

**CITY COUNCIL
WORK SESSION
MARCH 07, 2016**

The City Council held a work session on Monday, March 07, 2016 at 6:30 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, Utilities Director Phil DeChant, City Attorney Alexis Allen and City Secretary Dara Crabtree.

ITEM 2. STAFF UPDATES.

Police Chief Calverley provided a PowerPoint presentation on the Southern Regional Response Group (SRRG).

ITEM 1. DISCUSSION OF AGENDA ITEMS.

ITEM 5C. Following a City Council inquiry, City Manager Stallings confirmed the Interlocal Agreement included the Robinwood Addition.

ITEM 10. Following a City Council inquiry, Community Development Director Barr confirmed the zoning change to require 2-car 400 square foot garages occurred in 2002.

ITEM 7. Following a City Council inquiry, SEDC Boardmember Harold Magill confirmed the contract had a 2 year guarantee or the search would be redone at no cost.

ITEM 8. Following a City Council inquiry, Finance Director Harvey confirmed the budget adjustment was for \$27,955.

ITEM 9. Following a City Council inquiry, Finance Director Harvey stated the water/sewer employees would receive a pay increase with all other full time employees receiving a one-time 1% retention pay. City Manager Stallings clarified General Fund employees vs. Water/Sewer Fund employees.

ITEM 11. Following a City Council inquiry, HR Director/Risk Manager Brown confirmed the ordinance included e-cigarettes and the council, if so desired, could amend the distance from a public entrance to 30' from 25'.

ITEM 12. Following a City Council inquiry, HR Director/Risk Manager Brown stated if the city put the ordinance in place regarding *jake braking*, they would be responsible for the cost of the signage not TxDOT.

ITEM 14. Discussion included: signage only on carts vs. in a conspicuous area inside; was this item a major problem; how many carts on average picked up (4-5 every 6 months); more of blight issue; and majority of carts were from Walmart with a few from Brookshires.

ITEM 15. Following a City Council inquiry, HR Director/Risk Manager Brown stated the ordinance would provide for bulk trash to be placed out the Saturday before the scheduled pick up week. City Manager Stallings clarified the bulk trash in the ordinance is more household items not storm related items.

ITEM 13. Following a City Council inquiry, City Manager Stallings stated code enforcement would ultimately handle items found on the ground next to the donation boxes and it would not cost any additional funds to regulate the proposed ordinance.

The work session was adjourned at 7:09 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY

**CITY COUNCIL
REGULAR MEETING
MARCH 07, 2016**

The City Council held a regular meeting on Monday, March 07, 2016 at 7:20 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 reminded everyone 3rd Saturday clean-up was March 16th from 8:00 a.m. – noon at the service center; and city offices will be closed March 25th in observance of Good Friday.

Mayor Childress presented a proclamation to the Seagoville North Elementary Seagoville Detectives recognizing their outstanding accomplishment of placing first at the regional *Destination Imagination* competition and advancing to the state competition.

Mayor Childress presented a proclamation to *Police Chief Calverley* recognizing the City of Seagoville being named 1 of 50 safest cities (ranked #23).

CITIZENS PUBLIC COMMENT PERIOD (items on the agenda).

Nancy Ashley, 1702 Parkhaven Street – commented on Agenda Item 11 including: health risk of second hand smoke; research confirmed by American Cancer Society and American Heart Association; cigarette smoke contains approximately 7,000 chemicals; no air filtration system can completely eliminate second hand smoke; concerns with third hand smoke; particulates remain for years, if not decades; e-vap and e-cigarettes pose same hazards; risk to employees who work in restaurants; not asking to take away rights – allow to smoke outside away from doorway; and 46 cities as of this week are now a smoke free environment.

Kay Kamm with American Cancer Society, 8900 Carpenter Freeway, Dallas, TX – commented on Agenda Item 11 including: Texas Smoke Free Coalition; commend the City Council on ordinance passed making city owned facilities including parks and city vehicles smoke free; encourage the City Council to make city-wide smoke free environment; employees should not have to put health in danger to earn a paycheck; this is a public health measure; smoke free policies save businesses money; and encourage the City Council to adopt the ordinance before them tonight.

Kelsey Berstein with American Heart Association, 7272 Greenville Avenue, Dallas, TX – commented on Agenda Item 11 including: every 34 seconds a heart attack occurs and every 40 seconds a stroke occurs; second hand smoke health concerns; study proved smoke free environment reduces hospitalizations; this is a huge step forward for a healthy city; no surrounding city who has gone smoke free has suffered economically; and ask the City Council to vote for the comprehensive ordinance tonight.

Marilyn Miller, 202 Mathis Street – commented on Agenda Item 11 including: supports ordinance considering tonight; family and friends health issues due to smoke; asthmatic residents; and smoke free city will save lives.

Linda Vineyard, 497 Thomas Trail – commented on Agenda Item 15 including: items she has out for bulk collection; insurance company coming to her residence; and will special requests for collection be allowed.

CONSENT AGENDA.

Councilmember Hernandez made a motion, seconded by Councilmember Epps, to approve Consent Agenda Items 1C through 6C. A vote was cast 5 in favor, 0 against.

ITEM 1C. Approve minutes for meetings held on February 01, 2016 and February 29, 2016.

ITEM 2C. Approval of Resolution No. 11-R-16 authorizing the City Manager to execute an Interlocal Agreement with the Southern Regional Response Group (SRRG) for specialized emergency police response services and resources; providing for an annual fee in an amount of Seven Thousand Five Hundred Dollars (\$7,500.00); providing for a repeal of any and all resolutions in conflict; providing for a severability clause; and providing for an effective date.

ITEM 3C. Approval of Ordinance No. 06-16 of the City of Seagoville, Texas, adopting Supplement No. 5 to the Code of Ordinances adopted November 06, 2008; providing for the printing thereof, authentication by the Mayor and attestation by the City Secretary; providing for the repeal of certain ordinances; providing exceptions to repeal; providing penalties; and providing an effective date.

ITEM 4C. Approval of Ordinance No. 07-16 of the City of Seagoville, Texas, amending the Code of Ordinances by renumbering Chapter 23A, “Storm Water Protection”, Article 23A.01, “Storm Water”, as a newly adopted Article 19.10, “Storm Water Protection”, Sections 19.10.001 through 19.10.027; and renumbering Chapter 23A, Article 23A.02, “Municipal Storm Water Utility System”, as a newly adopted Article 19.09; adopting Article 19.08, “Reserved”; and repealing Chapter 23A in its entirety;

providing a severability clause; repealing conflicting ordinances; and providing an effective date.

ITEM 5C. Approval of Resolution No. 12-R-16 authorizing the City Manager to execute the Project Specific Agreement regarding reconstruction and overlay of Dennis Circle, Fisk Drive, Robinwood Drive, Lynell Drive and Wanda Way, Type “E” streets, made pursuant to Master Road and Bridge Interlocal Maintenance Agreement between Dallas County, Texas and City of Seagoville, Texas in an amount of Two Hundred Eighty-Two Thousand Five Hundred Eighty Dollars (\$282,580.00); and providing an effective date.

ITEM 6C. Approval of Resolution No. 13-R-16 authorizing the City Manager to execute the Project Specific Agreement regarding reconstruction of Stark Road, Type “B” street, made pursuant to Master Road and Bridge Interlocal Maintenance Agreement between Dallas County, Texas and City of Seagoville, Texas in an amount of One Hundred One Thousand Five Hundred Thirty Dollars (\$101,530.00.00); and providing an effective date.

ITEM 7. Councilmember Hernandez made a motion, seconded by Mayor Pro Tem Lemond, to approve Resolution No. 14-R-16 approving a Seagoville Economic Development Corporation expenditure in an amount of Seventeen Thousand Five Hundred Dollars (\$17,500.00) to enter into a Professional Services Contract with Mike Barnes Group, Inc. for the purpose of conducting an executive search for the Executive Director. Discussion followed regarding guarantee. Councilmember Hernandez retracted his motion. Mayor Pro Tem Lemond retracted his second. Discussion continued. Councilmember Hernandez made a motion, seconded by Councilmember Howard, to table this item until the next meeting to receive clarification of the terms regarding the guarantee. A vote was cast 5 for, 0 against.

ITEM 8. Councilmember Hernandez made a motion, seconded by Mayor Pro Tem Lemond, to approve Ordinance No. 08-16 of the City of Seagoville, Texas, amending Ordinance 21-14 which adopted the operating budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015; providing amended appropriations for the General Fund of the City; authorizing the City Manager to make adjustments; providing for the repeal of all ordinances in conflict; providing a severability clause; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 9. Councilmember Hernandez made a motion, seconded by Councilmember Howard, to approve Ordinance No. 09-16 of the City of Seagoville, Texas, amending Ordinance 20-15 which adopted the operating budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing amended appropriations for the General Fund of the City; authorizing the City Manager to make adjustments;

providing for the repeal of all ordinances in conflict; providing a severability clause; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 10. Following a discussion, Councilmember Hernandez made a motion, seconded by Councilmember Fruin, to approve Ordinance No. 10-16 of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 25, “Zoning”, Division 25.02, “Regulations Applicable to All Districts”, Section 25.02.718, “Carports, Canopies and Porte Cocheres”, to renumber the existing language regulating nonresidential carports as 25.02.718(b), and to adopt a new Section 25.02.718(a), providing regulations for residential carports built prior 2002; 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 as amended to include parking on improved surface, a maximum height of twelve feet (12’) and may not be allowed to enter through the rear of property if only accessible through an unimproved alley. A vote was cast 4 for, 1 against (Howard).

ITEM 11. Councilmember Howard made a motion, seconded by Councilmember Hernandez, to approve Ordinance No. 11-16 of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 13, “Offenses and Nuisances”, Article 13.10, Smoking, by providing regulations and restrictions prohibiting smoking in public places; providing for the posting of signs; providing for enforcement; providing for offenses and penalties of a fine not to exceed Five Hundred Dollars (\$500.00) for each offense; providing a severability clause; providing a savings clause; and providing an effective date. Discussion followed. A friendly amendment was requested by Councilmember Hernandez to amend the distance from a public entry requirement to 30’ from 25’. Councilmember Howard agreed to the friendly amendment to his main motion. A vote was cast 5 for, 0 against.

ITEM 12. Following a discussion, Councilmember Epps made a motion, seconded by Councilmember Howard, to approve Ordinance No. 12-16 of the City of Seagoville, Texas, amending the Code of Ordinances by amending Article 13.03, “Noise”, Section 13.03.002, “Prohibitions”, Subsection (b) to provide for the prohibiting of engine braking, commonly referred to as *jake braking*, in the city limits; authorizing the City Manager or Designee to erect the appropriate signage notifying motorists of this violation; providing for offenses and penalties of a fine not to exceed Five Hundred Dollars (\$500.00) for each offense; providing a severability clause; providing a savings clause; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 13. Following a discussion, Councilmember Epps made a motion, seconded by Councilmember Fruin, to approve Ordinance No. 13-16 of the City of Seagoville, Texas amending the Code of Ordinances by adding a new Article 11.04 titled “Donation Boxes” to Chapter 11 “Health and Sanitation” prohibiting donation boxes from being located in the City of Seagoville; 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 publication and an effective date. A vote was cast 5 for, 0 against.

ITEM 14. Following a discussion, Councilmember Hernandez made a motion, seconded by Councilmember Howard, to approve Ordinance No. 14-16 of the City of Seagoville, Texas, amending the Code of Ordinances Chapter 7, “Business Regulations”, by adding Article 7.10, “Shopping Carts” to provide for the abandonment and recovery of shopping carts; providing for definitions; providing requirements; providing for retrieval and impoundment; providing for disposal of abandoned shopping carts; providing for enforcement; providing for offenses and penalties of a fine not to exceed Five Hundred Dollars (\$500.00) for each offense; providing a severability clause; providing a savings clause; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 15. Following a discussion, Councilmember Hernandez made a motion, seconded by Councilmember Howard, to approve Ordinance No. 15-16 of the City of Seagoville, Texas, amending the Code of Ordinances by amending Article 19.02, “Solid Waste”, by repealing Section 19.02.007, “Placement for Collection”, and replacing with a new Section 19.02.007 to provide for the location, day and times for placement of receptacles, small brush and large/bulky items; providing a severability clause; providing a savings clause; and providing an effective date. A vote was cast 4 for, 1 against (Fruin).

ITEM 16. COUNCILMEMBER REPORTS. No reports.

ITEM 17. CITIZEN COMMENTS. No one spoke.

ITEM 18. FUTURE AGENDA ITEMS.

Jose Hernandez – political sign placement (possible conflict with TxDOT) and Wildflower designation along Highway 175.

ITEM 19. The meeting adjourned at 8:32 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY