

**CITY COUNCIL  
WORK SESSION  
FEBRUARY 01, 2016**

The City Council held a work session on Monday, February 01, 2016 at 6:31 p.m. with a quorum present, to wit:

Dennis Childress	Mayor
Tommy Lemond	Mayor Pro Tem
Rick Howard	Councilmember
Jose Hernandez	Councilmember
Mike Fruin	Councilmember
Jon Epps	Councilmember

The following staff members were also present: City Manager Pat Stallings, Police Chief Ray Calverley, Finance Director Patrick Harvey, Community Development Director Ladis Barr, HR Director/Risk Manager Cindy Brown, City Attorney Alexis Allen and City Secretary Dara Crabtree.

**ITEM 2. STAFF UPDATES.**

City Manager Stallings discussed proposed reorganization including: the renaming of the Public Works Department to the Public Utilities Department; the Public Utilities Department would consist of water and sewer; streets, parks, and litter crew would be moved under the Community Development Department; and the existing planning & zoning, building maintenance and code enforcement would remain under the Community Development Department; beginning the second pay period of March the hours of operation will be Monday – Friday, 8:00 a.m. – 5:00 p.m. for all civilian employees; in April desire to provide a one-time 1% retention pay for all employees (this item will be brought back as a budget amendment for council consideration); and desire to make salary adjustments for the Public Utilities employees.

**ITEM 1. DISCUSSION OF AGENDA ITEMS.**

ITEM 4C. Following a City Council inquiry, Police Chief Calverley stated he was happy with the Racial Profiling Report being submitted tonight.

ITEM 5C. Discussion included: a one year renewal was being requested; pricing will remain same as first year; Charter provisions for contracts; prior issue before a festival was staff related not contractor; staff will take on more mowing to balance contract to allow for mowing of highway medians; current contract includes cleaning landscape beds; TxDOT mows twice a year; and to consider zero-scaping entrance sign areas.

ITEM 11. Following a City Council inquiry, Community Development Director Barr stated he has met with the property owner and they are aware the building must be brought up to code prior to receiving a Certificate of Occupancy.

Following a City Council inquiry, City Attorney Allen confirmed Council could amend the ordinance being considered tonight to include a time limit, if so desired.

ITEM 14. The discussion on the homestead exemption was pulled so as more research could be done on the item.

ITEM 15. Following a City Council inquiry, Community Development Director Barr confirmed currently there was no minimum dwelling square footage provided for in the agriculture zoning.

The work session was adjourned at 7:10 p.m.

APPROVED:

  
MAYOR

ATTEST:

  
CITY SECRETARY



**CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 01, 2016**

The City Council held a regular meeting on Monday, February 01, 2016 at 7:19 p.m. with a quorum present, to wit:

Dennis Childress	Mayor
Tommy Lemond	Mayor Pro Tem
Rick Howard	Councilmember
Jose Hernandez	Councilmember
Mike Fruin	Councilmember
Jon Epps	Councilmember

Mayor Childress provided the Invocation and led the Pledge of Allegiance.

**MAYOR'S REPORT.** Mayor Childress reported city offices would be closed on February 15<sup>th</sup> in observance of President's Day; the next council meeting will be held on Monday, March 7<sup>th</sup>; candidate packets were available in the City Secretary's office; filing for a place on the ballot continues until Friday, February 19<sup>th</sup> at 5:00 p.m.; and thanked everyone for attending tonight's meeting.

**CITIZENS PUBLIC COMMENT PERIOD (items on the agenda).**

Terri Ashmore, 605 N. Watson Street – commented on Agenda Item 16 including: survey included in agenda packet; not looking at whole ordinance as to when adopted; asked for council

to be diligent in review; what ordinance currently allows vs. what was allowed 30 years ago; age of subdivisions; planning at time of construction; consider the economic factor; cost to residents to put on a composition roof; rear entry requirements; side yard setback requirements; concerns if side yard not wide enough to get to rear yard; when were the other city ordinances last updated; and cost to residents.

**CONSENT AGENDA.**

Councilmember Epps made a motion, seconded by Councilmember Hernandez, to approve Consent Agenda Items 1C through 10C. A vote was cast 5 in favor, 0 against.

- ITEM 1C.** Approve minutes for meetings held on January 04, 2016.
- ITEM 2C.** Approve Resolution No. 04-R-16 ordering the General Election to be held on May 7, 2016.
- ITEM 3C.** Approve Joint Election Agreement and elections services contract with Dallas County Elections Department for the conduct of a joint election to be held May 7, 2016.
- ITEM 4C.** Approve Resolution No. 05-R-16 authorizing the Mayor to accept the Police Department's 2015 Racial Profiling Report.
- ITEM 5C.** Approve Resolution No. 06-R-16 renewing a contract with Good Earth Corporation in the amount of Eighty-Three Thousand Eight Hundred and Eighty-Two Dollars (\$83,882.00) for performing all work necessary for mowing maintenance of City parks, medians, rights-of-way, and other lots in the city for the term of one (1) year; authorizing the City Manager to execute all necessary documents; providing for the repeal of any and all resolutions in conflict; providing for severability clause; and providing an effective date.
- ITEM 6C.** Approve Ordinance No. 03-16 amending Chapter 11, "Health and Sanitation", Article 11.02, "Food and Food Establishments", to ensure the Ordinance is consistent with amendments to state law, effective October 11, 2015; providing a repealing clause; providing a severability 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.
- ITEM 7C.** Approve Resolution No. 07-R-16 authorizing the Mayor to execute the Settlement and Release Agreement with Oncor Electric Delivery for the overbilling of street light numbers; providing for the repeal of any and all resolutions in conflict; providing for severability clause; and providing an effective date.
- ITEM 8C.** Approve Resolution No. 08-R-16 authorizing the County of Dallas to resell tax foreclosed property located at 809 Armstrong Road, Seagoville, Texas, by public or private sale, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.
- ITEM 9C.** Approve Resolution No. 09-R-16 entering into a Professional Services Agreement with Pipeline Analysis, LLC in the amount of Twenty-Five Thousand

Seven Hundred Dollars (\$25,700.00) for the purpose of preparation of a Sanitary Sewer System Capacity, Management, Operation and Maintenance (CMOM) Plan; authorizing the City Manager to execute all necessary documents; providing for the repeal of any and all resolutions in conflict; providing for severability clause; and providing an effective date.

**ITEM 10C.** Approve Resolution No. 10-R-16 authorizing Work Order Authorization Agreement No. 2 with Halff Associates in the amount of Twenty Thousand Dollars (\$20,000.00) for the purpose of preparation of a TCEQ violation response, water line variance request and miscellaneous consultation; authorizing the City Manager to execute all necessary documents; providing for the repeal of any and all resolutions in conflict; providing for severability clause; and providing an effective date.

**ITEM 11.** Mayor Childress opened the public hearing at 7:29 p.m. to hear a request from Nelson J. Mata to amend the Comprehensive Zoning Ordinance and Map by granting a zoning change from Local Retail (LR) to Local Retail with a Special Use Permit (LR-SUP) to allow for a church on approximately 0.24 ± acre described as Tract 8 of the M.L. Swing Survey, Abstract No. 1420, Page 115 more commonly known as 317 E. Malloy Bridge Road, Seagoville, Dallas County, Texas; providing for special conditions; providing for a severability clause; providing a penalty for violations hereof; providing a savings clause; and providing an effective date. No one spoke in favor or opposition of the request. Mayor Childress closed the public hearing at 7:30 p.m. Following a discussion, Councilmember Hernandez made a motion, seconded by Mayor Pro Tem Lemond, to approve Ordinance No. 04-16 amending the Comprehensive Zoning Ordinance and Map by granting a zoning change from Local Retail (LR) to Local Retail with a Special Use Permit (LR-SUP) to allow for a church on approximately 0.24 ± acre described as Tract 8 of the M.L. Swing Survey, Abstract No. 1420, Page 115 more commonly known as 317 E. Malloy Bridge Road, Seagoville, Dallas County, Texas; providing for special conditions, including but not limited to, a two year expiration clause; providing for a severability clause; providing a penalty for violations hereof; providing a savings clause; and providing an effective date. A vote was cast 4 for, 1 against (Howard).

**ITEM 12.** Mayor Childress opened the public hearing at 7:33 p.m. to hear a request from Sonny Merchant with SMARF, LLC to amend the Comprehensive Zoning Ordinance and Map by granting a zoning change from Local Retail (LR) to Local Retail with a Special Use Permit (LR-SUP) to allow for a restaurant/private club with outdoor patio dining for an approximate 4,750 square foot portion of an existing building, referred to as Suite 102, located on the property described as 2.785± acres on Lot 1R of the Denny's/Day's Inn Addition more commonly known as 550 N. Highway 175, Suite 102, Seagoville, Dallas County, Texas; providing for special conditions; providing for a penalty for violations hereof; providing for a savings clause; and providing an effective date. No one spoke in favor or opposition of the request. Mayor Childress closed the public hearing at 7:33 p.m. Following a discussion, Councilmember Epps made a motion to approve Ordinance No. 05-16 for the current tenant. Following an inquiry as to clarification regarding current tenant, Councilmember Epps withdrew his motion. Following additional discussion, Councilmember Epps made a motion, seconded by Councilmember Hernandez, to approve Ordinance No. 05-16 to amend the Comprehensive Zoning Ordinance and Map by granting a zoning change from Local Retail (LR) to Local Retail with a Special Use Permit (LR-SUP) to allow for a restaurant/private club with outdoor patio dining for an approximate 4,750 square foot portion of an existing building, referred to as Suite 102, located on the property described as 2.785± acres on Lot 1R of the Denny's/Day's Inn Addition more

commonly known as 550 N. Highway 175, Suite 102, Seagoville, Dallas County, Texas; providing for special conditions, including but not limited to, must reapply if the tenant should change; providing for a penalty for violations hereof; providing for a savings clause; and providing an effective date. A vote was cast 5 for, 0 against.

**ITEM 13.** Received financial report for the 2015 fiscal year end and first quarter of fiscal year 2016 from Finance Director Harvey.

**ITEM 14.** The discussion on Code of Ordinances, Article 1.06, Taxation, Division 2. Property Tax, Section 1.06.021, Residence Homestead Exemption was pulled during work session for additional research to be done.

**ITEM 15.** A discussion was held regarding residential zoning classifications including: minimum square footage requirements for current zoning classifications; considering increasing the minimum square footage requirements; no minimum square footage currently required in agriculture zoning; appeal process if minimum square footage is changed; requirements for older neighborhoods vs. newer neighborhoods; option to rebuild at current size if disaster; need to update and comply with comprehensive plan, if make changes; and consider scheduling a joint meeting with Planning & Zoning in the future when ready to move forward.

**ITEM 16.** Following a discussion, the consensus of the City Council desired for an ordinance to be prepared and brought back for consideration with the following carport regulations: 15 foot setback; 2 or more sides open; allow masonry or metal; construction material of building similar to size, shape and material of house; roof design shall be gable or flat; and columns set in concrete.

**ITEM 17. COUNCILMEMBER REPORTS.** No reports.

**ITEM 18. CITIZEN COMMENTS.**

Nancy Ashley, 1702 Parkhaven Street – commented on desire for restaurants to be no smoking; second hand smoke; smoker’s rights; health risk to non-smokers; contacted various health organizations regarding this issue; studies on second hand and third hand smoke; e-cigarettes have same issues and should be banned indoor as well; city council took steps in right direction banning in parks and city buildings; ask smokers to go outside away from doors; and neighboring cities going to smoke free environment.

**ITEM 19. FUTURE AGENDA ITEMS.** No items.

**ITEM 20.** The meeting adjourned at 8:38 p.m.

APPROVED:

  
MAYOR

ATTEST:

Dara Crabtree  
CITY SECRETARY

