



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, January 2, 2024

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 Donna Dodgen presiding.

2. Invocation - Council Member Jason Biesenbach

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Joe Rea, Council Member Sonia Mendez, Council Member Jim Lievens, Council Member Chris Rangel, Council Member Paul Gaytan, Council Member Monica N. Carter, Council Member Jason Biesenbach, and Council Member Bill Keller

Presiding: 1 - Mayor Donna Dodgen

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. Due to the Open Meetings Act discussions on matters not on the agenda are not allowed, therefore discussion 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.

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.

*Mark Herbold,
spoke on the golf course, stating he is in favor of the golf project proposal. Please vote for it.*

*Council member Paul Gaytan, 215 West Nolte, Seguin, Texas, 78155
Councilman Gaytan stated that he wanted to say Happy Anniversary to his wife,
Claudia and Thank you to his wife for being married to him for thirty-four years.*

*City Engineer, Melissa Reynolds introduced New Assistant City Engineer, Jennifer
Shortess.*

6. Consent Agenda

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens,
Council Member Rangel, Council Member Gaytan, Council Member Carter,
Council Member Biesenbach, and Council Member Keller

a. 24-001

City Council Minutes December 19, 2023

Indexes:

Attachments: [CC Meeting Minutes December 19, 2023](#)

City Council Meeting Minutes of December 19, 2023 was approved.

b. 24-004

Resolution of the City Council of Seguin, Texas accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Coulton Kresta for a property in Guadalupe County (Property ID 28938) and granting the request for Release effective the date of the passing of this Resolution - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Kresta](#)

[Resolution Release_Kresta](#)

[PetitionRelease_Kresta](#)

This Resolution was approved

Enactment No: RES 2024-001

c. 24-005

Resolution of the City Council of Seguin, Texas accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Ferrell DeLong for a property in Guadalupe County (Property ID 28851) and granting the request for Release effective the date of the passing of this Resolution - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo_ETJ Release Request from DeLong](#)
[Petition Release_DeLong](#)
[Resolution Release_DeLong](#)

This Resolution was approved

Enactment No: RES 2024-002

d. [24-006](#)

Resolution of the City Council of Seguin, Texas accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Patricia Shafer and Cecil Shafer for a property in Guadalupe County (Property ID 138315) and granting the request for Release effective the date of the passing of this Resolution - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Shafer](#)
[Resolution Release_Shafer](#)
[PetitionRelease_Shafer](#)

This Resolution was approved

Enactment No: RES 2024-003

e. [24-007](#)

Resolution of the City Council of Seguin, Texas accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Bradley Baker and Lori Baker for two properties in Guadalupe County (Property ID 153856 & 176117) and granting the request for Release effective the date of the passing of this Resolution - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Baker](#)
[Resolution Release_Baker](#)
[Petition Release_Baker](#)

This Resolution was approved

Enactment No: RES 2024-004

f. [24-008](#)

Resolution of the City Council of Seguin, Texas accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Samuel Nunemaker for two properties in Guadalupe County (Property ID 60322 & 60323) and granting the request for Release effective the date of the passing of this Resolution - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo ETJ Release Request from Nunemaker](#)
[Resolution Release Nunemaker](#)
[Petition Release Nunemaker](#)

This Resolution was approved

Enactment No: RES 2024-005

- g. [24-011](#) Resolution approving four FY2024 FIX-IT Facade grants for downtown projects - Kyle Kramm, Main Street & CVB Director/HPO.

Indexes:

Attachments: [Council Memo - FY2024 Facade Grants](#)
[Resolution - Awarding FY2024 Facade Grants](#)

This Resolution was approved

Enactment No: RES 2024-006

- h. [24-013](#) Check Report December 18, 2023 through December 29, 2023

Indexes:

Attachments: [Check Report \(9\)](#)

The bills were acknowledged.

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

- a. [24-014](#) Resolution relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; Authorizing other matters incident and related thereto; and providing an effective date- Duane Westerman, SAMCO

Indexes:

Attachments: [Letter](#)
[1. Reimbursement Resolution](#)
[2. Secretary Certificate -Reimbursement Resolution](#)
[Bond Projects](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-007

b. [24-010](#)

Resolution to award the bid for the construction of an 8-inch water main along W. Court St. from Wallace St. west to Ermel St. to Fuquay, Inc., in the amount of \$475,490.00, including an addition \$5,010.00 in contingency for a not to exceed amount of \$480,500.00; and declaring an effective date - Timothy J. Howe, Director - Water/Wastewater Utilities

Indexes:**Attachments:**[Council Memo 1-02-2024](#)[Buyboard Proposal - Pipe Burst 2023 HWY 90 Ermel to Wallace
WATER SIGNED
Fuquay.Resolution\(Court St.\)](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-008

c. [23-567](#)

Public Hearing and Ordinance on first reading amending the Seguin Code of Ordinances Section 98-109(c), to create Parking by Permit Area B; authorizing city staff to prepare this ordinance as a supplement to the city code of ordinances; providing for a severability clause; providing for publication; and declaring an effective date - Melissa Reynolds, P.E., CFM, Director of Engineering & Capital Projects

Indexes:**Attachments:**[2024-01-02 Memo PxP Area B](#)[Proposed PxP Area B](#)[Notices Mailed](#)[2024-01-16 PxP Area B Ordinance](#)[PERMIT CONDITIONS](#)

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

Citizen Comments

*Name: Jud Alexander
Address: 318 Montwood
City: Seguin, Texas 78155*

Mr. Alexander states that parking on Jay Road is a huge problem, and that Jay road was put in by his family then given to the City of Seguin. It was placed there for commercial verses a residential. Mr. Alexander states that every morning when he

drives to his office both sides of Jay road has parked eighteen wheeler trucks stating all the fire hydrants are blocked by vehicles park along the road, causing a Fire Hazard if the hydrants were needed in a emergency.

Mr. Alexander states that his employees pick up at least a dumpster full of garbage every week. Bottles of urine, pallets, tires etc. Mr. Alexander feels it should have "no parking signs", he is not in favor of permit by parking.

Councilman Rangel asked City Engineer, Melissa Reynolds if staff had met with Mr. Walker, the individual who farms the property next to Jay Road. Ms. Reynolds stated they did not, but he has met with Mr. Parker.

Councilman Rangel also asked who would be patrolling the area if parking by permit were to go through and Ms. Reynolds stated the Seguin Police Department.

Councilman Lievens asked Ms. Reynolds if the parking by permit would only be hotel customers and if it would be stated on the permit.

City Attorney, Mark Kennedy answered for Ms. Reynolds asking Councilman Lievens if he would look at the conditions that are on the back of the permit and proceeds to explain the conditions

City Manager, Steve Parker stated that he has kept in touch with Mr. Walker, stating he is aware and was told of the recommendation. Mr. Parker states that the ordinance can always be amended, stating the Hotels do want a clean environment as well.

Councilman Keller stated that what the hotels need to do is buy some property and make it a truck parking lot. It should not be on city streets.

*Mayor Donna Dodgen asked City Engineer, Melissa Reynolds if we could monitoring for a period of time, how would be gather that data. Ms. Reynolds states it would be from the response from the business owners and land owners if trash is still an issue or if there is non compliance we will know fairly quickly.
There will be a six month monitor time.*

Councilman Jason Biesenbach states that he will be staying consistent with his opposition to parking by permit. Stating "people pay for the streets and if they pay for them they should be able to park there".

Phillip Swoope, Director of Sales for TowneSuite, 2732 Jay Road, Seguin, Texas, 78155; Mr. Swoope wanted to clarify that the hotel does not have a contract with any trucking companies. Mr. Swoope states there is a company called corporate lodging and it does not differentiate between truckers or business travel, stating the hotel does not have a choice on the client if they are signed up with Corporate lodging which is a hotel standard. Corporate lodging is something to help drive business for the city.

Mr. Jud Alexander asked if these businesses will only be able to give a permit for a vehicle to parking in front of there business? Not in front of someone else's or his property?

City Engineer, Melissa Reynolds states that it is not designated in the ordinance now , it states the hotels are the issuance of the permit.

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

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

Carter, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Nay: 2 - Council Member Gaytan, and Council Member Biesenbach

Aye: 6 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Carter, and Council Member Keller

d. [ZC 17-23 CC](#)

Public hearing and Ordinance on first reading to consider a Zoning Change from Single Family Residential (R-1) to Zero Lot Line (ZL) for a property located at the 1500 block of Joe Carrillo Street, Property ID: 116453 (ZC 17-23)- Pamela Centeno, Director of Planning and Codes

Indexes:

Attachments: [Staff Memo ZC 17 23](#)

[ZC 17-23 Planning Commissioner Report & agenda packet](#)

[ZC 17-23 Ordinance](#)

[ZC17-23 ExhibitA CC](#)

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

e. [ZC 18-23 CC](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Agricultural Ranch (A-R) to Commercial (C) for a property located at 3965 E. US Hwy 90, Property ID: 170523, (ZC 18-23)- Pamela Centeno, Director of Planning and Codes

Indexes:

Attachments: [Staff Memo ZC 18 23](#)

[ZC 18-23 Planning Commission Report and agenda packet](#)

[ZC 18-23 Ordinance](#)

[ZC1823 ExhibitA CC](#)

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

f. [ZC 20-23 CC](#)

Public hearing and Ordinance on first reading to consider a Zoning Change from Single Family Residential (R-1) to Duplex High Density (DP-2) for a property located at 2002 Sherman Street, Lot 91, Property ID: 41066 (ZC 20-23)- Pamela Centeno, Director of Planning and Codes

Indexes:

Attachments: [Staff Memo ZC 20 23](#)
[ZC 20-23 Planning Comission Report and agenda packet](#)
[ZC20-23 ExhibitA CC](#)
[ZC 20-23 Ordinance](#)

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comment, the public hearing was adjourned and the regular meeting was reconvened.

A motion was made by Council Member Keller, seconded by Council Member Gaytan, that this Zoning Ordinance failed. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Biesenbach

Aye: 7 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, and Council Member Keller

g. [ZC 21-23 CC](#)

Public hearing and Ordinance on first reading to consider a Zoning Change from Single-Family Residential (R-1) to Manufactured and Residential (M-R) for a property located at 1551 FM 20, Property ID: 111991 (ZC 21-23)- Pamela Centeno, Director of Planning and Codes

Indexes:

Attachments: [Staff Memo ZC 21 23](#)
[ZC 21-23 Planning Commission Report and agenda packet](#)
[ZC 21-23 Ordinance](#)
[ZC2123 ExhibitA CC](#)

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, The public hearing was adjourned and the regular meeting was reconvened.

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

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Keller

Aye: 7 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, and Council Member Biesenbach

h. [24-012](#)

Discussion and possible direction regarding vacant buildings and minimum maintenance standards for downtown historic district - Kyle Kramm, Main Street & CVB Director/HPO.

Indexes:

Attachments: [Council Memo - Downtown Maintenance Minimums](#)

City Manager Steve Parker, begins discussion with stating Mr. Manger has expressed his concerns with staff regarding the vacant buildings downtown and asking how do we revitalize these buildings? Mr. Parker states that staff just wants council to know that we are not ignoring the issue, we are limited to what we can do according to State law.

Director of Main Street, Kyle Kramm states that staff is working with the building owners, trying to give them more time. Stating using citations as a last resort; letting these folks know about the incentive programs to them keep the building from deteriorating.

Mr. Manger gave a short presentation, and thanked Steve Parker and Kyle Kramm for their efforts. Mr. Manger says he does understand State law limits what the city can do. Mr. Manger showed a slide picture of the building where Gift and Gourmet is and states; When it's done right: Setting the standard for downtown redevelopment.

Councilman Gaytan is looking at the issue for the safety side of it and not the cosmetic side.

8. Closed Session

The regular meeting was recessed and the council went into Closed Session at 6:46 pm. The regular meeting reconvened at 7:16 pm.

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2024-009

a. [23-472](#)

EXECUTIVE/CLOSED SESSION MEETING - An executive/closed session meeting will be held pursuant to **Section 551.087 Deliberation Regarding Economic Development Negotiations (1)** to discuss or deliberate regarding commercial or financial information that the governmental body has received

from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; **(2)** to deliberate the offer of a financial or other incentive to a business prospect. of (Project DIY and Project Jackpot) - Steve Parker, City Manager

Indexes:

9. Adjournment

There being no further business before the council the meeting adjourned at 7:18 pm.

Donna Dodgen, Mayor

Attest:

Kimberly Allison
Deputy City Secretary