



# MINUTES

FOR THE  
SEAGOVILLE SIGN ORDINANCE COMMITTEE

**Meeting scheduled to begin at 6:30 p.m.,**

**Monday, January 28, 2013**

in the Conference Room of City Hall,  
located at 702 N. Highway 175 - Se agoville, Texas

**CHAIRPERSON  
VICE-CHAIRPERSON  
SECRETARY  
COMMITTEE MEMBER  
COMMITTEE MEMBER  
COMMITTEE MEMBER  
COMMITTEE MEMBER  
COMMITTEE MEMBER**

**DENNIS CHILDRESS  
BILL CHAMBLISS  
CINDY KINTZ  
LADIS BARR  
JERRY BECKER  
BEKKI ROBERTS  
GARY TEDDER  
JULIO TORRES**

► As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

## **I. CALL TO ORDER**

Chairperson Childress declared a quorum present and called the meeting to order at 6:30 p.m.

Committee Members present: Dennis Childress  
Bill Chambliss  
Julio Torres  
Jerry Becker  
Ladis Barr  
Cindy Kintz

Committee Member absent: Bekki Roberts and Gary Tedder

## **II. INVOCATION & PLEDGE OF ALLEGIANCE**

Chairperson Childress gave the invocation and the Committee led in the Pledge of Allegiance.

### III. APPROVAL OF MINUTES

A. Approval of the Minutes for the meeting held on January 10, 2013.

MOTION: Approve the minutes for the January 10, 2013 meeting.

FIRST: Vice-Chairperson Chambliss SECOND: Member Torres

AYES: Vice-Chairperson Chambliss, Member Torres, Chairperson Childress, Secretary Kintz, Member Barr and Member Tedder

NAYS: None

MOTION CARRIED: (6-0)

B. Approval of the Minutes for the meeting held on January 14, 2013.

MOTION: Approve the minutes for the January 14, 2013 meeting.

FIRST: Vice-Chairperson Chambliss SECOND: Chairperson Childress

AYES: Vice-Chairperson Chambliss, Chairperson Childress, Secretary Kintz, Member Barr, Member Becker and Member Torres

NAYS: None

MOTION CARRIED: (6-0)

### IV. REQUESTS AND PRESENTATIONS

A. Review and discuss Article 21.09 Signs.

The Committee held a lengthy discussion over Section 21.09.016(p), *Signs advertising alcoholic beverages*, and the Texas Alcohol Beverage Commission regulations for advertising beer and wine sales.

Secretary Kintz urged the Committee to leave Section 21.09.016(p), *Signs advertising alcoholic beverages*, as it was currently written. She explained that prior to the first beer and wine election in May 2010, City Council had tasked the Planning & Zoning Commission with the Zoning Ordinance amendments and the Council took on the Sign Ordinance amendments themselves. Therefore, the Planning & Zoning Commission would not have seen or recommended the Sign Ordinance amendments.

Member Becker demanded to see what the City Council in 2010 had approved. Mrs. Kintz referred him and the other Committee members to the current Sign Ordinance and stated the City Council's Sign Ordinance amendments were codified into the current Sign Ordinance provided to each of them when the Committee was formed.

Secretary Kintz further explained that, since the second beer and wine election conducted in just November 2012 did pass by one hundred votes or less, half of the citizens are pleased with the election results and the other half are not comparing it to a tender box. She stated that the community was watching closely on how the beer and wine sales was being regulated. She stated how she took a very personable approach to her job. She had explained to concerned citizens how the Sign and Zoning Ordinances were amended in order to regulate beer and wine sales to have a minimal impact on the community. Again, she asked the Committee to leave sections of the Sign Ordinance that pertained to the advertisement of beer and wine sales as they were currently written for at least two years or so to allow for temperaments to settle.

Secretary Kintz cautioned the Committee that, once the beer and wine election was passed, they could not reverse less restrictive for more restrictive advertising measures for beer and wine sales.

The sentiment of the Committee was that they had made it more restrictive by only allowing one sign per business. Secretary Kintz explained that by removing the word "cumulative" and all other words within the set parentheses in Section 21.09.016(p), it made that section less restrictive.

Member Torres, with input from Member Barr and Secretary Kintz, attempted to further explain the word "cumulative" in relation to how City Staff was currently calculating the square footage for beer and wine outdoor signage based upon the guidelines set forth in Section 21.09.016(p) of the current Sign Ordinance to Member Becker and the other Committee members.

Member Becker stated that he could see the sign advertising Corona beer from the street at the F&M Food Mart located at 212 Hall. He added that he thought it was against the ordinances for those types of signs to be visible from the street and that those types of signs could only be located along the rear wall of the building.

Member Barr stated he would address the sign with the business on the very next day.

*FIRST MOTION:* Ban (prohibit) searchlights.

FIRST: Vice-Chairperson Chambliss

SECOND: Chairperson Childress

AYES: Vice-Chairperson Chambliss, Chairperson Childress, Secretary Kintz, Member Barr, Member Becker and Member Torres

NAYS: None

MOTION CARRIED: (6-0)

*SECOND MOTION:* Keep seasonal decorations as written.

FIRST: Member Torres

SECOND: Member Becker

AYES: Member Torres, Member Becker, Chairperson Childress, Vice-Chairperson Chambliss, Secretary Kintz and Member Barr

NAYS: None

MOTION CARRIED: (6-0)

Chairperson Childress asked Member Barr how many stake signs were being picked up by City Staff.

Member Barr responded thirty to fifty per week.

The Committee held a discussion over stake signs.

*THIRD MOTION:* Recommend the following changes to Stake Sign, Item 4, Placement/setbacks:

- 1) In the second line, *replace* the word “or” with “but not”;  
and
- 2) In the second line, *delete* “(but not within public easements)”.

FIRST: Member Barr

SECOND: Vice-Chairperson Chambliss

AYES: Member Barr, Vice-Chairperson Chambliss, Chairperson Childress, Secretary Kintz, Member Becker and Member Torres

NAYS: None

MOTION CARRIED: (6-0)

The Committee made the following recommendations:

1. Section 21.09.006, *Definitions and regulations for specific types of signs:*

Stake sign. (4) Placement/setbacks: Can be located on private

property (with the property owner's permission) but not within public right-of-way; shall not be . . . . .

and

2. Section 21.09.016(p), *Signs advertising alcoholic beverages*:

Only one sign is allowed that advertises the sale of alcoholic beverages by use of the terms "beer" or "wine" or any combination thereof on the premises. The sign shall not exceed ten (10%) percent of the total allowable sign area on the premises. All signage shall be in compliance with the Texas Alcoholic Beverage Commission regulations. Product names or brands are not included in the calculation under this regulation.

Member Torres was tasked with providing a definition and regulations for a new type of sign, *yard sign*.

Secretary Kintz informed the Committee that the next meeting would be held on the following Tuesday evening, February 5<sup>th</sup>, which was their regular monthly meeting night of the first Tuesday night of each month.

**V. ADJOURNMENT**

MOTION: Adjourn the meeting at 7:40 p.m.

FIRST: Member Becker

SECOND: Chairperson Childress

AYES: Member Becker, Chairperson Childress, Vice-Chairperson Chambliss, Secretary Kintz, Member Barr, and Member Torres

NAYS: None

MOTION CARRIED: (6-0)

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**DENNIS CHILDRESS  
CHAIRPERSON**

**ATTEST:**

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**CINDY KINTZ, PLANNING TECHNICIAN  
SIGN ORDINANCE COMMITTEE SECRETARY**