



It's real.

City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, December 6, 2016

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: 8 - Council Member Carlos Medrano, Council Member Phil Seidenberger, 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: Julian Leal
Address: 849 Prexy
City: Seguin, Texas 78155*

Spoke to the City Council of the western era as compared to today's time involving the use of weapons against police officers and society in general.

Council Member Leal said that he was out looking at drainage issues over the weekend and he appreciated the city's quick response in setting out barricades.

6. Presentation

a. 16-357

Certificate of Recognition honoring Susan Stubbs upon her retirement - Mayor Don Keil

Mayor Keil made a presentation to Susan Stubbs honoring her upon her retirement. Deputy Police Chief Bruce Ure made a present to retiring Police Officer Susan Stubbs of her service revolver and her badge.

7. **Consent Agenda**

a. [16-372](#)

City Council Minutes of November 22, 2016 Special Called Meeting

This Minutes was approved

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

a. [ZC 26-16](#)

Public Hearing on Ordinance on first reading to consider a Zoning Change from Commercial to Single-Family Residential for the properties located at the 800 Block of N. Austin St. (East Side), approx. 1.08 acres, Property ID's 22776, 22777, 116395 and 116397 (ZC 26-16) - John Foreman, Assistant Director of Planning & Codes.

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

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

Presiding: 1 - Mayor Keil

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

Enactment No: ORD 2016-081

b. [ZC 27-16](#)

Public Hearing on Ordinance on first reading to consider a Zoning Change from Single-Family Residential to Rural Residential for the properties within the Windwood Estates Subdivision, Lots 1-43, Windwood Estates Addition, approx. 78.33 acres (ZC 27-16) - John Foreman, Assistant Director of Planning & Codes.

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

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

Presiding: 1 - Mayor Keil

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

Enactment No: ORD 2016-082

c. [ZC 28-16](#)

Public Hearing on Ordinance on first reading to consider a Zoning Change from Commercial to Neighborhood Commercial for the following properties: 2460-2806 W. Kingsbury St., 12 properties, Abstract 3 of Isaac Baker Survey, approx. 12.99 acres, Property ID's 50447, 50475, 50476, 50480, 50489, 50502, 50503, 50507, 50508, 50536, 50540 and 50541 (ZC 28-16) - John Foreman, Assistant Director of Planning & Codes.

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

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

Enactment No: ORD 2016-083

d. [16-370](#)

Public hearing to consider a Resolution adopting Land Use Assumptions and Capital Improvement Plan relating to the possible creation of Roadway Impact Fees - John Foreman, Assistant Director of Planning and Codes

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

John Foreman, Assistant Director of Planning & Codes said that the city of Seguin is considering implementing roadway impact fees in order to offset the cost of development to the transportation network. Similar to water and wastewater impact fees, these fees would be paid by developers/builders when they pull permits for new construction or additions that impact the transportation system. These are one-time fees at the time of construction, not ongoing fees to existing residents.

Jeff Whitaker of Kimley-Horn gave a brief presentation of the draft Land Use Assumptions and Capital Improvement Plan for Roadway Impact Fees. Background information is required in order to consider establishing fees.

The public hearing was adjourned and the regular meeting was reconvened.

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

Enactment No: RES 2016-140

e. [16-362](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 14, Animals, Article 1, In General, to add a new section 14-8, Trapping; providing for penalties, providing for publication of tis Ordinance; providing for a severability clause; and providing for an effective date. Leah Lewis - Animal Services Superintendant

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 Medrano, Council Member Seidenberger, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: ORD 2016-084

f. [16-359](#)

Resolution by the City Council of the City of Seguin, Texas authorizing City Staff and it's Council to move forward with the Sale of Obligations designated as "City of Seguin, Texas Utility System Revenue Bonds, Series 2017"; authorizing city staff and consultants to proceed with matters relating to this financing; and other matters in connection therewith - Duane Westerman, SAMCO Capital Markets

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2016-141

g. [16-374](#)

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city utility system improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date - Duane Westerman, SAMCO Capital Markets

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 Medrano, Council Member Seidenberger, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2016-142

h. [16-373](#)

Approval of Quarterly Investment Report for Quarter Ended September 30, 2016 - Susan Caddell, Director of Finance

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

i. [16-369](#)

Resolution authorizing participation in Choice Partners national purchasing cooperative offered by the Harris County Department of Education - Twila Wood, Purchasing Manager

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2016-143

j. [16-371](#)

Resolution authorizing the purchase of four pick-up trucks for use by various City departments - Twila Wood, Purchasing Manager

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

Presiding: 1 - Mayor Keil

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

Enactment No: RES 2016-144

k. [16-365](#)

Resolution of the City Council of Seguin of Texas awarding a primary contract to Brauntex Materials in the amount of \$207,000; a secondary contract in the amount of \$213,750 to Century Asphalt; and an alternate contract in the amount of \$218,250 to Industrial Asphalt for Hot Mix Asphalt Annual Contract, #TF-2017-09 - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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

Enactment No: RES 2016-145

l. [16-367](#)

Resolution of the City Council of Seguin Texas, authorizing the City Manager to execute a professional services agreement in the amount of \$365,386.00 to TRC Solutions for the design and engineering services related to a new lift station and force main to replace the Springs Hill Wastewater Treatment Plant, and the Abandonment and Demolition of that plant; and declaring an effective date - Emery Gallagher, Director of Water and Wastewater Utilities

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

Enactment No: RES 2016-146

m. [16-368](#)

Resolution of the City Council of Seguin Texas, approving a professional service contract in the amount \$92,903.00 to TRC Solution for the Walnut Branch Sanitary Sewer Main Upgrade and other related engineering services; and declaring an effective date - Emery Gallagher, Director of Water and Wastewater 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:** 8 - Council Member Medrano, Council Member Seidenberger, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2016-147

n. [16-361](#)

Resolution authorizing the purchase of (11) in-car camera and mobile data systems, as well as (2) motorcycle camera systems in the amount of \$117,306.00; and declaring an effective date - Kevin Kelso, Police Chief

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 Medrano, Council Member Seidenberger, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2016-148

o. [16-377](#)

Ordinance on first reading creating a No Parking Zone and a Stopping Only Zone on parts of Heritage Drive; in the City of Seguin, Texas; and providing for an effective date - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

Sponsors: Dodgen

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

Enactment No: ORD 2016-085

p. [16-358](#)

Resolution approving a letter of engagement with the Law Office of James S. Frost for handling eminent domain proceedings for the Schertz/Seguin Local Government Corporation pipeline project; and setting an effective date - Andy Quittner, City Attorney

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 Medrano, Council Member Seidenberger, Council Member Dodgen, Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, and Council Member Rangel

Enactment No: RES 2016-149

q. [16-331](#)

Resolution authorizing the negotiation and purchase, including the use of eminent domain proceedings, for the acquisition of three tracts of land on Medlin Street owned by James Baker (520 Medlin), Joshua Jacob Rangel and Erika Lopez Tristan (524 Medlin) and Kermit and J. Antwine (530 Medlin) for use by the City for parking expansion of Police Department facilities; 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 and effective date - Andy Quittner, City Attorney

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

Enactment No: RES 2016-150

r. [16-375](#)

Appointment of Board/Committees - Mayor Don Keil

- a. Animal Services Advisory
- b. Building & Standards Commission
- c. Parks & Recreation Advisory
- d. Seguin Economic Development Corporation
- e. Seguin Housing Authority

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

Presiding: 1 - Mayor Keil

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

s. [16-363](#)

Changing the date of the first City Council meeting in July 2017 - Naomi

Manski, City Secretary

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

Presiding: 1 - Mayor Keil

Aye: 8 - Council Member Medrano, Council Member Seidenberger, 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. [16-379](#)

Check Report 11-11-2016 through 12-1-2016

10. Executive Session

The regular meeting was recessed and the council went into Executive Session at 6:29 pm. The regular meeting reconvened at 6:54 pm.

a. [13-048](#)

Consultation with City Attorney in accordance with Section 551.071 and Deliberation regarding Real Property in accordance with Section 551.072 - Doug Faseler, City Manager

b. [13-057](#)

Deliberation and consultation with attorneys regarding Geronimo Creek Phase V Project and contemplated litigation as a result of dispute with Salinas Contruction Technologies, in accordance with Section 551.071 - Andy Quittner, City Attorney

c. [15-048](#)

In accordance with Section 551.071 - Deliberate pending litigation in the case Grafe v City of Seguin - Andy Quittner, City Attorney

11. Adjournment

There being no further business before the council the meeting adjourned at 6:54 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary

