



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, June 2, 2020

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a Public & Virtual REGULAR Called Meeting on Tuesday, June 2, 2020 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Don Keil presiding.

2. Invocation - Council Member Chris Aviles

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Chris Rangel, Council Member Jeremy Roy, Council Member Penny Wallace, and Council Member Chris Aviles

Presiding: 1 - Mayor Don Keil

5. Hearing of Residents:

Invitation to hear citizens and council members in advance of regular business on items other than what is on the agenda, which shall be limited to five (5) minutes. Discussion of any item not on the agenda shall be limited to 1) Statements of specific factual information given in response to any inquiry; 2) A recitation of existing policy in response to an inquiry; 3) A proposal to place the subject on the agenda for a future meeting; 4) For the record, please state your name and address before speaking.

*Name: Pastor Arthur Malone Jr.
Address: 1605 Martin Luther King
City: San Antonio, Texas*

Rev. Malone said the New St. James Baptist Church directional sign was removed from the corner of A J Malone Dr. and N Austin Street during the construction and has not been replaced. He had spoken with the job foreman and was assured the sign would be installed when complete. City Manager Steve Parker said staff would follow-up with TxDOT and advise him.

*Name: Julian Leal
Address: 849 Prexy St*

City: Seguin, Texas

Mr. Leal spoke about the terrible things going on in the United States on racial issues. The issues have been going on since Eisenhower was in office. Changes are needed.

Council Member Jeremy Roy - Recognized Rev. Arthur Malone Jr. and Rev. Jimmy Flakes for their dedication and hard work to break barriers within our community. Councilman Roy said he was taking a stand against racism and encouraged our community to do more. He spoke of the prayer service that was held at Central Park on Monday, June 1st and recognized Chief Nichols and all Seguin police officers for their willingness to be a part of the uplifting prayer to George Floyd family. Councilman Roy said he felt those in attendance had an opportunity to visit with the officers and to hear that this type of violence would not be tolerated in Seguin.

6. Presentation

a. [20-183](#)

City of Seguin Financial Reports for the Six Months Ended March 31, 2020 - Susan Caddell, Director of Finance

Director of Finance Susan Caddell reviewed a power point presentation on the financial report ending March 31, 2020.

b. [20-182](#)

Presentation and update to City Council regarding the abandonment of the Walnut Branch Wastewater Treatment Plant - Timothy J. Howe, Director - Water / Wastewater Utilities

Director of Water/Wastewater Utilities Tim Howe and Dan Jackson with Willdan Financial spoke on the factors impacting the 2020 Rate Plan. They included:

*SSLGC - anticipated lower cost increases for next five years
New wholesale customers will be increasing purchases 2020-2025
Expansion/consolidation of Walnut Branch and Geronimo Creek WWTPs
Estimated price tag of \$184 million in new debt over thirty years
Significant new account growth - new rate and impact fee revenues*

c. [20-185](#)

Update on COVID-19 - Steve Parker, City Manager

City Manager Steve Parker provided City Council with an update on the COVID-19 stats for the Global, United States, Texas, Guadalupe County, and Seguin. To date, Seguin has 24 cases reported with 21 recovered, and 1 hospitalized.

Governor Abbott is scheduled to provide direction on the 4th of July celebrations on June 3, 2020.

Community Update:

The City of Seguin and the San Antonio Food Bank will have a second food distribution on Thursday, June 18th from 1:00 to 3:00 p.m. at the Seguin Events Complex. All the information may be found on the city's website.

7. Consent Agenda

A motion was made by Council Member Herbold, seconded by Council Member Mathis, that the Consent Agenda be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

a. [20-180](#)

CityCouncilMeetingMinutes - May 19, 2020

The Minutes were approved

b. [20-177](#)

Ordinance on the second and final reading amending the Fiscal Year 2020 Special Revenue Fund Budget of the City of Seguin, Texas and declaring and effective date

This Ordinance was adopted

Enactment No: ORD 2020-040

8. **Action Items - Discussion and Possible Motion to Approve**

a. [20-188](#)

Public Hearing regarding the submission of an application to the Texas Department of Agriculture for a Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to give citizens information about TxCDBG and eligible program activities, as well as an opportunity to participate in the development of local housing and community development needs - Kathy Wood, Grants Administrator

The regular meeting was recessed and the public hearing was called to order. Kathy Wood introduced Cindy Metro with Langford Community Management Services who explained the purpose of the grant. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

b. [ZC 07-20 CC](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Multi-Family (MF-3) and Single-Family Residential (R-1) to Commercial (C) for property located at SH 123 Bypass and Harry Miller Pass, Property ID 19568, (ZC 07-20) - Pamela Centeno, Director of Planning & Codes

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

A motion was made by Council Member Roy, seconded by Council Member Leal, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2020-041

c. [ZC 08-20 CC](#)

Public Hearing and ordinance on first reading for a Zoning Change from Multi-Family 3 (MF-3) to Zero Lot Line (ZL) for property located at 920 San Antonio Avenue, Property ID 166892 (ZC 08-20) - Pamela Centeno, Director of Planning & Codes

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

A motion was made by Council Member Herbold, seconded by Council Member Mathis, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2020-042

d. [20-178](#)

Public Hearing and Ordinance on first reading on amendments to the City of Seguin Unified Development Code, Section 4.7.11 - Electrical Service; providing a severability clause, publication, and an effective date; and authorizing city staff to submit this ordinance as a supplement to the Code of Ordinances - Pamela Centeno, Director of Planning & Codes

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

A motion was made by Council Member Herbold, seconded by Council Member Crabb, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2020-043

e. [20-190](#)

Resolution approving the terms and conditions of a solar lease agreement between the Schertz/Seguin Local Government Corporation and Elm Creek Energy, LLC; and declaring an effective date - Amber Briggs Beard, SSLGC General Manager

A motion was made by Council Member Aviles, seconded by Council Member Mathis, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-048

f. [20-189](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 14, Animals, Article IV, Livestock, to change the rules related to keeping fowl; providing for an effective date; providing for a severability clause; providing for publication; and authorizing City Staff to prepare this ordinance for submission as a supplement to the Code of Ordinances - Shelly Lutz, Animal Services Manager

Shelly Lutz, Animal Services Manager, said based on research from citizens and surrounding cities staff is recommending the following changes to the ordinance:

- 1. No more than 6 fowl (decrease from 12 in current ordinance) in an area less than 50 feet from a neighboring residence (decreased from 100 feet)*
- 2. No roosters allowed in the city*
- 3. Pens and fowl must be in a fenced rear yard*
- 4. Pens and enclosures must be constructed to prevent rodents, rats, and mice from being harbored underneath the pen or enclosure yard*

*Sergio Guardiola
619 Stratton St
Seguin, Texas*

Mr. Guardiola presented a handout of his research and his suggested changes to the current city ordinance. He spoke on 1) having coops in the rear of the yard; 2) Coop requirements; 3) fence requirements; 4) square footage requirements; 5) 50-foot setback; 6) restricting the permissible quantity of chickens to six; 7)roosters; 8) Cleaning of pens; 9) 4H and FFA Exception; and 10) Local Ag Extension office.

The City Council members discussed the proposed changes to the ordinance and provided staff with additional changes. It was suggested that this item be postponed.

A motion was made by Council Member Mathis, seconded by Council Member Aviles, that this Ordinance be postponed. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

g. [20-184](#)

Approval of Quarterly Investment Report for Quarter Ended March 31, 2020 - Susan Caddell, Director of Finance

A motion was made by Council Member Wallace, seconded by Council Member Leal, that this Action Item be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

h. [20-186](#)

Resolution of the City Council of Seguin, Texas approving the extension of the existing Agreement for the Operation of the Concession Services with RRL Concessions and proposed menu changes; providing for an effective date - Jack Jones, Director of Parks and Recreation

A motion was made by Council Member Wallace, seconded by Council Member Leal, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-049

9. Acknowledgment of Bills

The bills were acknowledged

a. [20-181](#)

Check Report: May 18, 2020 to May 29, 2020

10. Executive Session

The regular meeting was recessed and the council went into Executive Session at 7:47 pm. The regular meeting reconvened at 8:11 pm.

a. [13-053](#)

Deliberation regarding Economic Development Negotiations in accordance with Section 551.071 and 551.087 - Steve Parker, City Manager

b. [15-105](#)

Deliberate pending/contemplated litigation, settlement offer(s), public nuisance, 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 - Andy Quittner, City Attorney

11. Adjournment

There being no further business before the council the meeting adjourned at 8:11 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary