



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes City Council

Tuesday, April 15, 2014

5:30 PM

Council Chambers

1. Call to Order

Mayor Keil called the meeting to order at 5:30 pm

2. Invocation - Mayor Don Keil

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 9 - Mayor Don Keil, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Nick L. Carrillo, Council Member Tomas V. Castellon, Council Member Carlos Medrano, Council Member Fonda Mathis, Council Member Donna Dodgen, and Council Member Bob Pees

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.

*Doug Mannel
132 Spanish Oak
Seguin, Texas 78155*

Spoke on the Oak Villlage North project. Glad to see that paving the streets is beginning. Most residents of OVN wanted the sewer lines placed within the easements. Mr. Mannel's utilities have been cut many times. From the beginning the City did not want or had not planned on utilizing the easements. He understood that not all easements were accessible. Mr. Mannel complained about the bid process and accepting the low bid. Did not take low bid on the library.

*Julian Leal
849 Prexy
Seguin, Texas 78155*

The inner city of Eighth Street between Guadalupe and San Antonio Street has not received all services. There are probably four generations of families that have lived within this area but yet they do not speak up about the conditions of their streets and

city services.

Councilman Nick Carrillo requested staff to look at the low areas in the roadway at the Walnut Creek Crossing on Huber Road possibly made by all the 18-wheeler trucks..

Councilman Leal mentioned that King Street, north of Kingsbury is in bad condition.

6. Consent Agenda

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

a. 14-135 City Council Minutes 4-1-2014 REGULAR

This Minutes was approved.

b. 14-136 City Council Minutes 4-7-2014 SPECIAL CALLED MEETING

This Minutes was approved.

c. ZC 02-14 Ordinance on second reading to consider a Zoning Change Request from Single-Family Residential to Public for property located at 619 E. Humphreys, approx. 0.1444 acres, (ZC 02-14)

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: ORD 2014-10

d. ZC 01-14 Ordinance on second reading to consider a Zoning Change Request from Commercial to MF-3 for property located at the 1300 Block of E. Walnut St., approx. 6.000 acres, (ZC 01-14)

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: ORD 2014-11

- e. **14-118** Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 98, Traffic and Vehicles, Article V, Stopping, Standing and Parking, Section 98-103 designating the east side of the 100-block S. Travis Street as reserved spaces for Guadalupe County, providing for publication of this ordinance; providing a severability clause; providing for penalties; and providing an effective date

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: ORD 2014-12

- f. **14-103** Ordinance on second reading amending the Fiscal Year 2014 General Fund Budget

This Ordinance was adopted.

Enactment No: ORD 2014-13

- g. **14-104** Ordinance on second reading amending the Fiscal Year 2014 Utility Fund Budget

This Ordinance was adopted.

Enactment No: ORD 2014-14

- h. **14-105** Ordinance on second reading amending the Fiscal Year 2014 Special Revenue Fund Budget

This Ordinance was adopted.

Enactment No: ORD 2014-15

- i. **14-106** Ordinance on second reading amending the Fiscal Year 2014 Debt Service Fund Budget

This Ordinance was adopted.

Enactment No: ORD 2014-16

7. Action Items - Discussion and Possible Motion to Approve

- a. **14-141** Resolution authorizing the City Manager to execute an Agreement between the City of Seguin and Guadalupe Valley Gardener's Market governing the use of the 100 block of East Donegan Street to operate

a Farmer's Market - Mary Jo Langford, Main Street Program Director

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-45

b. 14-133

Resolution authorizing the City Manager to approve Fix-It Grants in the amount of \$4,175 to the owners of property located at 203 S. Crockett Street and \$500 to the owner of 207 W. Donegan Street - Mary Jo Langford, Main Street Program Director

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-46

c. 14-112

Resolution authorizing the City Manager to execute a Professional Services Agreement with Rialto Studio, Inc. for landscape architectural/engineering design and construction administration services for a new community park on the west side of Seguin and three new public restroom facilities as approved in the November 2013 Parks Bond Election - Jack Jones, Director of Parks and Recreation

A motion was made by Council Member Dodgen, 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 Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-47

d. 14-109

Resolution authorizing the City Manager to enter into an agreement with Freese and Nichols, Inc. for provision of Water Model and Water Master Plan Update - Rick Cortes, Assistant City Manager

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-48

e. 14-143

Resolution authorizing the submission of a grant application to the Department of Transportation's Transportation Investment Generating Economic Recovery (TIGER) Grant Program; and authorizing the City Manager to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the grant program - Tracy Stalnaker, Assistant Director of Finance

Council Member Dodgen, seconded by Council Member Carrillo, that this Resolution be amended. The motion carried.

A motion was made by Council Member Crabb, 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 Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-49

f. 14-140

Ordinance on first reading amending Chapter 18, Article II, of the Building Code, Section 18-35, Qualifications for license or registration by adding roofing contractors as a separate license; and Section 18-39, Reciprocal Agreement and Licenses, to allow Reciprocal Licenses for contractors that have passed an appropriate ICC Exam; providing for a severability clause; authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances; and declaring an effective date

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

g. 14-120

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 18, Building and Building Regulations, Article VII, Sections 18-271 and 18-272 to update the codes pertaining to swimming pools; providing for a severability clause; providing an effective date and authorizing city staff to prepare this ordinance for submission as a supplement to the code of ordinances

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

h. 14-138

Ordinance on first reading amending Chapter 18, Buildings and Building Regulations of the Seguin Code of Ordinances by creating a new Article III, Construction Board of Adjustments and Appeals including procedural provisions; providing for a severability clause; providing an effective date and authorizing city staff to prepare this ordinance for submission as supplement to the Code of Ordinances

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

i. 14-124

Ordinance on first reading amending section 50-31 of the Seguin Code of Ordinances by repealing 50-31 and replacing with new language that upgrades required water mains in new construction; 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

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

j. 14-142

Discussion regarding the possible need in establishing service requirements and approved fees by Wrecker Services and Vehicle Storage Facilities that serve the City of Seguin Police Department on a rotation basis - Council Member Nick Carrillo

Councilman Carrillo requested staff research and provide an Ordinance for Council consideration defining the requirements for Wrecker Services and fees charged for towing and storage facilities. City Manager said that Police Chief Kelso is researching this issue.

k. 14-144

Resolution authorizing the City Manager to enter into a Contract for

Sale and execute all documents necessary to complete the transaction for the sale of City owned land located at 320 West Nolte, Seguin, Texas - Doug Faseler, City Manager

City Manager Doug Faseler requested that this item be moved after the Executive Session.

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-50

8. **Acknowledgment of Bills**

Bills were acknowledged.

9. **Executive Session**

City Council adjourned from Regular Session at 6:07 p.m. and Reconvened at 6:45 p.m.

- a. **14-100** Deliberate contemplated litigation 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 - Patrick Lindner, SSLGC Legal Counsel
- b. **13-013** Deliberate pending/contemplated litigation, settlement offers(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: LCRA Litigation - Andy Quittner, City Attorney
- c. **13-057** Deliberation and consultation with attorneys regarding Geronimo Creek Phase V Project and contemplated litigation as a result of dispute with Salinas Construction Technologies, in accordance with Section 551.071 - Andy Quittner, City Attorney
- d. **13-048** Deliberation regarding Real Property in accordance with Section 551.071 and 551.072 - Doug Faseler, City Manager

10. **Action Items**

- a. **14-146** Resolution authorizing the City Manager to execute additional funding in the amount of \$205,000 to the Jordan Foster contract for the

completion of the Geronimo Creek Sewer Project - Phase V (OVN) -
Joe Ramos, City Engineer

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

Enactment No: RES 2014-51

- b. 14-145** Ordinance on first reading amending the Fiscal Year 2014 Utility Fund Budget of the City of Seguin, Texas

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Carrillo, Council Member Castellon, Council Member Medrano, Council Member Mathis, Council Member Dodgen, and Council Member Pees

11. Adjournment

The meeting was adjourned at 6:47 p.m.

CERTIFICATE

I certify that the above notice of meeting was posted in the display case at the front of the Municipal Building, 210 E. Gonzales Street of the City of Seguin, Texas on the 11th day of April at 12:15 p.m.

Lisa Trevino
City Manager's Office

The City of Seguin is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (830) 401-2468 at least 48 hours in advance. This meeting site is accessible to disabled persons as there are two (2) parking spaces reserved for the disabled on the east side of the Municipal Building.