensive Plan or the UDO. Mr. Holzhaus said he was still asking for a side by side comparison on the UDO. Mr. Holzhaus asked if the city had completed any studies on the utility system to see if the system could handle the additional ADU's.

No one else requested to speak.

Closed: 6:34 p.m.

XI. DISCUSSION AND ACTION ITEMS

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

Mayor Schroeder said he had spoken with others on the Downtown Master Plan and questioned how the city would maintain the model shown. Mayor Schroeder said this plan was like the Parks Master Plan, it

was a guideline for the city to follow. Mayor Schroeder asked about the concept of the public works property and the kiosk at Houston Square. Ms. Soto said she had received public support on the concept. Councilmember Merz asked to clarify a comment from Mr. Alexander earlier in the meeting. Mr. Merz asked Mr. Alexander if he had been previously reading from Chapter 82, Section 82.2 (D) Duties #5. Mr. Merz said the ordinance did not say the boards shall be included, it said the board may be consulted and help with the implementation of the Comprehensive Plan. Councilmember King asked what the difference was on the kiosk shown and what was set up during Old Fashion Christmas and if the kiosk could be removed from the plan. Ms. Soto said the kiosk was the same and was temporary for vendors and they could remove. Councilmember Martinez said the P & Z voted to recommend approval but felt HLC and P & Z should review and give their recommendation. Ms. Martinez felt the Parks Master Plan should be included in the Downtown Master Plan with Parks Board input. Ms. Soto said when they started reviewing the Downtown Plan they did consult the Parks Master Plan as they went through the process. Councilmember Merz said the Parks Board and HLC would always get a say in the projects each time a project was introduced. Mr. Merz did not feel the plans needed to go to the boards, the boards were there to implement. City Administrator Dixon said he would review the policy to see if the Parks Board should be included in the adoption process. Mayor Schroeder suggested they could do an in-depth review at this meeting, if the city council wished. Councilmember Merz said he did not see in doing that, he felt everyone had seen it.

A motion was made by Councilmember King and duly seconded by Councilmember Merz to approve the Downtown Master Plan as recommended by the Planning and Zoning Commission. A vote was taken (3:0 all ayes) the motion carried by all present.

b. Discussion on the adoption of the Comprehensive Plan

Community Development Director Breana Soto said the P & Z did discussion and did not make a recommendation as they felt it should be adopted at the same time as the UDO. Ms. Soto said they did make the changes to the city council suggested, those being renaming the traditional neighborhoods to stability. Councilmember Martinez asked if the historical district would impact the Comprehensive Plan. Ms. Soto said the historic district did not affect the plan. Ms. Soto said the Comprehensive Plan did speak to zoning. Councilmember King asked what the timeline was for the P & Z to be ready with a recommendation. City Administrator Dixon said he would speak more on the UDO later in the meeting but perhaps have a joint meeting at next P & Z meeting in March to meet the April timeline. Mayor Schroeder said the Thoroughfare Plan was part of the Comprehensive Plan and needed to move forward this that update. Matt Lewis of Simplecity said the Downtown Plan could be used to do a smaller area plan in scope. Mayor Schroeder wanted to look at the Comprehensive Plan separate from the UDO. City Administrator Dixon ask if the city council had any more guidance for staff. Bruce Alexander was recognized and read 211.004 of Local Government Code stating zoning changes in the UDO could affect the Comprehensive Plan.

c. Discussion on the Unified Development Ordinance (UDO)

Mayor Schroeder spoke on the importance of the city working with citizens to understand what they do and do not want changed. Mayor Schroeder discussed the three types of ordinances. The current CZO was "Use Type" zoning – which separated uses. He explained it had first been created in the 1030's and

adopted in the 1970's for Castroville. He pointed out the zoning in the current CZO created Hwy 90 and suggested that no one believed Hwy 90 was the best thing about Castroville and questioned why the city would repeat the mistake. Mayor Schroeder explained the intent was to write the codes to reflect the most beautiful parts of Castroville and not look like any other town in Texas. Mayor Schroeder referenced the 2008 Comprehensive Master Plan that set the development of "Form Based" ordinances. Mayor Schroeder had committed to developing a Form Based code at the end of the "Journey Series" in 2023, but described why that changed. He said that developers who wanted to create a special master-planned community would use the "Form Based" because they have legal control over the design approvals and it is the best way to create a remarkable place when you have that control over what could be built. Mayor Schroeder felt since the city did not have the same level of control and the city should find a middle ground which was "Place Type" zoning – which was a set of codes that created a specific type of place, with the right mixes of residential and commercial and proximity to services for the new development, while still offering protection to existing residents so their current way of life would not at risk. Mayor Schroeder said that Historic Castroville had that right mix and that the city should seek to protect that while repeating that formula with the new developments. Community Development Director Breana Soto spoke on including public hearings as required, adding a table of content and indexing each chapter, adding water rights in the subdivision section, making a charrette optional to the developer instead of mandatory, and allowing street parking in P2.5. Council agreed to make FM 471 area P4 instead of P5 and Providence Street area P4 instead of P5 and to look at Hwy 90 as P4. Councilmember Merz asked about the lot widths at 83 ft. Councilmember King said they had chosen to keep as in CZO and that was 80 ft. with minimum 12,000 ft. lots. Councilmember Martinez said at the previous meeting the horseshoe would be P2.5 and would be renamed as traditional zone with H-overlay, Historic zone. Ms. Martinez asked about address signage shown and would it affect the historic properties. Ms. Soto said this was already addressed in current ordinances. Ms. Martinez asked about language on permitting and penalties shown as sign administrator being the enforcement not code enforcement. Ms. Soto said it would be changed and reflect code enforcement being the enforcement.

Mayor Schroeder called a brief recess at 8:10 p.m.

Mayor Schroeder reconvened in open session at 8:19 p.m.

Discussion continued on the UDO with Councilmember Martinez asking for a side by side comparison being provide. Mayor Schroeder said he and Ms. Soto were working on the request and it would be provided. Mayor Schroeder said they were making sure the protection of the city was there and they were about 85% complete. Matt Lewis said there had been a red line copy delivered to the city and it was recommended to place on the website of Building Block for the public to see. Mr. Dixon said there would be changes in the future from legislature and growth. Councilmember Martinez asked if the ADU's were approved by Specific Used Permit, would they be limited by property ownership, and nontransferable. Councilmember Merz liked the changes to the GIS with better identification of the Historic District but did not see transitional areas in the horseshoe and other areas.

Tammy Alexander asked if the setbacks in the UDO would be the same as the current ordinance and would hers change. Mr. Lewis said the setbacks would be set out in the International Building Code once the city adopted the code. It was determined the side yard setbacks could go to zero setbacks and this concerned the citizens present. Councilmember Merz spoke on parking and felt they should round down to 5% on bike parking. Councilmember King spoke on RV's and parking at residences. Mr. King said

currently they could park on the side and rear areas and felt they should stay the same and let a future council deal with any changes. Mr. King said he was not in favor of changing the current 10 ft. on side and 15 ft. on street for corner lots. Mr. King wanted the Planning and Zoning Commission to look at keeping the same and said he would talk at that meeting. City Administrator Dixon said fire safety would always prevail. Council questioned the numbers shown under streets for paths and alleys. Mr. Lewis said the information had been taken from current the ordinance and needed to be recalibrated. There was no further discussion.

d. Review of applications submitted for open positions on city boards and commissions

City Secretary Debra Howe briefed the city council on the three applications the city had received for the open positions on for the open positions on the Library Advisory Board and the Planning and Zoning Commission. Ms. Howe the applicants were not in attendance and would reach to them for the next meeting.

e. Discuss and take appropriate action to replace the city council audio and video equipment

City Administrator Scott Dixon briefed the city council on upgrading the audio/video equipment. Mr. Dixon said the cost shown was from San Antonio Sound & Light based on the current equipment. Mr. Dixon said the staff had been provided a demonstration by San Antonio Sound & Light on the Medina County system. Mr. Dixon said staff was recommending replacement due to the issues the system had experienced over the last several months. Mr. Dixon said if the city council agreed he could have the company come in with a presentation and he could solicit bids to make sure the city was getting the best setup. Council was in favor of receiving bids to replace the audio/video system.

A motion was made by Councilmember King and duly seconded by Councilmember Martinez to authorize staff to proceed with receiving bids for the replacement of the audio and video equipment as discussed in the presentation. A vote was taken (3:0 all ayes) the motion carried by all present.

f. Discuss and take appropriate action regarding the City's legal review of the historic districts

City Attorney Dan Santee briefed the city council on his research into the city's historic districts. Mr. Santee said the city had in recent months had questioned the legality of the Historic Districts shown on the city map and the authority of the Historic Landmark Commission. Mr. Santee said in the original ordinance 107 the city had designated contributing and noncontributing structures and designated the structures on the 1969 Survey be governed by the HLC but if not on the Survey those structures were reviewed by the Building Official. Mr. Santee said in 2003 the city had adopted an ordinance omitting the nonconforming structures and this allowed for all structures in the H-C district to fall under the HLC. Mr. Santee said after reviewing all of the ordinances the city had adopted his legal opinion was the process of designating the Historic Districts had been followed. Mr. Santee said his recommendation was to fix the city maps to reflect the H District instead H-E District and to make sure the maps are up to date on properties annexed in and removed. City Administrator Dixon said if the council wished to review further to wait until after the UDO had been adopted.

Mayor Schroeder called a brief recess at 10:00 p.m.

Mayor Schroeder reconvened in open session at 10:05 p.m.

X. STAFF REPORTS

City Council members may request a separate discussion or action on items contained within the submitted reports.

- a. Airport – Gas sales and Operations including revenues.
- b. Finance monthly activity report including Municipal Court update
- c. Library – Member Statistics, Circulation Statistics, Summer Camps.
- d. February 2025 Facilities, Parks, & Recreation Monthly Update
- e. Community Development – UDO Timeline, March Permits, Board meetings, steps completed on Thoroughfare Plan, Development Agreement Policy and Active Transportation Grant.
- f. Police Department – updates on department including hiring, training, and grants. Animal Control and Code Compliance Activity Reports including open and closed cases.
- g. Review and accept January 2025 Police Report
- h. Review and accept Animal Services and Code Compliance January 2025 Monthly Report
- i. Public Works – work orders – electric, water, wastewater and gas, updates on AMI Meter Project, River Bluff Project and Country Village Lift Station.
- j. Public Works Staff Report for January, 2025
- k. Tourism/Business Development- National Recognition of Walking Tour Campaign, City Communications, Event Promotion, Tourism promotions, Economic Development opportunities
- l. February Tourism and Business Development Report
- m. City Secretary Staff Report for January

Councilmember Martinez asked about the new BBQ signage on the former Blue Lacey not being properly permitted and asked why it was not shown in the code enforcement report. Mr. Dixon said the reports the city council was receiving was for the month of January and the signage issue should be reflected in the following month's report. Mr. Dixon was asked about the street repairs in front of the Bank at Houston Square. Mr. Dixon said it was just street maintenance, not a leak repair, and had spoken with staff on chip sealing more of the recently paved streets, to keep them in good shape.

Councilmember King commented on the Girl Scout project for Gaga Ball Pits and if it would be coming to the city council for approval. Councilmember Merz said the Park Board had approved and thought it might come for a presentation. Mr. Dixon said it would not as it was not a permanent addition to the park.

Mr. Merz was pleased that the new metering system was working better and the loss was only at 10%. Mr. Merz thought the Thoroughfare Plan was to have been moving forward because of the County having slowed down on their updates. Mr. Dixon said that was correct but now the County was almost complete.

Council agreed to move Item 16 Future Agenda Items up for before going into the executive session.

XVI. Discussion on Future Agenda Items

1. Set a joint meeting date for city council and planning and zoning commission on the UDO.
2. Look at meeting dates for budget workshops.

3. Place appointment to fill District 5 seat on the next agenda.
4. Look at dates for Staff update meeting with city council and parks and recreation advisory board on dams and ponds at Regional Park.
5. Draft wording for historic properties deed restrictions.
6. Public Works report on data for all current city wells.
7. Update on Community Center Project.

Mayor Schroeder recessed the meeting to go into Executive Session at 10:30 p.m.

XIII. EXECUTIVE SESSION

- a. The City Council shall meet in executive session as per Texas Government Code Section 551.074 entitled “Personnel Matters” to deliberate the employment, annual evaluation, duties, of a Public Officer or employee:
 - a. City Administrator
- b. Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, 551.085 (entitled “Deliberation regarding Economic Development Negotiations”) the City Council may convene in executive to receive advice from legal counsel regarding the following:
 - a. Alsatian Oaks Development Agreement

Opened: 10:37 p.m.

Closed: 11:25 p.m.

XIV. Reconvene in open session

Mayor Schroeder reconvened in open session at 11:26 p.m.

XV. Possible action on items discussed legally in executive session

A motion was made by Councilmember Martinez and duly seconded by Councilmember King to approve City Administrator Scott Dixon contract until January 2028. A vote was taken (3:0 all ayes) the motion carried by all present.

XVII. Adjourn

Mayor Schroeder adjourned the meeting at 11:27 p.m.

Mayor

ATTEST:

City Secretary