



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, MAY 18, 2020 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

PLEDGE OF ALLEGIANCE

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

Mayor Jordan called the City Council meeting to order at 6:04 PM. Councilmembers present were Patty Patterson, Barry Ratcliffe, Carole Aga, Charles Gillenwater, Jeff Council, Jeff Jordan, and Matt Phillips. Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Regina Edwards, City Secretary Jessie Hanks, Development Services Director Marcy Ratcliffe, and Police Chief Dana Whitaker.

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 message the City Secretary your name, address, and the item or subject you wish to discuss 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 use the raise hand function in the Zoom meeting. Once recognized, please state your name and address, and direct your comments to the Mayor and City Council.**

No comments were given.

CONSENT AGENDA

1. Consider and take appropriate action on the minutes of the April 27, 2020, Regular City Council Meeting.
2. Consider and take appropriate action on the minutes of the May 7, 2020, and May 8, 2020, City Council Planning Retreat Meeting.

3. Second Reading: Consider and take appropriate action on Ordinance O-08-20, an ordinance of the City of Kaufman, Texas, granting to Trinity Valley Electric Cooperative, Inc., its successors and assigns ("Grantee"), an extension of non-exclusive electric utility franchise Ordinance No. O-11-10, to authorize the non-exclusive right, privilege, and franchise for a term of five (5) years, subject to one (1) extension of five years, to erect, maintain, and operate an electric power utility system in the City of Kaufman, Texas to Grantee in accordance with the terms set forth in the Ordinance, such terms constituting a Franchise Agreement; to authorize Grantee to erect, maintain, and operate its facilities in, over, under, along, and across the present and future public rights-of-way in the city; prescribing compensation for the rights, privileges, and franchise conferred hereunder; prescribing the conditions governing the operation of Grantee's business insofar as it affects the use of public property for the purpose of such business installation, upgrade, maintenance, and operation of Grantee's electric utility system and business; incorporating City's Right to Regulation as set forth in Article X, Utility and Public Service Franchises and Licenses, of the City's Home Rule Charter; containing other provisions relating to the subject; providing for severability; and providing an effective date.

Councilmember Council made a motion to approve Consent Agenda Items 1-3 as presented. The motion was seconded by Councilmember Gillenwater and passed 7/0.

END OF CONSENT AGENDA

PUBLIC HEARING

4. Conduct a public hearing, consider and take appropriate action on an Ordinance O-10-20, an ordinance of the City Of Kaufman, Texas, amending Ordinance No. RZ-08-83, an Ordinance adopting Planned Development No. 1 ("PD-1"), and amending Zoning Ordinance No. 0-20-80 of the City of Kaufman, Texas as subsequently amended by Ordinance No. 0-11-20 and Chapter 118 "Zoning" of the Code Of Ordinances of the City of Kaufman, collectively amending "The Comprehensive Zoning Ordinance and The Official Zoning Map" in order to change the zoning classification on an approximate 54 acre tract of land (PID 56876) from PD-1 to Planned Development-18 "PD-18" on property generally located at the northwest corner of South Houston Street (FM 1388) and State Highway 34 Bypass, on a tract of land out of the D. Falcon Survey, Abstract 151, in the City of Kaufman, Kaufman County Texas, and specifically described in Exhibit "A" hereto; providing for the incorporation of premises; providing amendments and zoning map amendments; providing a cumulative repealer clause; providing a severability clause; providing a penalty in an amount not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues; and providing publication and an effective date. . The new planned development district is proposed to be a mixed use development including an indoor multi-sports facility, office, retail, restaurants, multi-family, townhouse and single family uses.(Z-01-20)

Ms. Ratcliff gave a presentation of the proposed amended Planned Development. She reviewed the plans for this development, the uses for the property, and the development requirements.

Mayor Jordan opened the public hearing at 6:19 PM

Tyler Adams, Richardson, Texas, showed a video that highlighted the proposed development with renderings and the amenities. There were discussions about the phases of the development.

With no other speakers, Mayor Jordan closed the public hearing at 6:27 PM

Councilmember Aga made a motion to approve Ordinance O-10-20 with the amendment of moving splash pad to phase 3 instead of phase 4. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

5. Conduct a public hearing, consider, and take appropriate action on Ordinance O-11-20, an ordinance of the City of Kaufman, Texas, amending Chapter 118, "Zoning" Of The Code Of Ordinances of the City of Kaufman, the Comprehensive Zoning Ordinance, and amending the Official Zoning Map of The City; changing the zoning classification on an approximate 1.28 acre tract of land from Agricultural/Open Space "A/O" TO HIGHWAY Commercial "HC", the property being generally located at 3471 East Highway 175, being a tract of land, part of the Charles Askins Survey, Abstract No. 2, City Of Kaufman, Kaufman County, Texas; amending the Official Zoning Map Of The City; providing for the incorporation of premises; providing amendments and Zoning Map Amendment; providing a cumulative repealer clause; providing a severability clause; providing a penalty in an amount not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues; and providing for publication and an effective date. (Z-02-20)

Ms. Ratcliff gave a presentation on the proposed Zoning Change for the above stated property, the proposed use for the property, and the history of the property.

Mayor Jordan opened the public hearing at 6:32 PM. With no speakers present, Mayor Jordan closed the public hearing at 6:32 PM.

Councilmember Aga left the meeting at 6:33 PM.

Mayor Pto-Tem Patterson made a motion to approve Ordinance O-11-20 as presented. The motion was seconded by Councilmember Ratcliffe and passed 6/0.

DISCUSSION/ACTION ITEMS

6. Consider and take appropriate action on Resolution R-15-20, a resolution of the City of Kaufman, Texas, directing publication of notice of intention to issue combination tax and revenue certificates of obligation; and resolving other matters related to the subject.

Mr. Slye informed Council based on the Council's recommendation from the Council Retreat, staff initiated the process for issue combination tax and revenue certificates of obligation for the purpose of storm drainage improvements. Nick Bulaich, with Hilltop Securties, reviewed the timeline and process of the issuance.

Councilmember Council made a motion to approve Resolution R-15-20 as presented. The motion was seconded by Councilmember Gillenwater and passed 6/0.

7. Consider and take appropriate action on the award of bid and contract for the Kaufman Waste Water Treatment Plant Improvements- Phases 1A & 2A and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye introduced Mark Hill with Freeman Milligan. Mr. Hill outlined the process and bid opening that occurred for the project. He reviewed the lowest responsible bid and the proposed change order to get the bid within budget. Mr. Slye outlined the various project that the City has already completed at the Wastewater Treatment Plant and the financing for the current project.

Councilmember Aga joined at 6:45 PM

Councilmember Gillenwater made a motion to award the bid and contract for the Kaufman Waste Water Treatment Plant Improvements- Phases 1A & 2A and approving change order #1. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

8. Consider and take appropriate action on the Agreement between the City and the Greater Texoma Utility Authority for the Wastewater Treatment Plan Improvements, authorizing payment not to exceed \$383,637.00, and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye explained the purpose of this agreement.

Councilmember Aga made a motion to approve the agreement between the City and the Greater Texoma Utility Authority for the Wastewater Treatment Plan Improvements, authorizing payment not to exceed \$383,637.00 and authorizing the execution The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0

9. Consider and take appropriate action on Ordinance O-12-20, an ordinance of the City of Kaufman, Texas, amending the City of Kaufman Code of Ordinances to adopt a new division entitled "Downtown Development Incentive Program" Of Article 9 "Economic Development Incentives" of Chapter 2 "Administration" of the Code of Ordinances of the City of Kaufman in order to adopt an incentive program for commercial property owners and business owners in the Central Business District repairing and remodeling commercial properties, providing eligibility guidelines and authorizing the City Manager or Designee to establish written guidelines for administration of the program consistent with this article; proving for the incorporation of premises; providing for amendments; providing a cumulative repealer clause; providing for severability; providing for readings and publications; and providing an effective date.

Mr. Holder presented the proposed Downtown Development Incentive Program. He outlined the incentives for the eligible improvements and guidelines.

Councilmember Council made a motion to approve Ordinance O-12-20 as presented. The motion was seconded by Councilmember Phillips and passed 7/0.

10. Consider and take appropriate action on Ordinance O-13-20, an ordinance of the City Council of the City of Kaufman, Texas amending Chapter 2, "Administration", Article 2.09, "Economic Development Incentives" to add a new Division 4, "Small Business Stimulus Program" providing for implementation of the Kaufman Economic Development Corporation Small Business Stimulus Program as authorized under Chapter 380 of the Texas Local Government Code; providing for the establishment of a local economic development program to assist Kaufman businesses suffering a negative economic impact as a result of the restrictions imposed on businesses due to the COVID-19 pandemic; providing for the incorporation of premises; providing for an amendment to adopt the program; providing a severability clause; and providing an effective date.

Ms. Glasscock made a presentation regarding the proposed Small Business Stimulus Program in order to assist the small businesses in Kaufman with a grant program. She reviewed the qualifications and application associated. Mr. Slye reviewed where the idea for this program came from and the purpose of the program.

Councilmember Council made a motion to approve Ordinance O-13-20 as amended to include the clawback provision. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

11. Receive an update and discussion regarding the following:
 - a. Discussion Item Report (DIR)
 - b. STAR Transit Ridership Report- April 2020
 - c. Careflite Compliance Report- April 2020
 - d. Solid Waste Services RFP
 - e. Monthly Calendars Attached

Mr. Slye gave an update on the above items.

EXECUTIVE SESSION

Mayor Jordan recessed into executive session at 7:32 PM.

12. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
 - a. Texas Government Code 551.074: Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Performance Evaluation – City Manager.

5/18/2020

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

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

Mayor Jordan reconvened the regular session at 7:44 PM. He declared no action was required on this item.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:45 PM.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**

