



**MINUTES OF CITY COUNCIL
REGULAR SESSION
SEPTEMBER 16, 2019**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, September 16, 2019, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

Dennis Childress	Mayor	Absent
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, Library Director Liz Gant, Community Development Director Ladis Barr, Sergeant Andrew Sparrow, City Attorney Victoria Thomas, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Councilmember Magill.*

Pledge of Allegiance – *Pledge of Allegiance was led by Mayor Pro Tem Epps.*

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.*

Billy Chasteen at 732 Jack St., Seagoville, Texas, stated Four Thousand Four Hundred Seventy-Three Dollars and Eighty-Four Cents (\$4473.84) was raised at the Back to School Bash this year. He stated Two Thousand Nine Hundred Ninety-Nine Dollars and Seventy-Eight Cents (\$2999.78) was spent on school supplies and Wal-Mart donated \$300.00 dollars. He also stated a truck full of school supplies was donated.

Jeremy Boss at 835 W. 8th St., Dallas, Texas, stated his concern about abused dogs and dead dogs being dumped in the City of Seagoville.

Karl Boss at 2701 Old Farm Dr., Seagoville, Texas expressed his concern of dead dogs being dumped in the City of Seagoville.

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

1. Discuss and consider approval of a Resolution of the City of Seagoville, Texas, authorizing the Mayor to execute the Dallas Area Household Hazardous Waste Network Interlocal Agreement Amendment No. 2 between the City of Seagoville and Dallas County, from October 1, 2019 until September 30, 2020; and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City of Seagoville, Texas, authorizing the Mayor to execute the Dallas Area Household Hazardous Waste Network Interlocal Agreement Amendment No. 2 between the City of Seagoville and Dallas County, from October 1, 2019 until September 30, 2020; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 4/0

REGULAR AGENDA-

2. Conduct a public hearing to discuss a zoning change from “PD-R-5” Planned Development – Residential 5 to “PD-R-5-SUP” Planned Development – Residential 5 with a Special Use Permit, which shall expire on March 13, 2020, to allow for a Temporary Batch Plant, on approximately 1.5+ acres being Lots 21 through 32, Block J, of the Seagoville Farms Subdivision located on the south side of East Farmers Road between Simonds Road and Alto Road (Community Development Director)

Mayor Pro Tem Epps opened the public hearing at 7:11 p.m.

No one spoke for or against.

Mayor Pro Tem Epps closed the public hearing at 7:11 p.m.

3. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance, as amended by changing the zoning from “PD-R-5” Planned Development – Residential 5 to “PD-R-5-SUP” Planned Development – Residential 5 with a Special Use Permit, which shall expire on March 13, 2020, to allow for a Temporary Batch Plant, on approximately 1.5+ acres being Lots 21 through 32, Block J, of the Seagoville Farms Subdivision located on the south side of East Farmers Road between Simonds Road and Alto Road, in the City of Seagoville, Texas; providing for special conditions; providing for an approved site plan which is attached hereto and incorporated herein as Exhibit “A”; providing for the repeal of all Ordinances in conflict; 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, Texas, amending the Comprehensive Zoning Ordinance, as amended by changing the zoning from “PD-R-5” Planned Development – Residential 5 to “PD-R-5-SUP” Planned Development – Residential 5 with a Special Use Permit, which shall expire on March 13, 2020, to allow for a Temporary Batch Plant, on approximately 1.5+ acres being Lots 21 through 32, Block J, of the Seagoville Farms Subdivision located on the south side of East Farmers Road between Simonds Road and Alto Road, in the City of Seagoville, Texas; providing for special conditions; providing for an approved site plan which is attached hereto and incorporated herein as Exhibit “A”; providing for the repeal of all Ordinances in conflict; 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 – Magill, seconded by Hernandez; motion passed with all ayes. 4/0

4. Conduct a public hearing on a request to amend from Planned Development-Ord 500 (PD-Ord 500) to Planned Development-19-01 Amended (PD-19-01A1) to provide for the construction of fire station on approximately 5.5+ acres located on the north side of East Simonds Road at its intersection with East Farmers Road (Community Development Director)

Mayor Pro Tem Epps opened the public hearing at 7:13 p.m.

Halff Associates, Inc., Project Manager Alan Lafon stated this is the last process of the rezoning for the Fire Station property and he is here to answer any questions.

Mayor Pro Tem Epps closed the public hearing at 7:14 p.m.

5. Discuss and consider approving an Ordinance of the City of Seagoville, 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 Planned Development-Ord 500 (PD-Ord 500) to Planned Development-19-01 Amended (PD-19-01A1) to provide for the construction of fire station on approximately 5.5+ acres located on the north side of East Simonds Road at its intersection with East Farmers Road, Seagoville, Dallas County, Texas, and being legally described and depicted 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 Director)

Motion to approve an Ordinance of the City of Seagoville, 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 Planned Development-Ord 500 (PD-Ord 500) to Planned Development-19-01 Amended (PD-19-01A1) to provide for the construction of fire station on approximately 5.5+ acres located on the north side of East Simonds Road at its intersection with East Farmers Road, Seagoville, Dallas County, Texas, and being legally described and depicted 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 Hernandez; motion passed with all ayes. 4/0

6. Conduct a public hearing on an amendment to the City of Seagoville Zoning Ordinance, Division 15. Local Retail District Regulations, Section 25.02.351, “Use Regulations”, and Division 26, Special Uses, Section 25.02.631, “Uses which may be authorized by Ordinance”, by repealing the size reference contained therein for a grocery store, restaurant, and convenience store/mini mart (Community Development Director)

Mayor Pro Tem Epps opened the public hearing at 7:16 p.m.

No one spoke for or against.

Mayor Pro Tem Epps closed the public hearing at 7:16 p.m.

7. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances, Chapter 25, "Zoning", Article 25.02, "Zoning Ordinance", by amending Division 15, "LR - Local Retail District Regulations", Section 25.02.351, "Use Regulations", and Division 26, "Special Uses", Section 25.02.631, "uses which may be authorized by Ordinance", providing a penalty clause; providing a severability clause; providing a repealing clause; and providing an effective date (Community Development Director)

Councilmember Hernandez asked what is the difference between a grocery store and a convenience store. Community Development Director Barr stated a convenience store consists of prepackaged items and off-site consumption. Councilmember Hernandez stated he was concerned about a loophole for convenience stores to be called a grocery store. Community Development Director Barr stated the Ordinance has definitions for grocery stores and convenience stores.

Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances, Chapter 25, "Zoning", Article 25.02, "Zoning Ordinance", by amending Division 15, "LR - Local Retail District Regulations", Section 25.02.351, "Use Regulations", and Division 26, "Special Uses", Section 25.02.631, "uses which may be authorized by Ordinance", providing a penalty clause; providing a severability clause; providing a repealing clause; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 4/0

8. Discuss and consider an Ordinance of the City Council of the City of Seagoville, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2019 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached Exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached Exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel (Director of Administrative Services)

Mayor Pro Tem Epps stated Agenda Item #8 has been pulled.

9. Receive a presentation concerning the City of Seagoville ranking #49 of the Safest Cities to Live in Texas 2019 as reported by BackgroundChecks.org (Police Chief)

Police Chief Calverley stated he was contacted by BackgroundChecks.org stating Seagoville was ranked #49 of the Safest Cities to Live in Texas 2019. He stated Seagoville is only one (1) of five (5) cities in Dallas County and the only city in Kaufman County that made the list. He also stated this is the fourth (4th) year the City of Seagoville made the list.

10. Receive a presentation on the new Seagoville Police Department Unmanned Aircraft System (U.A.S.) Program (Police Chief)

Police Chief Calverley and Police Sergeant Sparrow presented the unmanned Aircraft System (U.A.S.)

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

None.

12. 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.

None.

Adjourned at 7:45 p.m.

APPROVED:



Mayor Dennis K. Childress

ATTEST:


Kandi Jackson, City Secretary

