



**MINUTES OF CITY COUNCIL
JOINT SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION
OCTOBER 15, 2018**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, October 15, 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	
Jose Hernandez	Board Chair	
Stepper Sebastian	Board Vice-Chair	Absent
Barbara Sherman	Board Member	
Martin Ashley	Board Member	
Howard Sanders	Board Member	
Harold Magill	Board Member	
Alvin Ross	Board Member	

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Library Director Liz Gant, Community Development Director Ladis Barr, City Attorney Alexis Allen, Fire Chief Todd Gilcrease, Finance Director Patrick Harvey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

City Council Call to Order at 7:00 p.m.

SEDC Call to Order at 7:00 p.m.

Invocation – *Invocation was led by Dr. Don Cole.*

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

1. Consider approval of a budget amendment for the fiscal year ended September 30, 2019 (SEDC-Finance Director)

Finance Director Harvey explained the Seagoville Economic Development Corporation has been utilizing City Staff for human resource services and clerical support services. He also stated the City has approached the Seagoville Economic Development Corporation (SEC) concerning remuneration.

Motion to approve a budget amendment for the fiscal year ended September 30, 2019 – Magill, seconded by Ashley; motion passed with all ayes. 6/0

2. Discussion with and presentation from Mr. Justin Thompson of Site Location Partnership (SLP) concerning proposed custom contract services for the Seagoville Economic Development Corporation

Mr. Justin Thompson of Site Location Partnership (SLP) presented custom contract services for the Seagoville Economic Development Corporation.

After some discussion, City Manager Stallings stated Site Location Partnership would be brought back to the Seagoville Economic Development Corporation (SEDC) and if approved, will be brought back to the City Council at a later date.

3. Discuss and consider a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment "1", and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation ("SEDC") and Charlotte Lee Taylor ("Taylor"), attached hereto as Attachment "2" and the exhibits thereto; authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Attorney & City Manager)

City Manager Stallings stated this project is a property transaction that will provide property to build a second Fire Station. He also stated in order to avoid any mistakes the City Attorney will lead everyone through the process.

City Attorney Allen stated the City of Seagoville will convey a piece of property to the Seagoville Economic Development Corporation (SEDC). The SEDC will convey the same property to Ms. Taylor. Ms. Taylor will convey a separate piece of property to the City of Seagoville which will be used to build a second Fire Station. She also stated the SEDC will not incur any costs.

Motion to approve a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment "1", and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation ("SEDC") and Charlotte Lee Taylor ("Taylor"), attached hereto as Attachment "2" and the exhibits thereto: authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a severability clause; and providing an effective date – Magill, seconded by Sherman; motion passed with all ayes. 6/0

Motion to approve a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment "1", and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation ("SEDC") and Charlotte Lee Taylor ("Taylor"), attached hereto as Attachment "2" and the exhibits thereto: authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Howard; motion passed with all ayes. 5/0

4. Discuss and consider a Resolution approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville ("City") and the Seagoville Economic Development Corporation ("SEDC"), attached hereto as Attachment "1" and the exhibits thereto; approving an Exchange Agreement between the SEDC and Charlotte Taylor, attached hereto as Attachment "2"; and approving the Exchange Agreement between Charlotte Lee Taylor and the City of Seagoville, attached hereto as Attachment "3"; authorizing the Mayor to execute the Agreements on behalf of the City; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Attorney & City Manager)

Motion to approve a Resolution approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville ("City") and the Seagoville Economic Development Corporation ("SEDC"), attached hereto as Attachment "1" and the exhibits thereto; approving an Exchange Agreement between the SEDC and Charlotte Taylor, attached hereto as Attachment "2"; and approving the Exchange Agreement between Charlotte Lee Taylor and the City of Seagoville, attached hereto as Attachment "3"; authorizing the Mayor to execute the Agreements on behalf of the City; providing for a repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Epps; motion passed with all ayes. 5/0

SEDC Adjourn at 7:46 p.m.

Mayor's Report – *Mayor Childress requested Police Chief Calverley provide a report of a situation that occurred on Wednesday, October 3, 2018.*

Police Chief Calverley stated there was a situation on Wednesday, October 3, 2018 involving a juvenile and a replica gun. He explained the situation was concluded without injuries to the juvenile due to the excellent work of Police Officers on scene. He also stated the replica gun looks exactly like a duty weapon but is an airsoft gun and he provided photos of the gun to Council Members.

Mayor Pro Tem Epps stated, "With that said Chief, I would like to say that is very commendable because this day and time a lot of cops don't have time to think about stuff like that. It could have been a lot worse provided the stuff that is going on this day and age. I speak for myself, I appreciate the way you all handled that." He asked "This was also a black male, right?" Police Chief Calverley stated, "Yes, sir."

Mayor Childress stated the restraint displayed during this situation was extraordinary. He also stated he wanted to congratulate Police Chief Calverley and all of the Seagoville Police Department by extending a hand of praise.

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.*

None.

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

5. Consider approving City Council Meeting minutes for October 1, 2018 (City Secretary)

6. Consider approving a Resolution designating the Daily Commercial Record as the City of Seagoville official newspaper (City Secretary)

Councilmember Magill asked how the Newspaper is distributed. City Secretary Jackson stated is online as well as delivery with a subscription.

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

REGULAR AGENDA-

7. Consider ratifying the SEDC Board approval of a budget amendment for the fiscal year ended September 30, 2019 (Finance Director)

Motion to approve ratifying the SEDC Board approval of a budget amendment for the fiscal year ended September 30, 2019 – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

8. Conduct a public hearing on a zoning request Z2018-19 to change the zoning on about 0.4-acres at 209 and 211 Avenue B (also known as all of Lot 17 & part of Lot 18 Block A of Shady Grove Estates 3rd Inst. Addition) from the R-5, Residential Single Family, zoning district to the LR, Local Retail, zoning district (Community Development Director)

Mayor Childress opened the public hearing at 8:00 p.m.

Donna Martin at 301 Ave C stated she is against the change in zoning because it will change the quiet neighborhood. She also requested should the rezone be approved, could the retail entrance and exit be located on the service road and not a neighborhood road.

Jack Wilson, the property owner, recited the history of the property and stated these pieces of property are the only parcels that are not zoned commercial or local retail in that area. He also stated the zone change would be beneficial for all citizens.

Mayor Childress closed the public hearing at 8:06 p.m.

9. Discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from the R-5, Residential Single Family, zoning district to the LR, Local Retail, on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as all of Lot 17 & part of Lot 18 Block A of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in attached Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for 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 Director)

Councilmember Hernandez asked Community Development Director Barr would Texas Department of Transportation (TxDOT) require or approve the entrance and exit to local retail from the service road. Community Development Director Barr stated it would be a decision made by TxDOT but it normally requires a two hundred and fifty (250) foot separation.

After some discussion, motion to approve an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from the R-5, Residential Single Family, zoning district to the LR, Local Retail, on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as all of Lot 17 & part of Lot 18 Block A of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in attached Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date – Fruin, seconded by Howard; motion passed 4/1 (For: Howard, Magill, Fruin, and Epps; Against: Hernandez)

10. Conduct a public hearing on a zoning request Z2018-20 to change the zoning on about 0.7-acres at 208, 210, and 212 Avenue B (also known as all of Lots 8 & 9 and part of Lot 9-A Block B of the Shady Grove Estate 3rd Inst. Addition) from the R-5, Residential Single Family, zoning district to the LR, Local Retail, zoning district (Community Development Director)

Mayor Childress opened the public hearing at 8:14 p.m.

City Secretary Jackson stated she would copy the citizen's comments from the public hearing on Agenda Item #8 to Agenda Item # 10.

Donna Martin at 301 Ave C stated she is against the change in zoning because it will change the quiet neighborhood. She also requested should the rezone be approved, could the retail entrance and exit be located on the service road and not a neighborhood road.

Jack Wilson, the property owner, recited the history of the property and stated these pieces of property are the only parcels that are not zoned commercial or local retail in that area. He also stated the zone change would be beneficial for all citizens.

Mayor Childress closed the public hearing at 8:15 p.m.

11. Discuss and consider an ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from the R-5, Residential Single Family, zoning district to the LR, Local Retail, on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 & Lot 9-A Block B of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210, and 212 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for 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 Director)

Motion to approve an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas as heretofore amended, by granting a change in zoning from the R-5, Residential Single Family, zoning district to the LR, Local Retail, on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 & Lot 9-A Block B of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210, and 212 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date – Fruin, seconded by Hernandez; motion passed with 4/1. (For: Hernandez, Magill, Fruin, and Epps; Against: Howard)

12. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to purchase a 41' pre-lit Christmas Tree, in an amount not to exceed Fifty Three Thousand Seven Hundred Seventy Dollars and No Cents (\$53,770.00), providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development Director)

Community Development Director stated this Resolution will allow the Staff to purchase a new Christmas Tree for C.O. Bruce Park. He stated the current Christmas Tree is approximately ten (10) years old and is damaged. He also stated Staff researched the option of leasing a Christmas and it is more economical to purchase a Christmas Tree.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to purchase a 41' pre-lit Christmas Tree, in an amount not to exceed Fifty-Three Thousand Seven Hundred Seventy Dollars and No Cents (\$53,770.00), providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Fruin; motion failed. 2/3 (For: Epps and Fruin; Against: Howard, Hernandez, and Magill)

13. Approval of a Resolution for the purchase of a 2019 Chevrolet Tahoe with all required emergency equipment, communication equipment, departmental graphics, black and white paint, camera system, and all other accessories, total cost of Sixty Seven Thousand, Eight Hundred Eighty Two Dollars and Fifteen cents (\$67,882.15); authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Police Chief)

Motion to approve a Resolution for the purchase of a 2019 Chevrolet Tahoe with all required emergency equipment, communication equipment, departmental graphics, black and white paint, camera system, and all other accessories, total cost of Sixty-Seven Thousand, Eight Hundred Eighty Two Dollars and Fifteen Cents (\$67,882.15); authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Hernandez, seconded by Fruin; motion passed with all ayes. 5/0

14. Discuss and consider approving a Resolution of the City of Seagoville, Texas authorizing the purchase of a 2019 Ford Interceptor SUV Police vehicle for an amount not to exceed Thirty Nine Thousand Seven Hundred Ninety Four Dollars and No Cents (\$39,794.00) purchased from Five Star Ford; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date (Police Chief)

Motion to approve a Resolution of the City of Seagoville, Texas authorizing the purchase of a 2019 Ford Interceptor SUV Police vehicle for an amount not to exceed Thirty-Nine Thousand Seven Hundred Ninety Four Dollars and No Cents (\$39,794.00) purchased from Five Star Ford; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes 5/0

(Mayor Childress called for a five (5) minute recess at 8:28 p.m.)

(Reconvened at 8:35 p.m.)

15. Discuss side yard setbacks (Councilmember Magill)

Councilmember Magill stated he requested this item on the Agenda because the minimum side yard setbacks on some lots are not large enough. He stated some residents have trouble with carports and other various items due to the minimum side yard setbacks being too small. He also stated he would like to see all minimum side yard setbacks the same for all areas.

After some discussion, Council directed Staff return to with recommendations.

16. Receive Councilmember Reports/Items of Community Interest – as authorized by Section 551.0415 of the Texas Government Code.

Councilmember Magill stated Seagoville Road is looking great.

Councilmember Howard stated he agrees that Seagoville Road is looking great.

17. 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 Howard stated some residence are storing trash cans in front of their houses instead of storing them on side of the house.

18. Recessed into Executive Session at 8:48 p.m.

Recess into Executive Session in compliance with Texas Government Code:

(A)§ 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Water Utilities Employees

19. Reconvene into Regular Session at 8:55 p.m.

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

No action taken.

City Council Adjourned at 8:55 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

