



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, SEPTEMBER 25, 2023
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

CALL WORK SESSION TO ORDER Mayor calls the Work Session to order, states the date and time, states Councilmembers present, and declares a quorum present.**

Mayor Jordan called the work session to order at 6:00 PM. Councilmembers present were Jeff Jordan, Matt Phillips, Lisa Parker, Quattro Borders, Ashlea Longenecker, and Jason Nelson. Councilmember Charles Gillenwater was absent. Mayor Jordan declared a quorum present. Also present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, City Attorney Patricia Adams, City Secretary Jessie Hanks, Finance Director Mary Wennerstrom, Economic Development Director Stewart McGregor, Development Services Director Andrew Bogda, Fire Chief Ronnie Davis, and Police Captain Colter Leftwich.

WORK SESSION A Work Session is used to explore matters of interest to one or more City Council Members or the City Manager for the purpose of giving staff direction on whether or not such matters should be placed on a future regular or special meeting of the Council for citizen's input, City Council deliberation and formal City action. Although Work Sessions are public meetings, and citizens have a legal right to attend, they are not public hearings, so citizens are not allowed to participate in the session.

1. Discuss a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, to add the use "Donation Box" to certain Zoning Districts by amending Chart 3 "Accessory & Incidental Uses" of Section 33.4 "Use Regulations"; adding "Donation Box" to Section 33.5 "Definitions"; and adding "Donation Box" specifications to Section 37.5 "Accessory Building and Use Regulations" (Case No. Z-03-23)

Mr. Bogda outlined the proposed amendment to the Zoning Ordinance regarding donation boxes. There were discussions regarding the regulations and the vision of the council for this amendment.

2. Discussion regarding items on the Regular Session Agenda, including the consideration of Executive Session items

Mr. Holder reviewed various items on the Regular Session Agenda.

WORK SESSION ADJOURNMENT

There being no further business, Mayor Jordan adjourned the work session at 6:27 PM.

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Mayor calls the Meeting to order, states the date and time, states Councilmembers present, and declares a quorum present.**

Mayor Jordan called the work session to order at 6:30 PM. Councilmembers present were Jeff

Jordan, Matt Phillips, Lisa Parker, Quattro Borders, Ashlea Longenecker, and Jason Nelson. Councilmember Charles Gillenwater was absent. Mayor Jordan declared a quorum present. Also present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, City Attorney Patricia Adams, City Secretary Jessie Hanks, Finance Director Mary Wennerstrom, Economic Development Director Stewart McGregor, Development Services Director Andrew Bogda, Fire Chief Ronnie Davis, and Police Captain Colter Leftwich.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Council agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the City Council on any subject but must first complete a Request to Speak Form so that the Mayor may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the Council as a whole. **When addressing the Council, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council.**

No comments were given.

PROCLAMATION

3. Community Planning Month - October 2023

Mayor Jordan proclaimed October as Community Planning Month.

4. World Teachers' Day - October 5, 2023

Mayor Jordan proclaimed October 5, 2023, as World Teachers' Day.

RECOGNITION

5. Business of the Month - John Mosley Attorney at Law

Mayor Jordan, Mr. McGregor, and Anne Glasscock, CEO of the Kaufman Chamber of Commerce, presented and recognized John Mosley as the Business of the Month. Mr. Mosley informed the public about his time as the city's attorney, as a local attorney, and his experience/love for the City of Kaufman.

6. Tony Collins Art- Donation of City Hall Sign

Mayor Jordan thanked Tony Collins Art for the donation of the historical City Hall Sign from the original City Hall building.

CONSENT AGENDA

7. Consider and take appropriate action on the minutes from the August 21, 2023, Regular City Council Meeting.
8. Consider and take appropriate action on the minutes from the August 28, 2023, Special City

Council Meeting.

9. Consider and take appropriate action to approve the transfer of aged bills to Collection of Delinquent Utility Billing Accounts Receivable Balances.
10. Consider and take appropriate action on Resolution R-27-23, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman Investment Policy pursuant to the Public Funds Investment Act; approving the adoption of an amended City of Kaufman Investment Policy; and providing for an effective date.
11. Consider and take appropriate action on Resolution R-28-23, a resolution of the City Council of the City of Kaufman, Texas, accepting Public Improvements for the City of Kaufman's AMI Meter Project and establishing the date for a two (2) year warranty period.
12. Consider and take appropriate action on the second amendment to the Installation Contract with Performance Services regarding the management and installation of the Smart Water Meter project; and authorizing the Mayor or his designee to execute necessary documents.
13. Consider and take appropriate action on the award of bid and contract for street maintenance materials for Fiscal Year 2024 and authorizing the Mayor or his designee to execute necessary documents.
15. Consider and take appropriate action on a Jurisdictional Memorandum of Understanding between the City of Kaufman Police Department and the Kaufman Independent School District Police Department; and authorizing the Mayor or his designee to execute necessary documents.
16. Consider and take appropriate action to update the designation of authorized signatories on City depository accounts to designate the Assistant City Manager as an authorized signer for the City of Kaufman depository accounts.
17. Consider and take appropriate action regarding Ordinance O-24-23, an ordinance of the City Council of the City of Kaufman, amending the City of Kaufman Personnel Policies Manual, adopted as Exhibit "A" by Subsection (a) "Adoption of City of Kaufman Personnel Policies Manual" of Section 2.03.001 "Personnel policies manual adopted; repeal of conflicting provisions", of Article 2.03, "Personnel Regulations" of Chapter 2, "Administration and Personnel" of the Code of Ordinances by amending Exhibit "A", to add section 7.09.01 providing for "Tuition Reimbursement" as part of Section 7.0, "Employee Benefits", by amending Section 5.20. "Classification and Compensation Plan", Subsection "E", "Within Grade Steps", to add Subparagraph 5(f) to address maximum steps and to adopt an updated Exhibit "B" to Section 2.03.001, the "City of Kaufman Job Grade Classification, Compensation Plan and Step Schedule"; and providing an effective date.
18. Consider and take appropriate action on the **Final Plat of Five Points Addition Phase 1B, Block B, Lot 1**, being a tract of land containing 8.403 acres, situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas (Property ID 54862). The property is zoned Planned Development-22 ("PD-22") and is generally located on the northwest side of S. Washington St. at Five Points Dr. The final plat is for 1 multi-family residential lot. (Case No. FP-12-23)

Councilmember Parker made a motion to approve consent agenda items 7-12 with the exception of item 14 which was pulled for further discussion. The motion was seconded by Councilmember Nelson and passed 6/0.

END OF CONSENT AGENDA

PUBLIC HEARING

19. Conduct a public hearing and consider and take appropriate action on Resolution R-29-23, a Resolution of the City Council of the City of Kaufman, Texas, approving an update to the City's 5-year Capital Improvement Plan.

- a. Presentation

Mr. Holder presented the proposed 5-year Capital Improvement Plan for the City of Kaufman. He reviewed the various projects for the upcoming fiscal years and the costs associated with the projects.

- b. Public Hearing

Mayor Jordan opened the public hearing at 7:02 PM. There being no speakers present, Mayor Jordan closed the public hearing at 7:02 PM.

- c. Consider and take appropriate action on Resolution R-29-23

Mayor Pro-Tem Phillips made a motion to approve Resolution R-29-23 as presented. The motion was seconded by Councilmember Borders and passed 6/0.

20. Conduct a Public Hearing on the advisability of Public Improvements and Creation of the Kaufman Public Improvement District No. 4 ("PID No. 4") within the City of Kaufman, pursuant to Chapter 372 of the Texas Local Government Code on an approximate 106.417 acres of land which is generally located at the south side of SH 243 at Ola Road and identified as the Highland Meadows development and located within the corporate limits of the City of Kaufman, and Consider and take appropriate action on Resolution R-30-23 creating PID No. 4 pursuant to a by petition filed by Kaufman One WW, LLC, a Texas limited liability company requesting creation of PID No. 4; and providing an effective date. (Highland Meadows)

- a. Presentation

Mr. Holder outlined the proposed petition for a Public Improvement District for the Highland Meadows Development.

- b. Public Hearing

Mayor Jordan opened the public hearing at 7:04 PM.

Robert Miklos, developer's attorney, stated he is representing the property owner and developer. He

requested the City Council to create the Public Improvement District for the Highland Meadows Development.

Mayor Jordan closed the public hearing at 7:04 PM.

- c. Consider and take appropriate action on Resolution R-30-23

Mayor Pro-Tem Phillips made a motion to approve Resolution R-30-23 as presented. The motion was seconded by Councilmember Nelson and passed 6/0.

- 21. Conduct a public hearing and consider and take appropriate action on a **Replat of Lot 8, Block A, of La Vega Ranch** to subdivide the lot to create Lots 8-R1 and 8-R2 on approximately 9.676 acres out of the T. Lowery Survey, Abstract No. 285, City of Kaufman ETJ, Kaufman County, TX, generally located at 2222 La Vega Road and 2075 County Road 4104, Crandall, TX (Property ID 208803). The replat is for 2 residential lots. (Case No. FRP-03-23)

- a. Presentation

Mr. Bogda informed the Council about the history of the subdivision and the proposed request to subdivide lot 8 into 2 lots.

- b. Public Hearing

Mayor Jordan opened the public hearing at 7:08 PM. There being no speakers present, Mayor Jordan closed the public hearing at 7:08 PM.

- c. Consider and take appropriate action on a Replat of Lot 8, Block A, of La Vega Ranch to subdivide the lot to create Lots 8-R1 and 8-R2

Councilmember Borders made a motion to approve the Replat of Lots 8-R1 & 8-R2 of Block A of La Vega Ranch with the following condition: Letters from water and electricity providers confirming the availability of service to each lot shall be provided to the City by the applicant. The motion was seconded by Councilmember Parker and passed 6/0.

- 22. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-25-23, an Ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. O-02-07 and Chapter 118, "Zoning" of the Kaufman Code of Ordinances and the Official Zoning Map of the City to authorize a **Specific Use Permit (SUP-55)** to allow a **truck stop** on approximately 4.091 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located at the **northwest corner of SH 34 and Kings Fort Pkwy.** (Case No. Z-07-23)

- a. Presentation

Mr. Bogda presented the proposed special use permit for the development of a QuikTrip on a property located in the Kings Fort Development.

Corey Naughan, 8700 Freeport Pkwy, Irving, Texas 75063, was the applicant for this project. He

presented the proposed development and the type of fueling station.

b. Public Hearing

Mayor Jordan opened the public hearing at 7:28 PM.

The Council expressed concern regarding the large truck traffic and the impact of that additional traffic.

Mayor Jordan closed the public hearing at 7:48 PM.

c. Consider and take appropriate action on Ordinance No. O-25-23

Councilmember Nelson made a motion to table this item until the October 23, 2023, Regular City Council Meeting. The motion was seconded by Mayor Pro-Tem Phillips and passed 6/0.

23. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-26-23, an ordinance of the City Council of the City of Kaufman, Texas, amending the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, and the official Zoning Map to **rezone** an approximate **7.781-acre** tract of land (Property ID 219551) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, from PD Planned Development District-1 to **PD Planned Development District-25 for retail, restaurant, office, commercial, and multi-family residential uses**, said property being generally located at the **southwest corner of S. Washington St. and S. Houston St.** (Case No. Z-08-23)

a. Presentation

Mr. Bogda presented the proposed re-zoning for a property located at the southwest corner of S Washington St. and S. Houston St.

b. Public Hearing

Mayor Jordan opened the public hearing at 8:00 PM.

Mark Priestner, Halff Associates, 1121 SE loop 323, Tyler, Texas, 75703 gave the City Council a brief history of the collaborative effort regarding this development.

Mayor Jordan closed the public hearing at 8:02 PM.

c. Consider and take appropriate action on Ordinance No. O-26-23

Mayor Pro-Tem Phillips made a motion to approve Ordinance O-26-23 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

DISCUSSION/ACTION ITEMS

24. Consider and take appropriate action on the **Site Plan of Childcare Facility**, situated on 0.452 acres out of the Kaufman Revised Plat, Block 386, Lot 1R, City of Kaufman, Kaufman County, Texas, said property is located at **250 N. Shannon St.** (Property ID 28829). The property is zoned Commercial (C) for a childcare facility. (Case No. SP-08-23)

Mr. Bogda outlined the proposed Childcare facility for the property at 250 N Shannon St. The applicant outlined their plans for the facility.

Councilmember Parker made a motion to approve the site plan for a childcare facility located at 250 N. Shannon St. The motion was seconded by Councilmember Nelson and passed 6/0.

14. Consider and take appropriate action on the award of bid and contract for motor fuel and oil for Fiscal Year 2024 and authorizing the Mayor or his designee to execute necessary documents.

Councilmember Borders stepped out of the meeting due to a conflict of interest.

Councilmember Nelson made a motion to award a bid and contract to Borders & Long, Inc. for motor fuel and oil for the City of Kaufman for Fiscal Year 2024 and authorized the mayor to execute the necessary documents. The motion was seconded by Councilmember Parker and passed 6/0.

25. Consider and take appropriate action on Resolution R-25-23, a resolution of the City Council of the City of Kaufman, Texas, establishing a naming policy guideline for city buildings, facilities, land, or any portion thereof; and providing an effective date.

Ms. Mendoza informed the Council about the proposed policy for naming any building, facility, land, or any portion of the property. She stated this policy would provide guidelines for staff to follow as it relates to the topic of naming city property.

Councilmember Borders made a motion to approve Resolution R-25-23 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

26. Consider and take appropriate action regarding Ordinance O-27-23, an ordinance of the City Council of the City of Kaufman, Texas, amending the City's 2022-2023 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Ms. Wennerstrom outlined the various budget amendments for the 2022-2023 budget year.

Mayor Pro-Tem Phillips made a motion to approve Ordinance O-27-23 as presented. The motion was seconded by Councilmember Borders and passed 6/0.

27. Consider and take appropriate action regarding Ordinance O-28-23, an ordinance of the City Council of the City of Kaufman, amending the KEDC 2022-2023 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Mr. McGregor presented the KEDC budget amendments for the 2022-2023 Fiscal Year Budget.

Councilmember Nelson made a motion to approve Ordinance O-28-23 as presented. The motion was seconded by Councilmember Longenecker and passed 6/0.

28. Consider and take appropriate action on Ordinance O-29-23, an ordinance of the City Council of the City of Kaufman, Texas, amending Appendix A, "Fee Schedule", of the Code of Ordinances of the City of Kaufman by amending Article A4.000, "Building and Development Fees" relative to fees for zoning and platting applications and related land development applications, Article A7.000, "Park and Recreation Fees" to amend park usage fees for various facility rentals and fees for league and tournament recreation, Article A8.000, "Utilities" to amend tap fees, meter fees, and related within the City and to amend for water and sewer service outside of the City limits, amending Article A8.000, "Utilities" amending pavement cut and replacement charges and adopting a new subsection A8.019 of thereof providing fees for solid waste services provided by the City's solid waste franchisee; and providing an effective date.

Ms. Mendoza informed the Council about the process staff went through to get the proposed amendments. She outlined the proposed amendments to the various fees.

Councilmember Borders made a motion to approve Ordinance O-29-23 as presented. The motion was seconded by Councilmember Nelson and passed 6/0.

APPOINTMENT

29. Consider and take appropriate action on the appointment of one (1) member to the Kaufman Parks and Recreation Board for the remainder of an unexpired term to expire in March 2025.

Mayor Jordan made a motion to appoint Joann Ford to the Kaufman Parks and Recreation Board for the remainder of an unexpired term to expire in March 2025. The motion was seconded by Councilmember Nelson and passed 6/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

30. Receive an update and discussion regarding the following:
- a. Kaufman Area Community Leaders' Prayer Lunch
 - b. ICMA Conference- October 1-4
 - c. TML Conference- Dallas- October 4 -6
 - d. Discussion Items Report (DIR)
 - e. STAR Transit Ridership Report- August 2023
 - f. Careflite Compliance Report- August 2023
 - g. Fire Department Monthly Report- August 2023
 - h. Police Department Monthly Report- August 2023
 - i. Development Services Monthly Report- August 2023

j. Monthly Calendars Attached

Mr. Holder updated the Council on the above-stated items.

EXECUTIVE SESSION

Mayor Jordan recessed into executive session to discuss items A and B at 8:33 PM.

31. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
- a. Sec. 551.071(1) and (2); CONSULTATION WITH ATTORNEY. (1) To consult with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the Texas Open Meetings Act and (2) for the Council to seek the advice of its attorney about pending or contemplated litigation: Donation Bins; Water Utilities
 - b. Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY. To deliberate the purchase, exchange, lease, or value of real property regarding: Project Pie; Project Range The Trails Development

RECONVENE INTO OPEN SESSION In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session.

Mayor Jordan reconvened into open session at 9:29 PM.

33. Consider and take appropriate action regarding a Resolution approving (1) the Resolution Of the Board of Directors of the Kaufman Economic Development Corporation ("Corporation") regarding a Loan to finance the costs of an Economic Development Project in the amount of \$2,791,250.00 for the purchase of property by the Kaufman Economic Development Corporation; (li) A Sales Tax Remittance Agreement Between the City and the Corporation; (lii) Resolving Other Matters incident and related to the Project and the Loan; and (lv) the Authority of the Mayor to Execute, on behalf of the City, a General Certificate of the City, and the Agreements Contemplated in the Resolution (Project Range).

Councilmember Nelson made a motion to approve a Resolution approving (1) the Resolution Of the Board of Directors of the Kaufman Economic Development Corporation ("Corporation") regarding a Loan to finance the costs of an Economic Development Project in the amount of \$2,791,250.00 for the purchase of property by the Kaufman Economic Development Corporation; (li) A Sales Tax Remittance Agreement Between the City and the Corporation; (lii) Resolving Other Matters incident and related to the Project and the Loan; and (lv) the Authority of the Mayor to Execute, on behalf of the City, a General Certificate of the City, and the Agreements Contemplated in the Resolution (Project Range). The motion was seconded by Councilmember Borders and passed 6/0.

EXECUTIVE SESSION

Mayor Jordan recessed into executive session to discuss item C at 9:28 PM.

31. The City Council will recess into Executive Session pursuant to Texas Government Code for

an executive session regarding the following:

- c. Sec. 551.074: PERSONNEL MATTERS. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
City Secretary Evaluations

RECONVENE INTO OPEN SESSION In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session.

Mayor Jordan reconvened into open session at 10:03 PM.

32. Consider and take appropriate action, if any, on matters discussed in Executive Session.

There was no further action required from the Executive Session.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 10:03 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY