



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, September 4, 2018

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 Chris Rangel

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 7 - Council Member Donna Dodgen, Council Member Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Chris Rangel, and Council Member Jim Lievens

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.

Council Member Jet Crabb "thanked" all the volunteers who organized the TML Region 7 Dinner on August 30, 2018.

Council Member Ernest Leal asked if the City has ever received a request from a Veteran to waive their deposit for utilities? City Manager Doug Faseler and Director of Finance Susan Caddell said "no, not to their knowledge."

City Manager Doug Faseler reminded City Council of the ribbon cutting on Tor Drive for September 5, 2018 at 9:00 am. Everyone will gather at Tor Drive & Signal Hill.

6. Consent Agenda

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

a. [18-264](#)

August 21, 2018 Regular Meeting & Budget Workshop Minutes

The minutes were approved.

This Minutes was approved

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

a. [18-263](#)

Public Hearing on the FY2018-19 Budget

- a. General Fund
- b. Debt Service
- c. Special Revenue
- d. Utility Fund

The regular meeting was recessed and the public hearing was called to order. There being no response/comments from the public the regular meeting was reconvened.

b. [18-243](#)

Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year - Susan Caddell, Director of Finance

The regular meeting was recessed and the public hearing was called to order. There being no responses/comments from the public the regular meeting was reconvened.

c. [ZC 15-18](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Single Family Residential (R-1), Multi-Family High Density (MF-3), Neighborhood Commercial (NC) and Commercial (C) to Single Family Residential 2 (R-2) and Commercial (C) for properties located at the intersection of Hwy 46 and Rudeloff Road, Property IDs 52815, 157790, and 157791 (ZC 15-18)- Pamela Centeno, Director of Planning & Codes

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

*Partner & Developer Kyle Setliff
2654 Redwood Way
New Braunfels, Texas*

Commended the City Council for their recognition of needing housing projects. The public hearing was adjourned and the regular meeting was reconvened.

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

d. [ZC 16-18](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Multi Family High Density 3 (MF-3) to Duplex High Density 2 (DP-2) for property located at the north west corner of King St. and Kingsbury St., Property ID 59105 (ZC 16-18)-Pamela Centeno, Director of Planning & Codes

The regular meeting was recessed and the public hearing was called to order. There being no responses/comments from the public the regular meeting was reconvened.

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

Presiding: 1 - Mayor Keil

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

e. [18-210](#)

Public Hearing and Ordinance on first reading amending the City of Seguin Unified Development Code Section 3.6.2 - Lot Dimensional Standards, and Section 5.2.6 - Buffer Yards, providing for a severability clause and declaring an effective date - Pamela Centeno, Director of Planning & Codes

The regular meeting was recessed and the public hearing was called to order. There being no responses/comments from the public the regular meeting was reconvened.

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

f. [18-244](#)

Ordinance on first reading providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Seguin; establishing an effective date for the ordinance, and directing staff to submit this ordinance as an amendment to the Seguin Code of Ordinances - Tammy Garcia, Director of Human Resources

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

Presiding: 1 - Mayor Keil

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

g. [18-271](#)

Proposed street closure request from the Disabled American Veterans-Chapter 61 to close the 100 and 200 Blocks of South River, 100 Block of East Nolte, South Erkel Avenue, and the 700 block of Jefferson Avenue on Sunday, November 11, 2018, between the hours of 8:30 a.m. and 1:00 p.m. while hosting a Veteran's Day Parade and Ceremony - Jack Jones, Director of Parks and Recreation

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

Presiding: 1 - Mayor Keil

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

h. [18-272](#)

Resolution by the City Council of the City of Seguin, Texas waiving the Special Event Permit Fees for the Veteran's Day Parade and Celebration on behalf of the Disabled American Veterans-Chapter 61; and declaring an effective date - Jack Jones, Director of Parks and Recreation

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2018-099

i. [18-273](#)

Proposed street closure request from the Seguin Matador Band Boosters to close a portion of East Cedar Street between Lamar Street and the eastern most driveway entrance of Faith Lutheran Church on Saturday, September 29, 2018 from 6 a.m. to 9 p.m. for the second Annual Seguin Marching Festival - Jack Jones, Director of Parks and Recreation

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

Presiding: 1 - Mayor Keil

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

- j. [18-262](#) Resolution approving a request from Connections Individual and Family Services for waiving of fees associated with the rental of Central Park to host Kids Day in the Park - Kyle Kramm, Main Street and CVB Director

A motion was made by Council Member Mathis, seconded by Council Member Dodgen, that this Resolution not be approved. The motion passed by the following vote:

Presiding: 1 - Mayor Keil

Nay: 1 - Council Member Leal

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

- k. [18-281](#)

Resolution authorizing certain actions including proceedings in eminent domain in connection with the acquisition of certain waterline and temporary construction easements for the Schertz-Seguin Local Government Corporation (SSLGC) waterline in Guadalupe County and related matters - Amber Briggs-Beard, Interim General Manager

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2018-100

- l. [18-250](#)

Resolution of the City Council of Seguin, Texas approving a one-year extension of the agreements with Brauntex Materials, Century Asphalt, and Industrial Asphalt to supply hot mix asphaltic concrete needed by the Seguin Public Works; and declaring an effective date - Twila Wood, Purchasing Manager

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2018-101

- m. [18-267](#)

Resolution authorizing the sale of surplus property in accordance with the

City's Disposal of Assets Policy - Twila Wood, Purchasing Manager

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

Enactment No: RES 2018-102

n. [18-279](#)

Resolution to award the bid for Lucille Street 1.0 MG Elevated Tank Repaint Project to Macguire Iron, Inc. in the amount of \$413,700.00; and declaring an effective date - Tim J. Howe, Director Water/Wastewater Treatment

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2018-103

o. [18-280](#)

Resolution authorizing the City Manager to execute change order number 2 in the amount of \$131,798.00 to R.P. Constructors Water / Wastewater Improvement Projects contract; declaring an effective date - Tim Howe, Director of Water / Wastewater Treatment

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

Enactment No: RES 2018-104

p. [18-260](#)

Resolution approving a Roll Up Seguin program for Utility Billing assistance; and declaring an effective date - Rick Cortes, Assistant City Manager

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 Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

Enactment No: RES 2018-105

q. [18-268](#)

Ordinance on first reading declaring unopposed candidates in the November 6, 2018 General Election for Council Member Districts 5 and 8 elected to office; cancelling the election for those two positions; providing a severability clause; and declaring an effective date - Andy Quittner, City Attorney

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

Presiding: 1 - Mayor Keil

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

r. [18-266](#)

Official Ballot of Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election - Doug Faseler, City Manager

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

Presiding: 1 - Mayor Keil

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

s. [18-278](#)

Ordinance on first reading amending the the Seguin City Code of Ordinances Chapter 98, Traffic and Vehicles, Article II, Traffic Control Devices, Section 98-43 Truck Routes, to clarify language and add FM Highways; providing for 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 - Jose (Joe) R. Ramos, Jr., P.E., 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: 7 - Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, and Council Member Lievens

t. [18-277](#)

Resolution limiting collection accepted on Clean Up Days to two (2) boxes for shredding and ten (10) tires for disposal per residential customer - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2018-106

u. [18-269](#)

Presentation of Street Improvement Planning Update - Jose (Joe) Ramos, P.E., City Engineer

City Engineer Joe Ramos presented a Street Improvement Planning update touching on the importance of "good drainage is absolutely essential for satisfactory pavement performance and long-term trouble free. Some of the considerations on street selections includes: 1) Distribute around town, 2) Types of Treatment could be crack seal, chip seal, HA5, reclaim, reclaim and overlay, overlay rehab, reconstruction. 3) Utility conflicts or scheduled utility projects are taken into great consideration. John Donnelly, Streets Manager enters into the data base each time work is completed on a street, whether it is partial or the entire street.

8. **Acknowledgment of Bills**

The bills were acknowledged.

a. [18-265](#)

Check Report: August 17, 2018 through August 30, 2018

9. **Executive Session**

The regular meeting was recessed and the council went into Executive Session at 6:50 pm. The regular meeting reconvened at 7:10 pm.

a. [18-282](#)

Consultation with City Attorney regarding litigation MDG-RIO V vs City of Seguin - Andy Quittner, City Attorney

10. **Adjournment**

There being no further business before the council the meeting adjourned at 7:10 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary