

**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 Monday, June 16, 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:

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|----------------|----------------------|
| Mayor | Sidney M. Sexton, Jr |
| Council Member | Terri Ashmore. |
| Council Member | Harold Magill |
| Council Member | Lee Landess |
| Council Member | Dennis Childress |
| 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 |
| Police Chief | Patrick Stallings |
| Fire Chief | Tommy Lemond |
| SEDC President/CEO | Bekki Roberts |
| City Secretary | Sheila Martin |

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

PRESENTATION / PROCLAMATION(S)

Sunset Lions Club members presented the Mayor a check in the amount of \$4,419.00 to Support Seagoville Animal Shelter Operations.

SPEAKERS

Jim McConnell, 14833 Tradewinds Circle addressed the Council to comment on Agenda Item No. 6 – Revising/Rescinding the Downtown Overlay – McConnell's comments are included under Action Item No, 6 Below.

CONSENT AGENDA

1. June 16, 2011 Meeting Minutes

2. Consider Resolution No. 34-11 Ratifying an SEDC Project Agreement with Tom Haeussler owner of Inlet Structure Specialities, LTD for infrastructure improvements for the business to be located at 501 W. Simonds Road in an amount not to exceed \$88,000.00 – SECOND READING

3. Consider Ordinance No. 04-11 abandoning an existing right-of-way/parkway, known as Red Oak Circle, located in Kaufman Oaks Addition

4. Consider Resolution No. 37-11 Authorizing the City Manager to sell 0.862 acres of real property, formerly known as a portion of Red Oak Circle to Heartland Express, Inc.

5. Consider Resolution No. 38-11 Approving sale of an approximately 0.977 acre tract of land located in the City to the Seagoville Economic Development Corporation for Development of an Ace Hardware Store

Harold Magill made a MOTION, Terri Ashmore SECONDED to approve the CONSENT Agenda as presented

Vote - 5 Ayes

0 – Nays

6. Council Member Lee Landess requested this agenda item to discuss revising and/or rescinding the Downtown Overlay Zoning

Lee Landess began the discussion by saying he believed Council had good intentions when adopting the overlay zoning. However, he has heard nor positive comments from citizens on the district. If there is no build-out from Hwy 175, there will be no development in downtown. Recommends bringing "stakeholders" together after the overlay is rescinded to decide how a downtown will be developed.

Under the current zoning, the City Manager ultimately decides what businesses can located into the overlay. Buildings are just sitting there falling apart. Seagoville Economic Development Corporations and property owners must get involved.

Jim McConnell, 14833 Tradewinds Circle addressed the Council stating that he represents the George Reeves Co. that owns nine (9) properties in the Overlay District, and that he is in favor of reviewing/revising overlay zoning. McConnell stated that it is difficult to bring existing older buildings into to "compliance."

Encouraged Council to take a hard look at revitalizing existing buildings – it is difficult and will be a detriment to the economic engine Council wants downtown to be.

Seagoville is not the first City to have a zoning ordinance that's ahead of its time. Current overlay zoning allows the minor waivers before the City Manager, major waivers before Planning and Zoning Commission with Council ultimately deciding which waivers will be approved.

There is a difference between "uses" and "waivers". "Uses" refer to what type of building will locate in the district – will the businesses result in high-impact traffic or low impact traffic. While "waivers" refer to what the district will look like. Current uses for the area are OK, getting waivers approved is the issue.

The overlay zoning is thorough and complete, but encourages City Council to apply restrictions best suited for un-developed land to existing older development. – applying formal zoning to existing development is difficult. Supports Council re-visiting/revising the ordinance.

Mayor Sexton - stated he supports Mr. McConnell's position. The overlay was implemented based on issues such as Loop 9, and South Dallas industrial development which has not occurred to-date.

Terri Ashmore - made the following comments: Recommends Council consider the types of businesses that go into overlay district. Consider making the zoning restrictions less restrictive. Believes barriers to development are not so much the zoning but is more of an issue of relaxing the codes/waivers.

Harold Magill – stated Seagoville Economic Development Corporation has tried a number of times to locate businesses in the overlay, but overlay property owners have "backed-out-of-the-deals." Supports sending the overlay ordinance back to Planning and Zoning along with an Ad Hoc Committee of overlay property owners to make recommendations for revising the ordinance. Malloy Bridge has enough industrial development, he is concerned about adding more. Also concerned about overlay uses resulting in high traffic counts near the school

Stated he had attended an event, where cities won awards for downtown revitalization. Also has attended seminar on formula-based zoning. If the overlay district is rescinded today, given the economy there will not be a rush to develop it. Supports sending the overlay ordinance back to Planning and Zoning and having citizens identify stumbling blocks

Dennis Childress: - Overlay needs something to generate foot traffic. A library is planned for downtown – believes the old Smith Pharmacy will make a great library. However, if library was to be built in downtown, waivers would determine what the library will look like. Waivers will be costly to creating the "look" of downtown.

Peggy Day: Agrees with Mr. McConnel, the overlay zoning was good at the time. Supports re-visiting the overlay zoning ordinance.

Larry Graves: - Agrees it is easier to deal with vacant land. Existing buildings are much more difficult to deal with. Is concerned with how the word "intent" as used in the ordinance; it is difficult to defend in court of law. Agrees the ordinance needs to go back to Planning and Zoning.

McConnell – stated "intent" refers to the safety, health and welfare of Seagoville citizens; which is the intent of the George Reeves Company. Company projects are developed to mitigate traffic impacts. Encouraged Council to provide his contact information to any businesses that were turned away from the overlay. (McConnell's provided his business card to the City Secretary.)

Council agreed to invite Orasi and brief Council on the TIF

7. Consider applications and interview 2011 first-time applicants for vacant and expiring City boards and commissions seats

Mayor Sexton introduced this item by stating each first time 2011 boards and commission applicant will be asked to come to the podium; state their name, address, and the reason they would like to serve on a City boards and commission. First-time 2011 Boards and Commission applicants appearing before the Council:

Board of Adjustment

- John Player, 703 Shadybrook Lane – Twenty-five year resident . No background in this area. But understands the board role is to grant variances to City ordinances. Cares about doing what's right for the City, and wants to contribute.

Library Board

- Carrol Price 711 Shadybrook - Seventeen year resident. No background in libraries. Spent 34 years in the United States military. Wants to give back to her community

Park and Recreation Commission

- John Player, 703 Shadybrook Lane – Some experience back in the 1980's. Ran a softball league for 5 years. Served on Mesquite Softball League Board

Planning and Zoning Commission

- **Cynthia Hamm, 2005 Cain Street #1024 – Has worked in Seagoville for 12 years. Moved here 6 months ago. Became involved in community projects after helping Ritha Edwards. It's an honor to be of service to her community.**

- **Alvin Ross** – Eight-year resident. Has owned business here for 42 years. Wants to learn more about planning and zoning; and contribute to his community
- **Terry Ogletree** – Twenty-eight-year resident. Husband's family has lived in Seagoville for 100 years, and built much of downtown Seagoville. Wants to contribute to her community.
- **Richard Howard** – Forty-eight-year resident. Has served on Planning and Zoning Commission before. Is interested in serving again and contributing to his community.

Mayor and Council Members thanked applicants for their interest and for coming to tonight's meeting.

CITIZEN COMMENTS

8. **Leon Love** 704 E. Farmers Road – Asked Council to think about Police Department needs as part of this year's budget process – saying the Department is understaffed and overworked. .

Gene Landess 1450 Combine Road – Stated he was concerned about the overlay – current zoning only allows him to build on 10 feet of property he owns that runs from Malloy Bridge Road to Lakey Street.

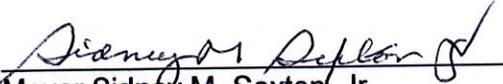
10. FUTURE AGENDA ITEMS

Council agreed to have Orasi and Company (consulting firm) brief Council on Tax Increment Financing

ADJOURN –

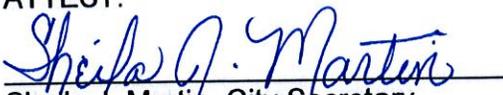
Mayor Sexton adjourned the Council meeting at 8:18 p.m.

Approved this the 18th of July 2011



Mayor Sidney M. Sexton, Jr.

ATTEST:



Sheila J. Martin, City Secretary