



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
JUNE 05, 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, June 05, 2023, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Lackey Stepper Sebastian	Mayor
Harold Magill	Mayor Pro-Tem
Rick Howard	Councilmember
Jose Hernandez	Councilmember
Mike Fruin	Councilmember
Jon Epps	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Assistant City Manager Cindy Brown, Police Chief Ray Calverley, Community Development Director Bill Medina, Public Works Director Chris Ryan, City Attorney Victoria Thomas, and Interim City Secretary Melinda Welsh.

**Invocation** – *The invocation was led by Mayor Pro-Tem Magill*

**Pledge of Allegiance** – *The Pledge of Allegiance was led by Mayor Sebastian*

**Recognition** – *Police Chief Ray Calverley recognized several officers and agencies for their response to two recent incidents. He stated the first event occurred on Modene St. The Seagoville Police Department received a phone call regarding a person having a mental health crisis who was armed. Several agencies and police officers responded, and a shot was fired, which came dangerously close to one of the officers. After negotiations went nowhere, tear gas was used, and the person surrendered. Seagoville Police Department would like to thank the police officers and supporting agencies involved, which included Mesquite Police Department, Kaufman County Sheriff's Office, Kaufman County Constable, Crandall Police Department, and the Southern Regional Response Group (S.R.R.G.). Chief Calverley presented Meritorious Conduct Awards to Assistant Chief of Police Stephen Davis for outstanding leadership, and exemplary courage, regardless of the risks or dangers to himself, to Sergeant Ruben Pena for exemplary leadership and courage regardless of risks or danger to himself, to Melissa Carr and the Southern Alliance Care Team for their willingness to provide assistance and exemplary courage regardless of risk or danger to themselves. Chief Calverley presented a Certificate of Merit for outstanding performance of duties under unusual or hazardous conditions to Officer Britney Toler, Detective Sgt. Andrew Sparrow, Detective Corporal Scott Koger, Officer Jason Hovlen, Detective Corporal*

*Danny Titus, Detective Corporal Brenda Thomasson, Fire Marshal Zane Anderson, and Communications Technician, Elexous Carson.*

*Chief Calverley reported that the second incident took place at the Chicken Express. Officer Justin Keahey responded to a call of a person having a medical event in the parking lot. The officer quickly provided life-saving measures that made a difference in the outcome of this event. Officer Keahey was presented with the Life Saving Award.*

*Councilmember Epps presented a certificate of recognition to teacher Dwana Neapolioun Jones for the selfless giving of her time to local children. He stated that her love for reading and educating students goes beyond the classroom. She ensures her students have everything they need to be successful. Her passion for knowledge and education is exemplified beyond the walls of the school. She partners with parents to provide them with resources to help them navigate their child's learning and social and emotional challenges. She advocates and demands that her dyslexia students are provided with appropriate accommodations for academic success. Ms. Jones has been teaching for 24 years. She taught as a reading teacher for 19 years and for the last five years as a Dyslexia Therapist. She currently volunteers her free time after long school days to three boys for the past three years, four days a week after school at Seagoville North Elementary School helping the students feel confident in knowing they can achieve anything if they continue to practice and they all three have been so successful. Dyslexia is not an easy disability to overcome. Many people of all ages suffer from dyslexia. Councilmember Epps thanked Ms. Jones and stated that the community appreciates all she does for the students of Seagoville.*

**Mayor's Report** – *Mayor Sebastian thanked everyone that came out and supported Seagoville, appreciates Council, City Manager, Staff, and the people, and hopes to make Seagoville bigger and better.*

**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.*

*Rachel Cooper, 803 Dakota Ln., addressed Council and stated she has lived here many years, is here to discuss city policy on garage sales that only allow twice a year, please consider doing more often, consider doing two quarterly, is another way to subsidize her income, is retired and on a fixed income, and permits would generate a little money for the city as well.*

*Zach Mefford II, 1905 LaFonda Circle, addressed Council and stated he has repeatedly complained about drug sales in his neighborhood that have been ongoing for more than a year, complains, and feels that nothing is being done despite video proof he has provided to law enforcement, and the noise ordinance should be enforced.*

### **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 May 15, 2023 (City Secretary)**

*Motion to approve Consent Agenda as read – Hernandez, 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, authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on Water Street for compensation in an amount not to exceed three hundred thirty seven thousand eight hundred eight dollars and zero cents (\$337,808.00) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date. (Public Works Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on Water Street for compensation in an amount not to exceed three hundred thirty seven thousand eight hundred eight dollars and zero cents (\$337,808.00) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Epps, seconded by Magill; motion passed with all ayes. 5/0*

**3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to execute applications for East Farmers Road and Ave C. through the FY-2023 Dallas County Community Development Block Grant (“CBDG”) as set forth in Exhibit “A”; and providing an effective date. (Public Works Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to execute applications for East Farmers Road and Ave C. through the FY-2023 Dallas County Community Development Block Grant (“CBDG”) as set forth in Exhibit “A”; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0*

**4. 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 located at 875 South US Highway 175, Seagoville, Kaufman County, Texas for the construction of a 25-foot wide sanitary sewer easement and a 55-foot wide temporary construction easement, 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 located at 875 South US Highway 175, Seagoville, Kaufman County, Texas for the construction of a 25-foot wide sanitary sewer easement and a 55-foot wide temporary construction easement, 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 – Magill, seconded by Hernandez; motion passed with all ayes. 5/0*

- 5. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, accepting the Preliminary Service and Assessment Plan for authorized improvements within the Stonehaven Public Improvement District; setting a date for public hearing on the proposed levy of assessments; authorizing the publication and mailing of notice; and enacting other provisions relating thereto. (City Attorney)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, accepting the Preliminary Service and Assessment Plan for authorized improvements within the Stonehaven Public Improvement District; setting a date for public hearing on the proposed levy of assessments; authorizing the publication and mailing of notice; and enacting other provisions relating thereto – Epps, seconded by Howard; motion passed with all ayes. 5/0*

- 6. Conduct a public hearing on an Ordinance amending the Comprehensive Zoning Ordinance and map, as previously amended, by changing the zoning from Planned Development-19-02 (“PD-19-02”) to Planned Development 19-02 with a Special Use Permit for Temporary Concrete Batch Plant (“PD-19-02-SUP), to allow for temporary placement and operation of a Concrete Batch Plant, on Lots 7 through 12, Block A of the Caldwell Lakes Addition in the City of Seagoville, Texas, commonly known as 15000 Lasater Road, 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 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)**

*Mayor Sebastian opened the public hearing at 7:33 PM.*

*No one spoke for or against.*

*Mayor Sebastian closed the public hearing at 7:33 PM.*

- 7. Discuss and consider approving an Ordinance of the City Council of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map, as previously amended, by changing the zoning from Planned Development-19-02 (“PD-19-02”) to Planned Development 19-02 with a Special Use Permit**

**for Temporary Concrete Batch Plant (“PD-19-02-SUP), to allow for temporary placement and operation of a Concrete Batch Plant, on Lots 7 through 12, Block A of the Caldwell Lakes Addition in the City of Seagoville, Texas, commonly known as 15000 Lasater Road, 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 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 Council of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map, as previously amended, by changing the zoning from Planned Development-19-02 (“PD-19-02”) to Planned Development 19-02 with a Special Use Permit for Temporary Concrete Batch Plant (“PD-19-02-SUP), to allow for temporary placement and operation of a Concrete Batch Plant, on Lots 7 through 12, Block A of the Caldwell Lakes Addition in the City of Seagoville, Texas, commonly known as 15000 Lasater Road, 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 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 – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

- 8. Conduct a public hearing on an Ordinance amending the Seagoville Code of Ordinances, as amended, by amending Title II: “Buildings; Development; Zoning”, Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, (1) at Division 12 “Apartment Dwelling District Regulations” by amending Section 25.092.252; (2) at Division 15 “Local Retail District Regulations” by amending Section 25.02.351; (3) at Division 26 “Special Uses” by amending Section 25.02.631; and (4) at Division 32 “Regulations Applicable To All Districts” by adding a new Section 25.02.721 providing a conflicts resolution clause; providing a severability clause; providing for a savings clause; providing for penalty of fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense; and providing for an effective date. (Community Development Director)**

*Mayor Sebastian opened the public hearing at 7:37 PM.*

*No one spoke for or against.*

*Mayor Sebastian closed the public hearing at 7:37 PM.*

- 9. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Seagoville Code of Ordinances, as amended, by amending Title II: “Buildings; Development; Zoning”, Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, (1) at Division 12 “Apartment Dwelling District Regulations” by**

**amending Section 25.092.252; (2) at Division 15 “Local Retail District Regulations” by amending Section 25.02.351; (3) at Division 26 “Special Uses” by amending Section 25.02.631; and (4) at Division 32 “Regulations Applicable To All Districts” by adding a new Section 25.02.721 providing a conflicts resolution clause; providing a severability clause; providing for a savings clause; providing for penalty of fine not to exceed the sum of two thousand (\$2,000.00) dollars 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 amending the Seagoville Code of Ordinances, as amended, by amending Title II: “Buildings; Development; Zoning”, Chapter 25 “Zoning”, Article 25.02 “Zoning Ordinance”, (1) at Division 12 “Apartment Dwelling District Regulations” by amending Section 25.092.252; (2) at Division 15 “Local Retail District Regulations” by amending Section 25.02.351; (3) at Division 26 “Special Uses” by amending Section 25.02.631; and (4) at Division 32 “Regulations Applicable To All Districts” by adding a new Section 25.02.721 providing a conflicts resolution clause; providing a severability clause; providing for a savings clause; providing for penalty of fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense; and providing for an effective date – Magill, seconded by Howard.*

*Councilmember Hernandez suggested to add privacy language to the ordinance and read some language that could be added. There was lengthy discussion between Mayor, Council, Community Development Director Bill Medina, City Manager Pat Stallings, and City Attorney Victoria Thomas regarding privacy concerns with a two-story or a three-story apartment building with windows facing nearby homes in residential areas, as well as concerns with implementation, clarity, and practical application, and the suggestion of a larger setback.*

*City Attorney Victoria Thomas stated Council may add a height regulations amendment, can add it in as a condition to allow a three-story, but will have to be reworded with conditions.*

*Motion to table to do further research – Fruin, motion died due to lack of a second.*

*The City Attorney stated that Council may amend the motion to delete Section 1, renumber the sections, and approve the rest of the ordinance.*

*Motion to approve the Ordinance with an amendment to exclude Section 1 which will be brought back at a future meeting – Hernandez, seconded by Epps; motion passed with all ayes.*

*5/0*

**10. Conduct an interview with a boards & commissions applicant for appointment to Seagoville Economic Development Corporation (Interim City Secretary)**

*Interim City Secretary Welsh stated Mr. Dennis Childress passed the background check in accordance with Ordinance No. 24-2019.*

*Motion to approve appointing Dennis Childress to Place 3 on the Seagoville Economic Development Corporation (SEDC) to fill an unexpired term ending June 2024 – Magill, seconded by Hernandez; motion passed with all ayes. 5/0*

**11. Consider rescheduling the June 19, 2023, Council meeting (Interim City Secretary)**

*Motion to approve rescheduling the June 19, 2023, Council meeting to June 26, 2023 – Magill, seconded by Epps; motion passed with all ayes. 5/0*

**12. Receive staff updates on water well usage (Community Development Director)**

*Community Development Director Medina explained his findings of a previous request from Council to investigate water well usage of a particular business and a non-profit. Those particular locations are on a water well and are using for hand washing, which was also reported to Texas Commission on Environmental Quality (TCEQ).*

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

*Mayor Pro-Tem Magill thanked Council for approving the change to bulk pickup to 1 day a week and the town looks much better, appreciates it.*

*Councilmember Fruin stated a Runoff Election is going on, early voting ends tomorrow, and June 10, 2023, is election day, encouraged voters to get out and do your civic duty and come out and vote.*

*Councilmember Epps stated he would like to echo what Mayor Pro-Tem Magill stated and thanked the City Manager for reaching out regarding the boom truck issue.*

**14. 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 let us talk garage sales.*

**15. Recessed Into Executive Session at 7:58 PM**

**Council recessed into executive session pursuant to Texas Government Code:**

- A. § 551.071. Consultation with City Attorney: Seek legal advice related to event centers**
- B. § 551.074. Personnel Matters: Discuss an employment agreement for interim City Secretary**

**16. Reconvened Into Regular Session at 8:17 PM**

**Council reconvened into open session, to take action, if any, on matters discussed in Executive Session.**

**A. § 551.071. Consultation with City Attorney: Seek legal advice related to event centers**

*No action taken.*

**B. § 551.074. Personnel Matters: Discuss an employment agreement for interim City Secretary**

**17. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving a professional services agreement with City Hall Essentials and work order issued thereunder for provision of Interim City Secretary Consulting Services; authorizing and ratifying the City Manager's execution of the agreement, work order, and all necessary related documents, appointing Melinda Welsh as Interim City Secretary, and providing an effective date.**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving a professional services agreement with City Hall Essentials and work order issued thereunder for provision of Interim City Secretary Consulting Services; authorizing and ratifying the City Manager's execution of the agreement, work order, and all necessary related documents, appointing Melinda Welsh as Interim City Secretary, and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

**Adjourned at 8:19 p.m.**

**APPROVED:**

  
Mayor Lackey Stepper Sebastian

**ATTEST:**

  
Melinda Welsh, City Secretary

