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City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, July 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 Mark Herbold

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 7 - Council Member Carlos Medrano, Council Member Donna Dodgen, 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

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.

*Name: Matt Skinner
Address: 204 East Krezdorn
City: Seguin, Texas*

Spoke to City Council concerning dogs on chains. This is something he sees all around town year-round and says that it's problematic at this time of the year, because of the heat and inadequate shelter. Mr. Skinner would like City Council consider taking action on this issue. Mr. Skinner feels that it is cruel to keep an animal without socialization. Most chained dogs become aggressive rather than a dog that interacts with humans or other dogs. Dogs deserve more than this.

*Name: Julian Leal
Address: 849 Prexy Dr.
City: Seguin, Texas*

In my time I have had four dogs that people have dropped off in the neighborhood. Mr. Skinner has a good point. Let's not make prisons for our animals.

Mayor Keil - Said he believed that our Ordinances did require water, food, and shelter for animals that are chained but the ordinance can be reviewed.

Councilman Leal - Stated that he has seen a dog that was chained and living under a pallet. That is not adequate shelter.

6. **Presentation**

a. [17-190](#)

AACOG will provide update on Connect Seguin, pertaining to route, ridership and outlook

Rick Cortes introduced the new AACOG Transportation Director Sean Scott.

Mr. Scott presented to City Council an update on the ConnectSeguin public bus service. ConnectSeguin ridership has definitely increased since the program began in 2013. The goal was 50 riders per month but ART has surpassed this goal to 60. Now ART and the City will look to set the next goal. The charts indicate that the boarding impaired rider has also increased. Marketing programs continually are updated and heavily distributed to the general public and ART hopes to encourage private companies to advertise inside the bus and a possibility of partnering with ART to establish other bus shelters, which will expand the routes.

7. **Consent Agenda**

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

a. [17-192](#)

City Council Minutes of July 5, 2017 Regular Meeting

This Minutes was approved

b. [ZC-14-17](#)

Ordinance on second reading to consider a Zoning Change from Commercial (C) to Neighborhood Commercial (NC) for the property located at 1939 W. Kingsbury, Property ID 52914 (ZC 14-17)

This Zoning Ordinance was adopted

Enactment No: ORD 2017-032

c. [17-179](#)

Ordinance on second reading amending the City of Seguin Unified Development Code Section 5.6.10, Auto Repair and Servicing, Applicability

This Ordinance was adopted

Enactment No: ORD 2017-033

d. [17-178](#)

Ordinance on second reading amending the City of Seguin Unified Development Code Section 3.3.4.B, Overlay Districts, Development Standards, Outdoor Display/ Storage

This Ordinance was adopted

Enactment No: ORD 2017-034

e. [17-177](#)

Ordinance on second reading amending the City of Seguin Unified Development Code Section 1.3.3.B. Nonconforming Sites, Standards

This Ordinance was adopted

Enactment No: ORD 2017-035

8. Action Items - Discussion and Possible Motion to Approve**a. [17-189](#)**

Public Hearing and Ordinance on first reading renewing Chapter 70, Article II of the Seguin Code of Ordinances regarding the Curfew for Minors Ordinance; providing a severability clause, an effective date; providing for publication; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances - Kevin Kelso, Chief of Police

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

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 Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

b. [17-197](#)

Resolution approving the purchase of a CAD/RMS software package from Spillman Technologies for use by the Seguin Police Department in their move to comply with the requirement for crime reporting to be compatible with the National Incident Based Reporting System; and declaring an effective date - Kevin K. Kelso, Chief of Police

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-082

c. [17-168](#)

Resolution approving the use of the E-rate reimbursement from the Universal Services Administrative Company to purchase a storage area network and server for the library; and declaring an effective date - Jacki Gross, Library Director

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-083

d. [17-195](#)

Resolution authorizing a License Agreement with Jim's Formal Wear, LLC for use of City property along Crossroads Boulevard; authorizing the City Manager to execute the License; and declaring an effective date - Andy Quittner, City Attorney

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2017-084

e. [17-182](#)

Resolution granting a five year exclusive franchise to Progressive Waste Solution of Texas, Inc.d/b/a Waste Connections of Texas, for residential solid waste collection services within the corporate limits of the City of Seguin; and providing for an effective date - Andy Quittner, City Attorney

Darren Dunn - Curious about the dumpsters and porta-potties for Freedom Fiesta. In the past, the cost of these items was not passed onto the event holder.

Assistant City Manager Rick Cortes stated that the Task Force Group recommended to City Council that the Freedom Fiesta be a city sponsored event along with the July 4th events.

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

Excused: 1 - Council Member Medrano

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2017-085

f. [17-194](#)

Ordinance of of the Ciry Council of the City of Seguin, Texas on first reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapters 2, 18, 22, 66, 74, 90, 102 and Appendix A; providing for a severability clause; declaring an effective date; and authorizing city staff to submit this Ordinance as a supplement to the Seguin Code of Ordinances - Andy Quittner, City Attorney

Councilman Chris Rangel asked for an explination of the increase fee for demolition of a structure. Director of Planning/Codes Pamela Centeno said that the increase would be when a structure is condemned and the owner does not have it removed, then the Administrative Fees will be assessed for the City's contractor to remove. The owner of the property will be billed for the charges and If owner does not pay the fees then a lien is placed upon the property.

A motion was made by Council Member Mathis, 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: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

g. [17-200](#)

Update and approval on the 5-Year Water & Wastewater Capital Improvement Plan - David Rabago, P.E., Utility Engineer

David Rabago, Utility Engineer, presented an update to the Water and Wastewater - 5 Year Capital Improvement Program that was developed as part of the water and wastewater rate study from September 2015. These updates are based on needed improvements to provide the required capacity and ensure reliability of the City's water and wastewater systems. The projects included in the 5-year CIP that are dependent on growth may change from year to year.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

h. [17-181](#)

Ordinance of the City Council of the City of Seguin, Texas on first reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapter 102, Utilities, Article III, Water Rates; and Article IV, Wastewater Rates; providing for a severability clause; declaring an effective date, and authorizing city staff to submit this Ordinance as a supplement to the Seguin Code of Ordinances - Rick Cortes, Assistant City Manager

Rick Cortes gave an overview of the 5-Year Water and Wastewater Rate Study that was performed by Dan Jackson of Willdan Financial Services. The recent updated study determined that no increase above the recommended rates for FY2017-2018 would be required. However, in future years, the Water & Wastewater rates are scheduled to increase above the recommended rates as outlined in the 2016 update. In an effort to mitigate these future increases, the Utility Rate Committee is recommending to add a \$1.00 charge to each residential customer, divided equally between water & wastewater rates.

Councilman Ernest Leal stated we need to consider the low income families. They maybe elderly, disabled, and live on a limited income. I know we need to keep moving forward but he is concerned about the low-income people.

Mayor Keil stated that we have such old infrastructure and the plan that was approved calls to replace \$33,000,000 of infrastructure. Councilwoman Dodgen stated the 5-year plan is a beginning point and will need to continue to move forward. Also, stating that in reality \$33,000,000 does not get you much but you have to start somewhere. The citizens of Seguin have asked us to resolve some of these issues and this is one of the areas to make improvements. Councilwoman said she is proud that we have these plans in place.

A motion was made by Council Member Medrano, 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: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

i. [17-199](#)

Update and approval of the 5-year Street Capital Improvement Plan - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

Joe Ramos presented an updated review of the 5-Year Street Maintenance & Improvement projects. Mr. Ramos stated that in an effort to continue our street maintenance strategy and plan for sufficient funds for all street improvements, staff is presenting an updated funding recommendations through FY2021.

Also, Mr. Ramos included in the spreadsheet streets in which maintenance and improvements have been completed this fiscal year.

*Dennis Estes
2101 Mill Valley
Seguin, Texas*

Mr. Estes inquired about Rudeloff Road construction and when it is scheduled to

begin. City Engineer Joe Ramos stated that construction on Rudeloff Road is scheduled to begin FY2019.

*Susian Parson
1939 W. Kingsbury
Seguin, Texas*

Ms. Parson asked if the city was paying for a street reconstruction/resurfacing twice and inquired about the zippering method. Ms. Parson did not want the city to pay for the repair twice. City Engineer Joe Ramos clarified the coordination between the Utility side and Street Improvement side assuring her that the city is not paying double.

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

j. [17-191](#)

Board and/or Committee Appointments

- a. Animal Services
- b. Building and Standards Commission

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Medrano, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

9. **Acknowledgment of Bills**

The bills were acknowledged.

- a. [17-193](#) Check Report June 27, 2017 to July 12, 2017

10. **Executive Session**

- 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

The regular meeting was recessed and the council went into Executive Session at 7:08 pm. The regular meeting reconvened at 7:21 pm.

No Action as a result of the Executive Session.

11. Action Items - Discussion and Possible Motion

a. [17-201](#)

Approving a Resolution as a result of the Executive Session - Andy Quittner,
City Attorney

No Action as a result of the Executive Session.

12. Adjournment

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

Don Keil, Mayor

Naomi Manski, City Secretary