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# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### City Council

Tuesday, July 2, 2019

5:30 PM

Council Chambers

#### 1. Call to Order

*The City Council met in a REGULAR Called Meeting on 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 Penny Wallace

#### 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: Julian Leal  
Address: 849 Prexy  
City: Seguin, Tx*

*Spoke about the lack of trees in Manual Castillo Park, requested from City Manager as a going away present to add more trees to this park.*

*Councilman Ernest Leal asked if there is a law for pulling over for a emergency vehicle? He recently pulled over for an ambulance and yet the car behind him passed him. Chief Nichols stated there is no law for the situation but a vehicle cannot obstruct the traffic flow of an emergency vehicle.*

*Councilman Mark Herbold said that he spoke with Jesse Atzger recently about the subdivision going in on FM 725. With all the land clearing he is experiencing drainage*

issues. City Manager Doug Faseler said he would follow up and insure that the contractors silt fencing is up.

City Manager stated Kyle Kramm wanted to know if City Council would like to have a joint meeting with the Historic Preservation & Design Committee for a presentation during lunch hour of July 26th. Meeting notice will be sent out.

Councilwoman Fonda Mathis inquired if there are rescue groups that can be contacted on a weekend or after hours when needed. Chief Nichols said Animal Services does have a great relationship with rescue groups, but one of the issues is the rescue groups requires the animal to be checked out by a veterinarian before taking it to their facility. Chief Nichols advised that he would check on this issue and get back.

Councilman Jeremy Roy praised the Summer Reading program at the Library, complimenting staff for all the hard work. Also, he recognized Kyle Kramm for hosting all the Mainstreet Concerts in the park, they have been great. So much going on downtown.

Mayor Keil extending an invitation to everyone to come out to Fourth of July Festivities. Flag Raising Ceremony begins at 9:00 a.m. and the parade begins at 10:00 a.m.

Director of Parks & Recreation Jack Jones stated that we will be holding a joint Parks Board & City Council meeting on July 15th at 5:30 pm to give input to the consultant from Stantec.

City Manager Doug Faseler said he forwarded to City Council a Yellow Texas video.

## 6. Consent Agenda

**A motion was made by Council Member Mathis, seconded by Council Member Crabb, that this be approved on the Consent Agenda. 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. [19-183](#)

City Council Minutes June 18, 2019

**This Minutes was approved**

### b. [ZC 12-19\(a\)](#)

Ordinance on second reading to consider a Zoning Designation to Single Family Residential (R-1), Commercial (C) and Agricultural Ranch (A-R) for property located at the 4000 Block of State Highway 46 N, Property ID 55083 (ZC 12-19)

**This Ordinance was adopted**

Enactment No: ORD 2019-037

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

### a. [19-179](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Commercial (C) to Single Family Residential (R-1) for approx. 8 acres out of a 14.94 acre tract between the 500 Blk of IH 10 and E. Martindale Street, Property ID 51239, (ZC 11-19) - Pamela Centeno, Director of Planning & Codes

*The regular meeting was recessed and the public hearing was called to order. There being no response and/or comments from the public hearing was adjourned and the regular meeting was reconvened.*

**A motion was made by Council Member Herbold, seconded by Council Member Wallace, 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 2019-038

### b. [19-178](#)

Public Hearing and Ordinance on first reading amending the Seguin Unified Development Code (UDC) Section 3.4.3- Land Use Matrix, Section 3.5.3.S- Food Truck Park, and Definitions, providing for a severability clause, publication, and an effective date - Pamela Centeno, Director of Planning & Codes

*The regular meeting was recessed and the public hearing was called to order. There being no responses and/or comments from the public the public hearing was adjourned and the regular meeting was reconvened.*

**A motion was made by Council Member Crabb, seconded by Council Member Rangel, 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 2019-039

### c. [19-191](#)

Resolution approving a one year extension of a sanitary sewer connection agreement with homeowners in the Deerwood Circle and Sunrise Acres Subdivisions; and declaring an effective date - David Rabago, P.E., CFM, City Engineer

**Sponsors:** Herbold

**A motion was made by Council Member Herbold, 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 2019-074

**d.** [19-189](#)

Resolution of the City Council of Seguin, Texas renaming the Seguin Reinvestment Zone Number 2014-02 as Seguin Reinvestment Zone #4; and declaring and effective date - Joshua Schneuker, Director of Economic Development

**A motion was made by Council Member Mathis, seconded by Council Member Herbold, 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 2019-075

**e.** [19-190](#)

Resolution awarding a downtown loan to Jason Howell for the rehabilitation of the Hugo Starcke Building, 1421 North Austin Street - Kyle Kramm, Main Street & CVB Director.

*Deferred action until after the Executive Session.*

**A motion was made by Council Member Herbold, seconded by Council Member Wallace, that this Resolution 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

Enactment No:

**f.** [19-186](#)

Resolution authorizing the city manager to execute a Professional Services Agreement with BlueDag, LLC for the development and maintenance of a transition plan under the Americans with Disabilities Act. Andy Quittner - City Attorney

**A motion was made by Council Member Mathis, seconded by Council Member Wallace, 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 2019-076

g. [19-193](#)

Resolution approving a letter of engagement with Ryan Henry of the Law Offices of Ryan Henry; and declaring an effective date. Andy Quittner - City Attorney

**A motion was made by Council Member Crabb, seconded by Council Member Rangel, 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 2019-077

8. **Acknowledgment of Bills**

*The bills were acknowledged.*

a. [19-184](#)

Check Report: June 14, 2019 through June 27, 2019

9. **Executive Session**

*The regular meeting was recessed and the council went into Executive Session at 5:59 pm. The regular meeting reconvened at 7:20 pm.*

a. [19-195](#)

a. Deliberate pending/contemplated litigation, settlement offer(s), 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: MGD-RIO IV vs. City of Seguin - Andy Quittner, City Attorney

b. [19-196](#)

b. Deliberate competitive Electric Matter in accordance with Section 552.133

c. [19-197](#)

c. Discuss the purchase or sale of real property.

10. **Adjournment**

*There being no further business before the council the meeting adjourned at 7:20 pm.*

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**Don Keil, Mayor**

**Attest:**

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**Naomi Manski, City Secretary**