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# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### City Council

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Tuesday, February 5, 2019

5:30 PM

Council Chambers

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#### 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:** 8 - Council Member Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Chris Rangel, Council Member Jeremy Roy, Council Member Penny Wallace, and Council Member Chris Aviles

**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.

*Name: Gary Vaughan  
Address: 503 S. Goodrich  
City: Seguin, Texas*

*Thanked Doug Faseler, Jack Jones, David Rabago, and Tim Howe for the Walnut Branch Restoration Project for the recent dredging. Great job to city staff.*

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

*Spoke on the search for a Police Chief.*

*Name: Fred Cummings*

*Address: 2028 Glen Hollow  
Seguin, Texas*

*Spoke on the expansion of Rudeloff Road. Residents of the Village of Mill Creek are concerned. Mayor Keil advised that there is a public hearing on Thursday, February 7, 2019 beginning at 5:30 p.m. at the Utility Operations Center.*

*Jennifer Sourdilla, Public Information Officer*

*Provided to City Council a list of the service projects that TLU Spring Day of the Dogs will be partnering with to help clean up areas within the City of Seguin. The event is scheduled for March 2nd from 8:30 am - 12:00 pm.*

*Council Member Mathis - Please note that the list has projects in every district, please take a look at the list and come out to support and volunteer, if possible.*

*Council Member Aviles - Touched on what Mr. Leal was talking about in hiring of a police chief. We need to keep good management oversight so as not to repeat. Also, mentioned the lack of any speed limit signs in the Village of Mill Creek Subdivisions.*

*Council Member Roy - Thanked Gary Vaughan on his dedication to the Walnut Springs Park and his maintaining the Vaughan property. You can hardly tell where the park ends and his property begins.*

## **6. Presentation**

### **a. 19-020**

Certificate of Appreciation honoring Carl "Rusty" Krueger upon his retirement

*A certificate of appreciation was presented to Rusty Krueger for his 33 years of service.*

### **b. 19-024**

Certificate of Appreciation honoring citizen Piper Perry - Mayor Don Keil

*A certificate of appreciation was presented to Piper Perry.*

### **c. 19-039**

Presentation regarding the Little League Shade Structures Fundraising Project - Jack Jones, Director of Parks and Recreation and the Seguin Chamber of Commerce Leadership Class 2018-2019

*Elizabeth Engelhardt spoke on behalf of the Seguin Leadership Class. This year the group has taken on the project of providing shade structures at the Seguin Little League Field. They have been raising funds and will continue. The City of Seguin has partnered with this project to help fund the necessary shade structures.*

*Jason Harris  
1771 Centersway*

*Seguin Little League President expressed his appreciation to the City of Seguin and the Seguin Leadership Class.*

### **d. 19-038**

City of Seguin Stormwater Program & Drainage Utility Fee RFQ Presentation

- Ismael Segovia, Assistant Director of Planning & Codes

*Ishmael Segovia made a presentation on the RFP for Stormwater Infrastructure. Ishmael provided the following reasons for proceeding with an RFP and establishing a stormwater fee. 1)Existing stormwater infrastructure is in need of maintenance and/or upgrading. 2)Levels of impervious cover are increasing leading to additional water runoff. 3)Each new development is required to construct detention features to capture the water runoff. 4)The city has seen an increase in the number of drainage complaints. 5)Stormwater Program & Drainage Utility Fees will assist in creating a funding source for city maintenance and/or development of drainage structures. 6)Stormwater fees would be assessed as part of the existing city utilities. 7)Funding source for stormwater collection and conveyance system improvements and maintenance, which includes street, detention ponds, channels, and stormwater pipes. 8)EPA mandates municipalities with a residential population greater than 50,000 to obtain Municipal Separate Storm Sewer System (MS4) permit coverage. 9)Reduce stormwater pollution. 10)Detect and eliminate illegal discharges. 11)Flood control and prevention. 12)Protection/restoration of creeks, streams, and tributaries.*

*He provided the Scope of Work, Proposal Requirements, Proposer Selection process, Contract, Responsibilities of the City & Consultant, and a proposed timeline.*

## 7. **Consent Agenda**

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

### a. [19-021](#)

January 15, 2019 City Council Minutes

**This Minutes was approved**

### b. [ZC 27-18](#)

Ordinance on second reading to consider a Zoning Change from Commercial (C) to Single Family Residential (R-1) for property located at 515 and 517 Dibrell, Property ID 46343. (ZC 27-18)

**This Zoning Ordinance was adopted**

Enactment No: ORD 2019-001

### c. [19-013](#)

Ordinance on second reading of the City Council of the City of Seguin, Texas, amending the Seguin Code of Ordinances, Chapter 74, Parks and Recreation, Article III, Use Regulations, by adding a new section 74-73 establishing special rules for dog park; providing for publication of this ordinance; providing a severability clause; authorizing City staff to prepare this ordinance for submission as a supplement to the Code of Ordinances; and providing an effective date

**This Ordinance was adopted**

Enactment No: ORD 2019-002

- d. [19-002](#) Ordinance on second reading amending the Seguin Code of Ordinances Chapter 94, Taxation, Article II, Ad Valorem Taxes, to change the guidelines for receiving a historic district tax abatement; providing for a severability clause; providing for publication; providing an effective date; and authorizing staff to prepare this ordinance for submission as a supplement to the Code of Ordinances date

**This Ordinance was adopted**

Enactment No: ORD 2019-003

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

- a. [19-041](#) Resolution authorizing the negotiation and purchase including the use of eminent domain proceedings for the acquisition of permanent and temporary construction easements in connection with a water pipeline to be constructed parallel to the existing pipeline owned and operated by the Schertz/Seguin Local Government Corporation; ratifying all actions taken to date towards such acquisition of land; declaring each section of this Resolution to be severable one from the other in event that any section is determined to be invalid; and declaring an effective date. - Amber Briggs-Beard, General Manager & Andy Quittner, City Attorney

**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:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-012

- b. [19-026](#) Ordinance on first reading amending the Fiscal Year 2019 General Fund Budget of the City of Seguin, Texas; and declaring an effective date - Susan Caddell, Director of Finance

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

**c.** [19-025](#)

Approval of reports for the quarter ended December 31, 2018 for the following organizations that receive Occupancy Tax funding:

- a. Seguin Conservation Society
- b. Mid-Texas Symphony
- c. Teatro de Artes de Juan Seguin
- d. Seguin-Guadalupe County Hispanic Chamber of Commerce
- e. Seguin Heritage Museum
- f. Guadalupe County Fair Association
- g. Seguin LULAC Council #682
- h. Seguin Area Chamber of Commerce
- i. Seguin Art League
- j. The Fields of Huber Ranch, LLC

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

**d.** [19-032](#)

Public Hearing to review and approve the accomplishments that were produced from the City's grant agreement with the Texas Department of Agriculture to revitalize the Historic Downtown Area sidewalks - Dana Losey, Grants Coordinator

*The regular meeting was recessed and the public hearing was called to order. There being no Citizen Comments the public hearing was adjourned and the regular meeting was reconvened.*

*No Action required by City Council.*

**e.** [19-042](#)

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 Crabb, seconded by Council Member Rangel, that this Resolution be approved. The motion carried by the following vote:**

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-013

**f. [19-043](#)**

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 Wallace, seconded by Council Member Mathis, that this Resolution be approved. The motion carried by the following vote:**

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-014

**g. [19-023](#)**

Public Hearing and Ordinance on first reading amending the Seguin Code of Ordinances, Appendix A, Unified Development Code, Chapter 1, General Provisions, Chapter 2, Development Applications/Development Review Process, and Chapter 3, Zoning and Land Use - as such pertain to Historic Preservation and Historic District review processes related thereto; providing for a severability clause; providing for publication; providing an effective date; and authorizing staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances - Kyle Kramm, Main Street & CVB Director/Historic Preservation Officer

*The regular meeting was recessed and the public hearing was called to order. There being no Citizen Comments the public hearing was adjourned and the regular meeting was reconvened.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

**h. [19-027](#)**

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to execute a contract with TRC Engineering, Inc. in the amount of \$178,085 for design, engineering, and construction administration services related to the Walnut Branch Sewer Main, Phase III (30") from West Kingsbury Street to New Braunfels Street; and declaring an effective date - David Rabago, City Engineer, P.E., CFM

**A motion was made by Council Member Crabb, 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 Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-015

i. [19-031](#)

Resolution authorizing the City Manager to execute change order number 4 in the amount of \$166,080.00 to R.P. Constructors Water / Wastewater Improvement Projects contract; declaring an effective date - Tim Howe, Director of Water / Wastewater Utilities

**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:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-016

j. [19-028](#)

Public Hearing and Ordinance on first reading prohibiting the use of designated groundwater from beneath certain property located in and around the intersection of Schriever and Crossroads Boulevard; supporting certification of a municipal setting designation by the Texas Commission on Environmental Quality as requested by Jim's Formal Wear; calling a public hearing; providing a severability clause; providing for penalties; and providing an effective date - Andy Quittner, City Attorney

*The regular meeting was recessed and the public hearing was called to order. There being no Citizen Comments the public hearing was adjourned and the regular meeting was reconvened.*

*Shannon Haney, Legal V*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

k. [19-034](#)

Board and/or Committee Appointments  
a. Central Texas Technology Center (CTTC)  
b. Commission on the Arts

## c. Ethics Commission

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

**9. Acknowledgment of Bills**

*The bills were acknowledged.*

a. [19-022](#)

Check Report: January 11, 2019 through January 31, 2019

**10. Executive Session**

*The regular meeting was recessed and the council went into Executive Session at 6:35 pm. The regular meeting reconvened at 7:49 pm.*

a. [14-440](#)

Pursuant to Section 551.071 - Consultation with attorney for advice regarding pending or threatened litigation or settlement - Doug Faseler, City Manager

b. [14-032](#)

Personnel Matters in accordance with Section 551.074: Annual Evaluation of City Manager and amending the Employment Agreement - Mayor Don Keil

**11. Action Items - Discussion and Possible Motion to Approve**a. [19-033](#)

Resolution of the City of Seguin City Council authorizing an Amendment to the City Manager's Employment Agreement; authorizing the Mayor to execute necessary documents; and declaring an effective date - Mayor Don Keil

**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

**Nay:** 2 - Council Member Leal, and Council Member Aviles

**Aye:** 6 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, and Council Member Wallace

Enactment No: RES 2019-017

**12. Adjournment**



*There being no further business before the council the meeting adjourned at 7:50 pm.*

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**Don Keil, Mayor**

**Attest:**

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**Naomi Manski**