



**MINUTES OF CITY COUNCIL
REGULAR SESSION
JULY 2, 2018**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:15 p.m. on Monday, July 2, 2018, 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, Police Captain Steve Davis, Police Support Services Manager Christine Wirth, Library Director Liz Gant, Community Development Director Ladis Barr, City Attorney Alexis Allen, Fire Chief Todd Gilcrease, Water Utilities Director Phil DeChant, Asst. Water Utilities Director Chris Ryan, Finance Director Patrick Harvey, Senior Finance Account Gail Lawrence, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Mayor Childress.*

Pledge of Allegiance – *Pledge of Allegiance was led by Mayor Childress.*

Mayor's Report – *None.*

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

Martin Ashley at 1702 Parkhaven Dr. shared a few issues with streets in his neighborhood.

CONSENT AGENDA- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

1. Consider approving City Council Meeting minutes for June 18, 2018 (City Secretary)

- 2. Consider a Resolution of the City of Seagoville, Texas, declaring certain City property surplus and authorizing the City Manager to sell, trade, and/or dispose of it in accordance with the process established in the Code of Ordinances; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Department)**

Motion to approve Consent Agenda as read – Magill, seconded by Epps; motion passed with all ayes. 5/0

REGULAR AGENDA-

- 3. General Fund Budget Review (Finance Director)**

Finance Director Harvey presented the General Fund Budget Review.

- 4. First reading of a Resolution No. 25-R-2018 approving an Economic Development Grant from Seagoville Economic Development Corporation to KH, LLC d/b/a Kelly Harris Company, in the amount of \$108,000, to offset the purchase price, for the sale of the property owned by the Seagoville Economic Development Corporation and located at 1920 N. U.S. Highway 175, Seagoville, Texas (City Manager)**

Director of Administrative Services Brown stated this is the first reading of Resolution No. 25-R-2018 approving an Economic Development Grant from Seagoville Economic Development Corporation to KH, LLC d/b/a Kelly Harris Company, in the amount of \$108,000, to offset the purchase price, for the sale of the property owned by the Seagoville Economic Development Corporation and located at 1920 N. U.S. Highway 175, Seagoville, Texas.

City Attorney Allen read the Resolution in its entirety into record.

- 5. Conduct a public hearing to discuss a zoning request to amend the existing Planned Development (PD-13-A1) zoning to increase the number and type of permitted uses within the Planned Development on 114 acres on the north side of U.S. Highway 175 westbound service road between F.M. 1389 and Martin Lane (Community Development)**

(Councilmember Fruin recused himself at 7:30 p.m.)

Mayor Childress opened the public hearing at 7:30 p.m.

No one spoke for or against.

Mayor Childress closed the public hearing at 7:31 p.m.

6. **Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas, amending the comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas as heretofore amended, by granting a change in zoning from Planned Development-13-01-Amended 1 (PD-13-01-A1) to Planned Development-13-01-Amended 2 (PD-13-01-A2) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development)**

Motion to approve an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas, amending the comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas as heretofore amended, by granting a change in zoning from Planned Development-13-01-Amended 1 (PD-13-01-A1) to Planned Development-13-01-Amended 2 (PD-13-01-A2) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described at lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date – Magill, seconded by Howard.

Councilmember Hernandez stated a Concept Plan has not been submitted and without a Concept Plan anything can be done in the addition.

Councilmember Howard rescinded his second and Councilmember Magill rescinded his motion.

After some discussion City Manager Stallings stated Staff would work with Mr. Sudduth to development more detail and bring a Concept Plan back that Council would be comfortable evaluating.

Applicant Brandon Baker at 7252 County Road 277, Kaufman, TX. stated the goal was to prevent amendments to the Planned Development each time they wanted to make a change to the addition. He stated while trying to prevent several amendments to the Planned Development they submitted as many uses as possible but he understands how that has caused confusion.

Motion to table Agenda Item #6 to develop a Concept Plan – Hernandez, seconded by Howard; motion passed with all ayes. 4/0

(Councilmember Fruin returned at 7:44 p.m.)

7. **Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ordering a Special Election to be held on November 6, 2018 to consider proposed amendments to the Seagoville Home Rule City Charter; providing for the Joint Election Agreement; providing for Election Judge; providing for early voting; providing for the canvass of votes; and providing an effective date (City Secretary)**

Resolucion Del Ayuntamiento de la ciudad de Seagoville, Texas, a ordenado que se realize una eleccion especial del 06 de Noviembre de 2018 para considerar una propuestas de enmiendas a la carte de inicio de regla de ciudad de Seagoville; prever el acuerdo conjunta electoral; prever para el juez de eleccion; prever para la votacion anticipada; prever para propragar los votos; y proporcionar una fecha efectiva

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, ordering a Special Election to be held on November 6, 2018 to consider proposed amendments to the Seagoville Home Rule City Charter; providing for the Joint Election Agreement; providing for Election Judge; providing for early voting; providing for the canvass of votes; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 5/0

8. **Discuss overnight parking at Malloy Bridge Road and the Eastbound Service Road at Valero (Councilmember Fruin)**

Councilmember Fruin created a drawing and explain his concern about parking at Malloy Bridge Road and the Eastbound Service Road at Valero.

In response to a question by City Manager Stallings, City Attorney Allen stated under the City Ordinance the Fire Marshal has the authority to tow vehicles that are obstructing the fire lane and it would be a stretch for the City be found liable for the product on the trucks.

9. **Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas ratifying a Seagoville Economic Development Resolution approving a project agreement between Seagoville Economic Development Corporation and the City of Seagoville for the purchase and installation of twenty (20) decorative pole lights around the walking trail at C.O. Bruce Park, 1801 N. Highway 175, Seagoville, Texas, in an amount not to exceed Eighty Eight Thousand Nine Hundred Dollars and no cents (\$88,900.00); providing for repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

Community Development Director Barr stated there are currently eleven (11) lights at C.O. Bruce Park that are approximately twenty (20) to twenty-five (25) years in age and owned by Oncor. Two (2) lights are in the pond due to the soil around the pond sloughing away. He stated Oncor was contacted and the two (2) lights that are in the pond were disconnected. He also stated all of the lights are connected underground and Oncor advised they could not remove the two (2) lights from the pond without disconnecting and removing the remaining lights.

He also stated this price includes the installation of the new lights which will make safer conditions at the park.

Mayor Childress asked if this includes the removal of Oncor's lights. Community Development Director Barr stated at this time Staff is working with Oncor concerning the removal of their lights.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas ratifying a Seagoville Economic Development Resolution approving a project agreement between Seagoville Economic Development Corporation and the City of Seagoville for the purchase and installation of twenty (20) decorative pole lights around the walking trail at C.O. Bruce Park, 1801 N. Highway 175, Seagoville, Texas, in an amount not to exceed Eighty Eight Thousand Nine Hundred Dollars and no cents (\$88,900.00); providing for repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

- 10. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying a Seagoville Economic Development Resolution approving a project agreement between Seagoville Economic Development Corporation and the City of Seagoville for the purchase and installation of scoreboards, wireless remotes and internal batteries for wireless remotes to be located at Bearden Park, 500 May Road, Seagoville, Texas, and C.O. Bruce Park, 1801 N. Highway 175, Seagoville, Texas, in an amount not to exceed Fifty-Three Thousand Five Hundred Forty-Four Dollars and Ninety Cents (\$53,544.90); providing a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

Community Development Director Barr stated the scoreboards at Bearden Park and C.O. Bruce are antiquated and therefore, are no longer supported by the manufacturer. He also stated this price includes installation of the scoreboards.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, ratifying a Seagoville Economic Development Resolution approving a project agreement between Seagoville Economic Development Corporation and the City of Seagoville for the purchase and installation of scoreboards, wireless remotes and internal batteries for wireless remotes to be located at Bearden Park, 500 May Road, Seagoville, Texas, and C.O. Bruce Park, 1801 N. Highway 175, Seagoville, Texas in an amount not to exceed Fifty-Three Thousand Five Hundred Forty-Four Dollars and Ninety Cents (\$53,544.90); providing a repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

- 11. Second reading, and consider approval of, Resolution No. 25-R-2018 approving an Economic Development Grant from the Seagoville Economic Development Corporation to KH, LLC d/b/a Kelly Harris Company, in the amount of \$108,000, to offset the purchase price, for the sale of the property owned by the Seagoville Economic Development Corporation and located at 1920 N. U.S. Highway 175, Seagoville, Texas (City Manager)**

City Attorney Allen read Resolution No. 25-R-2018 in its entirety into record.

Motion to approve Resolution No. 25-R-2018 approving an Economic Development Grant from the Seagoville Economic Development Corporation to KH, LLC d/b/a Kelly Harris Company, in the amount of \$108,000, to offset the purchase price, for the sale of the property owned by the Seagoville Economic Development Corporation and located at 1920 N. U.S. Highway 175, Seagoville, Texas- Magill.

City Attorney Allen stated Seagoville Economic Development Corporation made the following changes: the term of the agreement was changed from five (5) years to three (3) years, authorized an amendment to allow for retail or restaurant uses, not requiring that it be both retail and restaurant uses, and adding partner Allen National Investments is also included as a partner on the agreement, and to allow thirty (30) business days from the commencement date to have construction plans submitted to the City.

Councilmember Magill stated he would like his motion to include the alterations and amendments that were stated by City Attorney Allen. Seconded by Councilmember Howard; motion passed with all ayes. 5/0

- 12. Discuss and consider approval of a Resolution of the City of Seagoville, Texas authorizing the City Manager to execute a Project Specific Agreement regarding Malloy Bridge Road, a Type “B” public roadway, made pursuant to Master Road and Bridge Interlocal Maintenance Agreement between the City of Seagoville and Dallas County in an amount not to exceed Seventy-Six Thousand, Six Hundred Fifty-Nine Dollars and Fifty Cents (\$76, 659.50); and providing an effective date (Community Development)**

Motion to approve a Resolution of the City of Seagoville, Texas authorizing the City Manager to execute a Project Specific Agreement regarding Malloy Bridge Road, a Type “B” public roadway, made pursuant to Master Road and Bridge Interlocal Maintenance Agreement between the City of Seagoville and Dallas County in an amount not to exceed Seventy-Six Thousand, Six Hundred Fifty-Nine Dollars and Fifty Cents (\$76,659.50); and providing an effective date – Epps, seconded by Howard; motion passed with all ayes. 5/0

- 13. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**

None

14. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

Councilmember Hernandez recommended extending the area of the no parking at U.S. Highway 175. He also stated he would like to consider a dog park.

Councilmember Magill stated he would like a discussion on the Ordinance concerning the size of garages that developers provide.

15. Recess into Executive Session at 8:18 p.m.

Recess into Executive Session in compliance with Texas Government Code:

- A. § 551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “Project Cake.”
- B. §551.075. Deliberation regarding the purchase, exchange, lease, or value of real property located on Simonds Road

16. Reconvene Into Regular Session at 8:48 p.m.

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

No action taken.

Adjourned at 8:48 p.m.

APPROVED:



Mayor Dennis K. Childress

ATTEST:

Kandi Jackson
Kandi Jackson, City Secretary

