



**MINUTES OF CITY COUNCIL
REGULAR SESSION
APRIL 3, 2023**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, April 3, 2023, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Assistant Police Chief Steve Davis, Assistant Public Works Director Billy Putman, City Attorney Victoria Thomas, Finance Director Gail French, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Mayor Pro Tem 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.*

Donna Counts at 2729 Kleberg Rd. expressed her concern about a neighbor violating city codes with bright lights and cars parked on their property.

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 March 20, 2023 (City Secretary)

Motion to approve City Council Meeting Minutes for March 20, 2023 – Epps, seconded by Magill; motion passed with all ayes. 5/0

REGULAR AGENDA-

2. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving a Work Order No. 8 agreement with Garver, LLC, in accordance with the City’s March 24, 2021, Master Agreement for Professional Services with Garver, LLC, for the Bruce Central Park bridge removal and replacement, in an amount not to exceed Thirty Five Thousand Eighty Seven Dollars and Fifty Cents (\$35,087.50); authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date (Public Works Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving a Work Order No. 8 Agreement with Garver, LLC, in accordance with the City’s March 24, 2021, Master Agreement for Professional Services with Garver, LLC, for the Bruce Central Park bridge removal and replacement, in an amount not to exceed Thirty Five Thousand Eighty Seven Dollars and Fifty Cents (\$35,087.50); authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date – Magill, seconded by Howard; motion passed. 4/0 (For-Howard, Magill, Fruin, and Epps; Against – Hernandez)

3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for consulting services on a water and wastewater cost of service and rate design study update with NewGen Strategies and Solutions, LLC.; in an amount not to exceed Fourteen Thousand Dollars and Zero Cents (\$14,000.00); authorizing the City Manager to sign; and providing an effective date (Public Works Director)

Motion to approve a Resolution of the City Council of the City Council of the City of Seagoville, Texas approving an agreement for consulting services on a water and wastewater cost of services and rate design study update with NewGen Strategies and Solutions, LLC.; in an amount not to exceed Fourteen Thousand Dollars and Zero Cents (\$14,000.00); authorizing the City Manager to sign; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

4. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, awarding the contract for Bid Number 2023-02 City Mowing Maintenance to Good Earth Corporation in an amount not to exceed One Hundred Sixty Two Thousand Twenty Seven Dollars and Zero Cents \$162,027.00 for mowing services and authorizing the City Manager to execute the same; and providing for an effective date (Public Works Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, awarding the contract or Bid Number 2023-02 City Mowing Maintenance to Good Earth Corporation in an amount not to exceed One Hundred Sixty Two Thousand Twenty Seven Dollars and Zero Cents \$162,027.00 for mowing services and authorizing the City Manager to execute the same; and providing an effective date – Magill, seconded by Epps; motion passed with all ayes. 5/0

- 5. Discuss and consider approving an Ordinance authorizing the Issuance of City of Seagoville, Texas Certificates of Obligation, Series 2023; prescribing the terms thereof; providing for the payment thereof; awarding the sale thereof; making other provisions regarding such certificates and matters incident thereto (Finance Director)**

Motion to approve an Ordinance authorizing the Issuance of City of Seagoville, Texas Certificates of Obligation, Series 2023; prescribing the terms thereof; providing for the payment thereof; awarding the sale thereof; making other provisions regarding such certificates and matters incident thereto- Hernandez, seconded by Magill. Mayor Childress called for a record vote. (For: Howard, Hernandez, Magill, Fruin, and Epps; Against: none) Motion passed at 7:11 p.m. with all ayes. 5/0

- 6. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing execution of an agreement with Tyler Technology, Inc. for updated software services for the City's Municipal Court (Software as a Service); and providing an effective date (Director of Administrative Services)**

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas authorizing execution of an agreement with Tyler Technology, Inc. for updated software services for the City's Municipal Court (Software as a Service); and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0

- 7. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the exercise of eminent domain by the City of Seagoville, Texas, and for determining the necessity of acquiring real property for the construction of a 12-foot Wastewater Easement and Temporary Construction Easement (part 1) and a Variable Width Wastewater Easement and Temporary Construction Easement (part 2) for the East Malloy Bridge Road Wastewater Line Project, authorizing the appropriation of real property and/or the use of the power of eminent domain to acquire real property for public use, delegating authority to initiate condemnation proceedings to the City Attorney and City Manager and providing for an effective date (City Attorney)**

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the exercise of eminent domain by the City of Seagoville, Texas, and for determining the necessity of acquiring real property for the construction of a 12-foot Wastewater Easement and Temporary Construction Easement (part 1) and a Variable Width Wastewater Easement and Temporary Construction Easement (part 2) for the East Malloy Bridge Road Wastewater Line Project, authorizing the appropriation of real property and/or the use of the power of eminent domain to acquire real property for public use, delegating authority to initiate condemnation proceedings to the City Attorney and City Manager and providing for an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the exercise of eminent domain by the City of Seagoville, Texas, and for determining the necessity of acquiring real property for the construction of a 25-foot wide Sanitary Sewer Easement and a 55-foot wide Temporary Construction Easement for the Santorini Offsite Sanitary Sewer Project, authorizing the appropriation of real property and/or the use of the power of eminent domain to acquire real property for public use, delegating authority to initiate condemnation proceedings to the City Attorney and City Manager and providing for an effective date (City Attorney)

Motion to approve a Resolution authorizing the exercise of eminent domain by the City of Seagoville, Texas, and for determining the necessity of acquiring real property for the construction of a 25-foot wide Sanitary Sewer Easement and a 55-foot wide Temporary Construction Easement for the Santorini Offsite Sanitary Sewer Project, authorizing the appropriation of real property and/or the use of the power of eminent domain to acquire real property for public use, delegating authority to initiate condemnation proceedings to the City Attorney and City Manager and providing an effective date – Howard, seconded by Hernandez; motion passed with all ayes. 5/0

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.

Councilmember Hernandez stated he would like to discuss the possibility of installing a painted crosswalk at Kaufman and Durham.

11. Recessed into Executive Session at 7:16 p.m.

Council will recess into executive session pursuant to 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. Consultation with City Attorney: receive legal advice related to the interlocal agreements (dispatch and jail services) with Sunnyvale

E. § 551.071. Consultation with City Attorney: receive legal advice related to La Pulga

12. Reconvened Into Regular Session at 8:41 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

No action taken.

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

No action taken.

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 taken.

D. § 551.071. Consultation with City Attorney: receive legal advice related to the interlocal agreements (dispatch and jail services) with Sunnyvale

Motion to authorize and direct the City Manager to send Notices of Termination to Sunnyvale for the Interlocal Agreements with Sunnyvale for:

- 1. Emergency 9-1-1 Communications Center and Dispatch Services*
- 2. Jail Facility and Jail Services – Magill, seconded by Fruin; motion passed with all ayes. 5/0*

E. § 551.071. Consultation with City Attorney: receive legal advice related to La Pulga

No action taken.

13. Discuss and consider approving an amendment to the City Manager’s Contract to provide for a one-year extension

Motion to approve an amendment to the City Manager’s Contract to provide for a one-year extension – Magill, seconded by Howard; motion passed with all ayes. 5/0

Adjourned at 8:43 p.m.

APPROVED:



Mayor Dennis K. Childress

ATTEST:



Kandi Jackson, City Secretary

