



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, OCTOBER 26, 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 6:00 p.m. Councilmembers present were Jeff Jordan, Patty Patterson, Jeff Council, Charles Gillenwater, Carole Aga, Barry Ratcliffe, and Matt Phillips. Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, City Secretary Jessie Hanks, Development Services Director Marcy Ratcliff, and Police Chief Dana Whitaker.

Mayor Jordan recessed the public meeting at 6:00 p.m. Mayor Jordan reconvened the public meeting at 6:14 p.m.

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.**

Mayor Jordan introduced Mayor Rick Carmona from the City of Terrell. He outlined the purpose of his attendance at the Kaufman City Council Meeting which was due to an annual bet regarding the winner of the football game between Terrell and Kaufman High Schools.

Rick Carmona, 1100 Meredith Dr., Terrell, Texas 75, thanked the Mayor and Council for allowing him to attend the meeting and settle this debt to Mayor Jordan. He outlined the verbal agreement between himself and Mayor Jordan and presented the proposed written agreement.

Rodney Lawson, 4952 E State Hwy 243, Kaufman, Texas 75142, presented Mayor Jordan with a gift of a football in honor of Kaufman High School winning the annual football game this year.

CONSENT AGENDA

1. Consider and take appropriate action on the minutes from the September 28, 2020, Regular City Council Meeting.

2. Consider and take appropriate action on the minutes from the October 23, 2020, Special City Council Meeting.
3. Consider and take appropriate action regarding rescheduling the November 23, 2020, Regular City Council Meeting to Monday, November 16, 2020, for Thanksgiving, and the December 28, 2020, Regular City Council Meeting to Monday, December 14, 2020, for Christmas.
4. Consider and take appropriate action on revisions to the phasing plan of the **Preliminary Plat of Georgetown at Kings Fort Addition**, an 85-acre tract generally located northeast and east of the intersection of Tabor Parkway (formerly known as C.R. 151/and Old Kemp Highway) State Highway 34 Bypass. (Case No. PP-02-20)
5. Consider and take appropriate action on the **Final Plat of Georgetown at Kings Fort, Phase 1B**, the 14.957 acre tract is generally located northeast and east of the intersection of Tabor Parkway (formerly known as C.R. 151/Old Kemp Highway) and State Highway 34 Bypass.. (Case No. FP-04-20)
6. Consider and take appropriate action on the **Final Plat of Lot 1, Block A, Kaufman County Children's Advocacy Center**. The 1.999-acre tract is located at 2005 S. Houston Street. A one lot commercial subdivision is proposed. (Case No. FP-05-20)

Council Member Carole Aga made a motion to approve Consent Agenda Items 1 to 6 as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and passed 7/0.

END OF CONSENT AGENDA

PUBLIC HEARING

7. Conduct a public hearing, consider and take appropriate action on Ordinance No. O-32-20, and ordinance of the City of Kaufman, Texas, amending the Future Land Use Map from a single family low density land use to a commercial land use for an approximate 6.33 acre tract of land (PID 5250, 5249, 5252, 5251 and a portion of 9357), such property located at the southwest corner of W. Highway 175 and S. Houston (Case No. MP-01-20). Applicants: Ray and Sandy Rubio

a. Presentation.

Mayor Jordan read the caption and stated Item 7 and 8 would be handled together.

Ms. Ratcliff gave a presentation regarding a request by Ray and Sandy Rubio to amend the future land use map and rezone the property located at the southwest corner of South Houston Street and Oak Creek Drive. She outlined the previous request for the property and the concerns expressed at that time. The Planning and Zoning Commission motion to recommended approval failed by a vote of 2/3. She reviewed the proposed property site plan and means implemented to address concerns expressed by neighboring properties. She presented the list of proposed uses for the development.

Doug Douphrate, 2235 Ridge Road, Rockwall, Texas, stated he is the engineer representing the Rubio family on this project. He briefly reviewed the proposed request He outlined the differences between the previous request and the one before the Council tonight.

There were discussions about the traffic impact analysis, the lighting changes, and the potential changes to alleviate traffic concerns.

b. Public Hearing.

Mayor Jordan opened the public hearing for items 7 and 8 at 6:46 p.m.

Ms. Hanks read the names, address, and stance of those who sent in letters.

In Opposition:

- Aldriana Walters, 2105 La Jolla Drive, Kaufman, Texas 75142
- Eric & Lori Stevens, 1006 Overlook Drive, Kaufman, Texas 75142
- Dianna & Steve Elzner, 1104 Overlook Drive, Kaufman, Texas 75142
- Carl Stapp, 8 Climbing Tree Drive, Kaufman, Texas 75142
- Luke & Sarah Jones, 1304 Overlook Drive, Kaufman, Texas 75142
- Kathryne Covington, 606 N. Jefferson Street, Kaufman, Texas 75142
- Gail Mason, 307 W. Seago Street, Kaufman, Texas 75142
- Farrah Burkhart, 307 W. Seago Street, Kaufman, Texas 75142
- John Baker, 1503 Overlook Drive, Kaufman, Texas 75142
- Amy Currington, 2201 La Jolla Drive, Kaufman, Texas 75142
- Jerry Boze, 2305 La Jolla Drive, Kaufman, Texas 75142
- Janie Beauchamp, 1115 Royal Drive, Kaufman, Texas 75142
- Steve Harper, 707 S. Houston Street, Kaufman, Texas 75142
- Christopher Hetmer, 5033 Old Railroad Trail, Kaufman, Texas 75142

In Favor:

- Louis Tijerina, 10 Climbing Tree Drive, Kaufman, Texas 75142
- Ray Rubio, 1807 S. Houston Street, Kaufman, Texas 75142
- William Fortner, 4 Climbing Tree Drive, Kaufman, Texas 75142
- Stephanie Rubio, 1807 S. Houston Street, Kaufman, Texas 75142
- Robyn Rubio, 1807 S. Houston Street, Kaufman, Texas 75142
- Nicholas Rubio, 1807 S. Houston Street, Kaufman, Texas 75142
- Johnnie Hour, 1806 S. Houston Street, Kaufman, Texas 75142
- Carlos, 3976 FM 1836, Kaufman, Texas 75142
- Brad Kinabrew, 1360 Buckingham Lane, Kaufman, Texas 75142
- Ray Tijerina, 513 E. 9th Street, Kaufman, Texas 75142
- Russell Hardy, 14089 S. FM 148, Scurry, Texas 75158
- Sandy Rubio, 1807 S. Houston Street, Kaufman, Texas 75142
- Jeremy Tharp, 6576 CR 4095, Kaufman, Texas 75142
- Alandres Mathews, 6972 FM 2451, Scurry, Texas 75158
- Williams, 18481 Woodruff Lane, Kemp, Texas 75143
- Jose Balderas, 1800 S. Houston Street, Kaufman, Texas 75142
- Joseph Haroid, 1800 S. Houston Street, Kaufman, Texas 75142
- Douglas Moore, 1300 S. Houston Street, Kaufman, Texas 75142

- c. Consider and take appropriate action on Ordinances O-32-20.
- 8. Conduct a public hearing, consider and take appropriate action on Ordinance No. O-33-20, an ordinance of the City of Kaufman, Texas, to rezone an approximate 6.33 acre tract of land (PID 5250, 5249, 5252, 5251 and a portion of 9357), such property located at the southwest corner of W. Highway 175 and S. Houston from Single Family Residential-10 (SF-10) to Planned Development (PD) for limited retail, service and commercial uses. (Case No. Z-04-20)
Applicants: Ray and Sandy Rubio
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance O-33-20

PLANNING & ZONING ITEMS

- 9. Consider and take appropriate action on the Site Plan of 1900 E. Highway 175 for the Kaufman County Justice Center, a 45 acre lot, platted as Lot 1, Law Enforcement Center Addition. (Case No. SP-04-20)

Ms. Ratcliff reviewed the site plan for the Kaufman County Justice Center. She outlined the various county offices and rooms that will reside in the building. She presented renderings of the building.

Mayor Pro-Tem Patterson made a motion to approve the site plan for the Kaufman County Justice Center as presented. The motion was seconded by Councilmember Gillenwater and passed 7/0.

- 10. Consider and take appropriate action on the Site Plan of 2705 Tabor Parkway and proposed to be platted as Lot 1, Block A, Tractor Supply Kaufman Addition, a 3.66-acre tract located on the east side of Tabor Parkway (formerly known as CR 151/Old Kemp Highway) and south of the Wal Mart development. The property is zoned Planned Development - 15 (Commercial). A Tractor Supply retail store is proposed. (Case No. SP-05-20)

Ms. Ratcliff presented the site plan and the layout of the property. There were discussions regarding the use of the sidewalk in front of the store as display, the fire lanes, and the proposed elevation renderings. The Council inquired about the potential affects of the Tabor Parkway reconstruction project on this property.

Councilmember Ratcliffe made a motion to approve the Site Plan for Tractor Supply. The motion was seconded by Councilmember Council and passed 7/0.

11. Consider and take appropriate action on the **Final Plat of Lot 1, Block A, Tractor Supply Kaufman Addition**, a 3.66-acre tract located on the east side of Tabor Parkway (formerly known as CR 151/Old Kemp Highway) and south of the Wal Mart development. (Case No. FP-02-20)

Ms. Ratcliff outlined the final plat for the Tractor Supply Kaufman Addition.

Councilmember Council made a motion to approve the final plat for Tractor Supply as presented. The motion was seconded by Councilmember Aga and passed 7/0.

12. Consider and take appropriate action on the Site Plan of 325 E. Fair Street, a 0.51-acre lot part of Tract A, Kaufman East Addition. The proposed expansion is for the current occupant K-Tires. The property is zoned Commercial. (Case No. SP-06-20)

Ms. Ratcliff reviewed the Site Plan and the proposed expansion of the building on the property.

Mayor Pro-Tem Patterson made a motion to approve the site plan for 325 E. Fair Street as presented. The motion was seconded by Councilmember Aga and passed 7/0.

13. Consider and take appropriate action on the Site Plan of 2005 S. Houston Street for the Kaufman County Children's Advocacy Center. The property is zoned Commercial. (Case No. SP-08-20)

Ms. Ratcliff outlined the site plan for the proposed development for the property at 2005 S. Houston Street for the Kaufman County Children's Advocacy Center.

Mayor Pro-TPatterson made a motion to approve the Site Plan for the Kaufman County Children's Advocacy Center. The motion was seconded by Councilmember Gillenwater and passed 7/0.

DISCUSSION/ACTION ITEMS

14. Second Reading: Consider and take appropriate action on Ordinance O-31-20, an ordinance of the City of Kaufman, Texas, granting an exclusive franchise and approving a Contract for the collection and disposal of garbage, including, trash, brush and bulk in the City of Kaufman, Texas to Republic Services, providing rates of service, dates of collection and other matters related to services rendered by Republic.

Mr. Slye presented the contract to the Council and reviewed the details. He briefly outlined the transition plan and ensured a seamless process.

Councilmember Council made a motion to approve the second reading of Ordinance O-31-20 granting an exclusive franchise and approving a contract for the collection and disposal of garbage, including trash, brush and bulk in the City of Kaufman, Texas, to Republic Services. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

15. Consider and take appropriate action on Resolution R-28-20, a resolution of the City of Kaufman, Texas, appointing a member to the Kaufman Central Appraisal District Board of Directors.

Mr. Slye stated KISD and the City have collectively agreed to appoint a single person to represent both entities, in lieu of swapping board members every 2 years. This will provide a more cohesive approach to representing both entities over time. He had spoken with John Zaby, who have served on this board for several terms, and he has agreed to represent both entities if appointed. He did ask that he provide an update to the KCAD a minimum of every 6 months or sooner if necessary.

Councilmember Aga made a motion to approve Resolution R-28-20 appointing John Zaby to the Kaufman Central Appraisal District Board of Directors. the motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

16. Consider and take appropriate action on Resolution R-29-20, a resolution of the City of Kaufman, Texas, accepting an Amended and Restated Preliminary Service and Assessment Plan, directing the City Secretary to cause publication and notice, and setting a public hearing as required by law.

Mr. Slye stated the city is required to amend the Preliminary Service and Assessment Plan due to the larger lots in Phase 1B that was no proposed when it was previously approved. He reviewed the purpose of the change and the action being requested tonight. Abdi Yassin outlined the purpose of the amended due to the need to assess a higher portion of the PID debt to the larger lots.

Councilmember Ratcliffe made a motion to approve Resolution R-29-20, accepting an amended and Restated Preliminary Service and Assessment Plan. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

17. Consider and take appropriate action on the Georgetown Phase 1B Facility Agreement between the City and Georgetown KF, Ltd, for the installation of public improvements and facilities within the Georgetown development; and authorizing the Mayor or designee to execute necessary documents

Mr. Slye reviewed the facility agreement for Phase 1B, the proposed public improvements and cost associated.

Councilmember Aga made a motion to approve the Georgetown Phase 1B Facility Agreement. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

18. Consider and take appropriate action on an Interlocal Agreement between the City of Kaufman and Trinity Valley Community College for participation in Tax Increment Reinvestment Zone Number Two, City of Kaufman, Texas; and authorizing the Mayor to execute necessary documents.

Mr. Slye informed Council that this agreement is similar to the Interlocal Agreement with Kaufman County providing for their participation in TIRZ #2, this agreement with TVCC is for the same level of participation (50% of their Maintenance and Operations tax). The TVCC Board voted to approve the ILA at their Board meeting earlier in the evening.

Mayor Pro-Tem Patterson made a motion to approve an Interlocal Agreement between the City of Kaufman and Trinity Valley Community College for participation in Tax Increment Reinvestment Zone Number Two. The motion was seconded by Councilmember Council and passed 7/0.

19. Consider and take appropriate action to approve TPWD Grant Concept Plan for development of 73-acre tract of City property.

Mr. Holder presented the Grant Concept Plan for the development of 73 acre tract adjacent to the City Lake Park. He reviewed the proposed improvements that are addressed in the concept plan.

Councilmember Council made a motion to approve the TPWD Grant Concept Plan. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

20. Receive an update and discussion regarding the following:
 - a. Sales Tax Update
 - b. HomeServe Fall Campaign Update(Sewer Service Line Insurance)
 - c. Discussion Item Report (DIR)
 - d. STAR Transit Ridership Report- September 2020
 - e. Careflite Compliance Report- September 2020
 - f. Fire Department Monthly Report- September 2020
 - g. Monthly Calendars Attached

Mr. Slye gave the Council an update of the above stated items.

EXECUTIVE SESSION

Mayor Jordan recess into executive session at 8:15 p.m.

21. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
- a. Texas Government Code §551.072: Deliberation regarding Real Property, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person: Kaufman Lake

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 8:26 p.m.

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

No action required.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 8:27 p.m.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**