



It's real.

City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, June 26, 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 Jim Lievens

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 7 - 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

Absent: 1 - Council Member Carlos Medrano

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: Linda Salt
Address: 614 Bismark
City: Seguin*

*Spoke on the city becoming a Golf Cart friendly city. Advantages are:
Eco friendly
Need to be marked for slow moving vehicle
Great for retirees
Provide a cart friendly map, maybe historic sites
Promote golf cart use in our city*

Name: Julian Leal

Address: 849 Prexy
City: Seguin

Spoke on the Seguin Firing Range.

Name: Tomas Castellon Jr.
Street: 410 Gordon
City: Seguin

Mr. Castellon spoke on how great Park West looks. Also, spoke on the salary of the City Manager and employees. Also, spoke about the Miss Texas Pageant and how he thought it should be brought back.

Council Member Mark Herbold spoke about the parking outside of the Double D business on West Nolte Street. The large truck is creating a blind spot for citizens coming out of the Library. Councilman Herbold stated his intention to seek re-election for District 8 in the November 6, 2018 General Election.

Council Member Chris Rangel advised that there are vehicles parking on the sidewalks in Park West.

Council Member Jim Lievens announced his intention to seek re-election for District 3 in the November 6, 2018 General Election.

Mayor Don Keil reminded everyone that the July 3rd meeting would not be held due to the 4th activities, but the city would hold 2 meetings on July 17th. Mayor Keil also mentioned that the city recently performed an Employee Satisfaction Survey and the results were on the positive side of employee satisfaction to their job and salary.

6. Presentation

a. [18-199](#)

Police Department Firing Range Project - Kevin Kelso, Police Chief

Police Chief Kevin Kelso made a presentation of the work, by several city departments, that was completed at the Firing Range off Stagecoach Road.

7. Consent Agenda

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

a. [18-181](#)

June 5, 2018 Regular Meeting Minutes

This Minutes was approved

b. [ZC 07-18](#)

Ordinance on second and final reading to consider a Zoning Change from Commercial (C) to Neighborhood Commercial (NC) for property located at 1124 #B E. Kingsbury Street (Property ID 59506), ZC 07-18

This Zoning Ordinance was adopted

Enactment No: ORD 2018-032

8. Action Items - Discussion and Possible Motion to Approve**a. [ZC 08-18](#)**

Public Hearing and Ordinance on first reading to consider a Zoning Change from Commercial (C) and Agricultural Ranch (A-R) to Single Family Residential (R-1) for approximately 74.41 acres situated in the M Cherino Survey, Abstract 10 on FM 20, Property IDs 52355 and 52357 (ZC 08-18)- 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 meeting reconvened.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

b. [ZC 09-18](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Commercial (C) to Single Family Residential (R-1) for approximately 39.961 acres situated in the M Cherino Survey, Abstract 10 on FM 20, Property ID 52358 (ZC 09-18)-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 meeting reconvened.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

c. [ZC 11-18](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Neighborhood Commercial (NC) to Multi Family Medium Density (MF-2) for property located at the northwest corner of N. King and E. Cedar, Property ID 129921 (ZC 11-18) - 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 meeting was reconvened.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

d. [VAN 05042018](#)

Ordinance on first reading to consider a Voluntary Annexation into the City of Seguin City Limits for approximately 199.63 acres situated in the AM Esnaurizar Survey, Abstract 20, Guadalupe County, Texas on Cordova Road, Property IDs 54788, 55856, 55293, and 55187 (VAN 05042018) - Pamela Centeno, Director of Planning & Codes

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

e. [18-197](#)

Resolution of the City Council of Seguin, Texas authorizing the City Manager to enter into a Park Development Agreement with the WBW Development Group, LLC regarding the proposed Arroyo Ranch Subdivision; and declaring an effective date - Jack Jones, Director of Parks and Recreation

David Peters with WBW Development addressed the City Council stating that the park plan meets and succeeds the requirements as they will be donating 15.04 acres during this first phase.

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: 7 - 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 2018-070

f. [18-112](#)

Resolution of the City Council of Seguin, Texas authorizing the City Manager to execute a Facilities Use Agreement between the City of Seguin, Texas and the Seguin Independent School District for use of Smokey Joe Williams Baseball Field, east side of Max Starcke Park, Max Starcke Park Golf Course

and the Park West Concession Building and Large Pavilion; and declaring an effective date - Jack Jones, Director of Parks and Recreation

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-071

g. [18-200](#)

Resolution of the City Council of Seguin, Texas approving the automatic extension of the existing Agreement for the Operation of the Concession Services with RRL Concessions and proposed menu change - Jack Jones, Director of Parks and Recreation

*Name: Tomas Castellon Jr.
Address: 410 Gordon Street
City: Seguin*

Mr. Castellon said the city should be going out for bid on this service. In the past he knows the concession stand is not always open during an event.

Council Member Dodgen stated the current contract allows for an automatic extension and that is what the City Council will be voting on tonight. The city periodically goes out for proposals on this service.

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-072

h. [18-198](#)

Resolution of the City Council of Seguin, Texas authorizing the City Manager to execute an Amendment to License Agreement between the City of Seguin and the Wilson Pottery Foundation for housing the Wilson Pottery exhibits at the Sebastopol House at no charge - Jack Jones, Director of Parks and Recreation

Roshawnda Anderson, Treasurer for the Wilson Pottery Foundation thanked the city of Seguin for working with them on this issue.

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-073

i. [18-203](#)

Street closure request for the Seguin Chamber of Commerce Seguin Softball Nationals in the 200 Block of South River Street and 100 Block East Nolte Street - Kyle Kramm, Director of Main Street and CVB

Kendy Gravit of the Seguin Area Chamber of Commerce thanked the city for the patience on the item with all the changes. It will be a great event for the city.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

j. [18-186](#)

Ordinance on first reading amending the guidelines for street closures in the downtown historic district and the use of certain park areas - Kyle Kramm, Main Street & CVB Director

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

k. [18-190](#)

Resolution calling for a General Election to be held on November 6, 2018, for the purpose of electing City Council Members for Districts 3,5,7 and 8; setting the filing period for a place on the ballot; and declaring an effective date. Andy Quittner - City Attorney

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: 7 - 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 2018-074

I. [18-185](#)

Resolution authorizing the City Manager to execute an Interlocal Agreement between the City of Seguin and the City of New Berlin for the provision of Emergency Medical Services in the incorporated area of New Berlin; and declaring an effective date - Dale Skinner, Fire/EMS Chief

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: 7 - 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 2018-075

m. [18-184](#)

Resolution authorizing the City Manager to execute an Interlocal Agreement between the City of Seguin and the City of Kingsbury for the provision of Emergency Medical Services in the incorporated area of Kingsbury; and declaring an effective date - Dale Skinner, Fire/EMS Chief

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-076

n. [18-195](#)

Resolution of the City Council of the City of Seguin, Texas approving the Water Rates adopted by the Schertz-Seguin Local Government Corporation for FY 2018-2019; and declaring an effective date - Amber Beard, SSLGC Assistant General Manager

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: 7 - 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 2018-078

o. [18-194](#)

Resolution of the City Council of the City of Seguin, Texas approving the Schertz-Seguin Local Government Corporation (SSLGC) FY2018-2019

Annual Operations Budget; and providing an effective date - Amber Beard, SSLGC Assistant General Manager

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-077

p. [18-196](#)

Resolution of the City Council of the City of Seguin, Texas approving the SSLGC FY2017-2018 Budget Amendment; and declaring an effective date - Amber Beard, SSLGC Assistant General Manager

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: 7 - 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 2018-079

q. [18-192](#)

Resolution approving the City of Seguin Travel and Expense Reimbursement Policy - Susan Caddell, Director of Finance

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-080

r. [18-193](#)

Resolution authorizing the City Manager to enter into a Wholesale Water Supply Contract between the City of Seguin and New Braunfels Utilities; and declaring an effective date - Rick Cortes, Assistant City Manager

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

Presiding: 1 - Mayor Keil

Aye: 7 - 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 2018-081

- s. [18-188](#) Water and Wastewater Rates for FY 2018-2019 - Rick Cortes, Assistant City Manager

Rick Cortes made a presentation to the City Council on the projected water and wastewater rates for FY 2018-2019.

- t. [18-170](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Division IV, Deposit and Service Charges, to add wholesale water sales; and amending Appendix C - Fee Schedule, Chapter 102, Utilities, Article III, Water Rates, and Article IV, Wastewater Rates; providing a severability clause; declaring an effective date; and authorizing city staff to submit this Ordinance as a supplement to the Seguin Code of Ordinances - Rick Cortes, Assistant City Manager

A motion was made by Council Member Lievens, 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: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

- u. [18-201](#)

Update and approval of the 5-Year Street Capital Improvement Plan - Joe Ramos, Jr., City Engineer

City Engineer Joe Ramos gave a presentation to City Council on the 5-Year Street Capital Improvement Plan. Presentation included:

1. *Completed Street Improvements 2016 - 2018*
2. *Street Improvements in Progress for 2018*
3. *Funding for Street Improvements through FY2022*
4. *Chip Seal and Zipper Maintenance Plan through 2023*

Council Member Mark Herbold inquired about Hildalgo Street delays. Joe Ramos stated that the delay has been due to TxDOT permitting process. TxDOT and engineering has been configuring the drainage on Hildalgo. Engineers are looking at storm sewer inlets up stream and not removing the dip. Once the configurations are complete they will be submitted to TxDOT for approval.

Rudeloff Road Phase II made the MPO listing the thought is now to have Rudeloff Road go straight to FM 20 and onto SH-130.

Name: Tomas Castellon Jr.

Address: 410 Gordon

City: Seguin

Mr. Castellon stated that Hidalgo Street was funded in 2015 and suppose to be in construction during 2017 and now it's 2018. Why? Timmerman Road was not in need of repair but it was repaired. Baer Creek Subdivision was annexed into the city and the city hires a crew to reconstruct their roadways. Nolte Street is another street that was repaired and yet it did not need repairs. Mr. Castellon feels that the city does not care about Hildalgo Street. Mayor Keil responded to Mr. Castellon explaining the delays of Hildalgo Street.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

v. [18-202](#)

Ordinance on first reading providing for the imposition of local sales tax on residential electric and gas service within the corporate limits of the City of Seguin; providing for a severability clause; providing for an effective date; and authorizing the city secretary to mail the ordinance by certified mail to the Texas Comptroller of Public Accounts - Doug Faseler, City Manager

City Manager Doug Faseler stated that the adoption of sales tax on residential gas and electricity is expected to be 1.5 percent, "an average household with the usage of 1,100 kwh will notice an increase of \$2.75 monthly." For the past several years we've talked about looking at new revenue services, what's out there and what's available, this is one that we've identified that the city of Seguin has not taken advantage of. About 777 cities in Texas, including surrounding communities of San Marcos, Schertz, New Braunfels, Luling and Lockhart currently impose a sales tax on the sale of residential gas and electricity. Commercial and industrial customers currently pay the 1.5 percent tax. Annual projected revenues for city of Seguin derived from imposing sales tax on these services are:

City of Seguin	\$136,408
GVEC	\$ 65,704
CenterPoint	\$ 26,342

Total new sales tax revenues dedicated to the General Fund is estimated to be \$228,455.

*Name: Dennis Estes
Address: 2101 Mill Valley
City: Seguin*

Mr. Estes said he is a GVEC customer and he receives his electricity through them, they bill me. It's confusing because they're going to charge people a city sales tax even though the city does not sell me the electricity.

No matter who they receive their services from any electric and gas customer within the Seguin city limits are going to be charged, Faseler said.

Councilwoman Fonda Mathis said she was worried the tax was not going to benefit a specific cause. "My concern is that if we were going to create this tax we would have more specific cause, if not it would just help the overall general fund, but if it's going towards upgrading all the new poles and putting in the LEDs that sort of thing.

Every year for the past several years the city budgeted about \$250,000 for street maintenance, this tax would fund a majority of that, Director of Finance Susan Caddell said.

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

Presiding: 1 - Mayor Keil

Nay: 2 - Council Member Herbold, and Council Member Rangel

Aye: 5 - Council Member Dodgen, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Lievens

9. Acknowledgment of Bills

The bills were acknowledged.

a. [18-182](#)

Check Report: June 1, 2018 through June 21, 2018

10. Executive Session

The regular meeting was recessed and the council went into Executive Session at 7:56 pm. The regular meeting reconvened at 8:29 pm.

a. [13-048](#)

Consultation with City Attorney in accordance with Section 551.071 and Section 551.072 regarding Deliberation on Real Property, Easements and Right-of-Way access for several projects - Doug Faseler, City Manager

b. [15-105](#)

Deliberate pending/contemplated litigation, settlement offer(s), public nuisance, 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 - Andy Quittner, City Attorney

11. Adjournment

There being no further business before the council the meeting adjourned at 8:29 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary