



**MINUTES OF CITY COUNCIL  
WORK SESSION  
AUGUST 7, 2017**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, August 7, 2017, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Alexis Allen, City Attorney Robert Hager, Library Director Liz Gant, HR Director/Risk Manager Cindy Brown, Finance Director Patrick Harvey, and City Secretary Kandi Jackson.

**A. Discuss regular session agenda items**

**Consent Agenda-**

- 1. Consider approving City Council Meeting minutes for July 17, 2017 (City Secretary)**  
*No questions.*
- 2. A Resolution approving the Project Specific Agreement regarding reconstruction and overlay of Malloy Bridge Road, beginning at Cypress Street and ending at Cobb Road, Type "B" streets, made pursuant to Master Road and Bridge Interlocal Maintenance Agreement between Dallas County, Texas and City of Seagoville, Texas in an amount of Fourty-Seven Thousand Nine Hundred Fourteen Dollars (\$47,914.00); authorizing the City Manager to execute the agreement on behalf of the City of Seagoville; and providing an effective date. (Community Development)**

*Community Development Director Barr stated the Project Specific Agreement between Dallas County and the City of Seagoville is for repairs to Malloy Bridge Road beginning at Cypress Street and ending at Cobb Road.*

3. **A Resolution of the City Council of the City of Seagoville, Texas approving an addendum extending the term of the Interlocal Agreement with the North Central Texas Council of Governments for Emergency 911 System Service and Equipment, originally approved by the City in July, 2015; and authorizing the City Manager to execute the addendum on behalf of the city; and providing an effective date. (Police Chief)**

*Police Chief Calverley stated the Interlocal Agreement with North Central Texas Council of Governments is for Emergency 911 System Service and Equipment. He also stated this agreement will not expire until August 31, 2019.*

4. **Discuss and consider calling a public hearing on August 21, 2017 and August 28, 2017 to receive citizen input on the proposed FY 2017 – 2018 budget and Tax Rate. (Finance)**

*Finance Director Harvey stated City Council is required to call two (2) public hearing; this provides additional notification to the public of the public hearing dates.*

5. **Discuss and consider a Resolution approving the consent to assignment of Tax Abatement Agreement by and between the Seagoville WF, LLC, Crescent Valley, LLC and Tractor Supply Company; Authorizing the Mayor to execute said agreement; and providing an effective date (H.R. Director/Risk Manager)**

*HR Director/Risk Manager Brown stated in January 2016 the City of Seagoville executed a Tax Abatement Agreement for the Tractor Supply Company located at 190. S. Crestview in Seagoville. The Agreement was by and between Seagoville WF, LLC by HBC Interests, LLC and the City of Seagoville. Section 8.10 of the Agreement provides for the assignment of the tax abatement "upon written notice to the City." It goes on to say, "This Agreement may not be assigned without prior written consent of the City."*

*She also stated Seagoville WF, LLC has sold, transferred and conveyed the property that is the subject of the Tax Abatement to Crescent Valley, LLC and desires to assign the Tax Abatement to Crescent Valley. The Consent to Assignment of Tax Abatement Agreement, once executed by all parties, will satisfy the provisions Section 8.10.*

6. **An Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 9, Fuel Gas Code, Sections 21.02.451 and 21.02.452 to provide for the adoption of the International Fuel Gas Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**

- 7. An Ordinance of the City of Seagoville, Texas amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 8, Mechanical Code, Sections 21.02.401 and 21.02.402 to provide for the adoption of the International Mechanical Code, 2018 Edition; and to provide for the exceptions and amendments to thereto providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**
- 8. An Ordinance of the City of Seagoville, Texas amending the Code of Ordinances of the City of Seagoville, Texas by amending Chapter 21, Article 21.02, "Technical and Construction Codes and Standards", by adopting Division 11, "Existing Building Code", Sections 21.01.551 and Section 21.01.552, to provide for the adoption of International Existing Building Code, 2018 Edition, and to provide for the exceptions and amendments thereto; providing a penalty clause and providing for an effective date (Community Development)**
- 9. An Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, "Technical and Construction Codes and Standards," Division 7, "Swimming Pool and Spa Code, Sections 21.02.351 and 21.02.352 to provide for the adoption of the International Swimming Pool and Spa Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**
- 10. An Ordinance of the City of Seagoville, Texas, Amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 10, Property Maintenance Code, Sections 21.02.501 and 21.02.504 to provide for the adoption of the International Property Maintenance Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**
- 11. An Ordinance of the City of Seagoville, Texas, Amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 2, Building Code, Sections 21.02.051 and 21.02.052 to provide for the adoption of the International Building Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**

- 12. An Ordinance of the City of Seagoville, Texas, Amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 4, Energy Conservation Code, Sections 21.02.151 and 21.02.152 to provide for the adoption of the International Energy Conservation Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**
- 13. An Ordinance of the City of Seagoville, Texas, Amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 3, Residential Code, Sections 21.02.101 and 21.02.102 to provide for the adoption of the International Residential Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**
- 14. An Ordinance of the City of Seagoville, Texas, Amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 6, Plumbing Code, Sections 21.02.301 and 21.02.302 to provide for the adoption of the International Plumbing Code, 2018 Edition; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development)**

*City Manager Stallings stated items 6-14 are the International Building Codes and will be pulled from the agenda. They will come back to Council after North Central Texas Council of Governments (NCTCOG) has reviewed them and issued amendments.*

*In response to a question by Councilmember Hernandez, City Manager Pat Stallings stated when the International Building Codes are brought back to Council more detail will be provided.*

**Regular Agenda-****15. Consider accepting resignation of a member from Planning & Zoning and Keep Seagoville Beautiful; and, conduct interviews with all Board & Commission applicants. City Secretary)**

*City Secretary Jackson stated it is the desire of Alexandria Perez to resign her positions on the Planning & Zoning Commission (Place 4) and Keep Seagoville Beautiful Commission (Place 7) effective August 20, 2017.*

*She also stated there are four applicants for Board & Commission Appointments; one for Planning & Zoning, three for Parks & Recreation. There is one vacancy on the Planning & Zoning Commission due to the resignation of Place 4 – Alexandria Perez. There are six (6) vacancies on the Parks & Recreation Commission; places 1-5 and 7.*

**16. Conduct the first public hearing to receive input on the proposed annexation of approximately 7,277± feet in length and 80' in width of the recorded public right-of-way of East Malloy Bridge Road, located in Kaufman County, Texas, beginning at its intersection with the northern boundary line of territorial limits of the City of Seagoville, and running north/northeast to its intersection with the southern boundary line of the territorial limits of the City of Seagoville. (HR Director/Risk Manager)**

*HR Director/Risk Manager Brown stated the City proposes to institute annexation proceedings to annex the portion of East Malloy Bridge Road currently owned by Kaufman County, which abuts, is contiguous to and connects the boundary limits to the City of Seagoville. This strip of roadway falls between where the City of Seagoville City Limits ends on East Malloy Bridge Road and then picks up again on East Malloy Bridge Road. This area seems to be in constant need of repair and the City regularly receives phone calls concerning the same, many alleging damage to their vehicles and desiring to file a claim against the City. Based on the excessive number of calls, the City Manager reached out to Kaufman County Commissioner Jakie Allen concerning the annexation of the same.*

*She stated on or about June 26, 2017, this matter was placed on the Kaufman County Commissioners' Court agenda. A letter was received from Kaufman County Judge Bruce Wood indicating the County's desire for the City to proceed with the annexation proceedings.*

*She also stated the City began to gather the information for the property owners located within 200' of the area, establish hearing dates, and preparing the Notice of Public Hearings for the Proposed Annexation. In accordance with State law, said Notice was published in the official newspaper and also sent to seven (7) property owners located within 200' of the area.*

*(City Attorney Hager arrived at 6:41 p.m.)*

17. **Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the terms and conditions of the Rights-of-Way Agreement by and between the City of Seagoville and Mobilitie, LLC, which is attached hereto and incorporated herein as Exhibit A, and authorizing the City Manager to execute said agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development)**
  
18. **Discuss and Consider approving an Ordinance of the City Council of the City of Seagoville, Texas adopting a Right-of-Way Management Ordinance to the City Code of Ordinances; establishing regulations for construction, placement, and excavation in rights-of-way and public easements; amending the Master Fee Schedule to adopt fees for the administration of the Right-of-Way Management Ordinance; amending or repealing conflicting Ordinances; providing a severability clause; providing a savings/repealing clause; providing for a penalty of fine; providing an effective date; and providing for the publication of the caption hereof. (Community Development)**
  
19. **An Ordinance of the City of Seagoville, Texas, adopting the City of Seagoville Design Manual for the installation of nodes and node support poles in the city rights-of-way, pursuant to Texas Local Government Code Chapter 284; and designating design districts for the installation of nodes and nodes support poles, to be designated therein; providing a repealing clause; providing a severability clause; and providing an effective date (Community Development)**

*City Manager Pat Stallings stated Items 17, 18, and 19 will be discussed in Regular Council Meeting after the Executive Session.*

*Community Development Director Barr stated (Item #17) Mobilitie is a company that desires to enter into an agreement to place a wireless node on a pole in the right-of-way in the City of Seagoville. The node is for 5G network.*

*City Attorney Allen stated Items 17, 18, and 19 are tied together. She stated during the past Legislative Session the Legislature adopted some provisions regulating the ability of cities to regulate the installation of this equipment into public right-of-ways and will go into effect on September 1, 2017. The only way to regulate the equipment, other than the state law, is through the right of way management Ordinance and a Design Manual.*

*In response to a question from Councilmember Magill, City Attorney Allen stated the nodes are used to facilitate broadband usage.*

- 20. A Resolution of the City of Seagoville, Texas, approving the terms and conditions, and authorizing the City Manager to execute a Master Interlocal Agreement by and between Dallas County and City of Seagoville for the purpose of transportation improvements on roads inside Dallas County; providing for a repeal of any and all Resolutions in conflict; providing a severability clause; and providing an effective date (Community Development)**

*Community Development Director Barr stated this agreement is between Dallas County and the City of Seagoville for transportation improvements on roads inside Dallas County.*

*He also stated this Master Interlocal Agreement will not expire until December 30, 2022.*

- 21. A Resolution of the City of Seagoville, Texas, accepting the Certified Tax Roll of Dallas and Kaufman County Appraisal Districts, and providing an effective date (Finance)**

*Finance Director Harvey stated Dallas County Appraisal District has provided a certified appraisal roll of \$604,748,760. Kaufman County has provided a certified appraisal roll of \$2,782,281. These appraisal rolls are utilized as a basis for computing property tax revenue the upcoming budget year.*

- 22. A Resolution of the City Council of the City of Seagoville, Texas, accepting the proposed property Tax Rate for Fiscal Year 2017-2018; accepting the calculation of the Effective Tax Rate; and providing for the publication as provided by the Texas Property Tax Code, and providing an effective date (Finance)**

*Finance Director Harvey stated the City of Seagoville's **current** tax rate was adopted in 2016 at \$0.743800 per hundred dollar taxable valuation. The FY 2016 adopted tax rate is inclusive of Operations and Maintenance tax of \$0.707498 and a Debt Service rate of \$0.036302.*

*He stated for FY 2018, the City of Seagoville proposes to maintain the tax rate at the current level of \$0.743800. This recommended rate is less than the 2018 rollback tax rate of \$0.800024 as calculated by John R. Ames, Dallas County Tax Assessor-Collector.*

*He also stated the rates will be published in the Daily Commercial Record as required by State Law. Under Section 26.05(d) of the Property Tax Code of the State of Texas, since the City of Seagoville is proposing a tax increase, defined as an increase over the lowest of the effective or rollback rate, the City must have two public hearings. The public hearings are scheduled for August 21, 2017 and August 28, 2017. The tax rate is scheduled for adoption on September 11, 2017.*

**23. Direct staff concerning September 04, 2017 Council Meeting (City Secretary)**

*City Secretary Jackson stated the first Regular Council Meeting scheduled in the month of September falls on the Labor Day Holiday, September 4, 2017. After considering the requirements and deadlines for the FY 2017-2018 budget, Staff would like to reschedule the first Regular Council Meeting for the month of September on the 11<sup>th</sup>.*

**Adjourned at 6:58 p.m.**

**APPROVED:**



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Mayor Dennis K. Childress

**ATTEST:**

  
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Kandi Jackson, City Secretary