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City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, June 18, 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 Fonda Mathis

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:Kendy Gravett
Address: 213 Montwood
City: Seguin, TX*

Requesting the City honor a previous agreement for sewer service tap fee and Impact Fees in the Deerwood Circle and Sunrise Acres area. The cost was \$475.00 for a tap fee and \$1213.00 impact fees. Assistant City Manager Rick Cortes advised City Council that staff is aware of the septic system problems within these neighborhoods and is working on a solution to present at the next City Council meeting. Staff is also looking at applying for a grant as the city utilized in the OVN area.

Councilman Mark Herbold stated he is aware of the septic system issues in this area and encouraged staff and City Council to work with the neighborhoods.

*Name: Julian Leal
Address: 849 Prexy St
City: Seguin, TX*

Mr. Leal requested that the City Manager do an interview with the Seguin Gazette to highlight his accomplishments throughout his tenure. Second, he would like to see how the budget has increased during his tenure, breakdown by fiscal year. Also, asked the City Council consider setting a cap on the salary of the future city manager.

*Name: Shirley Fennell
Address: 7535 Elm Creek Rd
City: Seguin, TX*

Thanked the Mayor and City Council for all they participate in for the community and for taking their time to devote to serving. Especially recognized Ernest Leal for all his work with the Community Council of South Central Texas.

Councilmember Chris Rangel requested to have TxDot come before City Council to provide an update on North Austin Street Project. City Manager Doug Faseler said that the repair to the driveways and sidewalks along Austin Street are now being handled by the General Contractor and not a subcontractor. Mayor Keil said that Area Engineer Will Lockett could be asked to come before City Council for an update.

Councilmember Jet Crabb thanked the Utility departments for all the work they have been doing to keep power on and brush picked up from the wind storms.

Councilmember Ernest Leal thanked everyone for the completion of Heideke St.

Mayor Keil announced & sent congratulations to Rusty Suarez on his promotion to Deputy Chief.

6. Presentation

a. [19-131](#)

Certificate of Appreciation honoring Tammy Garcia upon her retirement

b. [19-164](#)

Certificate of Appreciation honoring Leann Wilkerson upon her retirement

7. Consent Agenda

This was approved on the Consent Agenda

a. [19-166](#)

City Council Minutes of June 4, 2019

This Minutes was approved

b. [ZC 08-19](#)

Ordinance on second reading to consider a Zoning Change from Commercial (C) to Neighborhood Commercial (NC) for property located at 112 Peach Street, Property ID 18876 (ZC 08-19)

This Zoning Ordinance was adopted

Enactment No: ORD 2019-030

c. [ZC 09-19](#)

Ordinance on second reading to consider a Zoning Change from Public (P) to Neighborhood Commercial (NC) for property located at 1711 N. Austin Street, Property ID 22488 (ZC 09-19)

This Zoning Ordinance was adopted

Enactment No: ORD 2019-031

d. [ZC 10-19](#)

Ordinance on second reading to consider a Zoning Change from Manufactured Home Park (MHP) to Single Family Residential (R-1) for property located at 760 Mitchell Avenue, Property ID 46032 (ZC 10-19)

This Zoning Ordinance was adopted

Enactment No: ORD 2019-032

e. [19-157](#)

Ordinance on second reading amending the Code of Ordinances, Article X- Food Trucks; providing for an effective date, publication, a severability clause; and authorizing staff to prepare the ordinance as a supplement to the Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2019-033

f. [19-158](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article IX, Capital Recovery Fees to amend Schedule 2, Capital Recovery Fee Assessment per Recovery Unit, providing for an effective date, publication, severability clause; and authorizing staff to prepare the ordinance as a supplements to the Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2019-034

g. [19-162](#)

Ordinance on second reading amending the Fiscal Year 2019 Utility Fund Budget of the City of Seguin, Texas and declaring an effective date

This Ordinance was adopted

Enactment No: ORD 2019-035

h. [19-160](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article VI, Water Conservation Plan to adopt the 2019 Water Conservation Plan for the City of Seguin; providing for a severability clause; providing for publication of this Ordinance; authorizing City staff to

prepare this Ordinance as a supplement to the Seguin Code of Ordinances; and declaring an effective date

This Ordinance was adopted

Enactment No: ORD 2019-036

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

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

Public Hearing and Ordinance on first 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) - Pamela Centeno, Director of Planning & Codes

The regular meeting was recessed and the public hearing was called to order. There being no public comments the public hearing was adjourned and the regular meeting was reconvened.

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

b. [19-177](#)

Resolution authorizing the release of a 24.12 acre parcel (Property ID 56340) from the Seguin Extraterritorial Jurisdiction (ETJ) and declaring an effective date- Pamela Centeno, Director of Planning & Codes

A motion was made by Council Member Herbold, 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 2019-063

c. [19-176](#)

Resolution approving a Capital Improvement Agreement with Lennar Homes of Texas Land and Construction, Ltd for the construction of a sanitary sewer line and lift station running from property located near Harborth Road and Highway 123 to an existing manhole at Link Road near the Navarro School complex and for upgrades to existing lines running to IH-10; authorizing the City Manager to execute the Agreement; and declaring an effective date - Andy Quittner, City Attorney

A motion was made by Council Member Mathis, 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 2019-064

d. [19-175](#)

Resolution of the City Council of the City of Seguin, Texas approving the submission of a grant application to U.S. Department of Justice, Justice and Mental Health Collaboration Program 2019 Competitive Grant Program; authorizing the City Manager to execute all documents associated with the grant submission; and declaring an effective date - Dana Losey, Grants Coordinator

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 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 2019-065

e. [19-180](#)

Resolution approving a Memorandum of Understanding between the Texas Joint Counterdrug Task Force and Seguin Police Department for a Drug Crime Analyst; authorizing the City Manager to sign the Memorandum of Understanding; and declaring an effective date - Terry Nichols, Chief of Police

A motion was made by Council Member Aviles, 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 2019-066

f. [19-174](#)

Resolution approving the Water Rates adopted by the Schertz-Seguin Local Government Corporation for FY2019-2020; and declaring an effective date - Amber Briggs-Beard, SSLGC General Manager

A motion was made by Council Member Herbold, 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 2019-067

g. [19-173](#)

Resolution approving the Schertz-Seguin Local Government Corporation FY2019-2020 Operations & Maintenance Budgets; and declaring an effective date - Amber Briggs-Beard, SSLGC General Manager

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 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 2019-068

h. [19-182](#)

Resolution of the City Council of the City of Seguin, Texas approving a budget adjustment for the Schertz-Seguin Local Government Corporation FY2019 Budget; and declaring an effective date - Amber Briggs-Beard, SSLGC General Manager

A motion was made by Council Member Herbold, 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 2019-069

i. [19-167](#)

Resolution declaring an emergency and awarding a bid for replacing a 12 inch sanitary sewer main crossing Walnut Branch to M & C Fonseca Construction Co. Inc., in the amount of \$105,480.00; and declaring an effective date - Timothy J. Howe, Director Water/Wastewater Utilities

A motion was made by Council Member Mathis, 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 2019-070

j. [19-170](#)

Resolution of the City Council of Seguin, Texas authorizing the City Manager to execute a sole source purchase order in the amount of \$66,207.56 with Anixter, Inc. for a TWACS Transformer; and declaring an effective date - Clarence Smith, Director of Electric Utilities

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 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 2019-071

k. [19-172](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to execute a contract with Stantec Consulting Services, Inc. in the amount of \$100,000 to develop a Parks, Recreation, Trails and Open Space Master Plan; and declaring an effective date - Jack Jones, Director of Parks and Recreation

A motion was made by Council Member Wallace, 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 2019-072

l. [19-171](#)

Resolution approving a promissory note between the City of Seguin and the Seguin Economic Development Corporation in the amount of \$2,000,000.00 for the purchase of approximately 60.142 acres of land for economic development purposes; approving the SEDC expenditure for the land; and declaring an effective date - Joshua Schneuker, Director of Economic Development

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 2019-073

9. Acknowledgment of Bills

The bills were acknowledged.

a. [19-165](#)

Check Report: May 31, 2019 through June 13, 2019

10. Executive Session

The regular meeting was recessed and the council went into Executive Session at 6:25 pm. The regular meeting reconvened at 6:45 pm.

a. [13-014](#)

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

b. [19-181](#)

In accordance with Section 551.071 - Deliberate pending litigation in the case of 123 Farm, LLC, et al vs City of Seguin - Andrew Quittner, City Attorney

11. Adjournment

There being no further business before the council the meeting adjourned at 6:45 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary