

**COUNTY OF DALLAS/COUNTY OF KAUFMAN
CITY OF SEGOVILLE**

CITY OF SEGOVILLE CITY COUNCIL MINUTES

The City Council of the City of Seagoville met in a Regular Meeting on Thursday, April 21, 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:
All Council Members were present

The following City staff members were present:

City Manager	Larry Graves
Assistant City Manager/PWD	Mike Hitt
City Secretary	Sheila Martin

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)

None

SPEAKERS

None

CONSENT AGENDA

1. April 7, 2011 Meeting Minutes

Motion: Brenda Thompson made a MOTION Harold Magill SECONDED to approve Consent Agenda Items as presented.

Vote: 5 Ayes

0 Nays

Track No 61 Blue

ITEMS FOR INDIVIDUAL CONSIDERATION:

PUBLIC HEARINGS

2. Conduct a Public Hearing and Consider Ordinance No. 02-11 Amending Chapter 19 of the Code of Ordinances, Creating a Municipal Storm Water Utility

Mike Hitt provided an overview of storm water utility requirements. The requirements represent an unfunded mandate from the federal government. Hitt stated that the General Fund along with a small loan from the Water and Sewer fund are being used to meet the requirements, which amounted to \$72,000.00 last fiscal year. In May 2010, the City Council authorized Freese and Nichols to conduct a storm water utility fee study. Freese and Nichols presented the study results to Council in January 2011. A City staff briefing followed in March 2011 and included an overview of a process to set up the recommended storm water utility. Stephanie Griffin of Freese Nichols presented additional information via a PowerPoint presentation which included storm water utility fees from North Texas cities.

Mayor Sexton opened the Public Hearing at 7:43 p.m.

The following citizens spoke:

Ken Carter — Opposed the Ordinance – Stating if this project has been three (3) years in the planning, why have no money been budgeted to fund the project. There are 18 cities in the metroplex with no storm water utility ordinance/fee. Believes a new City department will be created if the fee is adopted. Doesn't want one cent of utility customer's bill to fund storm water.

Joe Mitchell – 720 May Road, Seagoville, Texas - Opposed – Seagoville is 95% private property, implementation will have an adverse economic effect on residents. There are too many unanswered questions.

Dee Thompson – 1919 Seagoville Road, Seagoville, Texas – Opposed – With gas prices rising along with taxes another \$7.50 a month will hurt residents. Seagoville is a low-income area

James Sudduth – 2401 Cloverhill Road, Seagoville, Texas – Opposed – He will pay a fee, but will not receive any benefit for doing so.

Brian Blessing – 823 Johnnie Row, Seagoville, Texas – Opposed – As candidate for Council Place 2; citizens he has talked with don't want this fee or bigger government.

Mayor Sexton closed the Public Hearing at 7:56 p.m., and limited comments to the City Council

Brenda Thompson- Asked if passed, will the City be obligated to fund?

Larry Graves responded the utility could be created but not funded

Harold Magill – Asked will City staff be able to go onto private property to address Storm water utility issue. It has been a problem in the past with staff not having the ability to go onto private property. Referred Council to news article placed in Council packets referencing City of San Angelo's liability due to storm water issues. Wants storm water fee to be dedicated
Asked what are the three fee-exempt categories.

Stephanie Griffin, Freese and Nichols; the following categories are exempt from paying the fee: tax-exempt agencies, religious organization, and colleges and universities. Griffin stated federal prisons and military installations must pay the fee. Cities/counties, and school districts are optional

Lee Landess – Can support creating the fund, but not setting the fee. Needs more information on how the fees will be used. Asked what if a \$100,000 piece of equipment was purchased will that piece of equipment be able to be used for other purposes?

Mike Hitt replied storm water related equipment would be provided through a contract with a vendor, or through a lease agreement.

Carl Polnac – Needs to know what resources are needed so that a fee can be set to fund storm water issues. If Council sets this up without funding, staff will have to continue to find a way to pay for the requirements.

Peggy Day - Reference news article referring to City of San Angelo's storm water liability, asked why other cities haven't implemented the storm water ordinance/fee. Views storm water utility as a pollution tax

Stephanie Griffin, Freese and Nichols, All cities have to comply with storm water requirements. Some cities are using general fund or other funds to address the the requirements.

Following Council comments.

Motion: Peggy Day made a MOTION Carl Polnac SECONDED to approve Ordinance No. 02-11

Vote: 3 Ayes
Landess, Polnac, Day

2- Nays
Thompson, Magill

ACTION ITEMS

3. Conduct a Public Hearing and Consider Resolution No. 14-11 Creating a Storm Water Utility Fee.

Mike Hitt stated the Freese and Nichols study resulted in 3 fee categories for which are: Level 1 - \$2.65 for Basic Compliance, Level 2 - \$4.95, Compliance with Small CIP projects, and Level 3 - \$7.50 Compliance with Moderate CIP. Hitt referenced a chart that contained storm water fees from area cities. Stating staff is recommending a \$4.95 per residence. Commercial/industrial Customers will be charged a fee of \$7.50 per square foot of impervious surface area.

Mayor Sexton opened the Public Hearing at 8:27 p.m.

The following citizens spoke:

Ken Carter 411 Hargrave, Seagoville, Texas – Opposed – No fee

Joe Mitchell – 720 May Road, Seagoville, Texas – Opposed –No fee. Look carefully before implementing. Determine how City will be able to get onto private Property to build a good drainage system

Dee Thompson - 1919 Seagoville Road, Seagoville, Texas – Opposed – Seagoville is low-income will have a negative impact on citizens

Brian Blessing - 823 Johnnie Row, Seagoville, Texas – Opposed – Stay at zero – figure out how to fund later.

Mayor Sexton closed the Public Hearing at 8:33 p.m., limiting comments to Council. Council stated their preference for the storm water utility fee as being:

Brenda Thompson – Zero – due to the economy

Harold Magill – Zero – due to the economy. Received confirmation from Mike Hitt that Council has the option of funding the The utility anywhere from one cents to \$7.50 cents. Asked if the law makes a provision for Senior citizens? Stephanie Griffin, Freese and Nichols confirmed the regulations do not exempt enior Citizens

Lee Landess – Zero – due to the economy. Need to make an educated decision

Carl Polnac – Zero – But Council is “kicking-the-can down the road” This issue will have to be addressed.

Peggy Day – Zero – With reservations

Motion: Lee Landess made a MOTION to – **Not set a Stormwater Utility Fee** – Brenda Thompson SECONDED

Vote: 5 Ayes

0 Nays

CITIZEN COMMENTS

Joe Mitchell 720 May Road – Wanted to make an additional comment about utility Fees – referenced the \$100.36 million Oncor increase which cost each customer ~~customers~~ \$2.60.

Calvin Travers 600 W. Simmonds Road – Requested that staff ask the State to place “bumpers” on the inside lane at the intersection of Malloy Bridge Road and Hwy 175.

FUTURE AGENDA ITEMS

NONE

No other Future Agenda Items were brought forward

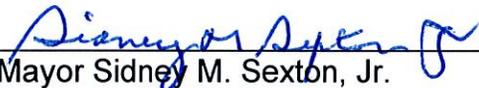
EXECUTIVE SESSION

None

ADJOURN

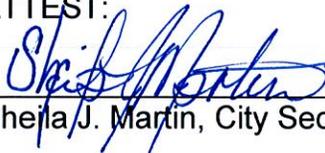
Mayor Sexton adjourned the Council meeting at 8:141 p.m.

Approved this the 5th day of May, of April, 2011



Mayor Sidney M. Sexton, Jr.

ATTEST:



Sheila J. Martin, City Secretary