



COUNCIL AGENDA
 City Hall Council Chambers
 210 E. Gonzales
 Seguin, Texas 78155

The City Council met in a Regular Called Meeting on Tuesday, September 21, 2010 at 5:30 p.m. in the City Hall Council Chambers, City Hall, 210 E. Gonzales Street in the City of Seguin with Mayor Betty Ann Matthies presiding.

1. Call to Order
2. Invocation – Mayor Betty Ann Matthies
3. Pledge of Allegiance/Salute to the Texas Flag
4. Roll Call

ATTENDANCE

Councilmember	District	Present	Absent
1. Don Keil	7	Present	
2. Manuel Cevallos	1	Present	
3. Mary Louise Gonzales (Mayor Pro Tem)	2	Present	
4. Carlos Medrano	5	Present	
5. Bob Pees	8	Present	
6. Tomas Castellon	4	Present	
7. Nick Carrillo	3	Present	
8. Steve Tschoepe	6	Present	
9. Mayor Betty Ann Matthies		Present	

5. Hearing of Residents
 - a. 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.

Citizen comments:

Name: Manuel Moreno III
 Address: 757 N. 123 Bypass
 City: Seguin, Texas

He wanted to see Walnut Street from the new Geronimo Creek Bridge to Bear Creek Hollow and Bear Creek Hollow to the entrance of Windbrook fixed but not repaired with the same pothole patching method that has been done in the past. He stated that all the patching does is make the road worse.

Councilmember Tomas Castellon

He shared with the council that the Disabled American Veterans Post #61 (DAV) would be having the National Mobile DAV Van returning on September 29 and 30 from 10AM-4PM at the Vaughn St. location.

6. Consent Agenda

Ordinance on second reading designating the 200 Block of Donegan Street as reserved parking spaces for Guadalupe County officials and personnel; directing the City Engineer to erect and/or remove the appropriate signage and amending the City of Seguin, Texas Code of Ordinances, Chapter 98, Traffic and Vehicles, Article IV, Stopping, Standing and Parking; Section 98-105 Limited Time Parking; providing for publication, for an effective date, and providing for penalties for violations thereof

ORDINANCE APPROVED (2nd reading)

Council member Steve Tschoepe made a motion to approve the consent agenda and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

7. Action Items - Discussion and Possible Motion to Approve

a. Minutes of the September 7, 2010 Meeting

Council member Mary Louise Gonzales made a motion to approve the minutes of the Regular Called Meeting of September 7, 2010 and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

b. **Ordinance on second reading** adopting the FY2011 General Fund Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2010 and ending the last day of September 2011; Appropriating money to a sinking fund to pay interest and principal due on the City’s indebtedness; fixing the authorized number of employees; providing for the effective date of this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance

ORDINANCE APPROVED (2nd reading)

Council member Don Keil made a motion to approve the **ordinance in the 2nd reading** and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

c. **Ordinance on second reading** adopting the FY2011 Debt Service Funds Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2010 and ending the last day of September 2011; Appropriating money to a sinking fund to pay interest and principal due on the City’s indebtedness; Providing for the effective date of

CORRECTED

this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance

ORDINANCE APPROVED (2nd reading)

Council member Bob Pees made a motion to approve the **ordinance in the 2nd reading** and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- d. **Ordinance on second reading** levying a Tax Rate of ~~\$.4600~~ **\$.4893** for the Tax Year 2010; Providing for the effective date and for the publication of this Ordinance – Susan Caddell, Director of Finance

ORDINANCE APPROVED (2nd reading)

Council member Don Keil moved that property taxes be increased by the adoption of a tax rate of **\$.4893** per \$100 valuation. \$.2693 for the purpose of Maintenance and Operation and \$.2200 for the payment of Principal and Interest on Debt of this city and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- e. **Ordinance on second reading** adopting the FY2011 Special Revenue and Fiduciary Funds Budget and making appropriations in accordance with said budget for the period beginning the first day of October 2010 and ending the last day of September 2011; fixing the authorized number of employees; providing for the effective date of this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance

ORDINANCE APPROVED (2nd reading)

Council member Mary Louise Gonzales made a motion to approve **the ordinance in the 2nd reading** and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- f. **Ordinance on second reading** adopting the FY2011 Utility Fund Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2010 and ending the last day of September 2011; Appropriating money to a sinking fund to pay interest and principal due on the City’s indebtedness; fixing the authorized number of employees; providing for the effective date of this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance

ORDINANCE APPROVED (2nd reading)

Council member Tomas Castellon made a motion to approve the **ordinance in the 2nd reading** and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- g. **Ordinances on first reading** amending Sections 86-38, 102-53(b)(9), 102-53(c)(10), 102-53(d)(10), 102-53(e)(10), 1012-146, and 102-200 of the Seguin Code of Ordinances to change language for purposes of consistency; and amending Appendix C – Fee Schedule to add the Deposit and Administrative Fee established in Ordinance 93-31; providing for a severability clause and an effective date, and authorizing staff to submit this ordinance as a supplement to the Code of Ordinances – Susan Caddell, Director of Finance

ORDINANCE APPROVED (1st reading)

Council member Don Keil made a motion to approve the **ordinance in the 1st reading** and council member Manuel Cevallos seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- h. **Ordinance on first reading** amending the FY2010 General Fund Budget – Susan Caddell, Director of Finance

ORDINANCE APPROVED (1st reading)

Council member Don Keil made a motion to approve the **ordinance in the 1st reading** and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- i. **Ordinance on first reading** amending the FY2010 Utility Fund Budget – Susan Caddell, Director of Finance

ORDINANCE APPROVED (1st reading)

Council member Tomas Castellon made a motion to approve **the ordinance in the 1st reading** and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- j. **Ordinance on first reading** amending the FY2010 Special Revenue Fund – Susan Caddell, Director of Finance

ORDINANCE APPROVED (1st reading)

Council member Don Keil made a motion to approve the **ordinance in the 1st reading** and council member Manuel Cevallos seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- k. **Ordinance on first reading** amending Sections 50-37, 50-38, and corresponding Sections of Appendix C – Fee Schedule of the Seguin Code of Ordinances changing the method of calculating fees charged for special events; providing for a severability clause, declaring an effective date and; and authorizing staff to submit this ordinance as a supplement to the Code of Ordinances – Scott MyCue, Fire Chief

ORDINANCE APPROVED (1st reading)

Council member Steve Tschoepe made a motion to approve the **ordinance in the 1st reading** and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- l. **Ordinance on first reading** repealing the Seguin Code of Ordinances, Chapter 102 – Utilities, Article III – Water, Division 2. Connections, Section 102-105, “Backflow Prevention Assemblies” in its entirety and replacing with Section 102-105 (a) – (e); establishing penalties for violations thereof; Providing for an effective date, publication, and a severability clause; and authorizing staff to prepare this ordinance for submission as a supplement to the Code of Ordinances – Don Smith, Director of Planning

ORDINANCE APPROVED (1st reading)

Council member Mary Louise Gonzales made a motion to approve the **ordinance in the 1st reading** and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- m. Update, discussion and direction on the Collection and Disposal of Commercial Solid Waste – Rick Cortes, Assistant City Manager

Rick Cortes, Assistant City Manager provided an overview of the process and criteria that was utilized by the Solid Waste Task Force Committee.

He requested that the council give the Task Force direction in moving away from the single exclusive solid waste services to the City and move in the direction of identifying two (2) large providers and one (1) smaller provider. The 3 selected would need to meet the criteria as set by the City.

Council member Steve Tschoepe made a motion to approve that the Task Force continue in the direction that they recommended and council member Nick Carrillo seconded the motion. The motion carried with seven (7) council members voting “aye”, one (1) councilmember Mary Louise Gonzales abstaining and none voting “nay.”

- n. **Resolution** authorizing the City Manager to extend an Employment Agreement for Professional Golf Services between the City of Seguin and Frank L. “Biff” Alexander for fiscal year 2010-2011 – Rick Cortes, Assistant City Manager

Council member Bob Pees made a motion to approve the **resolution** and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- o. **Ordinance on first reading** amending the Seguin Code of Ordinances, Chapter 78 - Garage Sales, Section 78-30. Signs and Section 78-32. Hours of Operation; establishing penalties for violations thereof; providing for an effective date, publication, and a severability clause; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances – Mayor Pro Tem Mary Louise Gonzales

ORDINANCE APPROVED (1st reading)

Council member Manuel Cevallos made a motion to approve the **ordinance in the 1st reading** and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- p. Request by J. P. Amador for the City of Seguin to improve a portion of the right-of-way of College Street adjacent to his store property located at 624 N. Guadalupe – Rick Cortes, Assistant City Manager

Council member Mary Louise Gonzales made a motion to approve

- The improvement of the 4 ft. right-of-way (city right of way) of College St.
- 6 inch sidewalk (Mr. Amador will repair if it ever is broken)
- To include no parking restriction

(Cost \$2,250 for concrete)

and council member Manuel Cevallos seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

8. Approval and/or Rejection of Bid(s):

- a. Elevated Tank Exterior Repainting– Rick Cortes, Assistant City Manager

Councilmember Mary Louise Gonzales made a motion to approve and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

9. Approval of Board and Committee Appointment(s)

- a. Building and Standards Commission (3)

Council member Mary Louise Gonzales made a motion to approve

- Calvin Salmon (reappoint as an alternate)
- Louis Scoppel (appoint as an alternate and took the place of Rachel Belmarez)
- Rachel Belmarez (appoint as a regular member and took the place of Adelina Duran who was not eligible for reappointment)

and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. Construction Board of Appeals (3)

Council member Tomas Castellon made a motion to approve

- Ben Moreno (reappoint)
- Paul Mueller (reappoint)
- Frank Sullivan Jr. (reappoint)

and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- c. Parks & Recreation Board (2)

Council member Tomas Castellon made a motion to approve

- Troy DePalermo (reappoint)
- Tom Bruns (reappoint)

and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- d. Planning & Zoning Commission (1)

Council member Mary Louise Gonzales made a motion to approve

- Tomas Hernandez (reappoint)

and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

e. Seguin Economic Development Corporation (1)

Council member Bob Pees made a motion to approve

- Roger Baenziger

and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

f. Tax Abatement Review Committee (1)

Council member Steve Tschoepe made a motion to approve

- Mark Long, President of First Commercial Bank (appoint replacing David Brucks)

and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

g. Zoning Board of Adjustments (2)

Council member Mary Louise Gonzales made a motion to approve

- Tillie Branch Luke (reappoint)
- Adelina Duran (appoint replacing Louis Scoppel since he has requested to move to Building and Standards Commission as an alternate)

and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

10. Acknowledgement of Bills

The bills were acknowledged.

11. Adjournment

There being no further business before the council the meeting adjourned at 6:29 PM.

Mayor Betty Ann Matthies

City Secretary, Thalia Patlán Stautzenberger

