



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes City Council

Tuesday, August 18, 2015

5:30 PM

Council Chambers

1. **Call to Order**

2. **Invocation - Council Member Fonda Mathis**

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

4. **Roll Call**

Present: 7 - Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Tomas V. Castellon, Council Member Fonda Mathis, Council Member Phil Seidenberger, Council Member Donna Dodgen, and Council Member Mark Herbold

Presiding: 1 - Mayor Don Keil

Absent: 1 - Council Member Carlos Medrano

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

No public comments at this time.

6. **Presentation**

a. **15-248**

Certificates of recognition presented to the Electric Utilities Department's team of employees that participated in the 2015 Texas Lineman's Rodeo - Don Keil, Mayor

The Mayor presented a certificate of recognition to the Electric Utilities Department's team of employees who participated in the 2015 Texas Lineman's Rodeo.

7. **Consent Agenda**

a. [15-260](#)

City Council Minutes of 8-4-2015 REGULAR
City Council Minutes of 8-11-2015 WORKSHOP

A motion was made by Council Member Crabb, seconded by Council Member Dodgen, that the minutes be approved. The motion carried by the following vote:

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

b. [ZC 10-15](#)

Ordinance on second reading to consider Zoning Changes from Pre-Development and Mixed Use to Commercial, Manufactured-Residential, Neighborhood Commercial, Public, and Single-Family Residential for properties located between Stockdale Highway and Sutherland Springs Rd. (ZC 10-15)

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

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

Enactment No: ORD 2015-47

c. [ZC 11-15](#)

Ordinance on second reading to consider Zoning Changes from Mixed Use to Commercial, Mobile Home Park, Neighborhood Commercial, Public, and Single-Family Residential for properties located in an area in the center of the City (ZC 11-15)

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

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

Enactment No: ORD 2015-48

d. [ZC 12-15](#)

Ordinance on second reading to consider Zoning Changes from Mixed Use to Commercial, Neighborhood Commercial, Public, and Single-Family Residential for properties located along N. Guadalupe, W. Cedar, W.

Humphreys, N. Camp, and N. Bowie Streets, Approximately 10.64 acres (ZC 12-15)

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

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

Enactment No: ORD 2015-49

e. [ZC 13-15](#)

Ordinance on second reading to consider a Zoning Change from Pre-Development to Public for the property located on Fred Byrd Rd., Abstract 6, H Branch Survey, approx. 16.7630 acres, Property ID 51191 (ZC 13-15)

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

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

Enactment No: ORD 2015-50

f. [ZC 14-15](#)

Ordinance on second reading to consider a Zoning Change from Single-Family Residential and Pre-Development to Light Industrial for the property located between N. Guadalupe St. & Eighth St., Abstract 6, H Branch Survey, Approx. 60.14 acres, Property ID's 51563 and 51121 (ZC 14-15)

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

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

Enactment No: ORD 2015-51

g. [15-228](#)

Ordinance on second reading amending FY2015 General Fund Budget

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

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

Enactment No: ORD 2015-52

h. [15-232](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapter 102, Article III, Water (f), (g), (h), (i), and (j); establishing revised rates for certain water services in the city; providing for an effective date and a severability clause; and authorizing staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

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

Presiding: 1 - Mayor Keil

Nay: 2 - Council Member Leal, and Council Member Castellon

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

Enactment No: ORD-53

i. [15-233](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapter 102, Article IV, Wastewater (d), (e), (f), and (g); establishing revised rates for certain wastewater services in the city; providing for an effective date and a severability clause; providing for publication; and authorizing staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

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

Presiding: 1 - Mayor Keil

Nay: 2 - Council Member Leal, and Council Member Castellon

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

Enactment No: ORD 2015-54

j. [15-239](#)

Ordinance on second reading amending FY2015 Utility Fund Budget

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

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

Enactment No: ORD 2015-55

k. [15-231](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapters 18, 46, 50, 66, 74, and 82; providing for a severability clause; declaring an effective date; and authorizing city staff to submit this Ordinance as a supplement to the Seguin Code of Ordinances

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

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

Enactment No: ORD 2015-56

8. Action Items - Discussion and Possible Motion to Approve

a. [15-255](#)

Resolution of the City Council of the City of Seguin, Texas approving the waiver of building and permit fees for the new Guadalupe County Children's Advocacy Center; and declaring an effective date - Doug Faseler, City Manager

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

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

Enactment No: RES 2015-85

b. [15-245](#)

Street Closure Request from Roca Eterna Seguin to close the 100 block of East Nolte from 5:00 p.m. to 11:00 p.m. on September 4, 5, and 6, 2015 while hosting a Christian Concert within Central Park - Kyle Kramm, Main Street Program Director

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

c. [15-262](#)

Approval of reports for quarter ended June 30, 2015 for the following organizations that receive Occupancy Tax funding - Susan Caddell, Director of Finance

- a. Seguin Conservation Society
- b. Mid-Texas Symphony
- c. The Heritage Museum
- d. Guadalupe County Fair Association
- e. LULAC Council #682
- f. Seguin Area Chamber
- g. Seguin Art League
- h. The Fields of Huber Ranch

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

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

d. [15-261](#)

Discussion and Direction from City Council on amendments to the Seguin Code of Ordinances, Section 78, Article II, Garage Sales - Pamela Centeno, Director of Planning and Codes

Citizen Comments

Name: Jeff Koehler

Address: 1346 Koehler Lane and 110 W. Nolte St.

City: Seguin, Texas

He asked if this ordinance applied to businesses as well. He stated that the changes in the proposed ordinance did not address the concerns that he has had for the past 3 years. He stated that the restricting signage, location of signs and the number of estate sales would cause an impact on their business. He stated that they were not a resident conducting a sale but rather a business conducting a professional estate sale. There is a difference between a garage sale and a business estate sale.

Name: Henry Hill

Address: 707 N. King St. and 701 Flint Rock Lane

City: Seguin, Texas

He shared his concern regarding the restriction of signs, location of signs and the number of estate sales held. He also stated that there was a difference in an estate sale and garage sale.

e. [15-250](#)

Resolution authorizing the sale of surplus property in accordance with the City's Disposal of Assets Policy - Twila Wood, Purchasing Manager

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

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

Enactment No: RES 2015-86

f. [15-256](#)

Furniture, Fixtures and Equipment Bid Award and Purchases through Purchasing Cooperatives and Formal Bidding for the Library Building Project - Jacki Gross, Director of Library

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

g. [15-258](#)

Resolution of the City Council of the City of Seguin, Texas approving an agreement with Pyro Shows of Texas, Inc. for the 2016 Independence Day Fireworks Celebration; approving holding the fireworks celebration on Sunday, July 3, 2016 with a rainout date of Saturday, July 9, 2016; and authorizing the City Manager to execute a Contract Agreement; and declaring an effective date - Jack Jones, Director of Parks and Recreation

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:

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

Enactment No: RES 2015-87

h. [15-257](#)

Approval of the demolition of the remaining structure from the Hoermann House at Park West and creating a group pavilion underneath the existing protective metal roofing with picnic tables and barbeque pits utilizing 2013 Parks Bond funding - Jack Jones, Director of Parks and Recreation

A motion was made by Council Member Crabb, seconded by Council Member

Herbold, that this Action Item be approved. The motion carried by the following vote:

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

i. [15-259](#)

Vote to propose a tax rate of \$.5256 per \$100 valuation - Susan Caddell, Director of Finance

A motion was made by Council Member Dodgen, seconded by Council Member Leal, "to place a proposal to adopt a tax rate of \$.5256 per \$100 valuation on agenda of a future City Council meeting". The motion carried by the following vote:

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

j. [15-254](#)

Resolution approving the water rates adopted by the Schertz-Seguin Local Government Corporation for FY2016; and declaring an effective date - Alan Cockerell, SSLGC General 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: 7 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-88

k. [15-253](#)

Resolution approving the Schertz-Seguin Local Government Corporation FY2016 Budget; and declaring an effective date - Alan Cockerell, SSLGC General Manager

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

Enactment No: RES 2015-89

I. [15-252](#)

Resolution of the City Council of the City of Seguin, Texas approving and authorizing a Management Services Agreement between the Schertz-Seguin Local Government Corporation and the City of Seguin; and declaring an effective date - Alan Cockerell, SSLGC General Manager

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

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

Enactment No: RES 2015-90

m. [15-244](#)

Resolution approving the FY2016 Seguin Economic Development Corporation Budget - Tim Neeley, Interim Assistant Director of Economic Development

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

Enactment No: RES 2015-91

n. [15-251](#)

Resolution of the City Council of Seguin, Texas approving a Reimbursement Agreement for Utility Improvements with W&B Development, Ltd for construction of a lift station serving the Meadows at Nolte Farms and adjacent properties; authorizing the City Manager to execute the Agreement; and declaring an effective date - Andy Quittner, City Attorney

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

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

Enactment No: RES 2015-92

o. [15-247](#)

Presentation on Seguin Utilities Operation Center design and timeline, and authorization to bid, - TSG Architects and Rick Cortes, Assistant City Manager

Tim Geischedel from TSG Architects presented an overview of the Seguin Utilities Operation Center.

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

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

9. **Acknowledgment of Bills**

a. [15-264](#)

Check Report - 7/26/2015 through 8/10/2015

The bills were acknowledged.

10. **Executive Session**

a. [13-014](#)

Deliberation regarding Economic Development Negotiations in accordance to Section 551.087 - Doug Faseler, City Manager

b. [13-048](#)

Deliberation regarding Real Property in accordance with Section 551.071 and 551.072 - Doug Faseler, City Manager

c. [15-263](#)

In accordance with Section 551.071 - Deliberate pending litigation in the case Afton Carter v City of Seguin - Andy Quittner, City Attorney

The regular meeting was recessed and the council went into Executive Session at 7:13 pm. The regular meeting reconvened at 7:49 pm.

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

a. [15-222](#)

Resolution authorizing the City Manager to enter into a Chapter 380 Economic Development Agreement with Nolte Farms, LLC for the purpose of reimbursing expenses related to public infrastructure for the Nolte Farms Mixed Use Community Project - Andy Quittner, City Attorney

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

Enactment No: RES 2015-93

12. Adjournment

There being no further business before the council the meeting adjourned at 7:50 pm.

Don Keil, Mayor

Thalia Patlan Stautzenberger, City Secretary