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City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, May 15, 2018

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 Mark Herbold

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Carlos Medrano, Council Member Donna Dodgen, Council Member Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Chris Rangel, and Council Member Jim Lievens

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.

Council Member Mark Herbold asked for the status of the old Pape Pecan property?

Council Member Ernest Leal thanked the city on the repair of the street cuts to Braden & Elley.

Mayor Keil said that Item #8a was going to be moved up after Item #8b as there are quite a few citizens here for the discussion on this item.

6. Presentation

a. 18-160

City of Seguin Financial Reports for the Six Months Ended March 31, 2018 -
Susan Caddell, Director of Finance

7. Consent Agenda

A motion was made by Council Member Dodgen, 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 Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

a. [18-147](#)

May 1, 2018 Regular Meeting Minutes

This Minutes was approved

b. [18-141](#)

Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 22, Businesses, Article X, Section 22-603, Food Trucks, Duration of Stay; providing for a severability clause, providing an effective date; and authorizing staff to prepare this ordinance as a submittal to the Seguin Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2018-023

c. [18-140](#)

Ordinance on second reading designating a 258 acre tract of land, more or less, located east and west of Heideke Street along the railroad track and along the east side of State Highway 123 Bypass south of IH10 to the railroad track as a Reinvestment Zone pursuant to Chapter 312 of the Texas Tax Code; making certain findings in connection therewith; providing an effective date; and providing a severability clause

This Ordinance was adopted

Enactment No: ORD 2018-024

d. [18-142](#)

Ordinance on second reading amending the Seguin Code of Ordinances Chapter 102, Utilities, Article III, Water, Division II, Connections, by adding a new Section 1-2-106, Responsibilities for customer yard piping; providing for publication of this Ordinance; providing for a severability clause; providing for an effective date; and providing for submittal of this ordinance to the Seguin Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2018-025

8. Action Items - Discussion and Possible Motion to Approve**a. 18-149**

Bids relating to the Sale of Obligations designated as "City of Seguin, Texas Utility System Revenue Bonds, Series 2018"; consideration and approval of Financial Advisor's recommendation concerning this matter; and other matters in connection therewith - Duane Westerman, SAMCO Capital Markets, Inc.

Duane Westerman presented the bids to the City Council.

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

b. 18-150

Ordinance by the City Council of the City of Seguin, Texas authorizing the issuance of "City of Seguin, Texas Utility System Revenue Bonds, Series 2018"; providing for the payment of the principal of and interest on the bonds, together with certain currently outstanding obligations, by a first and prior lien on and pledge of the net revenues of the system; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval and distribution of an Official Statement; authorizing the execution of a paying agent/registrar agreement and an official bid form; complying with the requirements of the Depository Trust Company's Letter of Representations; and providing for an effective date - Duane Westerman, SAMCO Capital Markets, Inc.

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: ORD 2018-026

c. 18-161

Approval of Quarterly Investment Report for Quarter Ended March 31, 2018 - Susan Caddell, Director of Finance

A motion was made by Council Member Dodgen, seconded by Council Member Mathis, that this Action Item be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

d. [18-157](#)

Ordinance on first reading amending the Fiscal Year 2018 General Fund Budget of the City of Seguin, Texas - Susan Caddell, Director of Finance

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: ORD 2018-027

e. [18-155](#)

Ordinance on first reading amending the Fiscal Year 2018 Utility Fund Budget of the City of Seguin, Texas - Susan Caddell, Director of Finance

A motion was made by Council Member Mathis, 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 Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: ORD 2018-028

f. [18-158](#)

Ordinance on first reading amending the Fiscal Year 2018 Special Revenue Fund Budget of the City of Seguin, Texas - Susan Caddell, Director of Finance

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: ORD 2018-029

g. [18-145](#)

Public hearing on an ordinance on first reading to consider a voluntary annexation for property located at the northeast corner of IH-10 and FM 725, approximately 185.192 acres, Property IDs 58020 and 58021 (VAN 04-17-2018) - Pamela Centeno, Director of Planning & Codes

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

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: ORD 2018-030

h. [18-152](#)

Resolution to approve a property tax abatement application submitted by a prospect, and to authorize a property tax abatement pursuant to the application - Joshua Schneuer, Director of Economic Development

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: RES 2018-055

i. [18-146](#)

Downtown Street Closures and Request to Sell Alcohol; and providing an effective date - Kyle Kramm, Main Street & CVB Director

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

j. [18-154](#)

Resolution authorizing the City Manager to execute a deduct change order in the amount of \$550,000.00 from R.P. Constructors Water / Wastewater Improvement Projects contract; declaring an effective date - Tim Howe, Director of Water / Wastewater Treatment

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

Lievens, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: RES 2018-056

k. [18-159](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to execute a purchase order with P2 Emulsions as the sole source for stabilizing emulsion for the pavement maintenance projects in an amount not to exceed \$100,000 - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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 Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: RES 2018-057

l. [18-127](#)

Resolution of the City Council of Seguin Texas, approving a professional service contract in the amount \$508,288 to TRC Solution for the North Milam Street, Drainage and Utility Improvement Project and other related engineering services; and declaring an effective date - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

A motion was made by Council Member Medrano, 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 Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: RES 2018-058

m. [18-164](#)

Ordinance on first reading amending Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapter 86, Solid Waste, Article II, Garbage; providing a severability clause; and providing an effective date - Rick Cortes, Assistant City Manager

A motion was made by Council Member Herbold, 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 Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: ORD 2018-031

n. [18-156](#)

Resolution authorizing the transfer of the 0.016 acre tract of land, more or less bordering a 0.276 acre tract on West Washington Street; and declaring an effective date - Andy Quittner, City Attorney

A motion was made by Council Member Dodgen, 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 Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: RES 2018-059

o. [18-162](#)

Presentation and discussion concerning the regulation of group homes - Andy Quittner, City Attorney

City Attorney Andy Quittner stated that this discussion is due to the City receiving complaints about a recently open recovery house called Oxford House. The Oxford House is a self-run, self-supported recovery house located within Elmwood Subdivision. Federal law has taken away any regulations from the City. Fair Housing Act & ADA Act cover these homes, 6 victims and 2 caretakers allowed. The idea is that these homes become more integrated into a community, half-way houses are under a different set of regulations.

Federal guidelines is not as strict and we would have to go to court and fight it out. Dept of Aging & Disability, Medicaid, for level of care. If you are going to a Federal agency you must have actual proof. Cars - they may not keep more cars than the number of residents in the home.

*Name: John Wynn
Address: 105 Fishermann Lane
City: Seguin, Texas*

According to Oxford House website, it is a national non-profit organization with a concept in recovery from drug and alcohol addiction, that was founded in 1975. Oxford House has increased the number of houses for mental health issues. Oxford House has a habit of coming into a community, remodeling, licensed by the state, cannot have 2 homes within 1/2 mile. Mr. Wynn pulled the police calls for the entire neighborhood and there have been only two calls for loud music, but for Montclair there have been nine calls, seven specific to that house. Oxford House does advocate in prisons. What triggers to call this house a nuisance?

Name: Jean Reynolds
Address: 1841 Montclair Street
City: Seguin, Texas

The neighborhood is zoned residential. Two men working at the house for weeks. The website says that the Seguin Recovery facility will house women and No live in supervision. There were 3 women but now only 2 since relapsed. They planned on 12 people with 2 to each room. Concerned about the welfare of children within the neighborhood. People bought homes in this area because it is quite and safe. There has to be regulations to help homeowners.

Mayor Keil said tonight is an informational meeting and the City Attorney will determine who is the regulating authority and where we report issues to. Parking may be a problem. If it is a state registered home you contact the state. Planning & Zoning will continue to monitor the location and will continue to be vigilant.

9. Acknowledgment of Bills

The bills were acknowledged.

a. [18-148](#)

Check Report: April 27, 2018 to May 10, 2018

10. Adjournment

There being no further business before the council the meeting adjourned at 6:47 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary