



# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### City Council

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Tuesday, April 5, 2016

5:30 PM

Council Chambers

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1. **Call to Order**

2. **Invocation - Council Member Mark Herbold**

3. **Pledge of Allegiance/Salute to the Texas Flag**

4. **Roll Call**

**Present:** 6 - Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Fonda Mathis, Council Member Phil Seidenberger, Council Member Donna Dodgen, and Council Member Mark Herbold

**Presiding:** 1 - Mayor Don Keil

**Absent:** 2 - Council Member Tomas V. Castellon, and 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.**

*Citizen Comments*

*Name: Gary Vaughn*

*Address: 503 S. Goodrich St.*

*City: Seguin, Texas*

*He commended the city employees for their great work. (Lisa Trevino, Joe Ramos, Dodson Renaud)*

*City Councilmember Mark Herbold*

*He asked for an update on the graffiti at Park West.*

*Councilmember Crabb*

*She asked that there needed to be some high security cameras and lighting for Park West.*

*Name: Julian Leal*

*Address: 849 Prexy*

*City: Seguin, Texas*

*He pointed out that the city paid more for an animal facility than the new jailhouse. He did say that he became a pet owner and it was a good thing to have this animal facility but to be careful how they spend dollars.*

*Councilmember Ernest Leal*

*He was happy to receive an email regarding the drainage clean-up in the areas designated.*

*Mayor Keil stated that Doug Faseler, the City Manager's Father in law passed away a few minutes ago and that is why he was not in attendance.*

*Mayor Keil mentioned that Councilmember Medrano and Councilmember Castellon were ill and would not be in attendance.*

*Councilmember Fonda Mathis stated that she had scheduled two meeting dates for Citizen meetings at the Fair Grounds Hall Fame building. P&Z, Public Works and Police will provide info to the citizens.*

## 6. **Presentation**

### a. [16-109](#)

Certificate of Recognition honoring Billy Heiman upon his retirement - Mayor Don Keil

*Mayor Keil recognized Billy Heiman upon his retirement. Billy was not in attendance.*

## 7. **Consent Agenda**

### a. [16-098](#)

Ordinance on second reading amending Sections 3.4.3- Land Use Matrix; 3.5.3 - Development Standards for Limited Uses; and the Definitions of the Seguin Unified Development Code; providing for a Severability Clause; providing for publication; providing for an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances, Appendix A (UDC)

**This Ordinance was adopted.**

Enactment No: ORD 2016-025

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

### a. [ZC 05-16](#)

Public Hearing and approval of Ordinance on first reading to consider Zoning Changes from Office-Professional and Retail to Commercial, Multi-Family 1, Public, and Single-Family Residential 1 for properties located along E. Weinert, N. King, E. Court and Ashby St., approx. 3.5 acres (ZC 05-16) - John Foreman, Assistant Director of Planning and Codes

*The regular meeting was recessed and the public hearing was called to order.*

*Citizen Comments*

*Name: Lisa Mayhall*

*Address: 855 Boenig St.*

*City: Seguin, Texas*

*She asked that any commercial businesses should take into consideration the residents that live in the neighborhood.*

*The public hearing was adjourned and the regular meeting was reconvened.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

**b.**     [ZC 06-16](#)

Public Hearing and approval of Ordinance on first reading to consider Zoning Changes from Office-Professional and Retail to Agricultural-Ranch and Industrial for properties located along N. Guadalupe and N. Austin St., approx. 1.857 acres (ZC 06-16) - John Foreman, Assistant Director of Planning and Codes

*The regular meeting was recessed and the public hearing was called to order.*

*Citizen Comments*

*No public comment at this time.*

*The public hearing was adjourned and the regular meeting was reconvened.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

**c.**     [ZC 07-16](#)

Public Hearing and approval of Ordinance on first reading to consider Zoning Changes from Office-Professional and Retail to Commercial, Public and Single-Family Residential 1 for properties located along E. Court, N. Camp, Jefferson Ave., S. Austin and W. Klein, approx. 1.95 acres (ZC 07-16) - John Foreman, Assistant Director of Planning and Codes

*The regular meeting was recessed and the public hearing was called to order.*

*Citizen Comments*

*Name: Lisa Mayhall*

*Address: 855 Boenig St.*

*City: Seguin, Texas*

*She stated that this was an excellent area to rezone as recommended. It would help TLU and add to the beauty in that area.*

*The public hearing was adjourned and the regular meeting was reconvened.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

d. [ZC 08-16](#)

Public Hearing and approval of Ordinance on first reading to consider Zoning Changes from Retail to Agricultural-Ranch for properties located along State Hwy 46 N, approx. 35.17 acres (ZC 08-16) - John Foreman, Assistant Director of Planning and Codes

*The regular meeting was recessed and the public hearing was called to order.*

*Citizen Comments*

*No public comment at this time.*

*The public hearing was adjourned and the regular meeting was reconvened.*

**A motion was made by Council Member Seidenberger, 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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

e. [16-108](#)

Resolution amending the Bylaws of the Seguin Commission on the Arts - Kyle Kramm, Main Street Program Director

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-042

f. [16-115](#)

Resolution approving a grant application to the 2017 Local Border Security Program - Twila Wood, Purchasing Manager

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-043

**g.** [16-116](#)

Resolution authorizing the City Manager to execute an Agreement for the Operation of Concession Services at the Seguin Events Complex between the City of Seguin, Texas and RRL Concessions; and declaring an effective date - Jack Jones, Director of Parks and Recreation

*Citizen Comments*

*Name: Lisa Mayhall*

*Address: 855 Boenig*

*City: Seguin, Texas*

*She said that since there are a lot of children involved in various activities at the rodeo arena would there be other drinks available for the children. She also wanted to know if alcohol would be served during all events even if children are involved in those events.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-044

**h.** [16-119](#)

Bid Award - Purchase of Opening Day Collection (ODC) Materials for the New Library - Jacki Gross, Library Director

*Name: Lisa Mayhall*

*Address: 855 Boenig*

*City: Seguin, Texas*

*She suggested that there might be a survey taken so that other options are available for other reading interests of citizens.*

**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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

i. [16-113](#)

Resolution to authorize the purchase of five Physio-Control Life Pack 15 Monitor/Defibrillators for use by the Seguin Fire Department Emergency Medical Services to protect the health and safety of the City's residents; and declaring an effective date - Dale Skinner, Fire Chief

**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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-045

j. [16-002](#)

Resolution approving a First Amendment to the Capital Improvement Agreement with AT Holding-Trotter, LLC for Utility Improvements to land bordering the IH-10 Access Road west of the LCRA Substation; declaring an effective date - Doug Faseler, City Manager

**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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-046

k. [16-111](#)

Award of Bid - Preston Street Pavement Improvements (TF-2016-25) - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

l. [16-120](#)

Resolution authorizing the City Manager to execute a contract in the amount of \$150,000 with Kimley-Horn and Associates, Inc. to provide professional consulting services for an update to the Master Thoroughfare Plan and the development of Roadway Impact Fees for the City of Seguin; and declaring an effective date - John Foreman, Assistant Director of Planning and Codes

**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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-047

**m.** [16-077](#)

Street Improvement Plan and Schedule - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

**This Action Item was postponed**

**n.** [16-110](#)

Resolution authorizing the City Manager to execute a contract with TRC in the amount of \$232,645 for engineering services and design of Strempel Road Street Improvements including TxDOT accel and decel lanes - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-048

**o.** [16-076](#)

Resolution authorizing the City Manager to execute a contract with CH2M Hill for the Rio Nogales/Eighth Street Extension to IH 10 Access Road Project for engineering services not to exceed \$70,000 - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

**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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-049

**p.** [16-118](#)

Resolution approving the submission of comments to the Texas Commission on Environmental Quality regarding the state designation boundary

recommendations to the Environmental Protection Agency for the 2015 Ozone National Ambient Air Quality Standards; and declaring an effective date - Andy Quittner, City Attorney

*Name: Forest Mims*

*Address: 433 Twin Oak*

*City: Seguin, Texas*

*He complimented Mr. Andy Quittner, City Attorney who serves as chair for the AACOG Air Committee and for his invaluable expertise.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2016-050

q. [16-114](#)

Ordinance on first reading amending the Seguin Code of Ordinances Chapter 98, Traffic and Vehicles, Article V, Stopping, Standing and Parking, to change the penalty for violations and to clarify parking restrictions; providing for publication of this Ordinance; providing for an effective date; providing a severability clause; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances. Andy Quittner - City Attorney

**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:** 6 - Council Member Leal, Council Member Crabb, Council Member Mathis, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

9. **Acknowledgment of Bills**

a. [16-123](#)

Check Report 3-11-2016 through 4-1-2016

*The bills were acknowledged.*

10. **Executive Session**

a. [13-053](#)

Deliberation regarding Economic Development Negotiations in accordance with Section 551.071 and 551.087

**b.** [15-263](#)

In accordance with Section 551.071 - Deliberate pending litigation in the case Afton Carter v City of Seguin - 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 Contruction Technologies, in accordance with Section 551.071 - Andy Quittner, City Attorney

**d.** [15-105](#)

Deliberate pending/contemplated litigation, settlement offer(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 - Andy Quittner, City Attorney

*The regular meeting was recessed and the council went into Executive Session at 6:49 pm. The regular meeting reconvened at 7:26 pm.*

**11. Adjournment**

*There being no further business before the council the meeting adjourned at 7:26 pm.*

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*Don Keil, Mayor*

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*Thalia Patlan Stautzenberger, City Secretary*