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# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### City Council

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Tuesday, February 21, 2017

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 Chris Rangel

#### 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

**Absent:** 1 - Council Member Phil Seidenberger

#### 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: Morgan Matchett  
Address: 1000 West Court*

*Director of Servant Leadership at Texas Lutheran University. Spoke about the Day of the Dog events on Saturday, March 4th from 8:00 - 12:00 noon. There will be 25 different service sites set-up. Welcome all to stop by.*

*Name: Kyle Kramm, Director of Main Street & CVB  
Welcomed City Council to the Arts Fest Event beginning at 10:00 a.m.*

#### 6. Presentation

a. [17-059](#)

Certificate of Recognition awarding Rick Jimenez for his achievement of obtaining an "A" Water License - Mayor Don Keil

*A certificate of recognition was presented to Rick Jimenez for achieving a class "A" Water Operator License.*

b. [17-065](#)

City of Seguin Financial Reports for Quarter Ended December 31, 2016 - Susan Caddell, Director of Finance

*Susan Caddell presented the 1st quarter of FY2017 financial reports.*

**7. Consent Agenda**

**A motion was made by Council Member Dodgen, seconded by Council Member Crabb, 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. [17-062](#)

City Council Minutes of February 7, 2017 Regular Meeting

**This Minutes was approved**

b. [17-063](#)

City Council Minutes of January 10, 2017 Workshop Session

**This Minutes was approved**

c. [17-033](#)

Ordinance on second reading amending Chapter 94, Taxation, Article II, Ad Valorem Taxes, of the City of Seguin Code of Ordinances to add a new Section 94-30, defining maintenance for tax exemption purposes; providing for publication of this Ordinance; providing a severability clause; providing for an effective date; and authorizing staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances

**This Ordinance was adopted**

Enactment No: ORD 2017-003

d. [17-034](#)

Ordinance on second reading amending Chapter 90, Streets, Sidewalks and other Public Places, Article II, Streets, Division I, Generally, of the City of Seguin Code of Ordinances to create new opportunities and procedures for downtown events; providing for publication of this Ordinance; providing for a severability clause; providing an effective date; and authorizing staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances

**This Ordinance was adopted**

Enactment No: ORD 2017-004

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

**a. ZC 29-16**

Public Hearing and Ordinance on first reading to consider a Zoning Change from Agricultural-Ranch and Duplex-2 to Duplex-2 and Multifamily-3 for the properties located between N. King Street and Lucille street, approx. 19.449 acres, Property ID 59105 (ZC 29-16) - Pamela Centeno, Director of Planning & Codes

*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 Dodgen, 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:** 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: ORD 2017-006

**b. ZC 01-17**

Public Hearing and Ordinance on first reading to consider a Zoning Change from Single-Family Residential to Commercial for portions of the properties located at 734 E. Court (Prop. ID 115556), 725 E. Court (Prop. ID 15146), 805 E. Court (Prop. ID 13771), 616 Terrell (Prop. ID 22643), and 514 N. Camp (Prop. ID 33289) (ZC 01-17) - Pamela Centeno, Director of Planning & Codes

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

Enactment No: ORD 2017-007

**c.**     [ZC 02-17](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Single-Family Residential and Commercial to Multifamily-1 for a portion of the properties located at 1219 Eastwood Dr. (Prop. ID 59586) and 1332 Hummingbird Lane (Prop. ID 59066) (ZC 02-17) - Pamela Centeno, Director of Planning & Codes

*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 Mathis, seconded by Council Member Medrano, that this Zoning 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

Enactment No: ORD 2017-008

**d.**     [ZC 03-17](#)

Public Hearing of an Ordinance on first reading to consider a Zoning Change from Commercial to Public for the property located at 1440 E. Kingsbury St., Property ID 59609 (ZC 03-17) - Pamela Centeno, Director of Planning & Codes

*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 Medrano, seconded by Council Member Dodgen, that this Zoning 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

Enactment No: ORD 2017-009

**e.**     [17-054](#)

Bids relating to the Sale of Obligations designated as "City of Seguin, Texas Utility System Revenue Bonds, Series 2017", consideration and approval of Financial Advisor's recommendation concerning this matter; and other matters in connection therewith - Duane Westerman, SAMCO Capital Markets

*Duane Westerman presented the bids that were received 2/21/2017 for a total of 4 bids. RW Baird & Co. submitted the best rate received at 3.401743%.*

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

**f.**     [17-055](#)

Ordinance by the City Council of the City of Seguin, Texas authorizing the Issuance of "City of Seguin, Texas Utility System Revenue Bonds, Series 2017"; providing for the payment of the principal of and interest on the bonds, together with certain currently outstanding obligations, by a first and prior lien on and pledge of the net revenues of the system; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval and distribution of an official statement; authorizing the execution of a Paying Agent/Registrar Agreement and an Official Bid Form; complying with the requirements of the Depository Trust Company's Letter of Representations; and providing for an effective date - Duane Westerman, SAMCO Capital Markets

**A motion was made by Council Member Herbold, seconded by Council Member Medrano, that this Ordinance be adopted. 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: ORD 2017-005

**g.**     [17-057](#)

Public Hearing and Ordinance on first reading amending the Seguin Code of Ordinances Chapter 74, Parks, amending Article IV, Standards of Care for Youth Recreation Programs; providing for publication of this ordinance; providing a severability clause; providing for an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances - Jack Jones, Director of Parks and Recreation

*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 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

Enactment No: ORD 2017-010

**h.** [17-038](#)

Resolution authorizing the City Manager to execute a Facilities Use Agreement between the City of Seguin and the Gypsy M/C International San Antonio Chapter - Jack Jones, Director of Parks and Recreation

**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:** 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 2017-020

**i.** [17-056](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 22, Businesses, adding Article 10, Food Trucks; providing a severability clause; providing for publication; providing for an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances - Pamela Centeno, Director of Planning & Codes

*Kenneth Ball  
1412 McKnight Rd.  
Seguin, Tx 78155*

*Concerns with the food trucks especially going on private property such as Caterpillar property - need property owner permission.*

*Along a street non-residential - can park as long as it is not within a No Parking Sign.*

*Herbold - what about parking? Centeno: Pull into a space the way it is designed and in the Downtown Area: Park in the space as designed unless the entire street is closed.*

*Herbold: What about parking in front of restaurants? Centeno: It sometimes brings additional customers and the trucks will not be serving the same menu.*

*Dodgen: Questioned the hours of public and private, thinking that 10 hours for each would be consistent.*

*Leal: Restaurant owners how are they going to feel? Centeno advised all vendors should show respect to restaurant owners and they are not going to park in front of a restaurant to take away business. Research shows that the vendors are going to serve something different than what the restaurant serves. The idea is to increase business for all.*

*Robert Castillo of 403 Palm St. - Spoke in favor of the Food Trucks but wanted to know how much space would he have putting out picnic tables? Ms. Centeno advised you could place cones around a space next to you.*

*Rangel: Food Trucks are going to have different types of food not what every restaurant has. This is the way of the future.*

**A motion was made by Council Member Dodgen, seconded by Council Member Medrano, that this Ordinance be approved on first reading amending the hours for public and private be the same, 10 hours. The motion carried by the following vote:**

**Presiding:** 1 - Mayor Keil

**Nay:** 1 - Council Member Leal

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

Enactment No: ORD 2017-011

j. [17-068](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 18- Building and Building Regulations, Article II, Building Codes, Section 18-35, Qualifications for license or registration, repealing Section 18-39, Reciprocal Licenses, and replacing Section 18-39 with roles and responsibilities for licensed contractors; providing a severability clause; providing for publication; providing an effective date; authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances - Pamela Centeno, Director of Planning & Codes

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

**Presiding:** 1 - Mayor Keil

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

**Abstain:** 1 - Council Member Herbold

Enactment No: ORD 2017-012

k. [17-061](#)

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

Enactment No: RES 2017-021

**I.**     [17-060](#)

Resolution of the City Council of the City of Seguin, Texas approving the submittal for a grant from Federal Emergency Management Agency to aid the Seguin Fire Department in funding three entry level firefighters for three years; and declaring an effective date - Dana Losey, Grant Coordinator

**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:** 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 2017-022

**m.**     [17-049](#)

Resolution of the City Council of the City of Seguin, Texas approving the submittal for a grant from the Office of the Governor, Criminal Justice Division to aid in the upgrading and updating of the RMS (Record Management System) and Evidence Tracking Software; and declaring an effective date - Dana Losey, Grant Coordinator

**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:** 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 2017-023

**n.**     [17-022](#)

Resolution of the City Council of the City of Seguin, Texas approving the submittal for a grant from the Office of the Governor, Criminal Justice Division to aid the Seguin Police Department in purchasing the infrastructure to aid in the conversion to the National Incident Based Reporting System (NIBRS); and declaring an effective date - Dana Losey, Grant Coordinator

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

Enactment No: RES 2017-024

**o.**     [17-050](#)

Resolution of the City Council of the City of Seguin, Texas approving the submittal for a grant from the Office of the Governor, Criminal Justice Division to aid the Seguin Police Department in funding a Emergency Temporary Housing Program for victims of violent crime to include domestic violence; and declaring an effective date - Dana Losey, Grant Coordinator

**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:** 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 2017-025

**p.**     [17-048](#)

Resolution of the City Council of the City of Seguin, Texas approving the submittal for a grant from the Office of the Governor, Criminal Justice Division to submit the Seguin Y.E.S. grant application to continue their grant funded Juvenile Justice Program; and declaring an effective date - Dana Losey, Grant Coordinator

*Sheryl Sachtleben introduced one of the students, Jerimah Ramirez. He told of his experience at Seguin Youth Services.*

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

Enactment No: RES 2017-026

**q.**     [17-064](#)

Resoulution of the City Council of the City of Seguin authorizing the submittal of an application for \$3,000,000.00 to the Texas Water Development Board; Clean Water State Revolving Fund (CWSRF), to aid the city in funding waste water system upgrades; and declaring an effective date - Dana Losey, Grants Coordinator

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

Enactment No: RES 2017-027

r. [17-066](#)

Investment Report for Quarter Ended December 31, 2016 - Susan Caddell, Director of Finance

**A motion was made by Council Member Mathis, 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

s. [17-067](#)

Board and/or Committee Appointment - Mayor Don Keil

a. Zoning Board of Adjustments - 1 Appointment

**A motion was made by Council Member Dodgen, seconded by Council Member Crabb, that this Appointment of Penny Wallace 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. [17-069](#)

Check Report January 26, 2017 through February 15, 2017

10. **Executive Session**

*The regular meeting was recessed and the council went into Executive Session at 7:04 pm. The regular meeting reconvened at 7:51 pm.*

a. [15-048](#)

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

b. [14-132](#)

In accordance with Section 551.071 -Deliberation with City Attorney regarding litigation in the case Meuth vs City of Seguin - Andy Quittner, City Attorney

c. [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

11. **Adjournment**

*There being no further business before the council the meeting adjourned at 7:51 pm.*

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**Don Keil, Mayor**

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**Naomi Manski, City Secretary**