



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
FEBRUARY 28, 2022**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, February 28, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Dennis Childress	Mayor
Mike Fruin	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Jon Epps	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Assistant Police Chief Steve Davis, Community Development Director Ladis Barr, City Attorney Victoria Thomas, Finance Director Gail French, Senior Accountant Donna Johnson, Finance Technician Marty Anderson, Public Works Director Chris Ryan, Fire Chief Todd Gilcrease, 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.*

**Government Finance Officers Association** – *Mayor Childress presented the Finance Department with the Government Finance Officers Association Award.*

**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 February 7, 2022 (City Secretary)**

**2. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC (Director of Administrative Services)**

**3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into the TEVA Texas Opioid Settlement and authorizing and ratifying the submission of the Texas Subdivision and Special District Election and Release Form regarding the TEVA Opioid Settlement; and providing an effective date (City Attorney)**

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

**REGULAR AGENDA-**

**4. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards”, by amending Section 23.03.010 “Stormwater Collection and Conveyance Systems”; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date (Community Development Director)**

*Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards”, by amending Section 23.03.010 “Stormwater Collection and Conveyance Systems”; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date – Howard, seconded by Epps; motion passed with all ayes. 5/0*

**5. Conduct a public hearing 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 2 (PD-13-01-A2) to Planned Development-13-01–Amended 3 (PD-13-01-A3) 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; providing for amended development regulations (Community Development Director)**

*Mayor Childress opened the public hearing at 7:06 p.m.*

*No one spoke for or against.*

*Mayor Childress closed the public hearing at 7:06 p.m.*

**6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01–Amended 3 (PD-13-01-A3) 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; 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, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01–Amended 3 (PD-13-01-A3) 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; 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 – Fruin, seconded by Magill; motion passed with all ayes. 5/0*

**7. Conduct a public hearing amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions (Community Development Director)**

*Mayor Childress opened the public hearing at 7:09 p.m.*

*No one spoke for or against.*

*Mayor Childress closed the public hearing at 7:09 p.m.*

**8. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all ordinances in conflict; providing 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 and Map, as previously amended, by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all ordinances in conflict; providing 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 – Howard.*

*Community Development Director Barr stated the Ordinance needs to be amended to add for a convenience store over 1000 square feet and providing for the sale of prepackaged beverages.*

*Motion to approve the Ordinance with the stated amendments – Howard, seconded by Epps; motion passed with all ayes. 5/0*

**9. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 11, "Health and Sanitation", by adding a new Article 11.05 "Multi-Family Licensing and Inspection"; providing a repealing clause; providing a savings clause; providing 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 for an effective date (Mayor Pro Tem Fruin)**

*Councilmember Fruin stated he would like to defer to the City Attorney for an explanation of this item.*

*City Attorney Thomas stated this Ordinance does not set the fees but provides the framework for the inspections and registration. She stated it does apply to all multi-family complexes but it does allow for a one (1) year grace period for the brand-new complexes since they will have just received their certificate of occupancy.*

*Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 11, "Health and Sanitation", by adding a new Article 11.05 "Multi-Family Licensing and Inspection"; providing a repealing clause; providing a savings clause; providing 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 for an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0*

**10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas amending the master fee schedule to add applicable fees related to multi-family licensing and inspection; providing a savings clause, providing a severability clause; and providing an effective date (Mayor Pro Tem Fruin/City Attorney)**

*Motion to table Item # 10 to next meeting and to put it on a workshop – Fruin, seconded by Hernandez; motion passed with all ayes. 5/0*

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

*Mayor Pro Tem Fruin congratulated all of the incumbents that decided to run for Council again and commended them for doing a good job. He stated evidently the citizens are happy because they ran unopposed.*

*Mayor Childress stated he has the same expression as Mr. Fruin to the ones that are currently serving this Council and were re-elected. He also stated the Council must be doing something good.*

**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.

*Councilmember Epps stated he would like to discuss Airbnb rent homes.*

**13. Council Recessed into Executive Session at 7:32 p.m.**

**Council will recess into executive session pursuant to Texas Government Code:**

- A. § 551.071. Consultation with City Attorney: to obtain legal advice regarding house numbering – LaFonda Ambulance Service**
- B. § 551.071 (2). Consultation with City Attorney: regarding legal advice relating to negotiation of ambulance services contracts**
- C. § 551.071. Consultation with City Attorney: to receive legal advice regarding obtaining easements necessary for the Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**
- D. § 551.071. Consultation with City Attorney: to receive legal advice regarding the Design/Build Police Station Project**

**14. Council Reconvened Into Regular Session at 9:13 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: to obtain legal advice regarding house numbering – LaFonda Ambulance Service**

*No action taken.*

**B. § 551.071 (2). Consultation with City Attorney: regarding legal advice relating to negotiation of ambulance services contracts**

*Motion to authorize the City Manager to reject the request by Acadian Ambulance Service of Texas, LLC for an increase to the annual subsidy provided for in Section F of the City's Professional Services Agreement for Provision of Mobile Intensive Care Ambulance Service with Acadian Ambulance Service of Texas, LLC and to provide ninety days notice of the City's termination of that Agreement and that we further authorized the City Manager to negotiate an agreement for provision of ambulance services with CareFlite, a Texas nonprofit corporation – Fruin, seconded by Hernandez; motion passed with all ayes. 5/0*

**C. § 551.071. Consultation with City Attorney: to receive legal advice regarding obtaining easements necessary for the Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**

*No action taken.*

**D. § 551.071. Consultation with City Attorney: to receive legal advice regarding the Design/Build Police Station Project**

*No action taken.*

**15. 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 a fifteen foot wide Wastewater and Temporary Construction Easement on Parcel No. 1 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.0180 acres thereon for the city's East Malloy Bridge Road 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 a fifteen foot wide Wastewater and Temporary Construction Easement on Parcel No. 1 of the M.L. Swing Survey, Abstract Number 1420, City*

*of Seagoville, Dallas County, Texas and more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.0180 acres thereon for the city's East Malloy Bridge Road Wastewater Project; authorizing the City Attorney to file proceedings in eminent domain to acquire said property; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

**16. 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 (1) a twelve foot wide Wastewater and Temporary Construction Easement on Parcel No. 3, Part 1 and (2) a variable width Wastewater and Temporary Construction Easement on Parcel No. 3, Part 2, both out of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas, more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.031 acres in Parcel No. 3, Part 1 and upon, under, over, through and across approximately 0.018 acres in Parcel 3, Part 2 thereon for the City's East Malloy Bridge Road 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 (1) a twelve foot wide Wastewater and Temporary Construction Easement on Parcel No. 3, Part 1 and (2) a variable width Wastewater and Temporary Construction Easement on Parcel No. 3, Part 2, both out of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas, more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.031 acres in Parcel No. 3, Part 1 and upon, under, over, through and across approximately 0.018 acres in Parcel 3, Part 2 thereon for the City's East Malloy Bridge Road Wastewater Project; authorizing the city attorney to file proceedings in eminent domain to acquire said property; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

**17. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing negotiation and execution of a design-building contract with Grossman Design Build, LLC, a Texas Limited Liability Company, for the design, permitting, and construction of a new police station and expansion and remodeling of the dispatch center in the existing police station; and providing an effective date (Grossman Design Build/City Manager/City Attorney)**

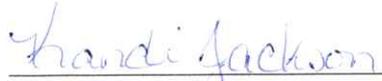
*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing negotiation and execution of a design-building contract with Grossman Design Build, LLC, a Texas Limited Liability Company, for the design, permitting, and construction of a new police station and expansion and remodeling of the dispatch center in the existing police station; and providing an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0*

**Adjourned at 9:18 p.m.**

**APPROVED:**

  
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Mayor Dennis K. Childress

**ATTEST:**

  
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Kandi Jackson, City Secretary

