



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, April 18, 2017

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 Don Keil presiding.

2. Invocation - Council Member Fonda Mathis

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 6 - Council Member Carlos Medrano, Council Member Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, and Council Member Chris Rangel

Presiding: 1 - Mayor Don Keil

Absent: 2 - Council Member Phil Seidenberger, and Council Member 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. 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.

Chris Rangel thanked the City and everyone for the great Pachanga event held at Park West on April 8th.

Mark Herbold is concerned about the early closure on Clean Up Day. Mr. Faseler advised that staff was looking into the issue to prevent the same occurrence again.

Ernest Leal stated that on King Street they are surveying but wanted know when work will begin. City Engineer Joe Ramos advised that the crews are surveying now, and then engineering, but actual work is to begin in approximately one-year.

6. Consent Agenda

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

Medrano, that this be approved on the Consent Agenda. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 6 - Council Member Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

a. [17-128](#)

City Council Minutes of April 4, 2017 Regular Meeting

The minutes were approved.

This Minutes was approved

b. [ZC 04-17](#)

Ordinance on second reading to consider a Zoning Change from Agricultural-Ranch (A-R) to Planned Unit District (PUD) for property located at 1301 E. Kingsbury; Property ID 15426 (ZC 04-17)

This Zoning Ordinance was adopted

Enactment No: ORD 2017-015

c. [ZC 06-17](#)

Ordinance on second reading to consider a Zoning Change from Single Family Residential (R-1) to Multi-Family Medium Density (MF-2) for property located at 1561 N. Heideke Street; Property ID 22469 (ZC 06-17)

This Zoning Ordinance was adopted

Enactment No: ORD 2017-016

d. [17-097](#)

Ordinance on second reading to consider amendments to the Seguin Code of Ordinances, Section 90-138 - Street Signs; and Section 4.7.8 of the Seguin Unified Development Code- Street Signs; providing for a severability clause, publication, and an effective date

This Ordinance was adopted

Enactment No: ORD 2017-017

e. [17-096](#)

Ordinance on second reading to consider amendments to the City of Seguin Unified Development Code Section 4.9.4- Parkland and Open Space Dedication, General Provisions, Section 4.9.5.E- Fee-in-Lieu of Parkland Dedication and Park Development, and Section 4.9.8.B- Conveyed Parkland; providing for a severability clause, publication, and effective date

This Ordinance was adopted

Enactment No: ORD 2017-018

f. [17-095](#)

Ordinance on second reading to consider amendments to the Seguin Unified Development Code, Section 3.4.3- Land Use Matrix, Section 3.5.3- Development Standards for Limited Use Permits, and Definitions; creating and defining a new land use for Food Truck Parks; providing for a severability clause, publication, and effective date

This Ordinance was adopted

Enactment No: ORD 2017-019

g. [17-117](#)

Ordinance on second reading amending the Fiscal Year 2017 General Fund Budget of the City of Seguin, Texas

This Ordinance was adopted

Enactment No: ORD 2017-020

h. [17-112](#)

Ordinance on second reading amending the Fiscal Year 2017 Utility Fund Budget of the City of Seguin, Texas

This Ordinance was adopted

Enactment No: ORD 2017-021

i. [17-113](#)

Ordinance on second reading amending the Fiscal Year 2017 Special Revenue Fund Budget of the City of Seguin, Texas

This Ordinance was adopted

Enactment No: ORD 2017-022

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

a. [17-122](#)

Resolution authorizing a Municipal Tax Exemption for the 2017 Ad Valorem Taxes assessed against the historical homestead located at 308 South Erkel Avenue - Kyle Kramm, Director of Main Street and CVB

A motion was made by Council Member Medrano, 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 Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-048

b. [17-123](#)

Resolution authorizing a Municipal Tax Exemption for the 2017 Ad Valorem Taxes assessed against the historical homestead located at 617 North

Guadalupe Street - Kyle Kramm, Director of Main Street and CVB

A motion was made by Council Member Mathis, 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 Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-049

c. [17-121](#)

Presentation and discussion on the Master Thoroughfare Plan - John Foreman, Assistant Director of Planning and Codes

John Foreman introduced Tom Grant with Kimley-Horn. The Thoroughfare Plan contains transportation policy as well as realistic roadway alignments and cross-sections that address the challenges with the current plan.

Chapter 1 provides an overview of the plan and the process used to develop it.

Chapter 2 contains the updated map and cross-sections. This will be the most-used chapter day-to-day. As properties subdivide and develop, they will dedicate and develop right-of-way as shown.

Chapter 3 addresses downtown streets, establishing policies that will support a vibrant, walkable downtown and providing detailed design recommendations in order to accomplish this.

Chapter 4 provides guidance on implementing the plan by prioritizing proposed roadways, providing information on funding, identifying potential updates to City codes, and integrating the Bicycle and Pedestrian Plan prepared with the Alamo Area Metropolitan Planning Organization.

The draft has been revised several times as comments have been received from the Task Force, staff, the public, and the Planning and Zoning Commission. The final draft will be updated and presented to City Council at the May 2, 2017 meeting for consideration and approval.

d. [17-077](#)

Public hearing to consider a Resolution adopting the Roadway Impact Fee Study - John Foreman, Assistant Director of Planning & Codes

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

John Foreman introduced Jeff Whitiker with Kimley-Horn who gave a brief overview of the study. Mr. Whitiker covered the land-use and growth projections for the next ten years. Dividing the city into four service areas and presenting the recommended Roadway Impact Fees.

John Foreman stated the next step would be asking for consideration of approving a Resolution adopting the Roadway Impact Fee. At the May 2, 2017 City Council meeting an ordinance will be presented for consideration and approval of the Roadway Impact Fee.

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 Medrano, that this Resolution be approved. The motion carried by the

following vote:**Presiding:** 1 - Mayor Keil**Aye:** 6 - Council Member Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-050

e. [17-124](#)

Resolution authorizing the City Manager to execute an Interlocal Agreement between the City of Seguin and CPS Energy for the provision of standby services during confined space operations and declaring an effective date - Dale Skinner, Fire/EMS Chief

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

Presiding: 1 - Mayor Keil**Aye:** 6 - Council Member Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-051

f. [17-125](#)

Resolution authorizing a License Agreement with Texas Lutheran University for use of City property within and under the Fleming Street right of way; authorizing the City Manager to execute the License; and declaring an effective date - Andy Quittner, City Attorney

A motion was made by Council Member Herbold, 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 Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-052

g. [17-130](#)

Resolution to extend GBRA Raw Water service agreement to provide 1000 - acre feet of raw water annually for 5 year term with an option for an additional five-year term - Rick Cortes, Assistant City Manager

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: 6 - Council Member Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-053

- h. [17-120](#) Resolution of the City Council of Seguin Texas, approving a Engineering Service Contract in the amount of \$72,619.00 to TRC, Solution for the Seguin Water Purification Plant C-T Process Basins Covers and all other related engineering services; and declaring and effective date - Emery Gallagher, Director of Water Utilities

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

Presiding: 1 - Mayor Keil

Aye: 6 - Council Member Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-054

8. **Acknowledgment of Bills**

The bills were acknowledged.

- a. [17-131](#)

Check Report: March 29, 2017 through April 10, 2017

9. **Executive Session**

The regular meeting was recessed and the council went into Executive Session at 6:11 pm. The regular meeting reconvened at 7:01 pm.

- a. [13-057](#)

In accordance with Section 551.071: Deliberation and consultation with attorneys regarding Geronimo Creek Phase V Project and litigation as a result of dispute with Salinas Contruction Technologies, and Oak Village North Subdivision - Andy Quittner, City Attorney

- 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

- c. [17-133](#)

In accordance with Section 551.071: Deliberation and consultation with attorneys regarding contested matters before State Agencies - Andrew Quittner, City Attorney

10. Action Items

- a. [17-126](#) Resolution authorizing city staff to file an application with the Texas Commission on Environmental Quality to expand the City's Wastewater Certificate of Convenience and Necessity to cover the entire extraterritorial jurisdiction of the City; authorizing the city manager to execute all documents necessary to complete the certification process; and declaring an effective date - David Rabago, P.E., Utility Engineer

A motion was made by Council Member Leal, 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 Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-055

- b. [17-132](#)

Resolution authorizing city staff to file an objection to Crystal Clear Special Utility District's application for a wastewater certificate of convenience and necessity for areas within Seguin's extraterritorial jurisdiction; authorizing the city manager to execute all documents necessary to complete the objection process; and declaring an effective date - David Rabago, PE - Utility Engineer

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

Presiding: 1 - Mayor Keil

Aye: 6 - Council Member Medrano, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-056

11. Adjournment

There being no further business before the council the meeting adjourned at 7:11 pm.

Don Keil, Mayor

Naomi Manski, City Secretary

