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City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, December 6, 2022

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a REGULAR Called Meeting on Tuesday, December 6, 2022 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 Jason Biesenbach

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Joe Rea, Council Member Sonia Mendez, Council Member Jim Lievens, Council Member Chris Rangel, Council Member Paul Gaytan, Council Member Monica N. Carter, Council Member Jason Biesenbach, and Council Member Mark Herbold

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. 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.

Marshall Harris, 1729 Roosevelt, Seguin, Tx 78155; Stating he had three items he wanted to speak about. Problems with the Seguin Utilities Management, stating he came across some information that he is not sure the City Council is aware of. In August 2, 2019 the Federal Communications Commission Issued an Order 19-72A1, and becoming Effect three years latter, August 2, 2022, Changing "Copper Wired Technology" to Wireless Technology for American, now and into the Future. First Item: .#1 It Makes Copper Wired technology obsolete, by replacing it with the wireless technology. #2 It relieves the previous copper wired technology companies of all liabilities, maintenance and removal responsibilities of the existing equipment. The citizens involved have no voice. #3 The City Utilities is the only entity I can think of, that has the expertise and equipment to deal with the mandate, Second

Item: The Establishment of a Transparent, Uniform Code of Expectations. Third Item: I request that this City Council, order the Water Department to cease immediately putting the Industrial Waste Chemical Fluoride into the Municipal Water System without voter consent from the Seguin Citizens who utilize this water.

Jordon Johnson, a Jr. at Seguin High School, 2017 Millford St., I am here with this amazing group of youths to present our campaign "Light the World with love", last year we came here to present this wonderful thing and were able to raise over Two-hundred and Fifty-thousand dollars worth of items for Afghan refugees, furnishing fifty-five apartments with essentials for a family to begin living again. This year we are doing this again with a second giving machine. Stating last was a preview of what we can do, this year will be bigger. We are supporting The Trulight 127 Ministries, and the Seguin Youth Services.

Jennifer Overly, Trulight 127 Ministry, 3125 Linne Rd., some information about Trulight 127 Ministry; the Ministry first licensed their first family in October 2016, we licensed parents to be foster families so we can place kids into their homes, and we also have the Trulight Youth Village which is an emergency facility located here in Seguin, we can accommodate thirty-five children to live on campus. A few statistics, to date we have had three-thousand - twenty-five kids referred and have placed in safe homes One-thousand-four-hundred-thirty-one kids.

Bishop Tenderman of the Church of Jesus Christ of Latter Day Saints, resides at 502 E. College, States he would like to publicly commend our group youth for the humanitarian project they preformed. Stating the energy and drive is really wonderful and really wanting to help support the youths at these locations. Christmas time everyone has the desire to help. The program, the giving machine went nationwide, and an Amazon registry was form, and it is still in a effect today. Also an invitation to come and view at the back corner of our parking lot our youth built a Nativity Scene it is lit up at night along with bench seating.

6. Presentation

- a. Presentation of the 2021-2022 SEDC Annual Report - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [2021-22 SEDC Annual Report.pdf](#)

Josh Schneuker, Director of Economic Development gave a presentation of the 2021-2022 SEDC Annual Report.

7. Consent Agenda

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

a.

City Council Meeting Minutes of November 15, 2022

Indexes:

Attachments: [CityCouncilMeetingMinutes.11-21-2022](#)

The Minutes of November 15, 2022 were approved.

b.

City Council Meeting Minutes of November 21, 2022

Indexes:

Attachments: [CityCouncilMeetingMinutes.11-21-2022](#)

The Minutes of November 21, 2022 were approved.

c.

Ordinance on second and final reading amending the Seguin Code of Ordinances Chapter 14, Animals, to modernize some of the Section, to add consistency between other sections and to add provisions for vicious dogs; providing for publication of this ordinance; providing a severability clause; providing for an effective date; and authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances

Indexes:

Attachments: [Council Memo - Ordinance to modernize animal services language](#)
 [Ordinance Amending Chapter 14 Animals - 2022](#)

This Ordinance was adopted

Enactment No: ORD 2022-097

d.

Resolution approving FY2023 Fix-It Facade grants for downtown revitalization projects - Kyle Kramm, Main Street & CVB Director/HPO

Indexes:

Attachments: [Council Memo - FY2023 Facade Grants.docx](#)
 [Resolution - Awarding FY2023 Facade Grants.docx](#)

This Resolution was approved

Enactment No: RES 2022-182

e.

Resolution approving the 2023 Texas Main Street Locally Designated Program contract with the Texas Historical Commission; and declaring an effective date - Kyle Kramm, Main Street & CVB Director/HPO

Indexes:

Attachments: [TMS Program Council Memo 2023](#)
[Resolution Sustaining Level Official MS 2023.docx](#)
[Seguin_contract.pdf](#)
[2023 Accredited Member Sublicense Form.pdf](#)

This Resolution was approved

Enactment No: RES 2022-183

f.

Approval of reports for the quarter ended September 30, 2022 for the following organizations that receive Occupancy Tax funding - Susan Caddell

- a. Seguin Conservation Society
- b. Mid-Texas Symphony
- c. Teatro de Artes de Juan Seguin
- d. Seguin-Guadalupe County Hispanic Chamber of Commerce
- e. Seguin Heritage Museum
- f. Guadalupe County Fair Association
- g. Seguin LULAC Council #682
- h. Seguin Art League
- i. The Fields of Huber Ranch, LLC

Indexes:

Attachments: [Quarterly reports for quarter ended 093022](#)

This Action Item was approved

g.

Resolution authorizing the City Manager to execute a purchase order in the amount of 129,216.87 for the Tyler Technologies 2023 annual licensing and support renewal - Shane McDaniel, Director of IT

Indexes:

Attachments: [IT Memo - Tyler CY 2023 renewal](#)
[Resolution approving Tyler Technology Maintenance Contract Approval 2023](#)
[Tyler renewal CY 2023](#)

This Resolution was approved

Enactment No: RES 2022-184

h.

Resolution authorizing purchase of pad mount transformers Bid #2023-08 for use by the City of Seguin Electric Utilities department - Adam Ryals Utility Warehouse Manager and Rick Cortes, Deputy City Manager

Indexes:

Attachments: [Agenda Item Memo 12-6-22 Transformers](#)
[Resolution. 2500 KVA Transformers](#)
[Bid Tab Unit Prices.Transformers.TF-2023-08](#)

This Resolution was approved

Enactment No: RES 2022-185

i.

Boards and/or Committee Appointments

- a. Arts Commission
- b. Building & Standards Commission
- c. Golf Advisory Board
- d. Historic Preservation and Design Commission
- e. Library Board
- f. Main Street Advisory Board
- g. Parks & Recreation Advisory Board
- h. Planning & Zoning Commission
- i. Seguin Economic Development Corporation
- j. Zoning Board of Adjustments

Indexes:

Attachments: [Council.Appointments.Dec6](#)

This Appointment was approved

j.

Check Report: November 14, 2022 to December 2, 2022

Indexes:

Attachments: [Check Report \(15\)](#)

This Action Item was approved

8. Action Items - Discussion and Possible Motion to Approve

a.

Resolution approving a Capital Improvement Agreement with CSRP, Inc. (JetStream RV) for the construction of a sanitary sewer line, force main, and lift station that will connect the JetStream RV property to the new sewer infrastructure on Tor Dr.; and declaring an effective date - Andrew Quittner, City Attorney

Indexes:

Attachments: [2022.12_JetStreamRV_Council Memo](#)
[Resoulution approving a Capital Improvement Reimbursement Agreement with JetStream RV](#)
[11.28.22 - JETSTREAM RV - Wastewater Capital Improvement Agreement - EXEC by CSRP](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

Enactment No: RES 2022-186

b.

Resolution approving the budgets for the following organizations that receive Occupancy Tax funding - Susan Caddell, Director of Finance

- a. Seguin Conservation Society
- b. Mid-Texas Symphony
- c. Teatro de Artes de Juan Seguin
- d. Seguin-Guadalupe County Hispanic Chamber of Commerce
- e. Seguin Heritage Museum
- f. Guadalupe County Fair Association
- g. Seguin LULAC Council #682
- h. Seguin Art League
- i. The Fields of Huber Ranch, LLC

Indexes:

Attachments: [HOT Budgets](#)

Council Member Paul Gaytan abstained, stating he is a board member for one of the organizations on the list.

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:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

Abstain: 1 - Council Member Gaytan

Enactment No: RES 2022-187

c.

Public hearing and Ordinance on first reading to consider a zoning change from Single-Family Residential (R-1) to Multi-Family Low Density (MF-1) for a property located at 517 & 523 Prexy Dr, Property ID: 51103, (ZC 21-22)- Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo ZC 21_22](#)
[Planning Commission Report and packet](#)
[ZC 21-22 Ordinance](#)
[ZC2122 ExhibitA CC](#)

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 Biesenbach, seconded by Council Member Rea, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Rangel

Aye: 7 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

d.

Public Hearing and Ordinance on first reading to consider amendments to the City of Seguin's Unified Development Code (UDC), Section 5.6 Screening, Subdivision Perimeter Walls- Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [CC Memo Subdivision Perimeter Walls_Dec2022](#)
[DRAFT Ordinance Subdivision Perimeter Walls](#)

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 Rangel, seconded by Council Member Biesenbach, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

e.

Presentation and Public Hearing on Updates to the Land Use Assumptions, Capital Improvements Plan, and Roadway Impact Fee Study- Pamela Centeno, Director of Planning & Codes and Melissa Reynolds, Director of Engineering & Capital Projects

Indexes:

Attachments: [Memo CIAC RIF recommendations 2022](#)
[Seguin Council Presentation RIF2022](#)

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.

Presentation by Jeff Whitacre, Vice President at Kimley Horn; Engineering consultant. 2022 Roadway Impact Fee Study Update: Overview~Impact Fee Overview & Process~Impact Fee Components~ Roadway Capital Improvements Plan (CIP)~Maximum Fee Calculations ~ CIAC Recommendations ~ Sample Calculation/Comparison~Today's Actions~~Process - Planning, Analysis,Policy,Adoption. ~~We are in the Policy Step.~~Citywide 10-Year Growth Projections(2022-2032) Single& MutiFamily Residential 13,546 Employment 32,489,442~~Service areas A-D--Service Area A-1 through A-17~~Intersection Project A-S1 through A-S4~Cost to meet existing Demand -\$14,214,544 ~10-year Recoverable Cost -150,211,906~Cost of total CIP -\$\$164,426,450. Service area B Cost to meet existing demands - \$5,858,164 ~ 10Yr recoverable cost -\$39,340,086~ Cost of total CIP \$45,19-250.~~Service area C--Cost to meet existing demands - \$2,854,277, 10yr recoverable cost - \$32,145,273, Cost of total CIP \$34,999,550.~~Service area D--Cost to meet existing demands - \$6,850,270-10 year recoverable cost \$24,462,780-cost of total CIP- \$31,313,050. Cost of Total Impact Fee CIP Attributable to Growth~~ A \$150,211,906-- B \$39,340,086--C \$32,145,273 & D \$24,462,780---Max Assessable Impact Fee per Single Family, A \$3,107, B \$2,618, C \$1,645, D \$1,570.

f.

Resolution of the City Council of the City of Seguin, Texas updating and amending the Land Use Assumptions, Capital Improvements Plans, and Roadway Impact Fee Study for the City of Seguin- Pamela Centeno, Director of Planning & Codes and Melissa Reynolds, Director of Engineering & Capital Projects

Indexes:

Attachments: [Seguin IFU Report 2022](#)
[Resolution Adopting Updates to LUA, CIP, and RIF Study Dec 6 2022](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

Enactment No: RES 2022-188

9. **Executive Session**

The regular meeting was recessed and the council went into Executive Session at 6:41 pm. The regular meeting reconvened at 8:59 pm.

- a. Consultation with City Attorney in accordance with Section 551.072 regarding Deliberation on Real Property - Steve Parker, City Manager

Indexes:

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

Indexes:

- c. In accordance with Section 551.071(b) and 551.074 consultation with City Attorney on a personnel matter - Steve Parker, City Manager

Indexes:

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

Indexes:

11. Adjournment

There being no further business before the council the meeting adjourned at 9:00 pm.

10. Action Items as a result of Executive Session

- g. Resolution appointing Darrell Dullnig as an Associate Judge for the Seguin Municipal Court - Andy Quittner, City Attorney

Indexes:

Attachments: [Resolution appointing Darrell Dullnig Associate Judge 2022](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Herbold

Enactment No: RES 2022-189

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary