



# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### City Council

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Tuesday, January 19, 2016

5:30 PM

Council Chambers

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1. **Call to Order**

2. **Invocation - Council Member Donna Dodgen**

3. **Pledge of Allegiance/Salute to the Texas Flag**

4. **Roll Call**

**Present:** 8 - Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Tomas V. Castellon, Council Member Fonda Mathis, Council Member Carlos Medrano, Council Member Phil Seidenberger, Council Member Donna Dodgen, and Council Member Mark Herbold

**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.**

*CITIZEN COMMENTS*

*Councilmember Tomas Castellon shared a concern about sidewalks on Jefferson St. He requested that a February workshop dealing with streets be scheduled.*

*Councilmember Donna Dodgen shared with the council that on Saturday, January 23 there would be an animal response training during a disaster. The idea is to be able to set up a clearing house for animals during disasters.*

6. **Consent Agenda**

A motion was made by Council Member Dodgen, seconded by Council Member Castellon, that this be approved on the Consent Agenda. The motion carried by the following vote:

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

a. [16-042](#)

City Council Minutes of January 5, 2016 Regular Meeting

**The Minutes were approved.**

b. [ZC 34-15](#)

Ordinance on second reading to consider a Zoning Change request from Agricultural-Ranch to Single-Family Residential for the properties located on the Southside of Rudeloff Rd., approx. 21.35 out of 56.98 acres, Property ID's 53354 and 53356, (ZC 34-15)

**This Zoning Ordinance was adopted.**

Enactment No: ORD 2016-008

c. [16-009](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article IX, Capital Recovery Fees, to update the living unit equivalent for multi-family buildings and to make provisions for both a maximum and effective capital recovery fee; providing for publication of this ordinance; providing for an effective date; providing a severability clause; and authorizing city staff to prepare this ordinance for submission as a supplement to the code of ordinances

**This Ordinance was adopted.**

Enactment No: ORD 2016-009

d. [16-018](#)

Ordinance on second reading approving the Maximum Water and Wastewater Capital Recovery Fees to be assessed; approving the Effective Water and Wastewater Capital Recovery Fees to be charged; providing for publication of this ordinance; and providing for an effective date

**This Ordinance was adopted.**

Enactment No: ORD 2016-010

e. [16-003](#)

Ordinance on second reading amending Chapter 3, Section 3.4.3 of the Seguin Unified Development Code by adding existing Cemeteries and Amending Funeral Homes; and amending the definitions for Columbarium and Crematory, providing for a severability clause, providing for publication of this ordinance, providing for an effective date; and authorizing staff to submit

this ordinance as a supplement to the Seguin Code of Ordinances

**This Ordinance was adopted.**

Enactment No: ORD 2016-011

## 7. **Action Items - Discussion and Possible Motion to Approve**

### a. [16-035](#)

Consideration of bids relating to the Sale of Obligations designated as "City of Seguin, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2016"; consideration and approval of financial advisor's recommendation concerning this matter; and other matters in connection therewith - Duane Westerman, SAMCO Capital Markets

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

### b. [16-036](#)

Ordinances authorizing the issuance of "City of Seguin, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2016"; providing for the payment of said certificates by the levy of an Ad Valorem Tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the pledged revenues of the system; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and an official bid form; complying with the requirements of the letter of representations previously executed with the depository trust company; authorizing the execution of any necessary engagement agreements with the city's financial advisors and/or bond counsel; and providing an effective date - Duane Westerman, SAMCO Capital Markets

**A motion was made by Council Member Dodgen, seconded by Council Member Crabb, that this Ordinance be adopted. The motion carried by the following vote:**

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: ORD 2016-012

c. [16-025](#)

Consideration of bids relating to the Sale of Obligations designated as "City of Seguin, Texas Utility System Revenue Bonds, Series 2016", consideration and approval of financial advisor's recommendation concerning this matter; and other matters in connection therewith - Duane Westerman, SAMCO Capital Markets

**A motion was made by Council Member Herbold, 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 Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

d. [16-026](#)

Ordinance by the City Council of the City of Seguin, Texas authorizing the issuance of "City of Seguin, Texas Utility System Revenue Bonds, Series 2016"; providing for the payment of the principal of and interest on the bonds, together with certain currently outstanding obligations, by a first and prior lien on and pledge of the net revenues of the system; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of such bonds, including the approval and distribution of an official statement; authorizing the execution of a paying agent/registrars agreement and an official bid form; complying with the requirements of the depository trust company's letter of representations; and providing for an effective date - Duane Westerman, SAMCO Capital Markets

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: ORD 2016-013

e. [16-021](#)

Public Hearing, discussion and possible action on an appeal of the decision of the Seguin Planning & Zoning Commission to deny a request for a Specific Use Permit (SUP 03-15) to operate a Charter School in a Commercial Zoning District located in the Downtown Historic District for the property located at 113 S. Camp St.; and declaring an effective date - John Foreman, Asst. Director of Planning & Codes

*The regular meeting was recessed and the public hearing was called to order.*

*Citizen Comments*

*Name: Bradley Clark, attorney for Alfredo Leos (owner of property on Camp St  
City: Austin, Texas  
He shared his support of his client's (Alfredo Leos) request for a specific use permit  
to operate a Charter School.*

*Name: Chris Crim, traffic analysis civil engineer (for Alfredo Leos)  
He shared the preliminary traffic analysis to the council.*

*Name: Julian Leal  
Address: 849 Prexy  
City: Seguin, Texas  
He stated he was in favor of Charter Schools and he recommended that this charter  
school be allowed to operate on Camp St.*

*Name: Alfredo Leos, owner of property and requesting Specific Use Permit for  
Charter School  
Address: 910 Rosemary  
City: New Braunfels, Texas  
He cited some points that he hoped that the council would take into consideration  
during their deliberation in their vote for the Specific Use Permit for the Charter  
School.*

*Name: Robin Dwyer  
Address: 906 W. Court  
City: Seguin, Texas  
He shared his concern about the location of this charter school on Camp St. He  
shared that he understood that the County is working with the Charter School people  
for the possible use of the building on Weinert St. and that the discussion was  
progressing.*

*Name: Armando Nieto  
City: New Braunfels, Texas  
He shared his concern about the council not giving the request for a specific use  
permit. He asked them to make an honest judgement.*

*Name: Julian Rojas  
Address: 210 Woodlake  
City: Seguin, Texas  
He shared his support for the Specific Use Permit and encouraged the council to  
approve the request.*

*The public hearing was adjourned and the regular meeting was reconvened.*

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

**Presiding:** 1 - Mayor Keil

**Nay:** 3 - Council Member Leal, Council Member Castellon, and Council Member  
Medrano

**Aye:** 5 - Council Member Crabb, Council Member Mathis, Council Member  
Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-004

f. [16-038](#)

Ordinance on first reading amending the Seguin Code or Ordinances, Chapter 22, Food Service Establishments, Article II, Section 22-26, Adoption; providing for publication; providing for an effective date; providing for a severability clause; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances - Pamela Centeno, Director of Planning and Codes

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

**Excused:** 1 - Council Member Medrano

**Presiding:** 1 - Mayor Keil

**Aye:** 7 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

g. [16-031](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 14, Animals, Article III, Dogs and Cats, to establish new guidelines for the determination that a dog is dangerous; and Article V, Animal Services Advisory Committee; providing for publication of this ordinance; providing for an effective date; providing a severability clause; and authorizing city staff to prepare this ordinance for submission as a supplement to the Seguin Code of Ordinances - Leah Lewis, Animal Services Supervisor

*Citizen Comments*

*Name: Adam Medina*

*Address: 1939 Wayside*

*City: Seguin, Texas*

*He shared the loss of his pet and the danger that his six children are in with the attacks of pit bulls that live across the street from his home. He asked that the council take action on the ordinance relating to the new guidelines for the determination that a dog is dangerous.*

*Name: John Baines*

*Address: 1824 Via Verde*

*City: Seguin, Texas*

*His wife and their dogs were the subject of an attack while she was walking their dogs. His dogs are service dogs. They were attacked by the same three pit bulls that killed Mr. Medina's pet. He asked that the council approve this ordinance.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

h. [16-032](#)

A request from Commissioner Jack Shanafelt requesting that the City of Seguin request Texas Department of Transportation (TxDOT) to perform a traffic study along SH46, Business 123 North, and Hwy. 123 Bypass - Commissioner Jack Shanafelt

*Citizen Comments*

*Name: Kenneth Mueller*

*Address: 475 Thormeyer Rd.*

*City: Seguin, Texas*

*He asked the council to ask the state to address speed limits and turn lanes on Hwy 123.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

i. [16-023](#)

Resolution approving and ratifying a ten year agreement with the Guadalupe Agricultural and Livestock Fair Association for use of the Seguin Events Complex to conduct the Guadalupe County Fair; and declaring an effective date - Rick Cortes, Assistant City Manager

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-005

j. [16-027](#)

Resolution of the City Council of the City of Seguin, Texas transferring ownership of 311 Mesquite (Lot #5) and 327 Mesquite (Lot #1) to the Guadalupe Valley Habitat for Humanity; authorizing the City Manager to execute all documents necessary; and authorizing an effective date - Doug Faseler, City Manager

**A motion was made by Council Member Crabb, 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 Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-006

k. [16-004](#)

Resolution authorizing the City Manager to execute a Letter of Agreement with the Texas Main Street Program demonstrating the City of Seguin's commitment to continue as a "Sustaining Level Official Main Street City" - Kyle Kramm, Main Street Program Director

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

**Excused:** 1 - Council Member Crabb

**Presiding:** 1 - Mayor Keil

**Aye:** 7 - Council Member Leal, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-007

l. [16-024](#)

Resolution authorizing the City Manager to execute a Memorandum of Understanding between the City of Seguin and Guadalupe County for the provision of assistance in Fire Investigations and Inspections; and providing an effective date - Dale Skinner, Fire/EMS Chief

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

**Excused:** 1 - Council Member Crabb

**Presiding:** 1 - Mayor Keil

**Aye:** 7 - Council Member Leal, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-008

m. [16-028](#)

Resolution of the City Council of the City of Seguin, Texas approving a Capital Improvement Reimbursement Agreement with Central States Manufacturing, Inc. for the construction of street improvements along North Heideke Street; authorizing the City Manager to execute the agreement; and providing an effective date - Doug Faseler, City Manager

**A motion was made by Council Member Medrano, 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 Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-009

n. [16-029](#)

Resolution approving the Seguin Economic Development Corporation's expenditure of an amount not to exceed \$50,000.00 for sidewalk improvements to various locations in Downtown Seguin to support expanded business development; and declaring an effective date - Terry Trevino, Director of Economic Development

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-010

o. [16-006](#)

Award of Bid - Sidewalk Improvement Project (various locations) - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

p. [16-030](#)

Resolution of the City Council of the City of Seguin, Texas authorizing City Manager to execute a professional engineering services contract with Brown & Gay Engineering for the design and engineering services related to the Tor Drive Reconstruction Project; and declaring an effective date - David Rabago, P.E., Utility Engineer

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-011

q. [16-010](#)

Resolution of the City Council of Seguin Texas, awarding the bid amount of \$579,000.00 to Alfa Laval Ashbrook Simon- Hartley, Inc. for the Portable Belt Press for production of solids at both Wastewater Facilities; authorizing the City Manager to enter into a construction contract with Alfa Laval Ashbrook Simon - Hartley, Inc; and declaring an effective date - Emery Gallagher, Director of Water/Wastewater Utilities

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-012

r. [16-037](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Engineering Service Agreement with TRC Solutions for the design of North Heideke Street reconstruction from the I-10 Frontage Road to Hwy 123 Bypass at a cost of \$74,060; providing an effective date - Doug Faseler, City Manager

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-013

s. [16-022](#)

Board and/or Committee Appointments - Mayor Don Keil

a. Juvenile Truancy Committee

**A motion was made by Council Member Dodgen, seconded by Council Member Castellon, that this Appointment be approved. (Landra Solansky, Court Administrator, and Andrew Quittner, City Attorney)The motion carried by the following vote:**

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

t. [16-020](#)

Update on Capital Improvement Projects - Doug Faseler, City Manager

*City Manager provided a powerpoint updating and examining the capital improvement projects for the City of Seguin.*

8. **Acknowledgment of Bills**

a. [16-041](#)

Check Report 12-30-2015 to 1-11-2016

*The bills were acknowledged.*

9. **Adjournment**

*There being no further business before the council the meeting adjourned at 8:35 pm.*

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*Don Keil, Mayor*

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*Thalia Patlan Stautzenberger, City Secretary*