



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
APRIL 19, 2021**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:01 p.m. on Monday, April 19, 2021, 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, Community Development Director Ladis Barr, Public Works Director Chris Ryan City Attorney Victoria Thomas, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**Invocation** – *Dr. Con Cole led the Invocation.*

**Pledge of Allegiance** – *Mayor Childress led the Pledge of Allegiance.*

**Mayor's Report** – *Mayor Childress state the Seagofest will be September 30, 2021 through October 3, 2021 with a parade, 5k run, and a blood drive. He also asked Mike McDaniel and Ritha Edwards with Chamber of Commerce to provide information concerning the drive thru Job Fair on Thursday, April 29, 2021 from 10:00 a.m. to 2:00 p.m. at C.O. Bruce Central Park.*

**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 April 5, 2021 (City Secretary)**

*Motion to approve City Council Meeting minutes for April 5, 2021 – Magill, seconded by Howard; motion passed with all ayes. 5/0*

**REGULAR AGENDA-**

**2. Conduct interviews with Boards & Commissions Applicants for appointment (City Secretary)**

*City Secretary Jackson stated Place one (1) and Place six (6) on the Library Board are vacant and Ms. Waggoner and Ms. Petty have applied to fill those vacancies. She also stated the criminal background check for both applicants has been completed.*

*Sandra Waggoner at 2401 Seagoville Road stated she is happy to serve.*

*Mayor Pro Tem Epps asked Ms. Waggoner if she is willing to serve on the Library Board and the Keep Seagoville Beautiful Commission. Ms. Waggoner stated yes, she is willing to serve on two (2) boards.*

*Lizbeth Petty at 602 Water Street introduced herself and stated she is excited to serve on the Library Board.*

*Motion to appoint Lizbeth Petty to Library Board Place Six (6) – Hernandez, seconded by Magill; motion passed with all ayes. 5/0*

*Motion to appoint Sandra Waggoner to Library Board Place One (1) and Keep Seagoville Beautiful Place Four (4) – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

**3. Conduct a Public Hearing on a request to change the zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of Seagoville, Dallas County, Texas (Community Development Director)**

*Mayor Childress opened the public hearing at 7:11 p.m.*

*Pat Atkins at 3076 Hayes Lane, Rockwall, Texas presented the Greenawalt Farms/The Magnolias.*

*Mayor Childress closed the public hearing at 7:22 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, granting a change in zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein; providing for 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 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, granting a change in zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein; providing for 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 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, with the conditions applied by the Planning & Zoning Commission and conditions in the Concept Plan – Hernandez, seconded by Epps; motion passed with all ayes. 5/0*

**5. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and authorizing the City Manager to execute Work Order No. 1, which is attached hereto and incorporated herein as Exhibit A, with Garver, LLC for on-call engineering services for development plan review in an amount not to exceed Forty-Five Thousand Dollars and No Cents (\$45,000.00); and providing an effective date (Community Development Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving and authorizing the City Manager to execute Work Order No. 1, which is attached hereto and incorporated herein as Exhibit A, with Garver, LLC for on-call engineering services for development plan review in an amount not to exceed Forty-Five Thousand Dollars and No Cents (\$45,000.00); and providing an effective date – Fruin, seconded by Epps; motion passed with all ayes. 5/0*

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

*None.*

**7. 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 Fruin stated he would like an item to approve “No Parking” signs to be installed along Highway 175 and Water Street.*

**8. Recess into Executive Session at 7:27 p.m.**

**Council will 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: City Manager**
  
- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary**
  
- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**
  
- D. §551.071 Consult with City Attorney to Receive Legal Advice regarding Obtaining easements necessary for Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**

**9. Reconvene Into Regular Session at 9:23 p.m.**

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

- A. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Manager**

*Motion to extend the City Manager's Contract which is the City Manager Contract for a term to expire on September 30, 2024, and effectively immediately an increase in the City's contribution to deferred compensation under that contract of Eight Thousand Dollars (\$8,000.00) – Magill, seconded by Hernandez; motion passed with all ayes. 5/0*

- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary**

*Motion to increase the City Secretary's annual salary to Eighty Thousand Dollars (\$80,000.00). Councilmember Hernandez amended the motion to be effective immediately – Hernandez, seconded by Magill; motion passed with all ayes. 5/0*

- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**

*No action.*

- D. §551.071 Consult with City Attorney to Receive Legal Advice regarding Obtaining easements necessary for Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**

*No action*

**10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 3 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 1.963 acres thereon for the City's Northern Basin Interceptor Wastewater project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)**

*Mayor Childress stated Item #10 has been pulled from the Agenda.*

**11. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 5 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 4.963 acres thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 5 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 4.963 acres thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date – Fruin, seconded by Hernandez; motion passed with all ayes. 5/0*

**12. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 7 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 1.889 acres and 0.810 acres, respectively, thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 7 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 1.889 acres and 0.810 acres, respectively, thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0*

**13. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 8 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 0.597 acres and 0.249 acres respectively thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 8 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 0.597 acres and 0.249 acres respectively thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 5/0*

**Adjourned at 9:29 p.m.**

**APPROVED:**



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Mayor Dennis K. Childress

**ATTEST:**

  
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Kandi Jackson, City Secretary