



**MINUTES OF CITY COUNCIL
WORK SESSION
JUNE 05, 2023**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 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
Jose Hernandez	Councilmember
Rick Howard	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.

A. Discuss Regular Session Agenda Items

- 1. Consider approving City Council Meeting minutes for May 15, 2023 (City Secretary)**

No questions on this item.

- 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)**

City Manager Stallings stated this resolution is to authorize Anderson Asphalt & Concrete Paving to perform asphalt road work on Water Street.

Public Works Director Ryan stated that this Resolution is to finish Water Street, did the other side of the street last year, if approved tonight, work will begin on Monday.

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 (“CDBG”) as set forth in Exhibit “A”; and providing an effective date. (Public Works Director)**

Public Works Director Ryan stated he was recently contacted by Dallas County regarding some available CDBG funds for a road reconstruction project. This Resolution is for the reconstruction of 2,175 feet of East Farmers Road and Ave. C, which should be completed by Summer 2024. The budget impact will be \$12,765.05 and will be seen in FY24. The county contact reported that the reconstruction projects will come up for approval by the county this month.

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)**

City Attorney Victoria Thomas stated this is the last parcel needed for construction of what has been referred to as the Santorini Offsite Sanitary Sewer Project. Ms. Thomas stated this sewer project will not just serve the Santorini development, but it will provide future connections for homes that are not part of Santorini. It will be a major, significant addition to the city's sewer system. The last parcel has a common address of 875 South US Hwy. 175. The city needs approximately 27,000 square feet for its easement to put the sanitary sewer lines in, and then temporarily will need additional, approximately 11,000 square feet, while the city is doing the construction. The city had the easement area appraised in April 2023 and the appraiser gave the opinion that just compensation to the property owners for the easements would be \$89,104 and that is what the city offered. The landowners have not yet accepted the offer. The time for acceptance is about to expire so Staff is requesting that Council approve this resolution, which would allow, once the time is right statutorily, to file the eminent domain petition.

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)**

Kyle Sikorski with P3Works stated that P3Works is the city's Public Improvement District consultant. He reminded City Council it had entered into a development agreement a few

years ago on the Stonehaven Public Improvement District (PID). That development agreement contemplated the creation of the Public Improvement District and the levy of assessments to finance a portion of the public infrastructure within the development. The development agreement has already been approved previously and the PID was created, this is just the next step in the process. This item on the agenda is approving the Preliminary Service and Assessment Plan (PSAP), which will be the city's governing document for the PID, as long as it is in existence, and will be updated annually. It is a standard document that sets forth the manner of assessments and many procedures that would need to occur in the future. It is a straightforward document and the most important part of it is the assessment role which outlines what the assessment would be on the property, and it shows it as a whole and anticipated where it would be on a per lot basis. All of that is in line with the development agreement. He stated he is happy to answer any questions Council may have. On the agenda tonight is approval of the preliminary service and assessment plan, it does not make anything final. The second half of the resolution would be calling a public hearing to consider in the future the actual levy of assessment on the property. So tonight, Council should consider approving the preliminary plan and calling for a public hearing for a future date.

- 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)**

- 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)**

Community Development Director Bill Medina stated agenda items 6 and 7 are for a public hearing and a subsequent ordinance approval. The applicant is developer Caldwell Lakes, who is requesting a temporary concrete batch plant to build out the rest of Lasater Road as well as create additional internal connectivity for the new Caldwell Lakes development. The Planning and Zoning Commission recommended approval of the requested temporary batch plant for a period of 60 days.

- 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)**

- 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)**

Community Development Director Bill Medina stated agenda items 8 and 9 are for a public hearing and a subsequent ordinance approval. He further stated that in reviewing the current zoning ordinance, Staff has identified several components which reduce the City’s capacity for administering and providing public services. Staff is recommending amendments to the Apartment Zoning District, Local Retail Zoning District, Special Uses, and Reserved (25.02.730) sections of the zoning ordinance. The Apartment Zoning District – Allow for a maximum height of three-stories (forty-five feet). The current regulation only allows for two standard stories. The Local Retail Zoning District – Allow for restaurants and banks with drive-through services by right. The current regulations require a special use permit (SUP) for all drive-through services. City Ordinance (25.02.714) closely regulates drive-through standards with stacking, spacing, escape lane, and other requirements. Any drive through would still be approved via the site plan process by the Planning and Zoning Commission with Staff review and recommendation. The Special Uses – Removal of the Special Use Permit (SUP) requirement for public buildings, public utilities, drive-through services for restaurants

and financial institutions. Requiring an SUP for all public utilities within the public right of way inhibits the City from serving the public as needed and prolongs the implementation of capital improvements. All large utility projects are always vetted through site plan, and/or civil engineering review. Additionally, requiring smaller utility extensions to receive an SUP will only hinder the City's response time. The last item being proposed for amendment is Reserved (25.02.721) – This is a new section of the ordinance that will allow for public facilities and utilities in any zoning district. The Planning and Zoning Commission also recommended approval of the proposed amendments. Community Development Director Medina reviewed each of the proposed amendments with City Council, with a question-and-answer session following.

City Manager Stallings stated the other agenda items will need to be discussed in Regular Session.

Adjourned at 6:45 p.m.

APPROVED:


Mayor Lackey Stepper Sebastian

ATTEST:


Melinda Welsh, City Secretary

