City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, September 5, 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 - Mayor Pro Tem Ernest Leal

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: Gary Vaughan
Address: South Goodrich
City: Seguin, Texas

Mr. Vaughan was very complimentary of Mike McCann with the Seguin Police Department. Also, complimentary of Jack Jones and the clean up of the fallen trees from Walnut Branch.

Library Director Jacki Gross invited all to the Library for their One-Year Anniversary on Saturday, September 9, 2017.

City Engineer Joe Ramos - updated City Council on the brush clean up. Two outside contractors are assisting the City with brush clean up. The Wave Pool site will be open through September 17th. Beginning September 18th the Brush Department will resume their regular route.

Council Member Jet Crabb - stated that she has heard alot of compliments about city crews and staff in the clean up from Hurricane Harvey. Also, wanted to recognize the Seguin Police Department for their assistance to the Houston police officers.

Mayor Keil also thanked city crews and staff for their hard work in the clean up process. He has received several compliments.

6. Presentation

a. 17-248

City of Seguin Financial Reports for Nine Months ended June 30, 2017 - Susan Caddell, Director of Finance

Susan Caddell made a presentation of the financial reports for the General and Utility Operating Funds for the nine months ended June 30, 2017.

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

a. 17-259

Minutes of 8-29-2017 Special Called Meeting

8. Action Items - Discussion and Possible Motion to Approve

a. ZC 18-17

Public Hearing and Ordinance on first reading to consider a Zoning Change from Agricultural Ranch (A-R) to Single Family Residential (R-1) for property located at 1010 E. Martindale, Property ID 52562, 52563, 52561, 136600, 51359 and 63113 (ZC 18-17) - 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 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

b. ZC 19-17

Ordinance on second reading to consider a Zoning Change from Agricultural Ranch (A-R) to Suburban Residential (S-R) and Commercial (C) for property located at 14944 FM 725, Property ID 58281 (ZC 19-17)

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 Leal, 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

c. 17-220

Public Hearing on the FY2017-18 Budget

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

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.

d. 17-251

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. No Citizen Comments

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

e. 17-255

Ordinance on second reading amending the City of Seguin Unified Development Code Section 2.9.7.C.3, Unity of Title, Criteria for Approval; providing for a severability clause; providing for publication; authorizing city staff to prepare this ordinance as a supplement to the Code of Ordinances; and providing for an effective date

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 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

f. 17-257

Public Hearing and Ordinance on first reading amending the City of Seguin Unified Development Code Section 4.8, Road Adequacy Standards- 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 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

g. 17-271

Ordinance of the City Council of the City of Seguin, Texas on first reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, and Appendix A, Unified Development Code, Subsection (a), Subdivison, Zoning, and Site Development Fees, to add a fee for site development; providing for a severability clause; providing for publication; authorizing city staff to submit this Ordinance as a supplement to the Seguin Code of Ordinances; and declaring an effective date - Pamela Centeno, Director of Planning & Codes

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

h. 17-249

Investment Report for Quarter Ended June 30, 2017 - Susan Caddell, Director of Finance

A motion was made by Council Member Dodgen, 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

i. 17-264 Resolution of the City Council of the City of Seguin, Texas to submit for a grant for Rifle-Resistant Body Armor grant program from the Office of the Governor, Criminal Justice Department to aid the city in the funding of Rifle-Resistant Body Armor for the Police Department - Dana Losey, Grants Coordinator

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: 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 2017-096

j. 17-270 Street closure request to close the 100 block of West Gonzales Street on Friday, September 29th at 5:00 p.m. to Sunday, October 1st at 12:00 a.m. for Oktoberfest - Kyle Kramm, Main Street & CVB Director

A motion was made by Council Member Mathis, 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

k. 17-246

Resolution of the City Council of Seguin Texas, awarding the bid amount of $2,569,963.26 to Dean Word Company, LTD., for the CSJ:0915-46-42, Tor Drive Roadway Widening & Improvement Project; authorizing the City Manager to enter into a construction contract with Dean Word Company, LTD.; and declaring an effective date - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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 2017-097

l. 17-244

Resolution to award the Sidewalk Improvement Project for West Nolte, South Guadalupe and Manuel Castilla Park (TF-2017-27) to RL Rhode in the amount of $230,454.25 - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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

Enactment No: RES 2017-098

m. 17-243

Resolution authorizing the City Manager to execute change order #2 in the amount of $146,357.00 and change order #3 in the amount of $95,247.40 to the River-San Marcos-Heideke Phase II Project to Atlas Construction Corporation contract - Jose (Joe) R. Ramos, Jr., P.E., City Engineer

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: 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 2017-099

n. 17-263

Resolution in connection with the construction of the Pecan Orchard LIft Station; authorizing all appropriate action by the city manager, staff, attorneys, and counsultants in the institution and prosecution of condemnation proceedings to acquire fee simple title and a temporary construction easement from lands held by Daniel J. and Patricia L. Schacht, more particularly described as a parcel of land comprising 0.250 acres, more or less, and 0.165 acres, more or less, being out of the E. Gortari Survey, Abstract 23, in the City of Seguin, Guadalupe County, Texas; and affirming all acts and ratifying all actions previously taken or initiated by employees, agents, and attorneys of the City to acquire such property interest; declaring each section of the Resolution to be severable one from the other in the event any section of this Resolution is determined to be invalid; and declaring an effective date - Andy Quittner, City Attorney

Name: Daniel Schacht
Address: 702 East College St.
City: Seguin, Texas

Mr. Schacht stated that he is not against the project but is against the price. I have not had any discussions with Mr. Quittner. Mr. Faseler stated that should City Council approve the resolution tonight this does not prevent staff from continuing to negotiate with Mr. Schacht.

Council Member Mark Herbold asked what type of figure is he anticipating? Mr. Schacht stated he is basing his figure on the Guadalupe Appraisal District, which has it valued at $31,771. The city's appraiser valued the property at $21,000.

A motion was made by Council Member Dodgen, 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 2017-100

o. 17-273

Changing the date of the first City Council meeting October 2017 - Doug Faseler, City Manager

A motion was made by Council Member Dodgen, 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 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. 17-260

Check Report 8-11-2017 through 8-25-2017

10. Executive Session

a. 17-274

Under Section 551.071(2) to hear advice from the City Attorney on matters which are confidential under the Texas Disciplinary Rules of Professional Conduct and Section 551.075 to deliberate the implementation of security personnel or devices - Andrew Quittner, City Attorney

The regular meeting was recessed and the council went into Executive Session at 6:17 pm. The regular meeting reconvened at 6:30 pm.

11. Adjournment

There being no further business before the council the meeting adjourned at 6:30 pm.

Don Keil, Mayor

Attest:

Naomi Manski, City Secretary