



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes City Council

Tuesday, March 3, 2015

5:30 PM

Council Chambers

1. **Call to Order**

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

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

4. **Roll Call**

Present: 8 - Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Tomas V. Castellon, Council Member Fonda Mathis, Council Member Carlos Medrano, Council Member Phil Seidenberger, Council Member Donna Dodgen, and Council Member Mark Herbold

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.

Citizen Comments

Name: Barbara Upper

Address: 721 Sudberg City: Seguin, Texas

She informed the Council about the Free Rabies and Microchipping targeting low income people that will be held at the Dog Park on

Councilmember Fonda Mathis reminded everyone about the TLU day of online giving on March 4.

Councilmember Ernest Leal mentioned the hands free cell phone usage and he shared information from San Antonio since they have already implemented the ordinance.

Councilmember Donna Dodgen invited everyone to the Seguin Fire Academy Glow Golf Tournament that will be held on March 20.

6. **Presentation**

- a. **15-089** Presentation of FY2014 Audit Report - Nancy Vaughan, Armstrong, Vaughan and Associates, P.C.
Nancy Vaughn from Armstrong, Vaughn and Associates, PC presented to the council the Comprehensive Annual Financial Report. (FY2014 Audit Report)
- b. **15-090** Water & Sewer Costs of Service & Impact Fees - Rick Cortes, Assistant City Manager
Rick Cortes, Assistant City Manager provided an overview regarding a proposal for a water and wastewater rate study and impact fee study for the City of Seguin. The total cost of the study will be \$46,000.

7. Consent Agenda

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

a. **15-100**

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

8. Action Items - Discussion and Possible Motion to Approve

- a. **15-016** Ordinance on first reading adopting the final three chapters of the City of Seguin Unified Development Code; authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances; providing for publication; and providing an effective date - Pamela Centeno, Director of Planning and Codes

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

b. 15-088

Ordinance on first reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule by repealing Appendix A and B thereto and creating a new Appendix A, fees related to the Unified Development Code; Providing for a severability clause; Providing for publication; decalring an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances - Pamela Centeno, Director of Planning and Codes

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

c. 15-095

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 22, Businesses, Article II, Food Service Establishments to provide for a variance from state rules to permit dogs in outside eating areas; amending Appendix C, fee schedule, to provide for an annual fee; providing for procedures; providing for publication of this Ordinance; providing a severability clause; providing for an effective date 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:

Nay: 4 - Council Member Crabb, Council Member Castellon, Council Member Medrano, and Council Member Seidenberger

Aye: 5 - Council Member Leal, Council Member Mathis, Mayor Keil, Council Member Dodgen, and Council Member Herbold

d. 15-079

Ordinance on first reading amending Chapter 22, Businesses, of the Seguin Code of Ordinances by repealling Article III, Massage Business and Masseurs, and replacing with a new Article III, Adult Oriented Business; providing for procedural rules; providing for penalties; amending Appendix C to establish related fees; providing for a severability clause; authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances; and declaring an effective date - Andy Quittner, City Attorney

A motion was made by Council Member Dodgen, 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 Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

e. 15-091

Resolution approving the Realignment of Connect Seguin Bus Route; rescinding Resolution 2015R-19; and declaring an effective date - Rick Cortes, Assistant City Manager

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-34

f. 15-092

Withdrawal of TCEQ Contested Case Hearing - Rick Cortes, Assistant City Manager

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

g. 15-093

Resolution of the City Council of Seguin, Texas approving a revised Electric Line Extension Policy; and declaring an effective date - Rick Cortes, Assistant City Manager

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-35

h. 15-098

Resolution approving the award of four (4) "FIX-IT" Facade Program grants for FY2015; and declaring an effective date - Kyle Kramm, Main Street

Program Director

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: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-36

- i. 15-094** Resolution approving a Capital Improvement Agreement with AT Holding-Trotter, LLC for the construction of a water line and installation of fire hydrants along the IH-10 frontage road west of the LCRA Substation (intersection of San Antonio and Vaughan Streets to Fleming Street and the substation); authorizing the City Manager to execute the Agreement; and declaring an effective date - Doug Faseler, City Manager

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: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-37

- j. 15-101** Ordinance on first reading creating a no parking loading zone on the south side of East Nolte Street along the block running from the west property line of the new library site to the east side of the Walnut Creek bridge in the City of Seguin, Texas; providing for an effective date; providing for publication; and providing penalties for violation thereof - Joe Ramos, City Engineer

A motion was made by Council Member Crabb, 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: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

- k. 15-097** Resolution of the City Council of Seguin, Texas, opposing legislation that would establish a revenue cap, lower the rollback tax rate, force automatic rollback elections, and other legislative interference with local services - Mayor Don Keil

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-38

I. 15-099

Resolution of the City Council of Seguin, Texas approving a Professional Services Agreement with Quorum Architects, Inc. for the design and construction administration services needed for the development of a new Animal Services Facility; authorizing the City Manager to execute the agreement and declaring an effective date - Doug Faseler, City 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: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 201-39

m. 15-087

Resolution authorizing the City Manager to execute an Affiliation Agreement between the City of Seguin and San Antonio Colleges for the purpose of serving as a clinical site for their students enrolled in emergency medical technician and paramedic programs - Dale Skinner, Fire/EMS Chief

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: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

Enactment No: RES 2015-40

n. 15-083

Main Street Advisory Board Appointment (1) - Mayor Don Keil

A motion was made by Council Member Dodgen, seconded by Council Member Leal, that this Action Item (appointment of James Garcia) be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Leal, Council Member Crabb, Council Member Castellon, Council Member Mathis, Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, and Council Member Herbold

9. Acknowledgment of Bills

The bills were acknowledged.

10. Executive Session

a. 13-014

Deliberation regarding Economic Development Negotiations in accordance to Section 551.087 - Doug Faseler, City Manager

b. 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 6:35 pm. The regular meeting reconvened at 7:21 pm.

11. Adjournment

There being no further business before the council the meeting adjourned at 7:21 pm.

Don Keil, Mayor

Thalia Patlan Stautzenberger, City Secretary