



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, July 2, 2024

5:30 PM

Council Chambers

1. **Call to Order**

Mayor Dodgen called the meeting to order at 5:30 P.M.

2. **Invocation - Mayor Donna Dodgen**

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

4. **Roll Call**

District 2 position is vacant.

Present: 7 - Councilmember Joe Rea, Councilmember Jim Lievens, Councilmember Chris Rangel, Councilmember Paul Gaytan, Councilmember Monica N. Carter, Councilmember Jason Biesenbach, and Councilmember 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.

Douglas Manger, 916 E. Humphries St., showed a presentation highlighting the needed repairs at the Sebastopol House and asked that the City perform the needed maintenance.

Julian Leal, 849 Prexi Dr., asked why Texas Lutheran University is permitted to stack mulch and dirt on the corner of Prexi and San Antonio Ave. The stack is directly in front of his house. He stated that it looks dirty and he is worried about it lowering his property value. Additionally, he agreed with Mr. Manger's comments about the Sebastopol House. Lastly, he asked that the six potholes on Prexi, between Avenue St and Kingsbury to be patched.

Deputy City Manager Rick Cortes informed that yesterday was Seguin's first day with CPS and that the transfer from AEP is complete. He said that the contract with CPS is

better than the one that the City had with AEP and noted that the ancillary costs are protected now. The current contract is for 4.5 years with an option to renew.

Parks and Recreation Director Jack Jones invited everyone to attend the fireworks show tomorrow night at Starcke Park. The show starts at 9:30 P.M. and will last 25 minutes. He thanked HEB, Niagara Bottling, Caterpillar, and Perdue Brandon Fielder, Collins & Mott, LLP for sponsoring the show.

Main Street and CVB Director Kyle Kramm announced that there are 171 entries for the 4th of July Parade this year. He informed that the parade starts at 10 A.M. and reminded those who will attend to bring water, sunscreen, hats, cameras, and a good attitude.

Michael Bowman, 3530 Hickory Forrest, spoke in support of the City of Seguin getting a recreation center. He gave examples from surrounding communities and the added value that it brought to those communities, including increasing property values and tax revenue.

Councilmember Biesenbach invited everyone to attend the Seguin River Monsters TCL Allstar Game at 6 P.M. tomorrow. He said that is where he will be and that the field is a great place to watch the fireworks.

Mayor Dodgen shared that she attended the late Councilmember Sonia Mendez's Celebration of Life on Sunday. She announced that Councilmember Mendez's seat will remain vacant until November to honor her and what she has done for the community.

6. Presentation

- a. Presentation and potential discussion on the findings of the engineering study for Walnut Springs Spillway and Stream Bank, including options for possible repairs. Melissa Reynolds, P.E., CFM - Director of Engineering & Capital Projects

Indexes:

Attachments: [2024-07-02 Memo Walnut Springs Spillway Project](#)
[HDR Preliminary Engineering Study - Walnut Springs Spillway and Bank Stabilization Repair](#)
[WalnutSpringsPER Presentation](#)

Director of Engineering and Capital Projects Melissa Reynolds explained that the Walnut Spring Spillway experienced damage during heavy rain events in 2021. Sediment has accumulated at the spillway, the creek embankment has been compromised, and the existing limestone blocks used to stabilize the bank have failed and fallen into the creek. Ms. Reynolds reminded that City Council approved a Professional Services Agreement with HDR Engineering to develop a preliminary design report with budget numbers for options to address these failures, enabling the City to perform more detailed planning and help guide the decision making and budgeting process.

Ron Branyon, with HDR Engineering, gave a presentation summarizing the results of the preliminary risk assessment and data collection, the design options with budget numbers to fix the Walnut Branch Spillway. Explained that the project was split into two sites, Site 1 being from Pedestrian Bridge to Nolte St. and Site 2 from Nolte St to

Washington. He explained that the cost to repair Site 2 is significantly less than the cost of Site 1, but that the failure of Site 1 would have a greater impact on surrounding development. To fully repair Site 1, the estimated cost is \$1-1.5M. To fully repair Site 2, the estimated cost is \$300-500k. In addition to the needed repairs, Mr. Branyon suggested that the City consider a monitor plan to keep track of potential wall movement.

Mrs. Reynolds stated that the engineers are working with limited data as only two borings were taken. She explained that this study was focused primarily on stability and structure failures, but there are other things that need to be considered moving forward, like trails, beautification, etc. Additionally, the study did not identify where the upstream sedimentation is coming from and noted that other cities have opted for natural stream bank solutions to help with sedimentation. She asked for Council's guidance on how to phase and budget the project.

Councilmember Gaytan thanked City Staff for the presentation as the project is in his District and he had asked for it to be an agenda item. He commented that the walls are not safe and if flooded will continue to deteriorate. He asked if Site 1 would have more impact if it failed than Site 2 and Mrs. Reynolds confirmed that it would. He asked Mrs. Reynolds if she would recommend doing both phases together. Mrs. Reynolds answered that her recommendation would be to look at the engineering first once we get more data. She suggested that City Council budget for the full design.

City Manager Steve Parker added that he is concerned about vibrations and shifting rocks and how it would affect surrounding property owners' homes to drive sheet pilings 10 feet into the ground. He suggested that the design for both phases be budgeted and the repairs for Site 2 be budgeted. That way it gives more time to study how to best approach fixing Site 1.

Councilmember Gaytan asked if there were any limestone rocks, or buttersticks, on Site 1 because he sees children playing on the buttersticks in Site 2.

Gaytan asked if on Site 1 there are any limestone buttersticks because he has seen children playing frequently on buttersticks in Site 2 and does not consider that a stable environment for children to play.

Councilmember Biesenbach voiced that he was in favor of Mr. Parker's suggestion to allow for a more intense study of Site 1 and to complete Site 2's repairs as they seem to be more safe and economical.

Mayor Dodgen received consensus of City Council to move forward with addressing the safety issues in Site 2 while working on the design and creative solutions to repair Site 1.

Gary Vaughan, 503 S Goodrich, commended Mrs. Reynolds for getting to the project to this point. He requested that the City Council consider raising the dam back to its original height and capping it with something that would allow people to walk across it. He stated that he was in favor of fixing the sedimentation and safety issues and suggested that City Council visit Breckenridge Park in San Antonio to see how that dam was finished.

- b.** Presentation and direction from City Council for a Feasibility Study regarding a possible future Recreation Center, Natatorium, and/or an Outdoor Pool - Jack Jones, Director of Parks and Recreation.

Indexes:

Attachments: [Memo regarding a Feasibility Study](#)
 [Direction for a Feasibility Study](#)

City Manager Steve Parker announced that he is very excited to bring this item before City Council. He said that this is only the first phase of a project that could take awhile to come to fruition. He reminded that Seguin is still a small city, with a population of almost 40,000, and that it is more likely to have something like a YMCA in a city this size. He informed that City Staff has spent a lot of time looking at this and having discussions with Texas Lutheran University and the school districts. The big question is how can the City afford a recreation center without minimizing other services. The City would need a bond election to see if a recreation is truly what people want. If it is, we need to know what the community wants in a recreation center and what they are willing to pay for it to make educated decisions moving forward.

Councilmember Gaytan asked for clarification of scope for what is being discussed tonight. Mayor Dodgen answered to give direction to staff to move forward to help determine what Seguin can afford and do and what will take us into the future.

Parks and Recreation Director Jack Jones said that he was looking for direction on whether he should move forward with the feasibility study. And if so, what items should be included in it. He informed that \$95,000 was approved in this fiscal year for a study.

Mr. Jones explained that the Seguin Wave Pool brings in about \$100,000 in revenue annually but the expenses to operate the it are about \$140,000 annually. It is subsidized, but is only able to be open 10 weeks out of the year. Additionally, the City spent approximately \$500,000 last fiscal year for needed capital improvements to the wave pool. Mr. Jones then presented examples of recreation centers operating in nearby cities and the approximate construction costs.

Councilmember Lievens asked if the study would provide recommended fee structures that our community could afford and Mr. Jones confirmed that it would. Lievens questioned if the study would consider other bond issues that the City would considering in the future because there are so many needs, including aging infrastructure, that need to be prioritized somehow.

City Manager Steve Parker agreed with Councilmember Lievens and stated that there is a need for a 4th Fire Station, more Public Works equipment and staff, park improvements, and other capital projects that need to be considered as well.

Councilmember Gaytan thanked Mr. Jones for his presentation and announced that this was an item that he had asked to be on this agenda. He said that the purpose of the feasibility study is to tell us whether Seguin can afford a recreation center. He said that the study would need to look at several options, like a center with an indoor pool and a center with an outdoor pool for transparency.

Councilmember Biesenbach said that he has followed this topic on KWED and he is excited about the excitement that the community has shown for it.

Wendy Martin, 6077 Nockennut Rd, informed that she hosts family park meet-ups on Thursday mornings at Starcke Park. There was a need for moms to come together and children to come together to recreate and fellowship, so she took it on herself to help meet that need. In the time she has been hosting it, the number of attendees and

relationships have grown. She commented that Seguin needs a place for adults and children to run and play and be physical indoors. She mentioned that when she moved here 3 years ago, there was not a single gym that had a childcare program. She opined that the community would benefit from having a recreation center and that it is a need, not just a want. She offered her help and to do what is needed to bring a recreation center to Seguin.

Chris Borchurs, 1058 Elm St., voiced he and his families support of getting a recreation center in Seguin. He said he believes the question should be when Seguin is getting a recreation center, not if we are getting it. He suggested that the City consider an outdoor pool partially shaded with misting systems as a less expensive alternative as it would still provide residents a place to swim.

Rachel Calk, 619 Garden St., announced that she is opening the new running store in town, Suburban Running and Recreation. She said her family loves Seguin and a recreation is a need for them and for the community. She opined that the biggest issue with the revenue at the Seguin Wave Pool is the hours. It doesn't open until noon, making it difficult for parents with young children to attend. She thinks if it was open earlier and stayed open later more families would attend, generating more revenue. Ms. Calk also mentioned that the pickleball courts in Seguin are always full and suggested that the recreation center include multi-functional courts like basketball, volleyball, and pickleball courts. She said that businesses like theirs depend on the City of Seguin to provide recreational infrastructure.

Leticia Machado, 1339 Canary Lane, stated that she was a mom of a child with special needs and that she works with the nonprofit Special Kids with Special Needs. She informed that there is not a water therapy location in Seguin and there are a lot of children who need it. She asked that if Seguin does get a pool or recreation center, to be sure that it is accessible to people with special needs. She used changing tables as an example, stating that none of the changing tables in the parks are large enough to change an older child or adult on. She asked when considering accessibility in the future that the bathrooms be included as the special needs community is part of this community too.

City Manager Parker reminded that the City Council has made it a priority to continue working with the Boys and Girls Club. The City has put in an application for a \$2.3M grant to refurbish the old Boys and Girls Club activity center through Congresswoman Monica De La Cruz's office and, while it is not a done deal, Congresswoman De La Cruz has moved that forward.

Mayor Dodgen asked if the feasibility study would include being sure that the recreation center was accessible to all and Mr. Jones confirmed that it would be. Mayor Dodgen got consensus from City Council for City Staff to move forward with feasibility study and a statistically valid study for what elements should be included.

7. Consent Agenda

A motion was made by Councilmember Rea, seconded by Councilmember Biesenbach, that this be approved on the Consent Agenda. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

a. Minutes of the June 18, 2024 City Council Regular Meeting

Indexes:

Attachments: [CC.Meeting.Minutes June 18, 2024](#)

This Minutes was approved.

b. Check Report June 15, 2024 to June 28, 2024

Indexes:

Attachments: [Check Report 06152024 - 06282024](#)

The check report was acknowledged.

c. Resolution awarding six Fix-It Facade Grants to downtown redevelopment projects - Kyle Kramm, Main Street & CVB Director/HPO

Indexes:

Attachments: [Council Memo - FY2024 Facade Grants Second Call](#)
[Resolution - Awarding FY2024 Facade Grants](#)
[2024 Fix It Application Court Street Coffee Shop 301 N Austin Street](#)
[2024.05.08 Karen Roberson FIX It App Final](#)
[SHMFixitApplication2024](#)
[112 West Court Facade Application](#)
[2024 Fix It Application 314 N River Street](#)
[David Kirkland Burnt Bean Co 2024](#)

This Resolution was approved.

Enactment No: RES 2024R-151

d. Resolution of the City Council of Seguin, Texas, authorizing an annual contract for the purchase of water treatment liquid aluminum sulfate and declaring an effective date. - Ashley Bruns, Purchasing Manager

Indexes:

Attachments: [Memo](#)
[Bid Tab](#)
[Resolution](#)

This Resolution was approved.

Enactment No: RES 2024R-152

- e. Resolution of the City of Seguin, Texas, authorizing submission of a grant application in response to the Motor Vehicle Crime Prevention Authority Grant Program

Indexes:

Attachments: [07-02-24 City Council MEMO to Submit Motor Vehicle Crime Auth Grant](#)
[07-02-24 City Council RESOLUTION to submit Motor Vehicle Crime Prevention Auth Grant](#)

This Resolution was approved.

Enactment No: RES 2024R-153

- f. Ordinance on second reading amending the Fiscal Year 2024 General Fund Budget of the City of Seguin, Texas - Susan Caddell, Director of Finance

Indexes:

Attachments: [Sebastopol Restoration memo](#)
[Sebastopol Restoration](#)

This Ordinance was adopted.

Enactment No: ORD 2024-030

8. Action Items - Discussion and Possible Motion to Approve

- a. Resolution rescinding Resolution No. 2016R-053, previously adopted by the City Council on or about April 2, 2016; and providing an effective date. - Mark Kennedy, City Attorney

Indexes:

Attachments: [Memo.Rescission.2016R.53](#)
[Resolution \(Rescinding.2016R.53\)](#)
[Resolution No. 2016R-53 \(1\)](#)

City Attorney Mark Kennedy explained that 2016R-053 was adopted about eight years ago and was in tandem with a contested State hearing with the Texas State Office of Administrative Hearings contesting the Post Oak Landfill application. The contesting parties consisted of Guadalupe Ground Water Conservation District, City of Schertz, City of Seguin, Schert Seguin Local Government Corporation (SSLGC) and a group called Stop Post Oak Dump. The application for Post Oak Dump was granted, the decision was appealed by all the contesting parties. Only recently was it non-suited. The reason for the non-suit is that the landfill has been operating for over six years and the appealing parties did not feel that there was a great chance of prevailing in the appeal. Mr. Kennedy stated that the 2016R-053 did not have a sunset provision so in order to take action on the next item on the agenda, City Staff recommends rescinding Resolution 2016R-053, which forbade any contracted solid waste provider from entering into Post Oak Landfill.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-154

- b.** Resolution authorizing the City Manager to execute an amended and restated five year exclusive franchise agreement with Waste Connections Lone Star Inc. for residential solid waste collection services within the corporate limits of the City of Seguin; and providing for an effective date - Rick Cortes, Deputy City Manager

Indexes:

Attachments: [Memo 2024 Residential Solid Waste Contract Amendment](#)
[Resolution.SolidWaste](#)
[Seguin Contract 06142024](#)
[Solid Waste Committee - Presentation 06172024](#)

Deputy City Manager Rick Cortes informed that the Solid Waste Committee met on June 17, 2024 to discuss the residential solid waste agreement. Included in the proposed amendments to the agreement was that Waste Connections would dump at Post Oak Landfill. The City Council had the opportunity to visit the landfill twice to see the improvements that Waste Connection has made to the landfill since purchasing it. Additionally, the agreement would change operating hours to start at 6 a.m. instead of 6:30 a.m. as well as change the way that rates are calculated to make it more streamlined. Mr. Cortes also mentioned that the revised agreement would change bulky item pick-up to quarterly but would also allow residents to dispose of waste/bulk items four times per fiscal year at the Post Oak Landfill Citizen Convenience Center at no additional cost. He showed an example of the voucher to City Council and added that the City and the County host two community wide clean-ups each year, giving residents multiple times a year to dispose of bulk waste.

City Manager Steve Parker added that Seguin still offers service above and beyond any other community.

Mr. Cortes said that the amended and reinstated contract would extend the current contract for 1 year, making it a five year agreement. Mr. Cortes said that with the propose amendments to the contract, the City is able to keep the same rates of \$14.06 for solid waste, \$3.55 for recycle, a 13% administrative fee for garbage only, for a total monthly bill of \$19.44.

Councilmember Rangel asked if there would be bulky item pick-up and Mr. Cortes answered that it would be offered curbside 4 times a year. Rangel then asked how Post Oak Landfill will verify the identity of the voucher user and what if the voucher user takes their relatives waste. Mayor Dodgen answered that the Solid Waste Committee talked about that and determined that it was most important to have Seguin clean so as long as they have trips left on their voucher then it is okay.

Mayor Dodgen mentioned that Waste Connections has always picked up trash bags that are around the containers, but starting with the amended contract the trash bags

will need to be inside containers.

Councilmember Lievens commented that the slogan "Clean Seguin" was started by Larry McCarthy back in the 1990's. He said he loved that it was an adjective and a verb, a call to action for residents. He said that he loves the voucher system as it allows people to do their clean ups on their own schedule. He thanked Waste Connections for offering that service.

Waste Connections District Manager Jason Rowe said that the bulk pick-up change will be the biggest change for residents, but that Waste Connections will help residents get through the transition period. He said that they would leave tags at residents home to educate them on the change and to let them know that after a certain date it will not be picked up outside of the quarterly pick-up time frame.

Mayor Dodgen thanked Waste Connections for their work with the City and also mentioned that she is working separately on a hazardous waste solution for Seguin.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-155

C.

Resolution authorizing the City Manager to enter into a Professional Services contract with TRC Engineers, Inc. for professional services related to the Seguin Water Treatment Plant Clarifier project; and declaring an effective date - Timothy J. Howe, Director - Water/Wastewater Utilities

Indexes:

Attachments: [Water Plant Clarifier - TRC](#)

[Resolution 7-2-2024](#)

[TRC Engineering Proposal - Water Treatment Plant Clarifier](#)

Water and Wastewater Utilities Director Tim Howe stated that TRC Engineers, Inc. prepared a professional engineering services proposal for the design, bidding, and construction phase services for an additional solids contact clarifier at the City's Water Treatment Plant. This project will provide redundant treatment and position the City for a future phased water plant replacement. Staff recommends acceptance of this professional services proposal in the amount of \$733,462.00 and funding is provided through certificates of obligation.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R156

- d. Public Hearing and Resolution to consider a General Land Use Plan (GLUP) for a property located at 102 Lenz Dr., Property ID: 195969 (GLUP 01-24)- Pamela Centeno, Director of Planning & Codes.

Indexes:

Attachments: [Staff Memo GLUP 01_24](#)
[Resolution GLUP 102LenzDrive final](#)
[Planning Commission Report & agenda packet](#)
[Lenz GLUP Final with P&Z Conditions](#)

Planning and Codes Director Pamela Centeno reminder that General Land Use Plans now goes to City Council for approval, as opposed to only going to the Planning and Zoning Commission for approval. She explained that once a property is zoned as a Planned Unit Development (PUD), a General Land Use Plan (GLUP) shall be approved prior to use or development of the property. Mrs. Centeno informed that a Planned Unit Development is being requested for the property at 102 Lenz Drive. The property is adjacent to the Powerplant Texas Bar & Grill, connected by a sidewalk from the south parking lot of the restaurant. The applicant proposes a ceremony venue for the backyard of the subject property. The home on the property, which is presently rented as a short-term rental, would remain as residential use. The receptions and parties following any ceremonies on this property would be held at the restaurant next door. Ceremonies would be restricted to the outdoor area along the riverfront and parking for events would be restricted to the parking lot areas at the restaurant, which the applicant leases from the City of Seguin. Other restrictions, requirements, and limitations have been proposed in the General Land Use Plan to protect the residential neighborhood to the west of this property.

Mayor Dodgen opened the Public Hearing at 7:31 P.M.

There being no public comment, Mayor Dodgen closed the Public Hearing at 7:31 P.M.

Councilmember Rangel asked if the access point is not a true road and Mrs. Centeno responded that it is not, the public drive ends and the rest is an access easement.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-157

- e. Ordinance on second reading to consider a Zoning Change from Single-Family Residential (R-1) to Planned Unit Development (PUD) for a property located at 102 Lenz Dr., Property ID: 195969 (ZC 05-24)

Indexes:

Attachments: [Staff Memo ZC 05_24](#)
[Planning Commission Report & staff report](#)
[ZC 05-24 Ordinance](#)
[ZC0524 ExhibitA CC](#)

Planning and Codes Director Pamela Centeno explained that this is the zone change related to the previous agenda item, changing 110 Lenz from Single Family Residential to Planned Unit Development.

Mayor Dodegn opened the Public Hearing at 7:33 P.M.

There being no public comment, Mayor Dodgen closed the Public Hearing at 7:33 P.M.

A motion was made by Councilmember Rea, seconded by Councilmember Carter, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

- f. Ordinance on second reading to consider a Zoning Change from Single-Family Residential (R-1) to Neighborhood Commercial (NC) for a property located at 503 S. Austin Street, Property ID: 27867 (ZC 04-24)

Indexes:

Attachments: [Staff Memo ZC 04_24](#)
[ZC 04-24 Planning Commission Report and staff report](#)
[ZC 04-24 Ordinance](#)
[ZC0424 ExhibitA CC](#)

Planning and Codes Director Pamela Centeno informed that the City of Seguin received a zone change request for the lot at 503 Austin Street. The applicant is proposing to operate the existing home as a bed and breakfast. The lot is currently zoned Single-Family Residential. Rezoning the property to Neighborhood Commercial would allow use of the property for a bed and breakfast or for other small-scale commercial uses. She explained that the applicant would have to provide parking for whatever use is there and that the Future Land Use Plan identifies and recommends residential and commercial uses in that area.

Mayor Dodgen opened the Public Hearing at 7:36 P.M.

There being no public comment, Mayor Dodgen closed the Public Hearing at 7:36 P.M.

Councilmember Gaytan asked if the applicant has an agreement with Dan Daniels to use the adjacent parking lot and Mrs. Centeno responded that they did. Councilmember Gaytan asked if there was no objection by that property owner and Mrs. Centeno answered in the affirmative. She explained that the Occupancy Permit allows the use that is zoned and would be what regulates parking there.

A motion was made by Councilmember Gaytan, seconded by Councilmember Carter, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

- g.** Ordinance on second reading to consider a Zoning Change from Single-Family Residential (R-1) to Duplex-1 (DP-1) for property located at 415 Troell St., Property ID: 42289, (ZC 06-24)

Indexes:

Attachments: [Staff Memo ZC 06 24](#)

[Planning Commission Report and StaffReport ZC 06 24](#)

[ZC 06-24 Ordinance](#)

[ZC 0624 ExhibitA_CC](#)

Planning and Codes Director Pamela Centeno said her department received an application for a zoning change for the lot located at 415 Troell Street. The applicant is proposing to build a duplex on the vacant lot, which is a lower density zoning district that requires larger lots than DP-2 zoning. Staff evaluated the zoning request based on the criteria adopted in the Unified Development Code (UDC) and determined that it identifies the property to be within the Suburban Residential District. Duplexes are recommended in this district if integrated with the surrounding single-family homes. Mrs. Centeno also stated that the property is located within a residential neighborhood that consists mostly of single-family homes. However, there are two small multi-family developments to the west of this lot within the neighborhood that are grandfathered on properties zoned R-1. Mrs. Centeno reported that the Planning and Zoning Commission recommended approval of the zoning change to DP-1.

Mayor Dodgen opened the Public Hearing at 7:42 P.M.

There being no public Comment, Mayor Dodgen closed the Public Hearing at 7:42 P.M.

A motion was made by Councilmember Rea, seconded by Councilmember Keller, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

9. Closed Session

Mayor Dodgen convened into Closed Session at 7:44 P.M.

- a. Pursuant to Section 551.087 of the Texas Government Code - 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.

- Project Jackpot
- Project DIY

Indexes:

- b.** **Pursuant to Section 551.072 - Deliberation Regarding Real Property:** to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- Project High Tech

Indexes:

- c.** **Pursuant to Section 551.071 - Consultation with Attorney:** to discuss or deliberate regarding contemplated and/or pending litigation involving the City of Seguin and procedural matters associated with City Council. Possible action may follow in Open Session.

Indexes:

10. Reconvene into Open Session and Take Action as a Result of Closed Session, if Necessary

Pursuant to Section 551.071 - Consultation with Attorney: to discuss or deliberate regarding contemplated and/or pending litigation involving the City of Seguin and procedural matters associated with City Council. Possible action may follow in Open Session.

Indexes:

Councilmember Biesenbach made a motion, seconded by Councilmember Gaytan, to have the City Attorney finalize a draft Resolution and policy regarding invocations to be held in the City of Seguin Council Chamber, as discussed in Executive Session, and which can be considered by City Council in OPen Session at its next regular meeting. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

11. Adjournment

Mayor Dodgen adjourned the meeting at 8:29 P.M.

Donna Dodgen, Mayor

Attest:

Kristin Mueller, City Secretary