

**STATE OF TEXAS  
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 5, 2009 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	Jose Hernandez
Council Member	Carl Polnac
Council Member	Marshall Green

The following City and SEDC staff members were present:

City Manager	Denny Wheat
Public Works Director/ACM	Mike Hitt
Chief of Police	Pat Stallings
Police Captain	Ray Calverley
Fire Chief	Tommy Lemond
Parks Director	Ralph Mendez
Finance Director	Joe Stegall

SEDC Executive Director	Bekki Roberts
SEDC CEO/President	Carlos Vigil

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

City Attorney Bob Hager arrived by 7:43 p.m.

**PRESENTATION / PROCLAMATION(S)**

There were no presentations or proclamations.

**SPEAKERS**

There were no persons to speak before the Council.

**CONSENT AGENDA**

1. Consider approval of the minutes of the January 15, 2009 Regular City Council Meeting.

2. Consider Resolution No. 05-09 Adopting the City's Investment Policy Without Modification.

The City of Seagoville is required to review the investment policy annually and it is adopted as a part of the budget every year. The City Council was verbally briefed and reviewed the Investment Policy at the January 15, 2009 Work Session meeting.

3. Consider Resolution No. 06-09 Amending the City's Master Fee Schedule.

The City Council approved Ordinance 01-09 at its January 15, 2009 Regular City Council Meeting requiring that all emergency service calls use the City's 9-1-1 service and requiring all private ambulance companies to register, and receive a permit to operate within the City of Seagoville to for non-emergency medical services. This resolution amended the Master Fee Schedule to include a \$50 annual permit fee for private non-emergency ambulance services operating inside the City limits.

4. Consider Resolution No. 07-09 Supporting the Regional Transportation Council's "Rail North Texas" Initiative: A Primary Rail Legislative Program with Supplemental Roadway Improvements.

The Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy board associated with the North Central Texas Council of Governments. The RTC, a regional forum for cooperative decisions, passed a joint resolution supporting "Rail North Texas." Cities and counties are being asked to support the joint resolution.

Motion: Brenda Thompson made a MOTION and Jose Hernandez SECONDED to approve, as presented, the items on the Consent Agenda.

Vote on the motion: Motion passed unanimously by 5 ayes-0 nays.

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **PUBLIC HEARINGS**

There were no public hearings scheduled.

### **ACTION ITEMS**

5. Consider on the Second and Final Reading, Resolution No. 02-09, Ratifying an SEDC (Seagoville Economic Development Corporation) Project to Fund the Installation of Athletic Field Lights to Include the Warranty and 24/7 Monitoring and Authorizing the Mayor to sign an Economic Development Agreement with SEDC in an Amount Not to Exceed \$125,000.

Motion: Carl Polnac made a MOTION and Harold Magill SECONDED to approve Resolution No. 02-09.

Vote on the motion: Passed unanimously by a vote of 5 ayes-0 nays.

6. Consider Resolution No. 08-09, Awarding a Bid to Musco Lighting in an Amount Not to Exceed \$125,000 for the Installation of Athletic Lights and Monitoring of the Lights for 25 Years at Bearden Park.

Motion: Harold Magill made a MOTION and Marshall Green SECONDED to approve Resolution No. 08-09.

Vote on the motion: Passed unanimously by a vote of 5 ayes-0 nays.

7. Consider on the Second and Final Reading, Resolution No. 03-09, Ratifying an SEDC Project Agreement to Fund the Installation of Engineered Wood Fiber at the Petty White Park Playground and Authorizing the Mayor to Sign an Economic Development Agreement with the SEDC in an Amount Not to Exceed \$8,540.

Motion: Jose Hernandez made a MOTION and Brenda Thompson SECONDED to approve Resolution No. 03-09.

Vote on the motion: Passed unanimously by a vote of 5 ayes-0 nays.

8. Consider on the Second and Final Reading, Resolution No. 04-09, Ratifying an SEDC Project Agreement with Seagoville Venture No. Two, LP, for the Finish-Out Construction of Hibbett Sporting Goods in the Seagoville Corners II Shopping Center Located at 410 N. Highway 175 in an Amount Not to Exceed \$120,000.

Motion: Marshall Green made a MOTION and Carl Polnac SECONDED to approve Resolution No. 04-09.

Vote on the motion: Passed by a vote of 4 ayes to 1 nay; Mayor Pro Tem Brenda Thompson voted against the resolution. The motion carried.

9. Consider Resolution No. 09-09, Ratifying a Release of Claims and Waiver of Liability Agreement with Dallas Fire and Rescue.

Seagoville Fire Engine – 2 will be in the body shop for repairs and out of service for approximately three weeks. Dallas Fire and Rescue agreed to loan a reserve engine to the Seagoville Fire Department. Based on the need to sign the agreement before the Council's next meeting, City Manager Denny

Wheat signed the liability waiver to ensure that public safety could be maintained.

Motion: Harold Magill made a MOTION and Brenda Thompson SECONDED to approve Resolution No. 09-09.

Vote on the motion: Passed unanimously by a vote of 5 ays-0 nays.

10. Consider Ordinance No. 02-09 Ordering an Election to be Held on May 9, 2009 for Election of Municipal Officers (Council Member Places 2, 4, and Mayor, respectively.)

Motion: Jose Hernandez made a MOTION and Marshall Green SECONDED to approve Ordinance No. 02-09.

Vote on the motion: Passed unanimously by a vote of 5 ayes-0 nays.

#### **CITIZEN COMMENTS**

11. There were no persons to speak before the Council.

#### **FUTURE AGENDA ITEMS**

12. Future Agenda Items.

There were no future agenda items requested during the regular meeting.

These items were assigned during the Council Work Session:

Mayor Pro Tem Brenda Thompson confirmed that Dallas City Council Member Tennell Atkins will appear before the City Council at its February 19 Work Session.

Council Member Harold Magill asked about standardized house numbering based on his observing varied number sizes and colors in use which he indicated may make it difficult for first responders/public safety personnel to locate citizens in need of emergency services in a timely manner.

Council Member Jose Hernandez asked that the City Council consider a day time student curfew based on the finding that recent offenses occurred during the day by juveniles. He would like for the Council to consider adopting an ordinance that mirrors what Dallas is considering in order to counteract any spillover effect.

Council Member Carl Polnac asked if Dallas ISD Board Trustee Nancy Bingham has been scheduled.

Council Member Marshall Green indicated he too would like to know when Ms. Bingham would be scheduled to address the City Council.

## **EXECUTIVE SESSION**

The City Council convened into closed Executive Session at 7:57 p.m. for the conduct of Items 13 and 14, as authorized under the Texas Local Government Code and re-convened at 9:32 p.m., with all Council Members present.

13. The City Council convened into closed Executive Session pursuant to Texas Local Government Code, Section 551.071 (a) and (b), to discuss and deliberate with the City Attorney the following pending matter in litigation or matters involving attorney-client privilege:

Cause No. 06-01444-F; City of Seagoville v. Edwin Shields and Ruby Shields, d/b/a Texas Our Home, Inc., in the 116<sup>th</sup> Judicial District Court of Dallas County;

The City Council reconvened into Regular Session; no action was taken.

14. The City Council convened into closed Executive Session pursuant to Texas Local Government Code, Section 551.072 to discuss and deliberate the purchase, acquisition, exchange, lease, or value of real property as follows;

Discuss acquisition of property for public facilities including land for the expansion of a water tower site and future land and building for the public facilities in the City of Seagoville in the general area of (1) Malloy Bridge Road and Peck Street, (2) Peck Street near Ward Street, (3) Farmers Road near Avenue C, and (4) U.S. Highway 175 and May Road.

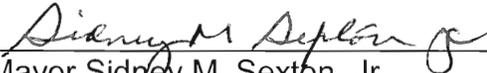
The City Council reconvened into Regular Session; no action was taken.

## **ADJOURN**

15. Adjourn.

Mayor Sexton adjourned the Council meeting at 9:33 p.m.

Approved this the 19<sup>th</sup> day of February, 2009.

  
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Mayor Sidney M. Sexton, Jr.

ATTEST:

  
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Janie Willman, Interim City Secretary

