City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, August 6, 2019 | **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 Jeremy Roy

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 7 - Council Member Mark Herbold, Council Member Fonda Mathis, 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

Absent: 1 - Council Member Ernest Leal

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.

Gary Vaughan
503 S Goodrich
Seguin, Texas

Thanked the City of Seguin for all the hard work in assisting with the tribute to Frank "Biff" Alexander.

Ryan Schuyler
District Manager
Waste Connections
Seguin, Texas

Mr. Schuyler wanted to personally thank the Seguin Police Department after the recovery of over $100,000 in equipment and material which was stolen from the Seguin location. Mr. Schuyler said that the City of Seguin should be very proud of the Officers who serve this community.

6. Presentation

a. 19-232

Certificate of Recognition presented to Dustin Ortiz

Mayor Keil presented Dustin Ortiz with a Certificate of Recognition for his award winning performance at the 2019 Texas Lineman's Rodeo. Dustin earned a 4th place overall finish in the Apprentice Division of the competition, and a 2nd place in the Mystery Event-Transformer Bank event with a time of 1 minute and 41 seconds. Dustin will represent Seguin in Kansas City, KS at the International Competition.

b. 19-233

Certificate of Recognition presented to Tanner Cockle

Mayor Keil presented a Certificate of Recognition to Tanner Cockle for his award winning performance at the 2019 Texas Lineman's Rodeo. Tanner earned a 3rd place finish in the Mystery Event-Transformer Bank event with a time of 1 minute and 43 seconds.

c. 19-231

Certificate of Recognition presented to Tommy McCormick

Mayor Keil presented Tommy McCormick a Certificate of Recognition for winning the State Meter Madness Competition for the second consecutive year and representing the City of Seguin for a second time at the 2019 National Meter Madness Competition held in Denver, CO with a 2nd place winning time of 32.09 seconds.

d. 19-227

Update on the San Antonio Food Bank - Mario Obledo Jr. - Chief of SAFB Governmental Affairs

Mario Obledo, Jr., Chief of Government & Public Affairs with the San Antonio Food Bank made a brief presentation on the wide areas they serve, especially in a disaster. Food insecurity exists in every county and congressional district in the state. The San Antonio Food Bank partners with more than 500 non-profit agencies to help feed individuals facing hunger throughout sixteen counties. San Antonio Food Bank's first priority is to eliminate hunger and then look beyond to help people access the resources needed to get back on their feet and stabilize their lives.

7. Consent Agenda

A motion was made by Council Member Herbold, seconded by Council Member Wallace, that the minutes and ordinances be approved on the Consent Agenda. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

a. 19-222

City Council Minutes of July 15, 2019 Workshop and July 16, 2019

This Minutes was approved

b. 19-199

Ordinance on second reading to consider a request by owner for annexation into the Seguin City Limits for property located south of Cordova Road, approximately 2.00 acres situated in the A.M. Esnaurizar Survey, Abs 20, Guadalupe County, Texas, consisting of one tract, Property ID 129033

This Ordinance was adopted

Enactment No: ORD 2019-040

c. 19-205

Ordinance of the City Council of the City of Seguin, Texas on second reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article II, Electricity; to modernize certain language and amending Appendix C - Fee Schedule, Chapter 102 Utilities, Article II, Electric Rates; providing for a severability clause; providing for publication; declaring an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2019-041

d. 19-204

Ordinance of the City Council of the City of Seguin, Texas on second reading amending the Seguin Code of Ordinances Appendix C - Fee Schedules, Chapter 102, Utilities, Artice III, Water Rates; and Article IV Wastewater Rates; providing for a severability clause; providing for publication; declaring an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2019-042

e. 19-215

Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 98, Traffic and Vehicles, Article V, Stopping, Standing and Parking, by creating a new section 98-108, Tow Away Zones; providing for a severability clause; providing for an effective date; providing of publication of this Ordinance; and authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances

This Ordinance was adopted

Enactment No: ORD 2019-043

8. Action Items - Discussion and Possible Motion to Approve

a. ZC 13-19a

Public Hearing and Ordinance on first reading to consider a Zoning Designation to Single Family Residential (R-1) and Commercial (C) for property located at the 3900 Block of State Highway 46 N, Property ID 55496 (ZC 13-19) - Pamela Centeno, Director of Planning & Codes

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

A motion was made by Council Member Crabb, 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: 7 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2019-044

b. 19-224

Street closure request for the Seguin Guadalupe County Hispanic Chamber of Commerce to host Fiestas Patrias/Fiestas Juan Seguin in the 100 and 200 Blocks of S. River, E. Donegan, and E. Nolte Street on Saturday, September 14, 2019 - Kyle Kramm, Director of Main Street and CVB

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

c. 19-194

Resolution to approve a proposed downtown mural design and artist fee for a mural to be located at 301 North Austin Street pursuant to the City of Seguin's Public Art Ordinance; and declaring an effective date - Kyle Kramm, Main Street & CVB Director

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

Presiding: 1 - Mayor Keil

Nay: 1 - 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 2019-086

d. 19-230

Approval of reports for the quarter ended June 30, 2019 for the following civic organizations that received Occupancy Tax funding - Susan Caddell, Director of Finance

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

e. 19-243

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 Crabb, 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: 7 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2019-045

f. 19-244

Ordinance on first reading amending the Fiscal Year 2019 Utility 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 Herbold, 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 Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

g. 19-241

Resolution authorizing the purchase of a wheel loader for Public Works; and declaring an effective date - Twila Wood, Purchasing Manager

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

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-087

h. 19-240

Resolution to award the bid for the construction of a water blending station at the Seguin Water Plant to RP Constructors, Inc. in the amount of $461,000.00; and declaring an effective date - Timothy J. Howe, Director Water/Wastewater Utilities

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

Enactment No: RES 2019-088

i. 19-239

Resolution awarding a bid and contract for replacing a sanitary sewer force main at Geronimo Creek Wastewater Treatment Plant to Bell Contractors, Inc., in the amount of $749,408.22; and declaring an effective date - Timothy J. Howe, Director Water/Wastewater Utilities

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

Enactment No: RES 2019-089

j. 19-228

Board and/or Committee Appointments
a. Main Street Advisory Board

A motion was made by Council Member Wallace, seconded by Council Member Mathis, that the Appointment of Isabel Lara be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Keil

Aye: 7 - Council Member Herbold, Council Member Mathis, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

k. 19-242

Resolution authorizing a pause on accepting filing of all development plats and other documents in the City of Seguin under Local Government Code Chapter 212, Subsection A, beginning August 9, 2019 and continuing through September 30, 2019 - Pamela Centeno, Director of Planning & Codes and Andy Quittner, City Attorney

The new State law requires that the Planning Commission approve or disapprove a plat within 30 days of filing. If this is not done, then the plat is automatically approved and the City must sign the plat, no matter how poorly it was developed. If not approved, then the disapproval must be specific and complete with cites to the law and ordinances not met. The disapproval is a one shot affair, if something is missed, you can't pick it up on subsequent reviews. The developer then must address the reasons for disapproval and resubmit to the City. When this is done the City has 15 days to have the Planning Commission approve or disapprove the submittal. The new laws passed also specifically prohibit a city from requesting a waiver of the time period. Absent a larger staff and a Planning Commission that meets twice a month, and considering the recent influx of plat applications submitted, this process is unworkable. Staff is recommending a temporary pause on the acceptance of plat applications and the required accompanying development documents while the amendments to the City's regulations are drafted. The pause would be effective August 9, 2019 through September 30, 2019.

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

Enactment No: RES 2019-090

l. 19-235

Resolution authorizing the imposition of a prize fee to be assessed on monies paid as a cash bingo prize; and declaring an effective date - Andy Quittner-City Attorney

Sheryl Sachtleben
Seguin Youth Services
919 N Guadalupe St
Seguin, Texas

As everyone knows she operates a Bingo Hall in Geronimo but she wanted to help City Council understand why the law was changed on the taxes collected on the bingo prize payout. Taxes on the winnings must be collected, currently 5%, with 2 1/2% going to the State and the other 2 1/2% being distributed to the city and county. The new law was written to allow the charity to keep the 2 1/2% rather than the operator to submit the funds to the city and/or county. The State will no longer collect and distribute the funds to the city or county.

Several council members questioned what if the establishment did not pay their taxes then it becomes the City's responsibility to collect? Yes, just as Hotel Occupancy Taxes.

A Roll-Call Vote was taken.

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

Presiding: 1 - Mayor Keil

Nay: 3 - Council Member Mathis, Council Member Roy, and Council Member Aviles

Aye: 4 - Council Member Herbold, Council Member Crabb, Council Member Rangel, and Council Member Wallace

Enactment No: RES 2019-091

m. 19-236

Ordinance on first reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, relevant portions of Chapters 1 and 74; providing for a severability clause; declaring an effective date; preparing this ordinance for publication; and authorzing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances - Andy Quittner, City Attorney

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

Enactment No: ORD 2019-046

n. 19-237

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article IX, Capital Recovery Fees, to increase the capital recovery fee assessment for wastewater services; providing for publication of this Ordindance; providing a severability clause; and providng for an effective date - David Rabago, City Engineer

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

Enactment No: ORD 2019-047

o. 19-210

Presentation of the 5-Year Street Improvement Planning Update - David Rabago, P.E., CFM, City Engineer

David Rabagp, City Engineer, presented an overview of the Five Year Street Project.

p. 19-221

FY2020 Budget -Doug Faseler, City Manager and Susan Caddell, Director of Finance
General Fund
Debt Service
Special Revenue
Utility Fund

City Manager Doug Faseler and Director of Finance Susan Caddell presented the proposed FY2020 Budgets. Some highlights include:

The FY2020 expenditures increased $485,792 or 1.6% when compared to FY2019. Costs for personnel and benefits represent 70% of the total General Fund expenditures.

FY2020 General Fund Expenditures

(1) Salaries and Benefits - $802,144 includes a 2% COLA effective January 1, 2020.
(2) Transfers to General I&S Fund - $300,538 due to the reduction of the I&S contribution from the CPS Funds
(3) Indigent Health Care (This represents a 5% increase) - Estimate of $87,237

Personnel:

Police Department - An Evidence and Forensic Specialist ($64,288) is proposed. If the new position is approved, the current Evidence and Forensic Specialist is proposed to be upgraded to Evidence and Forensic Specialist Supervisor ($4,945).

DARE position is reclassified to Elementary School Coordinator, a civilian position. It will be funded from the DARE funds. The savings from this reclassification will assist in being able to fund a new Police Officer - Detective position ($77,558) to help address the departments increasing case load.

Animal Services Officer - position is proposed to be upgraded to an Assistant Supervisor ($3,539).

Library - proposing an additional Library Assistant ($46,683).

Parks - proposing an additional Landscape Technician ($43,431).

Main Street & Convention and Visitors Bureau - proposing to upgrade the Administrative position to Assistant Director ($32,972).

Golf - proposing a part-time Pro Shop Assistant ($3,591) and part-time starters ($20,000). Due to the Pro Shop temporarily moving to the Parks building while under renovations.

Public Works Vehicle Maintenance - proposing to add an Auto Technician II ($53,300). Split between General and Utility Fund.

Planning Department - an additional Code Compliance Officer ($58,981) is proposed. In addition, an Administrative Technician ($46,674) is being proposed.

Brush Division - proposing to upgrade one Equipment Operator I to Equipment Operator II ($3,800).

Information Technology - proposing an IT Intern ($7,810). Funding will be split between the General and Utility Fund.

Capital Projects/Engineering - proposing an Engineering Technician/Graduate Engineer ($80,673). Split between General and Utility Fund.

Fire/EMS - FEMA SAFER grant paid for 75% for two years for three firefighter/paramedic positions. Beginning in February 2020, the grant contribution will lower to 35%, resulting in the City's match to increase from 25% to 65% ($104,695).

FY2020 Utility Revenue Fund

The projected FY2020 revenues show an increase of $2,529,906 when compared to FY2019, a 5% increase. The projected electric revenues are expected to increase by $653,522, with a slight increase in consumption expected. The projected water revenues are expected to increase by $828,850 based upon the approved rate adjustments from the updated water rate study and the increase in consumption with the new developments. Sewer revenues are projected to increase by $813,853 based upon the approved rate adjustments from the updated wastewater rate study for FY2020 and an increase in the number of customers and increase in water consumption.

Expenditures:

(1) Salaries and benefits - $715,116 includes a 2% cost of living increase effective in January 2020.
(2) Indirect Cost Allocation - $600,000 based upon proposed FY20 General Fund budget and an increase in the percentage allocation.
(3) Transfers to Utility Fund Capital Projects - $169,658 (additional projects being funded)
(4) ROW User Fees - $158,917 due to an increase in electric, water, and sewer revenue

Personnel:

Utility Services - proposing a Utility Line Locator/Inspector ($59,698).

Facilities - two Service Workers ($83,917), part-time Service Worker & a pool of temporary Service Workers ($17,907) being proposed.

Economic Development - the addition of an Assistant Director of Economic Development ($88,977). Half of this position is being provided by Seguin Economic Development Corporation.

The Emergency Fund, Capital Improvement Projects, Capital Equipment, and Street/Highway/Drainage Projects were outlined for FY2020.

Tax Rate:

The Effective Tax Rate is $.5351 which is $.0061 above the current tax rate of $.5412. Recommend maintaining the current rate.

9. Acknowledgment of Bills

The bills were acknowledged.

a. 19-223

Check Report: July 12, 2019 through August 1, 2019

10. Executive Session

The regular meeting was recessed and the council went into Executive Session at 7:01pm. The regular meeting reconvened at 7:36 pm.

a. 19-219

In accordance with Section 551.074 to discuss personnel matters concerning the initial applications for city manager

b. 15-323

In accordance with Section 551.076: deliberate the deployment or implementation of security devices - Andrew Quittner, City Attorney

11. Adjournment

There being no further business before the council the meeting adjourned at 8:30 pm.

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Don Keil, Mayor

Attest:

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Naomi Manski, City Secretary