



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, May 5, 2020

5:30 PM

Council Chambers

Virtual

The Seguin City Council meeting will be conducted by video conference. The meeting will be broadcast via Facebook Live video on the City's Facebook page, <https://www.facebook.com/SeguinTX/>

Opportunities for citizen comment will still take place at the beginning of the meeting. For the citizen comments section of the meeting, the public is asked to email any comments to virtualcouncil@seguintexas.gov no later than 3:00 pm on Tuesday, May 5, 2020.

Normal rules for public comment apply so please include your name and address in your email. Participants wishing to comment will receive a Zoom Meeting invitation, and a meeting ID number to enter when joining the meeting, as well as participant instructions.

1. Call to Order

The City Council met in a VIRTUAL REGULAR Called Meeting on Tuesday, May 5, 2020 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 Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Chris Rangel, Council Member Jeremy Roy, Council Member Penny Wallace, and Council Member Chris Aviles

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.

*Donna Dodgen
 822 Elm Street
 Seguin, Texas 78155*

Ms. Dodgen announced her candidacy for Mayor of the City of Seguin. Stating she has the needed skills, experience and heart of service for the position. We are in exciting and fluctuating times and I want to continue to lead our City forward in a positive direction.

Council Member Fonda Mathis said that a number of people are enjoying being able to watch the city council meeting and this is something we may need to proceed with.

City Manager Steve Parker advised that staff is looking into technology upgrades to City Council Chambers. We should be able to have numbers for the FY2021 budget process.

6. **Consent Agenda**

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

a. [20-153](#)

CityCouncilMeetingMinutes of April 21, 2020

This Minutes was approved

b. [20-151](#)

Ordinance on second and final reading amending the Fiscal Year 2020 Utility Fund Budget of the City of Seguin, Texas; and declaring an effective date

This Ordinance was adopted

Enactment No: ORD 2020-032

c. [20-144](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances, Appendix C, Fees, Chapter 42, Emergency Sevices, Article I,

Emergency Medical Services to provide a fee for the administration of blood; providing for a severability clause; providing for publication; declaring an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2020-033

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

a. [ZC 04-20 CC](#)

Public Hearing and Ordinance on first reading to consider a zoning change from Neighborhood Commercial (NC) to Commercial (C) for property located at 1711 N, Austin Street, Property ID 22488 - Pamela Centeno, Director of Planning & Codes

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 Leal, 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: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

b. [ZC 05-20 CC](#)

Public Hearing and Ordinance on first reading to consider a zoning change from Single Family Residential (R-1) to Neighborhood Commercial (NC) for property located at 1104 Avenue D, Property ID 41393 - Pamela Centeno, Director of Planning & Codes

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

c. [ZC 06-20 CC](#)

Public Hearing and Ordinance on first reading to consider a zoning change from Industrial (I) to Commercial (C) for 0.573 acres out of a tract located east of and adjacent to the property at 1711 N. Austin St., being a 0.573-acre portion of Property ID 22487 - Pamela Centeno, Director of Planning & Codes

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 Herbold, 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: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

d. [20-152](#)

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY2020 Justice and Mental Health Collaboration Program - Kathy Wood, Grants Administrator

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-039

e. [20-163](#)

Discussion on poultry regulations - Shelley Lutz, Animal Services

Animal Service Supervisor Shelley Lutz gave a presentation of the poultry regulations of a comparison chart of the surrounding cities of Schertz, New Braunfels, San Marcos, Luling, Lockhart. She recommends no more than 4 fowl, fenced back yards, and cages.

*Sergio Guardiola
619 Stratton St
Seguin, Texas*

Focused on why the ordinance should be changed. New Braunfels and San Marcos is twice the size of Seguin but their regulations are less stringent. He also mentioned San Antonio's requirements, allowing up to 8 fowl without a set back. Sergio requested that the City of Seguin consider reducing the set back requirement to thirty feet. Working on finding out how many permits are issued and number of complaints.

Mayor, Council Member Penny Wallace, and Council Member Rangel spoke about the set back in compliance of 100 feet meaning distance from your neighbors.

Council Member Fonda Mathis asked if we can do a variable ordinance depending on the size of the lot/acreage.

Council Member Jet Crabb said that chickens bring in other critters, i.e. snakes, raccoons, owls. Pen requirements and cleaning of pens requirement.

Council Member Jeremy Roy inquired about permitting? Annual permit required at \$10. What about 4-H kids who want to raise poultry. We would want to make exceptions.

Council Member Mark Herbold said he would be in favor of limiting up to 8 fowl.

City Manager Steve Parker stated that neighborhoods who have HOA's have deed restrictions and would not allow fowl. We could look at a variable set back based on lot size.

f. [20-161](#)

Update on COVID-19 and approval of a Resolution extending a Declaration of Disaster due the COVID-19 epidemic; and declaring an effective date - Steve Parker, City Manager and Andy Quittner, City Attorney

City Manager Steve Parker provided an overview of the latest numbers in Guadalupe County and Seguin. Seguin has a total of sixteen (16) cases reported. There will be testing performed in the Seguin/Geronimo area next week.

Libraries - working with the Director to allow the Library to open but keeping staff safe. Library is very interactive. We want to continue to practice social distancing.

Council Member Jet Crabb said beauty shops are to open May 8th but will there be guidelines?

Council Member Jeremy Roy inquired about sales tax revenue? Director of Finance Susan Caddell said that we should have the March numbers Wednesday and we will get those out.

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-040

g. [20-166](#)

Resolution establishing the Seguin Strong Stimulus Program to promote new and expanded business development and providing an effective date, in response to COVID-19 and in support of local businesses - Josh Schneuker, Director of Economic Development and Kyle Kramm, Main Street & CVB Director

A motion was made by Council Member Roy, 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 Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-041

- h. [20-165](#) Resolution approving a loan agreement with the Seguin Guadalupe County Heritage Museum for plumbing repairs - Kyle Kramm, Main Street & CVB Director

This Resolution was tabled

Enactment No: RES 2020-048

- i. [20-160](#) Resolution approving a Chapter 380 Agreement for a one time rebate of Hotel Occupancy Tax to Seguin area hoteliers and creating a payment plan of hotel occupancy tax - Kyle Kramm, Main Street & CVB Director

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: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-042

- j. [20-159](#) Ordinance on the first reading amending the Fiscal Year 2020 Special Revenue Fund Budget of the City of Seguin, Texas and declaring an effective date - Susan Caddell, Director of Finance

A motion was made by Council Member Mathis, 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 Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

- k. [20-162](#) Ordinance on the first reading amending the Fiscal Year 2020 Utility Fund Budget and declaring an effective date - Susan Caddell, Director of Finance

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

- l. [20-158](#) Approval of reports for the quarter ended March 31, 2020 for the following

organizations that receive Occupancy Tax funding - Susan Caddell, Director of Finance

- a. Seguin Conservation Society
- b. Mid-Texas Symphony
- c. Teatro de Artes de Juan Seguin
- d. Seguin Heritage Museum
- e. Guadalupe County Fair Association
- f. Seguin LULAC Council #682
- g. Seguin Art League
- h. The Fields of Huber Ranch, LLC

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

m. [20-156](#)

Ordinance on first reading extending school zones surrounding A.J. Briesemeister Middle School along US 90 and US 90A, all within the City of Seguin, Texas; providing a severability clause; providing for an effective date; providing for publication of this Ordinance; and authorizing staff to submit this ordinance as a supplement to the Seguin Code of Ordinances - David Rabago, P.E., City Engineer

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

n. [20-164](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the purchase of real property located at 809 San Antonio for a not-to-exceed amount of \$135,000; and declaring an effective date - Jack Jones, Director of Parks and Recreation

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-043

o. [20-155](#)

Resolution authorizing certain actions including proceedings in eminent domain in connection with the acquisition of permanent easements and temporary construction easements from Ramila Hospitality, LLC and Arvindbhai and Dhruvi Patel in connection with the FM 758 sanitary sewer extension project; ratifying all actions taken to date towards such acquisition of land; declaring each section of this Resolution to be severable one from the other in event that any section is determined to be invalid; and declaring an effective date - Andy Quittner, City Attorney

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2020-044

8. Acknowledgment of Bills

The bills were acknowledged.

a. [20-154](#)

Check Report: April 20, 2020 to May 1, 2020

9. Executive Session

The virtual regular meeting was recessed and the council went into Executive Session at 6:52 pm. The virtual regular meeting reconvened at 7:39 pm.

a. [13-053](#)

Deliberation regarding Economic Development Negotiations in accordance with Section 551.071 and 551.087 - Steve Parker, City Manager

b. [13-058](#)

Deliberation regarding Electric Competitive Matter in accordance with Section 551.071 and 551.086 - Rick Cortes, Assistant City Manager

10. Adjournment

There being no further business before the council the meeting adjourned at 7:39 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary