



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, November 2, 2021

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a Public & Virtual REGULAR Called Meeting on Tuesday, November 2, 2021 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Donna Dodgen presiding.

2. Invocation - Mayor Pro Tem Penny Follis

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Jeremy Roy, Council Member Chris Aviles, Council Member Chris Rangel, Council Member Monica N. Carter, Council Member Sonia Mendez, Council Member Mark Herbold, Council Member Joe Rea, and Council Member Penny Follis

Presiding: 1 - Mayor Donna Dodgen

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, Tx*

Mr. Vaughan provided a Walnut Springs Dam update stating that Council Member Roy, Paul Gaytan, and he walked the entire Walnut Springs to observe the damage caused from the recent rains we received a couple of weeks ago. He provided several pictures of the damage to the wall that was completed in 2010 and the movement of the butter blocks. The construction technique that is being used narrowed the channel to less than 80%. The water is going through a much narrower waterway. I would like to see an item on a future council agenda to address the overall construction status of the Walnut Springs Trail project.

Jim Lievens
225 Windwood Circle
Seguin, Tx

Mr. Lievens asked the City Council to vote "NO" on a storm drainage fee or tax. I understand the need for the stormwater program but I believe it should be budgeted out of the General Fund line item. Or at least table this vote on the fee until we explore that this fee is the only way to fund the program.

Rosalva Reyes-Hada
603 East Pine
Seguin, Tx

Ms. Reyes-Hada said she has plans to build a privacy fence on the east side and south side of her property. She wants to use corrugated metal material to build the fence. She stated she has been told that she cannot build the fence of this material. She has gone around that neighborhood and taken pictures and there are several fences made with metal material. So my question is what is the city going to do for her neighborhood?

Bruno Martinez
1019 Juarez
Seguin, Tx

Mr. Martinez stated that in the 1990's Seguin had a lot of flooding along the Walnut Branch Creek. The City, the State, and Corps of Engineers worked together to widen the creek. And then the city bought property on each side of IH-10 to construct two detention ponds, which helped eliminate the flooding. Over the years the creek has narrowed in areas and water is getting high again. I would like to see an item on the agenda to work together to bring this creek back to it's previous condition.

Chief Terry Nichols said that the Halloween Sunday was a great & successful event. I have never seen anything to the magnitude of the event on College Street. Also, wanted to make Council aware that next Monday beginning at 7:00 p.m. at Jackson Auditorium on the Texas Lutheran University campus will be a candid conversation with Officer Brandon Smith and former TLU Black Student Union President event called "Beyond Brutality", even though we do not have an issue in Seguin. The Community Coalition Group and our PD have been working so hard on these issues over the past year.

Fire Chief Dale Skinner announced a contest to grow the best mustache or beard. However, a challenge has been extended from the police to the fire departments to have a contest and that all proceeds raised will go to a Navarro student's family to help with medical expenses.

Council Member Jeremy Roy announced that Bill Bender and Reverend Father Sam Gottlich passed away. I believe he was the first pastor at the hospital.

6. Presentation

- a. [21-372](#) Guadalupe Regional Medical Center FY2022 Budget - Robert Haynes, CEO

Indexes:

Dr. James Lee introduced the Board of Directors present. Year's 2020 and 2021 has been very stressful from the COVID-19 pandemic. We have continued to slowly return to normal. A list of accolades received this most recent year are:

Women's Choice Awards

Best Hospitals for Obstetrics

Best Hospital for Safety

100 Best Hospitals for Patient Experience

Leapfrog Safety Grade A

Healthgrades:

Five Star Rating - Vaginal Delivery, 7 years in a row

Five Star Rating - Colorectal Surgery

Five Star Rating - Treatment of Heart Failure

Outstanding Patient Experience and Top 10% in Nation for Patient Experience, 4th consecutive year

2021 - Top 5% in Nation for Patient Experience

CMS Five Star Rating

CEO OF GRMC Robert Haynes presented the FY2022 budget of \$392,000,000.

b. [21-333](#)

Storm Water Utility Status and Update - Jennifer Ramos, P.E., and Troy Dorman, P.E., Half & Associates

Indexes:

City Manager Steve Parker stated the number one complaint I receive is street conditions due to drainage shortfall. Tax Rate would increase taxes by 6% or \$60 per \$100 valuation. We have received over 500 pot hole complaints in the past three months, which is directly related to storm water run-off. We are looking at proposing a \$3.00 storm water utility fee that would directly fund storm water drainage. This dollar amount would generate about \$900,000.

City Manager Steve Parker introduced Jennifer Ramos and Troy Dorman with Half & Associates. Despite more than half of survey respondents being unsure about whether they prefer additional property taxes or a monthly fee as a means of funding stormwater and drainage projects, the remaining responses showed that most preferred a monthly fee over raising property taxes. A rate table must be published 30 days before the first reading.

Jim Lievens asked is there a table to increase the fee? Mayor Dodgen said at this time there is not a set table. Initially the fee was proposing a \$5.00 fee but decided to reduce the fee to \$3.00.

c. [21-331](#)

Update on COVID-19 - Steve Parker, City Manager

Indexes:

City Manager Steve Parker provided an update on COVID-19.

Confirmed cases in Texas - 3,512,551

Confirmed deaths in Texas - 70,000

Covid Hospitalizations vs Hospital Capacity - currently 3.85%

Covid Vaccine Update
Guadalupe County vaccines to date:
Vaccinated with one dose - 92,403
Fully Vaccinated - 82,337
58.87% of population vaccinated

GRMC Update
5 people currently hospitalized
5 in critical care
Hospitalizations have decreased 53.6% from a month ago

Employee Update
2 being monitored

7. Consent Agenda

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

- a. [21-376](#) City Council Minutes of October 19, 2021

Indexes:

The Minutes of October 19, 2021 was approved

- b. [21-343](#) Ordinance on second and final reading to consider a request for Voluntary Annexation for an area of land located at 450 Seitz Rd, being approximately 45.13+/- acres of land in Guadalupe County, Texas consisting of one tract with property ID 59124 (VAN 08062021)

Indexes:

This Ordinance was adopted

Enactment No: ORD 2021-061

- c. [21-344](#) Ordinance on second and final reading to consider a request for Voluntary Annexation for an area of land located on Cordova Rd, being approximately 75.605+/- acres of land in Guadalupe County, Texas consisting of one tract with property ID 133819 (VAN 08272021-02)

Indexes:

This Ordinance was adopted

Enactment No: ORD 2021-062

- d. [ZC 21-21 CC](#) Ordinance on second and final reading to consider a request for a zoning

change from Agricultural Ranch (A-R) to Multi-Family High Density 3 (MF-3) for a property located at the 3500 Blk of SH 123 Bypass N., Property ID: 52359, (ZC 21-21)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2021-063

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

- a. [ZC 22-21 CC](#) Ordinance on second and final reading on a request for a Zoning Change from Commercial and Agricultural-Ranch to Commercial for property located at the SE corner of IH 10 West and FM 464, Property ID 53164 (ZC 22-21)

Indexes:

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 Rangel, seconded by Council Member Aviles, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-064

- b. [ZC 23-21 CC](#) Ordinance on second and final reading on a request for a zoning designation to Single Family Residential (R-2) for a property located at the 1000 Block of Cordova Rd, Property ID: 133819, (ZC 23-21)

Indexes:

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 Rea, seconded by Council Member Follis, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-065

- c. [21-380](#) Public Hearing and Ordinance on first reading to consider the Voluntary Annexation of approximately 57.911 acres located north of the 1900 block of Cordova Rd, A M Esnaurizar Survey, Abstract 20, in Guadalupe County, Texas, Property IDs 56086 & 56087 (VAN 09-27-2021)- Pamela Centeno, Director of Planning & Codes

Indexes:

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 Aviles, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

- d. [21-383](#) Public Hearing and Ordinance on first reading to consider Voluntary Annexation of approximately 23.145 acres, located north of Timmermann Rd, M Cherino Survey, Abstract 10, in Guadalupe County, Texas, Property ID 52715 (VAN 09-24-2021_2)- Pamela Centeno, Director of Planning & Codes

Indexes:

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 Follis, seconded by Council Member Carter, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

- e. [21-385](#) Public Hearing and Ordinance on first reading to consider Voluntary Annexation of approximately 7.211 acres, located on the northwest corner of State Hwy 46 N & Three Oaks Rd, being Lots 2, 3, & 4 of the River Oaks Commercial Subdivision in Guadalupe County, Texas, Property IDs 153944, 153944, & 153946 (VAN 09-24-20201_01)- Pamela Centeno, Director of Planning & Codes

Indexes:

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 Follis, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

f. [21-386](#)

Public Hearing and Ordinance on first reading to consider Voluntary Annexation of approximately 61+/- acres, located at 2161 Manor Dr, Isaac Baker Survey, Abstract 3, in Guadalupe County, Texas, Property ID 50514 (VAN 08-10-2021)- Pamela Centeno, Director of Planning & Codes

Indexes:

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 Follis, seconded by Council Member Rea, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

g. [21-381](#)

Public Hearing and Ordinance on first reading to consider the annexation of sections of Cordova Rd, being approximately 19.67 acres and 15,918.99 linear feet of right-of-way in Guadalupe County, Texas (VAN 09-27-2021)- Pamela Centeno, Director of Planning & Codes

Indexes:

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 Roy, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

h. [21-378](#)

Resolution ratifying the authorization for the City Manager to enter into a Interlocal Agreement for Maintenance of Cordova Road between Guadalupe County and the City of Seguin; providing for an effective date

- Steve Parker, City Manager

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-109

- i. [21-396](#) Resolution approving the purchase of new duty handguns for the police department; approving the sale of current duty handguns and other surplus firearms; and declaring an effective date - Terry Nichols, Police Chief

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-110

- j. [21-390](#) Resolution authorizing the City Manager to execute a Deed Without Warranty to purchase the Saegert Middle School Tennis Courts and Maintenance Buildings from the Seguin Independent School District for a purchase price of \$200,000; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:

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 Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-111

- k. [21-392](#) Ordinance on second and final reading amending the Fiscal Year 2022 Special Revenue Fund Budget of the City of Seguin, Texas; and

declaring an effective date

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-066

I. [21-395](#)

Ordinance on second and final reading amending the Fiscal Year 2022 Utility Fund Budget of the City of Seguin, Texas; and declaring an effective date

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-067

m. [21-382](#)

Resolution approving agreements between the City of Seguin and the following organizations that receive financial appropriation in the FY2022 Hotel Occupancy Tax Fund - 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 Fairs Association
- g. Seguin LULAC Council #682
- h. Seguin Art League
- i. The Fields of Huber Ranch, LLC

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-112

- n. [21-374](#) Ordinance on second and final reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapter 86, Solid Waste, Article II, Garbage and Article IV, Curbside Recycling; providing a severability clause; providing for publication; providing an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-068

- o. [21-394](#) Street closure request by SRE Promotions to host Corvettes on Square on January, 15, 2022 - Kyle Kramm, Main Street & CVB Director/HPO.

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

- p. [21-387](#) Street closure and sale of alcohol request for Seguin's Holiday Stroll events including Sip 'n Stroll, Jingle Bell 5K, and North Pole Stroll - Kyle Kramm, Seguin Main Street & CVB Director/HPO

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

- q. [21-379](#) Resolution by the Governing Body of the City of Seguin, Texas approving the facility parking lot expansion of the Guadalupe Appraisal District - Andrew Quittner, City Attorney

Indexes:

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 Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-113

- r. [21-375](#) Resolution of votes cast to elect Directors for the Guadalupe Appraisal District for the years 2022-2023 - Mayor Donna Dodgen

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-114

9. **Acknowledgment of Bills**

- a. [21-377](#) Check Report: October 18, 2021 through October 29, 2021

Indexes:

10. **Executive Session**

The regular meeting was recessed and the council went into Executive Session at 7:23 pm. The regular meeting reconvened at 8:07 pm.

- a. [13-053](#) Deliberation regarding Economic Development Negotiations in accordance with Section 551.071 and 551.087 - Steve Parker, City Manager

Indexes:

11. **Adjournment**

There being no further business before the council the meeting adjourned at 8:07 pm.

Donna Dodgen, Mayor

Attest:

Naomi Manski, City Secretary