



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, August 16, 2022

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a REGULAR Called Meeting on Tuesday, August 16, 2022 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 - Council Member Jeremy Roy

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 7 - 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, and Council Member Joe Rea

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.

Steven Berger, 209 Lone Oak St., Seguin, Tx 78155. Mr. Berger officially announced that he would be running for City Council in District Eight. Mr. Berger stated that he has been a resident of the City of Seguin for a little over forty years now, and has been in his current district for twelve years. Mr. Berger at this time is the President of the Seguin Citizen Police Academy Alumni Association.

John Fisher, 334 Los Nogales Ct., Seguin Tx., Mr. Fisher is requesting for City Council to reconsider the rate increase for Water/WasteWater. Please consider other means of funding this infrastructure than adding fees to your existing customers. Mr. Fisher's question is what benefits do we as citizens get for paying the extra fees for these project. He states that he is hoping he is not paying for the new subdivisions. Mr. Fisher stated he does support growth, but he doesn't understand why the city people

have to be burdened with paying for this infrastructure. Stating with the inflation now, it is tough for everyone.

Jim Lievens, 225 Windwood Cir., Seguin Tx., Mr. Lievens wanted to announce that he will be running for City Council in District Three with the endorsement of City Councilman Chris Aviles who is the current City Council Member for District Three, and who will not be running for this district again. Mr. Livens wanted to thank Chris Aviles for his endorsement, and also thanked City Councilman Chris Rangel for his endorsement stating that after the redistricting, a large portion of City Councilman Rangel's district area was moved into District Three and that he would continue the great work that Chris and his wife Ilene have been doing.

Linda Duncan, 1633 Royal Sage Dr., Seguin, Tx., Ms. Duncan made an announcement stating she has officially filed for reelection to the Seguin ISD Board of Trustees in District Four. Ms. Duncan stating it has been the honor, and one of the greatest joys of accomplishments in her life time to serve the Seguin Community.

Councilman Chris Aviles officially stated that he will not be running for reelection for City Council District Three, but will continue to serve the Seguin community in other capacities, also Mr. Aviles encourages anyone that wants to serve in Public Service to do so.

Councilman Mark Herbold said that he would like to tag on to what Mr. Fisher spoke on regarding the five percent proposal tax increase and would like to get more information on impact fees. His main concerns is to not pay for all the new subdivision coming in. Also, stating he doesn't know if that five percent increase is just inflation or to fund the new development.

Mayor Donna Dodgen spoke on how someone mentioned (and this is from 2021) to her that there were twelve secret spots in Texas where nature will completely relax you, stating that number one on the list was Walnut Springs Park, Seguin, Tx.

Mayor Dodgen asked Councilman Rangel to talk about his school.

Councilman Rangel states that his school is a A rated school they scored a 95 stating that he, and all the staff from the Principle to the custodian are very passionate about the students and they all work very hard for them, stating that it was a surprise to be rated and A as they believe the school was rated as a B. The school is Mercer-Blumberg Learning Center at Saegert, 118 N. Bowie St.

6. Presentation

- a. [22-363](#) Recognition of the Seguin ISD School Board being named the Region 20 School Board of the Year by the Texas Association of School Administration - Mayor Donna Dodgen

Indexes:

Mayor Donna Dodgen presented the Seguin ISD School Board of Trustees with a plaque for being named the 2022 Texas Region 20 School Board of the Year by the Texas Association of School Administrators.

7. Consent Agenda

A motion was made by Council Member Herbold, seconded by Council Member Aviles, that Item 7e (22-318) be removed from the Consent Agenda for further discussion, otherwise the Consent Agenda can be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

- a. [22-339](#) City Council Meeting Minutes of August 2, 2022

Indexes:

The Minutes of August 2, 2022 was approved

- c. [ZC 12-22 CC](#) Ordinance on second and final reading to consider a zoning change from Single-Family Residential 1 (R-1) to Duplex-2 (DP-2) for three properties located at 607, 611 & 615 E Martindale St., Property Id 39301 (ZC 12-22)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2022-063

- d. [ZC 13-22 CC](#) Ordinance on second and final reading to consider a zoning change from Commercial (C) to Multi-Family 3 (MF-3) for a 15.57 acre portion out of a 18.17 acre tract NE corner of State Hwy 46 N and Cordova Rd, Property ID 175347. (ZC 13-22)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2022-064

- f. [22-351](#) Resolution of the City Council of Seguin, Texas approving a price increase and six-month extension of the agreement with Brenntag Southwest Inc. to supply liquid chlorine; and declaring an effective date - Twila Wood, Purchasing Manager

Indexes:

This Resolution was approved

Enactment No: RES 2022-117

- g. [22-364](#) Resolution authorizing purchase of pad mount transformers Bid #TF-2022-30 for us by the City of Seguin Electric Utilities Department - Adam Ryals, Utility Warehouse Manager and Rick Cortes, Deputy City Manager

Indexes:**This Resolution was approved**

Enactment No: RES 2022-118

- h. [22-352](#) Resolution authorizing the City Manager to execute a change order number 9, in the amount of \$118,680.30, to Meyers Concrete Construction, LP for handrail on the Walnut Springs Trail Extension Project; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM, City Engineer

Indexes:**This Resolution was approved**

Enactment No: RES 2022-119

- i. [22-353](#) Resolution authorizing the City Manager to execute Amendment No. 7 to the Professional Services Agreement with Brown and Gay Engineering (BGE) in the amount of \$125,155 for Rudeloff Road Phase I Widening Project - CSJ: 0915-46-045; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM, City Engineer

Indexes:**This Resolution was approved**

Enactment No: RES 2022-120

- j. [22-359](#) Boards and/or Committee Appointment
a. Building & Standards

Indexes:**This Appointment was approved**

- k. [22-366](#) Check Report: August 1, 2022 through August 12, 2022

Indexes:**This Check Report was approved****8. Action Items - Discussion and Possible Motion to Approve**

- e. [22-318](#) Ordinance of the City Council of the City of Seguin, Texas on the second and final reading amending the Seguin Code of Ordinances Appendix C - Fee Schedules, Chapter 102, Utilities, Article 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

Indexes:

City Manager Steve Parker stated he wanted to address Mr. Fisher and Council Member Herbold comments regarding "what do the citizens get out of the Water/Wastewater rate increase". Mr. Parker stated that first and foremost property taxes do not come close to paying for the services the City does provide. Stating if you took every residential, commercial, and or industrial building in the entire City it would add up to \$14 million dollars in property taxes, from that you would pay for all the debt for the last twenty years, road projects, the new library, the Police department, Fire station and fire station equipment and so forth. That would be about half, so that's seven million right off the top, and then we do own the Hospital which is at least one million. So now we are down to seven million in property taxes that goes to fund the General fund operations that goes to run the City. The way the City becomes sustainable is by increasing the sales tax, and we do not have sales tax increase until we have enough people move into our community that warrants the restaurant and shopping centers, and other businesses to come into our City. We have 1.4 billion dollars leaking out to other communities, after folks go shopping at HEB they go somewhere else for date night, movies in Schertz, Academy in Selma, and we lose that money, we want the growth and we are able to lower the tax rate 1.87 cents. We have issues with our Water/Waste water and our Electric Utilities.

Dramatic Cost Increases:

This recommended increase is about inflation, it is up 9%

Liquid Chlorine up 310% since January 2021

Liquid Aluminum Sulfate up 195% since May 2020

Gas Prices Doubled

Construction projects are up 25% to 30% at a minimum.

Rate Increases:

Seguin WR increase 5%	Wastewater rate increase 5%
NBU WR increase 8%	Wastewater rate increase 13%
Springshill WR increase unknown	Wastewater rate increase N/A
Schertz WR increase 5%	Wastewater rate increase 5%
*San Marcos WR increase 0%	Wastewater rate increase 0%
* Has consistently raised rates 5% over the last several years	

Charges for 5,000 gallons:

Seguin WR increase	\$47.40	Wastewater rate increase	\$52.50	Total	\$99.90
NBU WR increase	\$31.89	Wastewater rate increase	\$67.65	Total	\$99.55
Springshill WR increase	\$62.65	Wastewater rate increase	N/A	Total	N/A
San Marcos WR increase	\$48.22	Wastewater rate increase	\$51.97	Total	\$100.19

Mr. Parker stated there are some long term benefits to making sure the infrastructure is there along with the growth, in 2020 we had a thousand new residential permits come in and those homes are complete, that is three thousand new people and it is not enough. We need to be above fifty thousand people before you see the next tier of residents, and restaurants. We have the start of development, with Ross, Marshall and Discount Tire. In the next year in a half there will be more. We have to make sure that we are sustainable. The recommendation is tough but fair and reasonable.

Councilman Roy stated that when he first came on to council, he was taken back on just how lean the Water/Wastewater and Electric budgets were, he thought that they had large budgets and was impressed with utilities departments were able to get done with such lean budgets. He gave kudos to Tim Howe, Director of Water/Wastewater stating that they are focused on the things that matter, and it's all about clean safe water. Stating he is in support of this. Also, the developers are paying

their part. What else could the developers do?

City Manager Steve Parker stated that we are continually updating waste water impact fee.

Water/wastewater Director Tim Howe spoke on how the City has currently engaged in a impact fee study and that is in progress and will expect to present to council in February or March. Stating we are at the maximum impact fee for water and next meeting we will be proposing to increase our wastewater fee.

Deputy City Manager Rick Cortes stated that Utility departments are looking for finance strategies to cover the cost of new growth, we are moving back the payments to future years to allow when we do get the growth it can actually pay for those improvements and looking for strategies that mitigates the cost to our current customer.

Mayor Donna Dodgen stated she had a question regarding how the impact fees go up.

Deputy City Manager Rick Cortes states it is a Engineering study that has to be done.

City Engineer Melisa Reynolds states the impact fees are based on the planned projects for the area, take the impact that the actual new development will have causing those needs for projects and the maximum impact fee is based on projected growth rate and the impact to the existing system. That is a fair cost that will off set the City's cost to the development community based on what their actual impact to this system. Maximum water rate has already been approved.

Mayor Donna Dodgen asked Director of Water/Waste Water Tim Howe a question stating, the Projects that are currently being looked at are not for just new development?

Director of Water/Waste Water Tim Howe replies that he is Thankful for City Council because they have been proactive in maintaining our infrastructure, it is true that it is an asset that is underground, and you cannot see it. It requires maintenance of the pipes underground because when it does fail it is very costly to repair. There are projects to upgrade, sewer lines and aging infrastructure.

A motion was made by Council Member Aviles, seconded by Council Member Rea, that this Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-065

a. [22-321](#)

Ordinance of the City Council of Seguin, Texas on second and final reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, for relevant portions of Chapters 66 (Library) and 74 (Golf Course & Parks); 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 - Andy Quittner, City Attorney

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-066

b. [ZC-15-22 CC](#)

Ordinance on second and final reading to consider a Zoning Designation to Single-Family Residential (R-1) for a property located at the 8100 Blk of State Hwy 123 N (A), Property ID(s): 52447, 56244, 56245, and 175355, (ZC 15-22)

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-072

c. [ZC-16-22 CC](#)

Ordinance on second and final reading to consider a Zoning Designation to Zero Lot Line (ZL) for a property located at the 8100 Blk of State Hwy 123 N (B), Property ID(s): 56244, 52449, and 175335 (ZC 16-22)

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-073

- d. [22-331](#) Ordinance on second and final 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 Seguin Code of Ordinances

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 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: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-069

- e. [22-361](#) Naming the 1.3 acres of public parkland that was purchased by the City of Seguin for future pickleball courts located at 418 W. Mountain St. - Jack Jones, Director of Parks and Recreation

Indexes:

Parks & Recreation Director Jack Jones stated that construction on the Pickleball courts would begin on Thursday, August 23, 2022. Also stating that a name needs to be selected for the Pickleball courts. Park Board gathered all the names that were suggested on August 1st and they chose to submit Seguin Pickleball Complex, Pecantown Pickleball Park, Seguin Pickleball Plaza, and Seguin-Saegert Pickleball Complex. Mr. Jones stated there would be restrooms, a pavilion with picnic tables possibly a grill. City Councilman Mark Herbold asked if there would be any shade at the Pickleball courts.

Parks & Recreation Director Jack Jones reiterated that the park would have a Pavilion.

City Manager Steve Parker wanted clarify that this park was fully funded by the American Rescue Plan Act, and not taxpayers money. Courts will be open, and will have a grand opening around end of October early November; restrooms and Pavilion will be early springtime.

A motion was made by Council Member Carter that the facility name should be Seguin-Saegert Pickleball Court Complex. Council Member Mendez seconded the motion. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Nay: 3 - Council Member Rangel, Council Member Herbold, and Council Member Rea

Aye: 4 - Council Member Roy, Council Member Aviles, Council Member Carter, and Council Member Mendez

f. [22-349](#)

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Secretary of Transportation for the Safe Streets and Roads For All discretionary grant program - Kathy Wood, Grant Administrator

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-121

g. [22-343](#)

Resolution awarding Convention, Sports & Leisure International a contract to conduct a market analysis and feasibility study on a hotel conference center - Kyle Kramm, Main Street & CVB Director.

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-122

h. [22-356](#)

Resolution of the City Council of Seguin, Texas approving the naming of Fire Station 3 as the Roger W. Dean III Fire Station - Dale Skinner, Fire 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: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-123

- i. [22-350](#) Ordinance on second and final reading amending the Fiscal Year 2022 Special Revenue Fund Budget of the City of Seguin, Texas; and providing an effective date

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-070

- j. [22-360](#) Ordinance on second and final reading amending the Code of Ordinances, Chapter 2, Administration, Article II, City Council, to set compensation for the Mayor and City Council Members; providing a severability clause; authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinance; and providing for an effective date

Indexes:

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

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Herbold

Aye: 6 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, and Council Member Rea

Enactment No: ORD 2022-071

- k. [22-357](#) Resolution approving the Order and Notice for a General and a Special Election to be conducted on November 8, 2022, for the purpose of electing city council members for districts 3,5,7, and 8 and for changes to the City of Seguin Charter; and declaring an effective date - Andy Quittner, City Attorney

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-124

9. **Adjournment from Regular Session and Open the Budget Workshop**

The Regular Council Meeting adjourned and convened into the Budget Workshop.

a. [22-340](#)

City Council Budget Workshop

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

Indexes:

Susan Caddell stated there were a few changes on the budget, and showed a Powerpoint presentation indicating the changes.

<i>Increases in Indigent Health Care</i>	\$ 162,306
<i>Reduction in FY22 Indigent Health Care</i>	\$ (162,306)
<i>Increases in Mayor/City Council Salaries and Benefits</i>	\$ 3,558
<i>Increase in Library Salaries and Benefits</i>	\$ 40,753
<i>Increase for Dues, Tuition and supplies for Real Estate Manager</i>	\$ 1,175
<i>Increase in Professional Services Finance</i>	\$ 25,000
<i>Quiet Zone Study</i>	\$ 50,000
<i>Reduce Transfers to Building/Infrastructure Fund</i>	\$ (170,486)

Changes to utility Fund Budget:

<i>Increase for Dues, Tuition and Supplies for Real Estate Manager</i>	\$ 1,175
<i>Increase Interest Revenue</i>	\$ (1,175)

Changes to Park Development Fund Budget:

<i>Reduce Improvements other than Buildings (including in FY22 amendment)</i>	\$ (350,000)
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10. **Adjournment from the Workshop and Open the Regular Session**

The Budget Workshop adjourned and reconvened the Regular City Council meeting.

a. [22-365](#)

Propose a New Tax Rate of \$.5225 per \$100 valuation for FY2023 - Susan Caddell, Director of Finance

Indexes:

A motion was made by Council Member Aviles to place a proposal to adopt a tax rate of \$.5225 per \$100 valuation on an agenda of a future City Council meeting, seconded by Council Member Carter. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

11. Closed Session

The Closed Session was not needed.

- a. [13-014](#) Deliberation regarding Real Estate in accordance to Section 551.072 - Steve Parker, City Manager

Indexes:

12. Adjournment

There being no further business before the council the meeting adjourned at 6:51 pm.

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary