

CORRECTED

**COUNTY OF DALLAS/COUNTY OF KAUFMAN
CITY OF SEAGOVILLE**

CITY OF SEAGOVILLE CITY COUNCIL MINUTES

The City Council of the City of Seagoville met in a Regular Meeting on Thursday, February 17, 2011, beginning at 7:30 p.m. in the Council Chambers of City Hall, 702 N. Highway 175, Seagoville, Texas, with the following members present:

Mayor	Sidney M. Sexton, Jr.
Mayor Pro Tem	Brenda Thompson
Council Member	Harold Magill
Council Member	Lee Landess
Council Member	Carl Polnac
Council Member	Peggy Day

The following members were absent:
None

The following City staff members were present:

City Manager	Larry Graves
Assistant City Manager/PWD	Mike Hitt
City Attorney	Bob Hager
Police Chief	Pat Stallings
City Secretary	Sheila Martin

The following Charter Review Committee Members were present:

Pat Bearden	Billy Chambliss
Mary Graham	Joe Mitchell

Mayor Sexton called the meeting to order at 7:30 p.m. and delivered the invocation. The City Council led the Pledge of Allegiance.

PRESENTATION / PROCLAMATION(S)

Carl Henley – Former Planning and Zoning Commissioner

SPEAKERS

None.

CONSENT AGENDA

1. January 20, 2011 Meeting Minutes
2. Consider Resolution No. 04-11 Declaring 24 City-Owned Sig-Sauer Handguns Surplus and Authorizing the City Manager to Sell, Trade, or Dispose of Them in Accordance with Processes Established in the Code of Ordinances

3. Consider Resolution No. 08-11 Authorizing Dallas County to Sell Real Estate Located at 1010 Bowers Road (Case No. 98-32602-TL), Consenting to Accept the Minimum Sealed Bid/Offer on Foreclosed Real Estate located at 1010 Bowers Road, Seagoville, Texas

Motion: Harold Magill made a MOTION Carl Polnac SECONDED to approve, Consent Agenda Items 1-3 as presented.

Vote: 5 Ayes

0 Nays.

ITEMS FOR INDIVIDUAL CONSIDERATION:

PUBLIC HEARINGS

4. Conduct a Public Hearing and Consider Ordinance No. 01-11 on a zoning Change Requests to Establish a Specific Use Permit (SUP) for a Message Center Sign at 112 Hall Street (Gibson Pharmacy) Z2011-01

Mayor Sexton opened the Public Hearing at 7:38 p.m.

- No one spoke in favor of the zoning change request

- No one spoke against the zoning change request

Mayor Sexton closed the Public Hearing at 7:39 p.m.

Motion: Lee Landess made a MOTION Brenda Thompson SECONDED to approve Ordinance No. 01-11

Vote: 5 Ayes

0 Nays.

ACTION ITEMS

5. Consider 2010 Charter Review Committee recommendations to Amend the City Charter

Proposition No. 4

City Attorney Hager read a correction into the record to change: "require" to "allow" two Councilmembers to serve on the Seagoville Economic Development Corporation.

Motion: Harold Magill made a MOTION Brenda Thompson SECONDED. to approve the amendment.

Vote: 5 Ayes

0 Nays

Proposition No. 3

Lee Landess made a Motion to "require four (4) votes as opposed to three (3) to hire and/or fire the City Manager. Peggy Day SECONDED to require four (4) votes to hire and/or fire the City manager.

Vote: 5 Ayes

0 Nays

Mayor Sexton read into the record the following approved MOTIONS:

Proposition No. 3

Requiring four (4) votes to hire and/or fire the City manager, and

Proposition No. 4

Allowing two (2) Councilmembers to serve on the Seagoville Economic Development Corporation.

Vote: 5 Ayes

0 Nays

6. Consider Resolution No. 06-11 Ordering an Election to be Held on May 14, 2011 for Election of Municipal Officers; Mayor, Councilmembers Places 2 and 4 Respectively

Motion: Brenda Thompson made a MOTION Harold Magill SECONDED

Vote: 5 Ayes

0 Nays

7. Consider Resolution No. 09-11 Ratifying SEDC Resolution No. 02-11 Approving Budget Amendment #1 for FY2010-11 for Line Item 1955 for Office Lease (\$3,540), and Line Item 1957 for Building Maintenance (\$5,000) for a Total Amendment of \$8,540

Councilmembers made the following comments:

- Harold Magill – this is a good program
- Lee Landess - the \$5,000 for building maintenance will include horseshoe-shaped meeting space which can be moved.
- Brenda Thompson – creates a free security benefit

Motion: Carl Polnac made a MOTION Harold Magill SECONDED

Vote: 5 Ayes

0 Nays

7. Discuss Adopting a Smoking Ordinance (at the request of Harold Magill)

Harold Magill began the discussion by stating he had been approached by local business owners about adopting a citywide ban on smoking.

Magill: Added the main issue is smoking indoors and businesses want a uniform code for smoking.

Councilmembers added the following comments:

Day: Supports a smoking ordinance

Landess: Prefers to let businesses that want to ban smoking-ban smoking

Polnac: Smoking Ordinance would have a major impact on Denny's Restaurant. Wants to approach problem by asking restaurants to relocate smoking area to the back of the restaurant and wall-off that area. Wants to leave the decision up to the businesses.

Thompson: Each business has a right to ban smoking. Does not want Another "big brother" ordinance. Denny's Restaurant would be primarily be impacted by a smoking ordinance. Maybe Chamber will be able to address this issue with their members

City Attorney Hager Summary: Consensus is to find out if the business community wants a smoking ordinance. Hager will provide sample smoking ordinances if needed.

CITIZEN COMMENTS:

Joe Mitchell, 720 May Road addressed the Council stating – FY11-12 Budget will be a major issue. Summarized City property tax and sales tax history. asked that Council consider using 4B sales tax money for street maintenance. General Fund is pushed to the limit. Stated that SEDC budget is overstated by \$40,000 due to the vacancy left by the departure of former SEDC President and CEO Carlos Vigil

FUTURE AGENDA ITEMS

Peggy Day requested a discussion on annual inspections for multi-family dwellings.

Lee Landess wanted to know why Seagoville doesn't have an adult softball league.

EXECUTIVE SESSION

Prior to the start of the Executive Session – City Attorney Hager noted a scrivener Error on Agenda Item #11-staing that Council would be convening pursuant to Section 551.072 as opposed to 551.075.

Council will re-convene into Regular Session to take any action resulting from the Executive Session.

Council convened into Executive Session at 8:20 p.m.

Council re-convened into Regular Session at 8:51 p.m.

- 10. City Council Shall Meet in Closed Executive Session Pursuant to Section 551.074 of the Texas Government Code to Deliberate the Appointment, Employment, Evaluation, Reassignment, or Duties of a Public Officer, to wit, Municipal Court, Court of Record, Associate Judge(s).**

City Attorney Hager stated during Executive Session Council had interviewed and agreed to offer Tim Menchu a contract as Municipal Court Associate Judge.

Motion: Harold Magill made a MOTION Brenda Thompson SECONDED. to approve

Vote: 5 Ayes

0 Nays

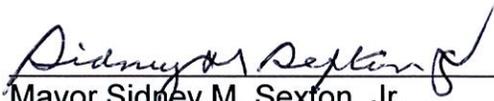
- 11. City Council Shall Meet in Closed Executive Session Pursuant to Sections 551.072(corrected) of the Texas Government Code to Receive a Report or Advice from City Staff Regarding the Seagoville Main Post Office.**

City Attorney Hager stated there was no action to be taken as a result of the Executive Session on the Post Office.

ADJOURN

Mayor Sexton adjourned the Council meeting at 8:53 p.m.

Approved this the 3rd day of March, 2011



Mayor Sidney M. Sexton, Jr.

ATTEST:



Sheila J. Martin, City Secretary