



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, January 16, 2024

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a REGULAR Called Meeting on Tuesday, January 16, 2024 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Donna Dodgen presiding.

2. Invocation - Council Member Joe Rea

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Excused: 1 - Council Member Sonia Mendez

Present: 7 - Council Member Joe Rea, Council Member Jim Lievens, Council Member Chris Rangel, Council Member Paul Gaytan, Council Member Monica N. Carter, Council Member Jason Biesenbach, and Council Member Bill Keller

Presiding: 1 - Mayor Donna Dodgen

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. Due to the Open Meetings Act discussions on matters not on the agenda are not allowed, therefore discussion 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.

Gary Vaughan, 503 S. Goodrich, Seguin, Texas, 78155; Mr. Vaughan spoke on the golf project stating he supports all that former Council member Mark Herbold said at a prior meeting. Mr. Vaughan states we are about to spend potentially about nine million dollars, Mr. Vaughan asked the city council; What are we going to do different that is going to keep this golf course around and in great shape? Mr. Vaughan passed around some photos, stating the photos show what everything looked like after it was rebuilt and photos of what it looks like today. The photos show some areas in very bad condition, bad grass, stating it is a terrible green. Mr. Vaughan states all he is asking is that this time let's do it the right way and have the right people in place.

Javier Cuevas, 831 Jefferson, Seguin, Texas, 78155; Mr. Cuevas first wanted to commend City Manager, Steve Parker, for opening the community room at the library for those needing a warm place to be during the freeze. Mr. Cuevas states we as a community need to do more.

City Councilman Paul Gaytan, stated he wanted to thank the Martin Luther King Community for the wonderful MLK Celebration.

City Manager Steve Parker states he appreciates staff for preparing so diligently for the weather event over the holiday weekend. Also stating that the City of Seguin was looking out for our community and those in need of a place keep warm during the hard freeze. Several homeless folks were placed in hotel rooms to help keep them safe and out of the freezing weather. Mr. Parker states that our city team (Police, Fire, Public Works, Parks, and Facilities) were ready and prepared. Mr. Parker thanked all staff.

6. Presentation

a.

Discussion and direction to staff on potential amendment to Section 98 - 109(d)(3) to adjust the limits of Parking By Permit Area A, North Saunders Street between Medlin Street and West Court Street - Steve Parker, City Manager

Indexes:

Attachments: [Parking by Permit Saunders Street](#)
 [PxP Area A](#)

The City Manager, Steve Parker stated he was opening a discussion on the parking by permit on N. Saunders Street between Medlin Street and W. Court Street. Mr. Parkers states in May and July of last year permit by parking was brought to the City Council and the first street was N. Saunders between Medlin and West Court Street, on both sides. Within the last few months, a couple of residents have come into City Hall to express their concerns, so it was brought back as a discussion with City Council tonight at the request of Mayor Donna Dodgen's; asking council if they believed this was still viable a option. Recommendations are to possibly change it to just one side of the street. We are opening it to the council for discussion, no action item.

Mayor Donna Dodgen states she did want to have a discussion regarding the permit by parking at this location, stating she was under the impression permit by parking would be on only one side of the street. Mayor states it should be on one side of the street, to keep folks from parking in front of the resident's homes.

City Council Chris Rangel concurs with Mayor Donna Dodgen, that permits by parking should be on the one side as to keep folks from parking in front of the resident and blocking driveways.

City Council Jason Biesenbach states there should be no permit by parking. Citizens should be able to park on the street. Councilman Biesenbach says to leave parking open.

City Manager, Steve Parker reminds staff that there should be no parking on the bridge.

City Engineer, Melissa stated that notifications will be sent to all the residents and business owners on the street.

b. Discussion and direction to Staff regarding Short Term Rentals - Steve Parker, City Manager

Indexes:

Attachments: [Vacation Rental by Owner Amended](#)

City Council Paul Gaytan states that he is the one that requested the discussion on short term rentals to give citizens a chance to voice their concerns.

Dr. Bill Campaign, 148 Wampum Way, Seguin, Texas 78155, Dr. Campaign says that he wanted to thank Councilman Paul Gaytan and City Council for considering an ordinance on short term rentals. Dr. Campaign states that he has a short-term rental next door to his home and another a few houses down on his street. Dr. Campaign presented a couple of example ordinances that the City of New Braunfels has adopted, and states that some of the reasons they have been adopted is there has been loss of neighborhood integrity, safety was a concern as well. Dr. Campaign states he is not opposed to short-term rentals, but it is imperative that there are ordinances for the benefit of the community and for the renters.

Rena Henze, 21 Cherry Hill, Seguin, Texas, 78155, Ms. Henze state her family bought a home in Seguin in 2019 in the Chaparral area, stating they love the neighborhood, it was quiet and well kept, and it still well kept. By 2021 three homes across from hers were sold, bought, and turned into short term rentals; stating it has been a nightmare since then. One of the homes is rented to eighteen-year-olds with a limit of twenty-eight people that can stay the night. The problems are the parties until 4:00 am, with over two hundred kids and cars causing traffic issues. Ms. Henze states her neighbor's mailbox has been backed into several times. Trash blowing everywhere, there is no consideration for the permanent residents. Ms. Henze states we need some governing of the short-term rentals.

City Councilman Paul Gaytan asked Ms. Henze about a photograph that represented over two hundred people attending a party at one of the rentals? Ms. Henze stated "yes", Councilman Gaytan asked if this was the rental property that allow eighteen-year-olds to rent it? Ms. Henze states seniors in high school could be renting this rental.

Lee Johnson, 19 Cherry Hill, Seguin, Texas, 78155, Spoke on the short-term rental at 48 Cherry Hill, States this is a safety issue. Also stating lately, the folks renting over the weekends have Mexico plates.

Beth Gatte, 1123 Burges St. Seguin, Texas, 78155, States she was kayaking on the river and saw a man with a gun who had been shooting into the river.

Sofea Burton, 138 Wampum Way, Seguin, Texas, 78155; Ms. Burton states she has a short-term rental next door to her home but has not had problems with the folks renting. Ms. Burton states she is in support of an ordinance for all short-term rentals in Seguin.

City Councilman Paul Gaytan gave a suggestion that the City Council move forward in putting together an ordinance for short term rentals.

Mayor Donna Dodgen states she would like some data before having an ordinance put in place.

City Councilman Paul Gaytan we need to do something now, and we should look at what our neighboring cities have in place for their short-term rentals.

City Councilman Jim Lievens states he believes in data and is in favor of staff looking into this, also stating there should be a limited number of people staying at any given night.

City Manager, Steve Parker states there are some restrictions and there are other things we can do. We would make sure they have parking plans, make sure they have safety measures in place. Mr. Parker gives an example of something the City of San Marcos does, with have the rental properties register and after so many violations are not able to work as a rental property.

Mayor Donna Dodgen states that she feels that all, the City Council, City Manager, Steve Parker, and staff agree that staff will put some data together and can come back to council for more discussion.

7. Consent Agenda

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

a.

City Council Meeting Minutes of January 2, 2024

Indexes:

Attachments: [CC MeetingMinutes January 2, 2024](#)

City Council Meeting Minutes of January 2, 2024 was approved

b.

Ordinance on second and final reading to consider a Zoning Change from Single Family Residential (R-1) to Zero Lot Line (ZL) for a property located at the 1500 block of Joe Carrillo Street, Property ID: 116453 (ZC 17-23)

Indexes:

Attachments: [Staff Memo ZC 17_23](#)
[ZC 17-23 Planning Commissioner Report & agenda packet](#)
[ZC 17-23 Ordinance](#)
[ZC17-23 ExhibitA CC](#)

This Zoning Ordinance was adopted

Enactment No: ORD 2024-001

c.

Ordinance on second and final reading to consider a Zoning Change from Agricultural Ranch (A-R) to Commercial (C) for a property located at 3965 E. US Hwy 90, Property ID: 170523, (ZC 18-23)

Indexes:

Attachments: [Staff Memo ZC 18_23](#)
[ZC 18-23 Planning Commission Report and agenda packet](#)
[ZC 18-23 Ordinance](#)
[ZC1823 ExhibitA CC](#)

This Zoning Ordinance was adopted

Enactment No: ORD 2024-002

d.

Ordinance on second and final reading to consider a Zoning Change from Single-Family Residential (R-1) to Manufactured and Residential (M-R) for a property located at 1551 FM 20, Property ID: 111991 (ZC 21-23)

Indexes:

Attachments: [Staff Memo ZC 21_23](#)
[ZC 21-23 Planning Commission Report and agenda packet](#)
[ZC 21-23 Ordinance](#)
[ZC2123 ExhibitA CC](#)

This Zoning Ordinance was adopted

Enactment No: ORD 2024-003

e.

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Criminal Justice Division funding announcement Bullet-Resistant Shield Grant Program, FY2025 - Justice Homes, Grant Specialist

Indexes:

Attachments: [1-16-2024 City Council MEMO to submit FY25 Bullet Shields Application](#)
[1-16-2024 City Council RESOLUTION to submit FY25 Bullet Shields Application](#)

This Resolution was approved

Enactment No: RES 2024-010

f.

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Criminal Justice Division funding announcement Body-Worn Camera Grant Program, FY2025 - Justice Holmes, Grant Specialist

Indexes:

Attachments: [1-16-2024 City Council MEMO to submit FY25 Body-Worn Cameras Application](#)
[1-16-2024 City Council RESOLUTION to submit FY25 Body Worn Camera Application](#)

This Resolution was approved

Enactment No: RES 2024-011

g.

Resolution to the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Criminal Justice Division funding announcement Criminal Justice Grant Program, FY2025 - Justice Holmes, Grant Specialist

Indexes:

Attachments: [01-16-2024 City Council MEMO to Submit FY25 JAG Application](#)
[01-16-2024 City Council RESOLUTION to submit FY25 JAG Application](#)

This Resolution was approved

Enactment No: RES 2024-012

h.

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Criminal Justice Division funding announcement General Victim Assistance Grant Program, FY2025 - Justice Holmes, Grant Specialist

Indexes:

Attachments: [01-16-2024 City Council MEMO to Submit FY25 VOCA Application](#)
[01-16-2024 City Council RESOLUTION to submit FY25 VOCA Application](#)

This Resolution was approved

Enactment No: RES 2024-013

i.

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Criminal Justice Division funding announcement Rifle-Resistant Body Armor Grant Program, FY2025 - Justice Holmes, Grant Specialist

Indexes:

Attachments: [01-16-2024 City Council MEMO to Submit FY25 Rifle-Resistant Body Armor Grant](#)
[01-16-2024 City Council RESOLUTION to submit FY25 Rifle Resistant Body Armor Grant](#)

This Resolution was approved

Enactment No: RES 2024-014

j.

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Criminal Justice Division funding announcement, Juvenile Justice & Truancy Prevention Grant Program, FY2025 - Kathy Wood, Grant Administrator

Indexes:

Attachments: [01-16-24 City Council MEMO to Submit FY25 TRIPP Application](#)
[01-16-24 City Council RESOLUTION to submit FY25 TRIPP Application](#)

This Resolution was approved

Enactment No: RES 2024-015

k.

Resolution authorizing the purchase of eighty-nine steel poles bid # AF-2024-12 for use by City of Seguin Electric Utilities Department-Adam Ryals, Utility Warehouse Manager and Rick Cortes, Deputy City Manager

Indexes:

Attachments: [Agenda Item Memo 1.10.24 Steel Poles \(1\)](#)
[Bid Tab AF-2024-12 Steel Pole](#)
[Resolution\(Steel.Poles.Bid\)](#)

This Resolution was approved

Enactment No: RES 2024-016

l.

Boards and Committee Appointments
a. Golf Advisory Board

b. Main Street Advisory Board

Indexes:

Attachments: [Council.Appointments.1-16-2024](#)
 [BoardApplication.Sedlacek](#)
 [BoardApplication.Henze](#)

This Action Item was approved

m.

Check Report: January 1, 2024 through January 12, 2024

Indexes:

Attachments: [Check Report \(9\)](#)

The bills were acknowledged.

8. Action Items - Discussion and Possible Motion to Approve

a.

Ordinance on second and final reading amending the Seguin Code of Ordinances Section 98-109(c), to create Parking by Permit Area B; authorizing city staff to prepare this ordinance as a supplement to the city code of ordinances; providing for a severability clause; providing for publication; and declaring an effective date

Indexes:

Attachments: [2024-01-02 Memo PxP Area B](#)
 [Proposed PxP Area B](#)
 [Notices Mailed](#)
 [2024-01-02 PxP Area B Ordinance revised](#)
 [PERMIT CONDITIONS](#)

City Councilman Bill Keller states he wants to go on record as saying hotels should provide parking for their customers. Customers should not be having to park on the street. Council man Keller states there is a lot of vacant property around Jay Road and developers will be looking. Councilman Keller states we don't want them to see all the semi-trucks parked on the street. It may influence their decisions to purchase the property for development. Councilman Keller states he is against the trucks parking there and is against parking by permit.

City Councilman Jason Biesenbach states the streets are paid for by the citizens and anyone should be able to park on the streets.

City Councilman Bill Keller states we should place no parking signs.

Jud Alexander, 318 Montwood, Seguin, Texas, 78155; states he represents his family and the vacant land surrounding Jay Rd. Mr. Alexander states they do have intentions for more commercial retail development and when that happens the street will become of more use. Mr. Alexander states if you place two eighteen wheelers on each side the

street becomes a one lane road. Mr. Alexander states it is a safety issue, the fire hydrants are not accessible at night. Mr. Alexander states he feels no parking signs should be placed. The street really should be cleared for access.

City Councilman Jason Biesenbach spoke on how eighth street has no parking signs and there are still problems with trucks parking and throwing their trash out, there needs to be more enforcement.

Director of Economic Development, Josh Schneuker spoke on they are still having some complaints on eighth street, even with the no parking signs in place. Issues with property damage and trash is still an issue.

City Attorney, Mark Kennedy stated the item will be brought back to council.

A motion was made by Council Member Keller, seconded by Council Member Gaytan, that this Ordinance be withdrawn. The motion failed by the following vote:

Excused: 2 - Council Member Mendez, and Council Member Biesenbach

Presiding: 1 - Mayor Dodgen

Nay: 3 - Council Member Rea, Council Member Gaytan, and Council Member Keller

Aye: 3 - Council Member Lievens, Council Member Rangel, and Council Member Carter

b.

Resolution by the City Council of the City of Seguin, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date - Duane Westerman, SAMCO Capital Markets, Inc.

Indexes:

Attachments: [Letter \(1\)](#)

[Resolution \(1\)](#)

[Agenda and Motion](#)

[Memo to City Council for Authorization to Issue COs](#)

[Seguin CO Pres 1.16.2024](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-017

c.

Resolution authorizing the City Manager to sign and execute extensions, or authorizing Staff to begin the process of voluntary annexation when extensions are not practicable, for Chapter 43 Development Agreements which have initial terms ending in calendar year 2024- Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Exhibit A DevAgreement Extensions Jan2024](#)
[Resolution.Dev.Agmt.Extensions](#)
[CC Memo DevAgreement Extensions 2024](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-018

d.

Resolution to award the bid for the construction of the Crossroads Lift Station force main to Fuquay, Inc., in the amount of \$491,625.00, including an addition \$8,375.00 in contingency for a not to exceed amount of \$500,000.00; and declaring an effective date - Timothy J. Howe, Director - Water/Wastewater Utilities

Indexes:

Attachments: [Council Memo 1-2-24](#)
[Crossroads FM Resolution](#)
[Buyboard Proposal - Pipe Burst 2023 Crossroads LS Force Main SIGNED](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-019

e.

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Agreement with Sullivan Contracting Services regarding a Choice Partners quote in the amount of \$63,007.57 for converting the Rodeo Arena lighting at the Seguin Events Complex from metal halide to LED through a matching grant from the State Energy Conservation Office; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:

Attachments: [memo](#)

[Rodeo Arena Light Conversion to LED Quote](#)

[Resolution \(Sullivan.Contracting.Services\)\(Rodeo.Arena.Lighting\)](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-020

f.

Resolution authorizing the execution of a Professional Services Agreement between the Seguin Economic Development Corporation and TRC Engineers, Inc. for the design of a water line extension project to serve the NewQuest development located between I-10 and FM 78; and establishing an Effective Date. - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [011624 Water Line Project Design City Council Memo](#)

[Resolution 2024-03 TRC Engineers](#)

[SEDC Newquest Water line Engineering Services Proposal](#)

[Resolution\(TRC.Contract.NewQuest\)](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-021

- g. Resolution approving an amendment to the Fiscal Year 2023-2024 Seguin Economic Development Corporation Budget - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [011624 City Council BA1 Memo](#)
[Resolution 2024-04_Budget Amendment 1_New Quest Water Main Project](#)
[City Council Resolution_SEDC Budget Amendment 1](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-022

- h. Resolution to review the Seguin Economic Development Corporation (SEDC) Investment Policy in order to conform to Public Funds Investment Act, Texas Government Code Annotated, Chapter 2256 - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [011624 City Council 2024 Investment Policy Memo](#)
[Resolution 2024-01 Investment Policy 2024](#)
[City Council Resolution Investment Policy](#)
[SEDC Investment Policy 2024](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-023

- i. Ordinance on second reading amending the Fiscal Year 2024 Utility Fund Budget of the City of Seguin, Texas

Indexes:

Attachments: [Wells Fargo Building Purchase memo](#)
[Wells Fargo Building Purchase](#)

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

Excused: 1 - Council Member Mendez

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: ORD 2024-004

9. Closed Session

The regular meeting was recessed and the council went into Closed Session at 7:08 pm. The regular meeting reconvened at 7:16 pm.

a.

EXECUTIVE/CLOSED SESSION MEETING - An executive/closed session meeting will be held pursuant to **Section 551.087 Deliberation Regarding Economic Development Negotiations (1)** to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; **(2)** to deliberate the offer of a financial or other incentive to a business prospect. of (Project Jackpot) - Steve Parker, City Manager

Indexes:

10. Adjournment

There being no further business before the council the meeting adjourned at 7:17 pm.

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary