



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
NOVEMBER 18, 2019**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:01 p.m. on Monday, November 18, 2019, 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, Water Utilities Director Chris Ryan, City Attorney Victoria Thomas, Finance Director Patrick Harvey, 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 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.*

*None.*

**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 November 4, 2019 and Special Called Joint Meeting with Seagoville Economic Development Corporation minutes for November 12, 2019 (City Secretary)**

*Motion to approve City Council Meeting minutes for November 4, 2019 and Special Called Joint Meeting with Seagoville Economic Development Corporation minutes for November 12, 2019 – Epps, seconded by Magill; motion passed with all ayes. 5/0*

**REGULAR AGENDA-**

- 2. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, awarding a unit price contract for asphalt repair to Anderson Asphalt & Concrete Paving, LLC; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, awarding a unit price contract for asphalt repair to Anderson Asphalt & Concrete Paving, LLC; authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 5/0*

- 3. Conduct a public hearing on a request to change in zoning from Residential-5 (R-5) to Planned Development-19-04 (PD-19-04) for Residential Single Family on approximately 46± acres, being Tract 4 and Tract 16, John D. Merchant Abstract 850, commonly known as 835 Thedford, Seagoville, Dallas County, Texas (Community Development Director)**

*Mayor Childress opened the public hearing at 7:04 p.m.*

*Saddle Star Development LLC., Director of Land Development Atkins stated this property was purchased from the original owner. Saddle Star Development LLC. and Robbie Hale evaluated goals for this property. He stated they planned additional land for the existing park and to accommodate drainage needs. He also stated Mr. Hale will be the building element of this project.*

*Councilmember Magill stated his concern about parking along the streets.*

*In response to a question by Councilmember Hernandez, Director of Land Development Atkins stated the Home Owner Association fees will maintain the detention areas.*

*Mayor Childress closed the public hearing at 7:13 p.m.*

**4. 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 Residential-5 (R-5) to Planned Development-19-04 (PD-19-04) on approximately 46+ acres, being comprised of Tract 4 and Tract 16, John D. Merchant Abstract 850, commonly collectively known as 835 Thedford, Seagoville, Dallas County, Texas, and being legally described in Exhibit "A" and depicted in Exhibit "B", attached hereto; providing for development regulations; providing for the approval of a concept plan, which is attached hereto and incorporated herein as Exhibit "C"; providing for a repealing clause; providing for a severability clause; providing for a savings clause; providing for a penalty 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 Residential-5 (R-5) to Planned Development-19-04 (PD-19-04) on approximately 46+ acres, being comprised of Tract 4 and Tract 16, John D. Merchant Abstract 850, commonly collectively known as 835 Thedford, Seagoville, Dallas County, Texas, and being legally described in Exhibit "A" and depicted in Exhibit "B", attached hereto; providing for development regulations; providing for the approval of a concept plan, which is attached hereto and incorporated herein as Exhibit "C"; providing for a repealing clause; providing for a severability clause; providing for a savings clause; providing for a penalty fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date – Hernandez, seconded by Fruin; motion passed 4/1 (For: Howard, Hernandez, Fruin, Epps; Against: Magill)*

**5. Conduct a public hearing on a request for a change in zoning from Residential-2 (Ord 45-03) to Planned Development – Residential 2 - amended PD-19-05 on approximately 43+ acres, being two (2) tracts of land described as Tract 1 and Tract 1.1 in the Herman Heider Abstract 541, commonly referred to as 408 East Stark Road, Seagoville, Dallas County, Texas, to provide for an amended concept plan and new development regulation (Community Development Director)**

*Mayor Childress opened the public hearing at 7:27 p.m.*

*Eric Luneborg at 2708 Allen, Dallas, Texas stated the existing Planned Development was redesigned to remove errors. He also stated Stark Road has traffic issues and he is working with the City of Dallas concerning the traffic issues.*

*Councilmember Magill asked if the existing streets will go through. Eric Luneborg and Community Development Director Barr stated the streets will not go through.*

*Community Development Director Barr provided elevations.*

*Mayor Childress closed the public hearing at 7:36 p.m.*

**6. Discuss and consider approving 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 Planned Development - Residential-2 (Ord 45-03) to Planned Development – Residential 2 - amended (PD 19-05) on approximately 43+ acres, being two (2) tracts of land described as Tract 1 and Tract 1.1 in the Herman Heider Abstract 541, commonly collectively referred to as 408 East Stark Road, Seagoville, Dallas County, Texas, and being legally described in Exhibit “A”, attached hereto and incorporated herein; providing for amended development regulations; providing for the approval of the concept plan, which is attached hereto and incorporated herein as Exhibit “B”; providing a repealing clause; providing for a severability clause; providing for a savings clause; providing for a penalty fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)**

*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 Planned Development - Residential-2 (Ord 45-03) to Planned Development – Residential 2 - amended (PD 19-05) on approximately 43+ acres, being two (2) tracts of land described as Tract 1 and Tract 1.1 in the Herman Heider Abstract 541, commonly collectively referred to as 408 East Stark Road, Seagoville, Dallas County, Texas, and being legally described in Exhibit “A”, attached hereto and incorporated herein; providing for amended development regulations; providing for the approval of the concept plan, which is attached hereto and incorporated herein as Exhibit “B”; providing a repealing clause; providing for a severability clause; providing for a savings clause; providing for a penalty fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date; with the minimum living area 1700 to 1899 square feet for fifty percent (50%) of the dwellings; and at least 1900 square feet for fifty percent (50%) of the dwellings – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

**7. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the purchase of a 2020 Ford F-350 Diesel Crew Cab Utility vehicle for an amount not to exceed Fifty Eight Thousand Three Hundred Thirty Seven Dollars and Ninety Cents \$58,337.90 from Rush Truck Center; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date (Community Development Director)**

*Motion to approve a Resolution of the City of Seagoville, Texas, authorizing the purchase of a 2020 Ford F-350 Diesel Crew Cab Utility vehicle for an amount not to exceed Fifty Eight Thousand Three Hundred Thirty Seven Dollars and Ninety Cents \$58,337.90 from Rush Truck Center; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0*

**8. Discuss and consider development of a food truck/trailer court (City Manager)**

*Community Director Barr stated in previous discussions, C.O. Bruce Park would be utilized for the development of a food truck/trailer court. He stated the utilities are available at the site, and additional parking can be added later if needed.*

*Council directed Staff to continue working on a formal plan for the food truck/trailer court.*

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

*None.*

**10. 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.*

**11. Recess into Executive Session at 7:46 p.m.**

**Council will recess into Executive Session in compliance with Texas Government Code:**

- A. § 551.071. Consultation with City Attorney: receive legal advice related to the process to sell city owned property**
  
- B. § 551.071. Consultation with City Attorney: receive legal advice related to Charles Miller v. Board of Adjustment, City of Seagoville, Cause No. DC-19-10489 in the 134<sup>th</sup> Judicial District Court of Dallas County, Texas**
  
- C. § 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 Restaurant”**

**12. Reconvene Into Regular Session at 8:17 p.m.**

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

- A. § 551.071. Consultation with City Attorney: receive legal advice related to process to sell city owned property**

*City Attorney Thomas proposed a motion to authorized the City Manager to list the City owned property located at 1000 block of Fran Street with a real estate broker for sale through the multiple listing services on the terms discussed – motion adopted – Magill, seconded by Fruin; motion passed with all ayes. 5/0*

- B. § 551.071. Consultation with City Attorney: receive legal advice related to Charles Miller v. Board of Adjustment, City of Seagoville, Cause No. DC-19-10489 in the 134<sup>th</sup> Judicial District Court of Dallas County, Texas**

*No action taken.*

- C. § 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 Restaurant”**

*No action taken.*

**Adjourned at 8:17 p.m.**

**APPROVED:**

  
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 Mayor Dennis K. Childress

**ATTEST:**

  
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 Kandi Jackson, City Secretary