



**AGENDA  
WORK SESSION AND  
REGULAR CITY COUNCIL MEETING  
MONDAY, APRIL 26, 2021 - 5:30 PM  
CITY HALL COUNCIL CHAMBERS  
209 S. WASHINGTON STREET  
KAUFMAN, TEXAS 75142  
AND VIA VIDEOCONFERENCE/TELECONFERENCE**

**This meeting will be held using  
videoconferencing/teleconferencing  
technology with public access via:  
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR  
(888)788-0099 (TOLL FREE)  
MEETING/WEBINAR ID: 839 1880 7526  
PASSWORD: 708614**

**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.\*\*

**CITY COUNCIL WORK SESSION**

NOTE: 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 into whether or not such matters should be placed on a future regular or special meeting of the Council for citizens input, City Council deliberation and formal City action. At a work session, the City Council generally receives informal and preliminary reports and information from City staff, officials, members of City committees, and the individual or organization proposing Council action, if invited by City Council or City Manager to participate in the session. Participation by individuals and members of organizations invited to speak ceases when the Mayor announces the session is being closed to public input. 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 unless invited to do so by the Mayor. Any citizen may supply to the City Council, prior to the beginning of the session, a written report regarding the citizen's opinion on the matter being explored. Should the Council direct the matter be placed on a regular meeting agenda, the staff will generally prepare a final report defining the proposed action, which will be made available to all citizens prior to the regular meeting at which citizen input is sought. The purpose of this procedure is to allow citizens attending the regular meeting the opportunity to hear the views of their fellow citizens without having to attend two meetings.

1. Discuss and provide direction to staff regarding the use of potential funds from the American Rescue Plan.

**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.**

## **PROCLAMATION**

2. Child Abuse Awareness Month- April 2021

## **PRESENTATION**

3. Presentation from the Texas Coalition for Affordable Power and hold discussion.

## **CONSENT AGENDA**

4. Consider and take appropriate action on the minutes from the March 22, 2021, Regular City Council meeting, and the April 12, 2021, City Council Retreat.
5. Consider and take appropriate action on the Partial Termination and Abandonment of a Sanitary Sewer Easement dated January 11, 1984, recorded under Volume 758, Page 857 of the Official Public Records of Kaufman County, Texas; and authorizing the Mayor or his designee to execute necessary documents.

## **END OF CONSENT AGENDA**

## **PUBLIC HEARING**

6. Hold a Public Hearing, consider, and take appropriate action on Ordinance O-17-21, an ordinance of the City Council of the City of Kaufman, Texas, amending 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 "Private Membership Social Game House" as a use permitted only when a specific use permit is approved and only in the Commercial (C) and Highway Commercial (HC) Zoning Districts by amending Chart 4, "Recreational and Entertainment Uses" of Section 33.4, "Use Regulations", and Section 33.5, "Definitions". (Case #Z-02-21)

- a. Presentation.
  - b. PUBLIC HEARING.
  - c. Consider and take appropriate action on Ordinance O-17-21.
7. Hold a Public Hearing, consider, and take appropriate action on Ordinance O-18-21, 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 to add a new subsection, subsection "N", to be entitled, "Compliance Required; Exceptions", to subsection 44.4, "Administration", of Section 44, "Sign Regulations", to provide for compliance with the sign regulations and exceptions from such regulations for signs serving a city, state or federal governmental purpose; providing a penalty for violations; and providing an effective date. (Case #Z-05-21)
- a. Presentation.
  - b. PUBLIC HEARING.
  - c. Consider and take appropriate action on Ordinance O-18-21.

#### **DISCUSSION/ACTION ITEMS**

- 8. Consider and take appropriate action on the Land Study and Preliminary Plat of South Pointe at Kaufman Sports Village Addition, an approximate 53.871-acre tract generally located at the northwest corner of South Houston Street and State Highway 34 Bypass. A 101 lot subdivision is proposed.
- 9. Consider and take appropriate action on Resolution R-20-21, a resolution of the City Council of the City of Kaufman, Texas, expressing support for a street construction project to connect 175 and HWY 34 within the City.
- 10. Consider and take appropriate action regarding the placement of electrical utility lines along State Highway 34 bypass to service Marlow's Truck Stop.
- 11. Consider and take appropriate action regarding an agreement between the City and Community Internet Providers, LLC for use of City infrastructure to locate facilities; and authorizing the City Manager to finalize and execute necessary documents.

## **APPOINTMENTS**

12. Consider and take appropriate action on the appointment of one (1) member to the Parks and Recreation Board for a two (2) year term to expire March 2023.

## **ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER**

13. Receive an update and discussion regarding the following:
  - a. Special City Council Meeting- Canvass General Election- May 10th
  - b. Discussion Items Report (DIR)
  - c. STAR Transit Ridership Report- March 2021
  - d. Careflite Compliance Report- March 2021
  - e. Fire Department Monthly Report- March 2021
  - f. Police Department Monthly Report- March 2021
  - g. Monthly Calendars Attached

## **EXECUTIVE SESSION**

14. 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, College Mound SUD

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

15. Consider and take appropriate action on an interlocal agreement with College Mound for the purpose of providing water service to the Kaufman Lake Development.



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

## **ADJOURNMENT**

I, JESSIE HANKS, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:30 P.M. ON FRIDAY, APRIL 23, 2021, AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

  
JESSIE HANKS  
CITY SECRETARY



THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY).

**\*\*PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING [WWW.ZOOM.US/JOIN](http://WWW.ZOOM.US/JOIN) OR (888)788-0099 (TOLL FREE) MEETING /WEBINAR ID: 839 1880 7526 PASSWORD: 708614**

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



# City of Kaufman

## Proclamation

**WHEREAS**, in Texas a child is abused or neglected every eight minutes, and last year 251 Texas children, died from such crimes, and

**WHEREAS**, last year more than 270,000 children across Texas, including over 1600 from Kaufman County, were reported as abused or neglected, and

**WHEREAS**, child abuse victims suffer a greater risk of delinquency, teen pregnancy, substance abuse, low academic achievement, mental health problems and becoming abusers themselves, perpetuating this cycle of violence from generation to generation, and

**WHEREAS**, child abuse prevention is everyone's responsibility, and

**WHEREAS**, every community must promote and provide programs that benefit children and their families, and

**WHEREAS**, effective child abuse treatment and prevention programs succeed through public-private partnerships between social service agencies, schools, faith organizations, law enforcement and the business community, and

**WHEREAS**, collaborative organizations such as the Children's Advocacy Center for Kaufman County, Law Enforcement, Tx Department of Family and Protective Services, Lone Star CASA are leading the way toward a safer community for all children, especially those whose young lives have been marked by abuse or neglect;

**NOW, THEREFORE**, I, Jeff Jordan, Mayor of the City of Kaufman, do hereby proclaim the month of April as:

## Child Abuse Prevention Month

IN WHITNESS WHEREOF, I have set my hand and caused the Seal of the City to be affixed this 26<sup>th</sup> day of April, 2021.

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Jeff Jordan, Mayor, City of Kaufman



**MINUTES OF THE  
CITY COUNCIL MEETING  
MONDAY, MARCH 22, 2021 - 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 PM. Councilmembers present were Jeff Jordan, Lisa Parker, Barry Ratcliffe, Patty Patterson, Jeff Council, and Carole Aga. Councilmember Matt Phillips arrived at 6:02 PM. 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, Finance Director Mary Wennerstrom, Development Services Marcy Ratcliff, 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 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.

**CONSENT AGENDA**

1. Consider and take appropriate action on the Minutes of the February 22, 2021, Regular City Council Meeting, and the March 4, 2021, Special City Council Meeting.
2. Consider and take appropriate action on Resolution R-16-21, a resolution of the City Council of the City of Kaufman, Texas, opposing Senate Bill 234, Senate Bill 10, and House Bill 749 advocating for the ending of taxpayer-funded lobbying; and providing an effective date.
3. Consider and take appropriate action regarding Resolution R-17-21, a resolution of the City of Kaufman, Texas, authorizing continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of six cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC; and providing an effective date.

Mayor Pro-Tem Patterson made a motion to approve Consent Agenda Items 1 through 3 as presented. The motion was seconded by Councilmember Aga and passed 6/0.

**END OF CONSENT AGENDA****PRESENTATION**

4. Presentation By Yeldell, Wilson, Wood, & Reeve and the acceptance of the City of Kaufman Fiscal Year 2019-2020 Financial Audit Report; discussion of the same.

Danny Struc, Auditor with YWRD, presented the 2019-2020 Financial Audit Report for the City of Kaufman.

Councilmember Ratcliffe made a motion to accept the fiscal year 2019-2020 Financial Audit Report as presented. The motion was seconded by Councilmember Council and passed 7/0.

**PUBLIC HEARING**

5. Conduct a public hearing and consider and take appropriate action on Ordinance O-09-21, 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 44 (SUP-44) to permit a detached garage with an accessory dwelling unit in conjunction with a single family residence on an approximate 0.51 acre tract of land (Property ID 25059) located at 304 Melody Circle, on Lot 9R, Harmony Estates, City of Kaufman, Kaufman County Texas; providing for rescission; providing a penalty for violation; and providing an effective date. (Case No Z-01-21)

- a. Presentation.

Ms. Ratcliff presented the zoning case requested by Shane Appleby for a second floor addition to an existing accessory storage building.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:18 PM.

There being no speakers present, Mayor Jordan closed the public hearing at 6:18 PM.

- c. Consider and take appropriate action on Ordinance O-09-21.

Councilmember Council made a motion approving Ordinance O-09-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

6. Conduct a public hearing and consider and take appropriate action on Ordinance O-10-21, an ordinance of the City Council of the City of Kaufman, Texas, annexing the hereinafter described property consisting of approximately 7.9 acres out of a 45 acre tract of land, located at 1900 East Highway 175 (being a portion of PID 56874), platted as Lot 1, Kaufman County Law Enforcement Center Addition, situated in the D. Falcon Survey, Abstract 151; into the City of Kaufman, Kaufman County, Texas and extending the boundary limits of said City so as to include the described property within the City limits; granting to all the inhabitants of the Property all the rights and privileges of other citizens and binding the inhabitants by all of the ordinances, resolutions, acts and regulations of the City; adopting a written services agreement; providing instructions for correcting the official map and boundaries of said City;

and providing an effective date. (Case No. A-01-21)

a. Presentation.

Ms. Ratcliff reviewed the proposed annexation of property owned by Kaufman County. She informed Council of the location of the property and the purpose for the annexation.

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:21 PM.

There being no speakers present, Mayor Jordan closed the public hearing at 6:22 PM.

c. Consider and take appropriate action on Ordinance O-10-21.

Councilmember Aga made a motion approving Ordinance O-10-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

7. Conduct a public hearing and consider and take appropriate action on Ordinance O-11-21, an ordinance of the City Council of the City of Kaufman, Texas, annexing the hereinafter described property consisting of approximately 16.72 acres generally located directly west of the Kaufman County Law Enforcement Center (PIDs 5438 & 5525), situated in the D. Falcon Survey, Abstract 151, into the City of Kaufman, Kaufman County, Texas and extending the boundary limits of said City so as to include the described property within the City limits; granting to all the inhabitants of the Property all the rights and privileges of other citizens and binding the inhabitants by all of the ordinances, resolutions, acts and regulations of the City, adopting a written services agreement; providing instructions for correcting the official map and boundaries of said City; and providing an effective date. (Case No. A-02-21)

a. Presentation.

Ms. Ratcliff presented the proposed annexation for the property owned by the City of Kaufman. She reviewed the location of the property and the purpose for the annexation.

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:24 PM.

There being no speakers present, Mayor Jordan closed the public hearing at 6:24 PM.

c. Consider and take appropriate action on Ordinance O-11-21.

Councilmember Ratcliffe made a motion approving Ordinance O-11-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

8. Conduct a public hearing and consider and take appropriate action on Ordinance O-12-21, an ordinance of the City Council of the City of Kaufman, Texas, annexing the hereinafter described property of approximately 73.491 acres, located at 2121 Ola Road and East State Highway 243 (PID 213307), situated in the William Peters Survey, Abstract 407, into the City of Kaufman, Kaufman County, Texas and extending the boundary limits of said City so as to include the described property within the City limits; granting to all the inhabitants of the Property all the rights and privileges of other citizens and binding the inhabitants by all of the

ordinances, resolutions, acts and regulations of the City, adopting a written services agreement; providing instructions for correcting the official map and boundaries of said City; and providing an effective date. (Case No. A-03-21)

a. Presentation.

Ms. Ratcliff presented the proposed annexation for the property owned by the City of Kaufman. She reviewed the location of the property and the purpose for the annexation.

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:27 PM.

There being no speakers present, Mayor Jordan closed the public hearing at 6:27 PM.

c. Consider and take appropriate action on Ordinance O-12-21.

Councilmember Aga made a motion approving Ordinance O-12-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

9. Conduct a public hearing and consider and take appropriate action on Ordinance O-13-21, an ordinance of the City Council of the City of Kaufman, Texas, annexing the hereinafter described property of approximately 85.234 acres generally located at the northwest corner of East State Highway 243 and Farm to Market Road No. 2727 (PIDs 187223 & 51233), situated in the William Peters Survey, Abstract 407, into the City of Kaufman, Kaufman County, Texas and extending the boundary limits of said City so as to include the described property within the City limits; granting to all the inhabitants of the Property all the rights and privileges of other citizens and binding the inhabitants by all of the ordinances, resolutions, acts and regulations of the City, adopting a written services agreement; providing instructions for correcting the official map and boundaries of said City; and providing an effective date. (Case No. A-04-21)

Ms. Ratcliff presented the proposed annexation for the property owned by the Kaufman Independent School District. She reviewed the location of the property and the purpose for the annexation.

a. Presentation.

Ms. Ratcliff presented the proposed annexation for the property owned by the Kaufman Independent School District. She reviewed the location of the property and the purpose for the annexation.

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:29 PM.

There being no speakers present, Mayor Jordan closed the public hearing at 6:30 PM.

c. Consider and take appropriate action on Ordinance O-13-21.

Mayor Pro-Tem Patterson made a motion approving Ordinance O-13-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

**DISCUSSION/ACTION ITEMS**

10. Consider and take appropriate action on Ordinance O-14-21, an ordinance of the City Council of the City of Kaufman, Texas, amending the City's Personnel Policies Manual, adopted as Section 2-62, "Personnel Policies; Job Classification", of Article III, "Officers and Employees", of Chapter 2, "Administration", of the Code of Ordinances of the City by: (1) adopting a new section, Section 5.12, "Hazard Duty Pay"; and to incorporate updates to the existing Personnel Policies Manual; and providing an effective date.

Mr. Holder presented the proposed amendments to the Personnel Policy for the purpose of adding a section to address Hazard Duty Pay. He reviewed the policy, the effects it could have, and the council approval process.

Councilmember Phillips made a motion to approve Ordinance O-14-21 as presented. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

11. Consider and take appropriate action on Ordinance O-15-21, an ordinance of the City Council of the City of Kaufman, Texas, amending the Code of Ordinances of the City of Kaufman to repeal Chapter 34, "Courts", in its entirety to add a new Chapter 34, to be entitled, "Municipal Court of Record", to establish the Kaufman Municipal Court as a court of record; and providing an effective date.

Mr. Slye informed Council the purpose of the ordinance to designated the Municipal Court as a court of Record. He outlined the changes this would have on the process with the court.

Mayor Pro-Tem Patterson made a motion to approve Ordinance O-15-21 as presented. The motion was seconded by Councilmember Council and passed 7/0.

12. Consider and take appropriate action on Ordinance O-16-21, an ordinance of the City Council of the City of Kaufman, Texas, repealing provisions of the City's ordinances and Council declaration and resolutions related to COVID-19 in conflict with Governor Abbott's recent executive order (GA-34); encouraging continued disaster mitigation efforts; requiring face covering within City facilities; and providing an effective date.

Mr. Slye explained that most recent Governor's executive orders and the effects it has on the current declaration ordinance the city has in place. He outlined the proposed changes this ordinance would put in place. Council inquired about the enforcement of the Health and Safety Plans at the Civic Center.

Councilmember Council made a motion to approve Ordinance O-16-21 as presented. The motion was seconded by Councilmember Aga and passed 7/0.

13. Consider and take appropriate action on Resolution R-18-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the award for professional services provider for the 2021 Texas Community Development Block Grant Planning and Capacity Building Fund application and project implementation; and providing an effective date.

Mr. Slye outlined the projects that could be accomplished with applying for the 2021 Texas Community Development Block Grant Planning and Capacity Building Fund. He reviewed the two proposals that were received and the rank process to select the provider.

Councilmember Aga made a motion to approve Resolution R-18-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

14. Consider and take appropriate action on Resolution R-19-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the community development fund; authorizing the mayor and City Manager to act as the City's executive officers and authorized representatives in all matters pertaining to the city's participation in the Texas Community Development Block Grant Program; and providing an effective date.

Mr. Slye informed Council the CDBG application is for the purpose of rehabilitation the North Elevated Water Tower. He reviewed the costs associated with this grant.

Councilmember Ratcliffe made a motion to approve Resolution R-19-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

15. Consider and take appropriate action on the award of bid and contract for code compliance abatement for lawn mowing and authorizing the Mayor or his designee to execute necessary documents.

Ms. Ratcliff informed Council that Development Services mailed thirty-six requests for proposals to abate code compliance for unsightly matter that includes high weeds, grass, and brush for residential and commercial properties. Two (2) bids were returned for consideration by John Beasley of Trinity Claims Service, LLC and by Waylon Jones of Jones Lawn Care. Staff recommends awarding the bid and contract to John Beasley of Trinity Claims Service, LLC, because he proposed a flat fee bid for code compliance abatement lawn mowing.

Councilmember Council made a motion to award the bid to Trinity Claims Service, LLC, and authorize the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Aga and passed 7/0.

16. Presentation, consider and take appropriate action on a partnership with CEIS to design and construction digital monument signs for the City of Kaufman.

Mr. Holder informed Council of the process to get electronic signature in Kaufman for the last few years. He presented the design options to Council. He stated if Council wishes to move forward with this project, an amended to the sign ordinance would be required. Kyle Martin and Tony Lockridge with CEIS gave a presentation on the proposed digital monument signs, how it works, and the design options that were put together for Kaufman.

There were discussions about how many signage this contract would include, the sizes of the LED portion of the signs, and how the advertising for business would be handled. The Council discussed the different designs, and the type of advertising that would be limited. Council requested to move forward with the taller design.

#### **APPOINTMENT**

17. Consider and take appropriate action on the appointment of two (2) members to the Keep



Kaufman Beautiful Board for a two (2) year term to expire March 2023.

Mayor Jordan made a motion to appoint Fallan Way and Stacia Duggan to the Keep Kaufman Beautiful Board for a two (2) year term to expire March 2023. The motion was seconded by Councilmember Council and passed 7/0.

18. Consider and take appropriate action on the appointment of three (3) members to the Parks and Recreation Board for a two (2) year term to expire March 2023.

Mayor Jordan made a motion to appoint Lindsey Mercer, Tori Hitzfeld, and Lori Gutierrez to the Parks and Recreation Board for a two (2) year term to expire March 2023. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

### **ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER**

19. Receive an update and discussion regarding the following:
  - a. Sale Tax Update
  - b. Easter Bunny Trail Event- March 27
  - c. Council Retreat- April 12 & 13
  - d. Discussion Items Report (DIR)
  - e. STAR Transit Ridership Report- February 2021
  - f. Careflite Compliance Report- February 2021
  - g. Fire Department Monthly Report- February 2021
  - h. Monthly Calendars Attached

Mr. Slye gave an update on the above-stated items.

### **EXECUTIVE SESSION**

Mayor Jordan recessed into Executive Session at 7:59 PM to discuss the following.

20. 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:
    - i Kaufman Lake
    - ii Potential land swap

- iii South Pointe Development
  - b. Texas Government Code § 551.071(1) and (2): Consultation with Attorney. To seek the advice of the City's Attorney about pending or contemplated litigation or a settlement offer (§551.071(1); and to consult with City's 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 conflicts with the Texas Open Meetings Act (§551.071(2)):
- i Platting & development, zoning, and ETJ & City utilities
- ii Brown vs. Crow, et al and Those I-30, Case No. 3-21-CV-0368-S, (U.S. District Court, Northern District of Texas, Dallas Division)
- iii City-wide high-speed internet

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

Mayor Jordan reconvened the open session at 9:46 PM

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

Councilmember Aga made a motion to approve the contract and sale of Kaufman Lake as discussed in Executive Session. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

**ADJOURNMENT**

There being no further business, Mayor Jordan adjourned the meeting at 9:48 PM.

**ATTEST:**

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**JEFF JORDAN  
MAYOR**

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**JESSIE HANKS  
CITY SECRETARY**



**AGENDA**  
**KAUFMAN CITY COUNCIL PLANNING RETREAT**  
**COMMENCE ON MONDAY, APRIL 12, 2021 – 12:00 P.M.**  
**CONTINUED ON TUESDAY, APRIL 13, 2021 – 8:00 A.M.**  
**KAUFMAN CIVIC CENTER**  
**607 E. FAIR STREET**  
**KAUFMAN, TEXAS 75142**

**This meeting will be held using  
videoconferencing/teleconferencing  
technology with public access via:  
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR  
(888)788-0099 (TOLL-FREE)  
MEETING/WEBINAR ID: 899 2105 6864  
PASSWORD: 099109**

**COUNCIL/MANAGEMENT RETREAT**

**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 meeting to order at 12:00 PM. Councilmembers present were Jeff Jordan, Patty Patterson, Jeff Council, Matt Phillips, Carole Aga, and Barry Ratcliffe. Councilmember Lisa Parker arrived at 12:02 PM. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Secretary Jessie Hanks, Human Resources Coordinator Lexie Hanson, Development Services Director Marcy Ratcliff, Finance Director Mary Wennerstrom, Police Chief Dana Whitaker, Fire Liutenient Jeremy Hatcher, and Fire Chief Ronnie Davis.

**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.

**MONDAY, APRIL 12, 2021, 12:00 P.M**

12:00 p.m. – Lunch

## **EXECUTIVE SESSION**

Mayor Jordan recessed into Executive Session at 12:01 pm

- 1. 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, South Pointe Development, & Georgetown Development**
  - b. Texas Government Code § 551.087(1): Deliberation regarding economic development negotiations; to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations: City-wide high-speed internet- Community Internet Provider**

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

## **DISCUSSION/ACTION ITEMS**

Mayor Jordan reconvened into open session at 12:31 PM

- 2. Consider and take appropriate action, if any, on matters discussed in Executive Session.**

Councilmember Phillips made a motion to authorize the City Manager to execute additional contracts with Borders & Long on the closing sale as discussed in Executive Session. The motion was seconded by Councilmember Council and passed 7/0.

Councilmember Ratcliffe made a motion to authorize the City Manager to execute the documents as related to Georgetown Development as discussed in Executive Session. The motion was seconded by Councilmember Patterson and passed 7/0.

Councilmember Parker made a motion to authorize the City Manager to execute the proposed lease agreement with Community Internet Providers. The motion was seconded by Councilmember Council and passed 7/0.

## **RECOGNITION**

### **3. Carl “Skip” Thomas Award- Chief Ronnie Davis**

Mr. Slye recognized Chief Ronnie Davis for receiving the Carl “Skip” Thomas Award.

**CONVENE TO COMMENCE COUNCIL RETREAT SESSION.** Council will discuss items posted on this agenda, but no action will be taken by the Council.

### **4. 12:45 p.m. – Opening Comments/Council Expectations – *Mike Slye***

Opening comments provided by Mr. Slye. He reviewed the agendas, the items that will be discussed, and the layout for the day. Council discussed their expectations of the meeting and discussion.

### **5. 1:00 p.m. – Strategy Map, Performance Measures, Hits & Misses, DIR Review – *Mike Holder***

Mr. Holder outlined the purpose of the strategy map, performance measures, hits & misses, and discuss item report. He explained how these documents work in conjunction with each other. He reviewed each document in detail.

### **6. 1:30 p.m. – Financial Review**

#### **a. Current FY Operations & Fund Balance Review – *Mary Wennerstrom***

Ms. Wennerstrom presented the current fiscal year operations and fund balances. She outlined the General Fund Revenues and compared the budgeted amounts to actual revenues. There were discussions about the General Fund expenses, Utility Fund revenues and expenses, fund balance positions for all the funds.

#### **b. KCAD Projections – FY22- *Sarah Curtis***

Sarah Curtis, Chief Appraisal for the Kaufman County Appraisal District, presented the preliminary property value totals for 2021. There was a discussion about the increases in home values.

#### **c. America Rescue Program (ARP) Strategy – *Mike Slye***

Mr. Slye reviewed the American Rescue Plan and the purpose of the funds. He played a video that further explained the American Rescue Plan. There were discussions about the qualified expenditures, the potential city needs to utilize the funds, and the allocated amounts to the various entities in the County.

**d. Property Sale Strategy – *Mike Slye***

- i. Kaufman Lake**
- ii. Borders & Long**
- iii. County Properties**
- iv. City Properties**

Mr. Slye reviewed the funds the city will receive from the sale of Kaufman Lake and Borders & Long, and potential uses for the funds. He reviews various county properties that will be sold or purchased in the next few months.

**2:45 p.m. – Break**

**7. 3:00 p.m. – Capital Improvement Projects**

**a. WWTP Improvements – GTUA – *Mike Slye***

Mr. Slye gave an update on the WWTP Phase I Improvements and reviewed Phase II improvements for the future.

**b. Advanced Metering Infrastructure (AMI) – *Ira Nicodemus***

Mr. Slye introduced Ira Nicodemus from Performance Services to review the Advanced Metering Infrastructure (AMI). Mr. Nicodemus gave an overview of the company he works for, reviewed what AMI is, and the replacement of current water meters. He informed Council of the abilities of the infrastructure. There were discussions about the impact on the water loss, the financial summary for the proposed project, and the project process.

**c. Storm Drainage Improvements – *Mike Slye***

- i. Hillcrest, Priscilla, Melody**
- ii. 10<sup>th</sup> & Clay**

Mr. Slye reviewed the above stated Storm Drainage Improvements and the time frame associated with the projects. He outlined the projects and the improvements it would entail.

**d. Park Improvements – *Mike Slye***

- i. TPWD Grant – City Lakes Park**

Mr. Slye informed the Council that the TPWD Commission meets on May 26, 2021, to consider Park Grant funding for all submitted applications.

**ii. Splash Pad**

There were discussions about proposals for a splash pad.

**iii. “Miracle” Playground**

Mr. Slye presented to idea of installing a “Miracle” Playground at City Lakes Park in conjunction with the TPWD Grant.

**iv. Shannon Park**

Mr. Slye briefly reviewed the improvements needed for Shannon Park.

**v. Future Kings Fort Park**

Mr. Slye reviewed the ideas for the future Kings Fort Park.

**e. 5-Year Capital Improvement Plan Review – *Mike Holder***

Mr. Holder provided and updated 5-year Capital Improvement Plan and the comparison from the current fiscal year to the upcoming fiscal year.

**8. 4:00 p.m. – Organizational Initiatives**

**a. Human Resources – *Mike Slye***

**i. Retirement Eligibility/Succession Planning**

Mr. Slye informed Council about the list of employees who are eligible for retirement. There were discussions about the potential succession plans for the department heads.

**ii. IT Manager**

Mr. Slye presented the potential of adding an IT Manager to the staff.

**b. Fire Department Multiyear Plan – *Mike Holder***

Mr. Holder informed Council about the multiyear plan that was put together with the Fire Department. He outlined the improvements that have been made over the last 5 years. There were discussions about the starting pay increase, the data-driven priorities, and the proposed personnel plan. He reviewed the current fleet and the proposed fleet replacement plan. The proposed facility improvements to the current Fire Station were discussed.

**RECESS MEETING – APPROXIMATELY 5:00 P.M. - 5:30 P.M.**

Mayor Jordan recessed the meeting at 5:00 P.M.

**TUESDAY, APRIL 13, 2021, 8:00 A.M.**

8:00 a.m. – Breakfast

**RECONVENE TO CONTINUE COUNCIL RETREAT SESSION AND ANNOUNCE A QUORUM PRESENT.** Council will discuss items posted on this agenda as well as continue discussion of those items posted on Monday, April 12, 2021, meeting for which Council did not conclude discussion prior to declaring the Monday, April 12, 2021, meeting in recess. No action will be taken by the Council on any agenda items.

Mayor Jordan reconvened the Council Retreat Session at 8:07 PM. Councilmembers present were Jeff Jordan, Patty Patterson, Jeff Council, Matt Phillips, Lisa Parker, Carole Aga, and Barry Ratcliffe. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Secretary Jessie Hanks, Human Resources Coordinator Lexie Hanson, Development Services Director Marcy Ratcliff, Finance Director Mary Wennerstrom, Police Chief Dana Whitaker, Fire Liutenant Jeremy Hatcher, and Fire Chief Ronnie Davis.

Council continued the discussion regarding property sale strategy from Monday, April 12, 2021. There were discussions regarding the strategy options for the sale of Kaufman Lake and the Borders & Long Property.

**9. 8:30 a.m. – Transportation Projects Review – Mike Slye**  
**a. Street Maintenance Plan**

Mr. Slye reviewed the TxDot Street Maintenance Plan for the upcoming year in Kaufman County.

**b. RTC Road Connection (34 Bypass & 175)**

Mr. Slye explained the proposed project to construct a road that would connect the 34 bypass to 175 behind the Kaufman County Justice Center and the KEDC owned property. He reviewed the probable cost estimate for the various segments of the project.

**c. Tabor Parkway Phase II**

Mr. Slye reviewed the current construction project of expanding Tabor Parkway.

**d. Washington St. Turnback**

**e.**



- f. Future Rehab Projects**
  - i. Royal**
  - ii. Crestview**

Mr. Slye outlined the proposed Royal and Crestview rehab project and the costs associated.

**10.10:45 a.m. – KEDC Projects Business Update – Anne Glasscock**

- a. Downtown Square Recruitment/Marketing**
  - i. Website**
    - 1. Downtown**

Ms. Glasscock presented the mock up for the Downtown Website. She showed a video that walked the Council through the pages.

- 2. City**

Ms. Hanks reviewed the analytics for the city's website from the past year. She presented the three redesigns options for the potential updating of the project.

- b. Business Park Development**

Ms. Glasscock updated the Council of the development of the Business Park.

- c. Matching Grant Incentive**

Ms. Glasscock reviewed the matching grants for 2021 to date. She also outlined the current projects for the Economic Development Corporation.

**11.9:30 a.m. – Development Projects– Mike Slye & Marcy Ratcliff**

- a. Kings Fort**
  - i. Georgetown Development**

Mr. Slye reviewed the four phases for the Georgetown Development, the lots that have sold, and the potential of escalating phase 2A and 2B for public improvements. There were discussions about the progress with the development, the large lots in Phase II, and

- ii. Commercial Contracts**

Ms. Ratcliff informed the Council about the new commercial contracts in the Kings Fort Development.

**b. South Pointe**

Ms. Ratcliff updated Council on the progress for the South Pointe Development. Mr. Slye reviewed the proposed time line for the development.

**i. Borders & Long**

The site plan for the Borders & Long property was reviewed.

**c. Current & Future Apartments**

**i. Plum Tree Apartments**

**ii. Juniper Apartments**

The site plan for the Juniper Apartment was reviewed.

**iii. Meara Apartments**

Ms. Ratcliff reviewed the site plan for the Apartment Complex in Kings Fort.

**d. Future Development Projects**

**i. Marlows Truck Stop**

**ii. Kaufman County Campus**

Ms. Ratcliff presented the development of the Kaufman County Campus including the Law Enforcement Center, the new Justice Center, and the Animal Adoption Center.

**iii. Kaufman 45**

**iv. Oakdale Estates (PID)**

Ms. Ratcliff reviewed the proposed development referred to as Oakdale Estates.

**v. Prairie Creek Phase 3**

Ms. Ratcliff outlined Phase 3 in the Prairie Creek Addition. There was a discussion on the streets and the means of egress with this development.

**e. CDBG Planning Grant**

Mr. Slye presented the various studies and costs associated with the CDBG Planning Grant Application.

**10:30 a.m. – Break**

**12.11:15 a.m. – FY22 Tax Rate Strategies – *Mike Slye***

There were discussions regarding the strategy for the Tax Rate for Fiscal Year 2022, items the council requested be considered in the budget process, and the various projects discussed throughout Council retreat.

**13.12:00 p.m. – Lunch – Hits & Misses, Review of Retreat Topics, and City Council Comments**

**ADJOURNMENT**

There being no further business, Mayor Jordan adjourned the meeting at 11:46 a.m.

**ATTEST:**

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**JEFF JORDAN  
MAYOR**

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**JESSIE HANKS  
CITY SECRETARY**



**Meeting**  
**Date: 4/26/2021**

**Date: 4/19/2021**

**Item #: 5.**

**Dept.: Administration**

**Consent Agenda**

**SUBJECT:**

Consider and take appropriate action on the Partial Termination and Abandonment of a Sanitary Sewer Easement dated January 11, 1984, recorded under Volume 758, Page 857 of the Official Public Records of Kaufman County, Texas; and authorizing the Mayor or his designee to execute necessary documents.

**BACKGROUND:**

This is the ratification of an action taken April 12, 2021 to abandon a sewer line easement in the Kings Fort Commercial district where Lone Star Credit Union will be located.

Author:  
Mike Slye, City Manager

Reviewed:  
Mike Slye, City Manager

**Cost:** \$0.00

**Funds Available:** \$0.00

**Source:** N/A

**Recommendation: Staff recommends approval of the Partial Termination and Abandonment of Easement.**

| <b>Safe &amp; Secure</b> | <b>Business<br/>Friendly/Economic<br/>Development</b> | <b>Partnership &amp;<br/>Community<br/>Involvement</b> | <b>Healthy &amp;<br/>Environmentally<br/>Cons. Comm.</b> | <b>Financial &amp;<br/>OPS Stewardship</b> |
|--------------------------|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                 | <input type="checkbox"/>                   |

## PARTIAL TERMINATION AND ABANDONMENT OF EASEMENT

This **PARTIAL TERMINATION AND ABANDONMENT OF EASEMENT** (this “Abandonment”) is made to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2021 (the “Effective Date”), by the **CITY OF KAUFMAN, TEXAS** (the “City”).

### RECITALS

**WHEREAS**, Margie Morrow, a widow, and the American National Bank of Terrell, Texas, as Independent Executor and/or Trustee of the Estate of M. H. Morrow, Deceased, granted and conveyed to the City a sanitary sewer easement as described in that certain Easement dated January 11, 1984, recorded under Volume 758, Page 857 of the Official Public Records of Kaufman County, Texas (“Easement”); and

**WHEREAS**, the City has determined that it no longer requires that portion of the Easement described and depicted on **Exhibit A** attached hereto and incorporated herein for all purposes (the “Abandoned Area”); and

**WHEREAS**, JWS Land Ltd. attempted to have the Abandoned Area terminated and abandoned through that certain Drainage & Utility Easement dated April 7, 2017, recorded under Volume 5319, Page 03, and Document Number 2017-0008523 of the Official Public Records of Kaufman County, Texas; and

**WHEREAS**, the City desires to confirm in this Abandonment that it does not require that portion of the Easement affecting the Abandoned Area; and

**WHEREAS**, it is the intention of the City to partially terminate and abandon the Easement such that it no longer encumbers or otherwise affects or impacts the Abandoned Area.

**NOW, THEREFORE**, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City agrees as follows:

1. **Partial Termination and Abandonment of the Easement.** The City agrees that as of the Effective Date of this Abandonment, the Easement is hereby partially terminated and abandoned and shall be of no further force or effect as to the Abandoned Area. The City agrees and confirms that the Abandoned Area shall no longer be encumbered or otherwise affected or impacted by the Easement. The City further waives any and all easement rights that it may have as to the Abandoned Area, including, but not limited to, any prescriptive rights or prescriptive easements.

2. **Captions.** Headings of paragraphs are for convenience of reference only and shall not be construed as part of this Abandonment.

[SIGNATURE PAGE FOLLOWS]

**EXECUTED** to be effective as of the Effective Date first set forth above.

**CITY OF KAUFMAN, TEXAS**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF TEXAS

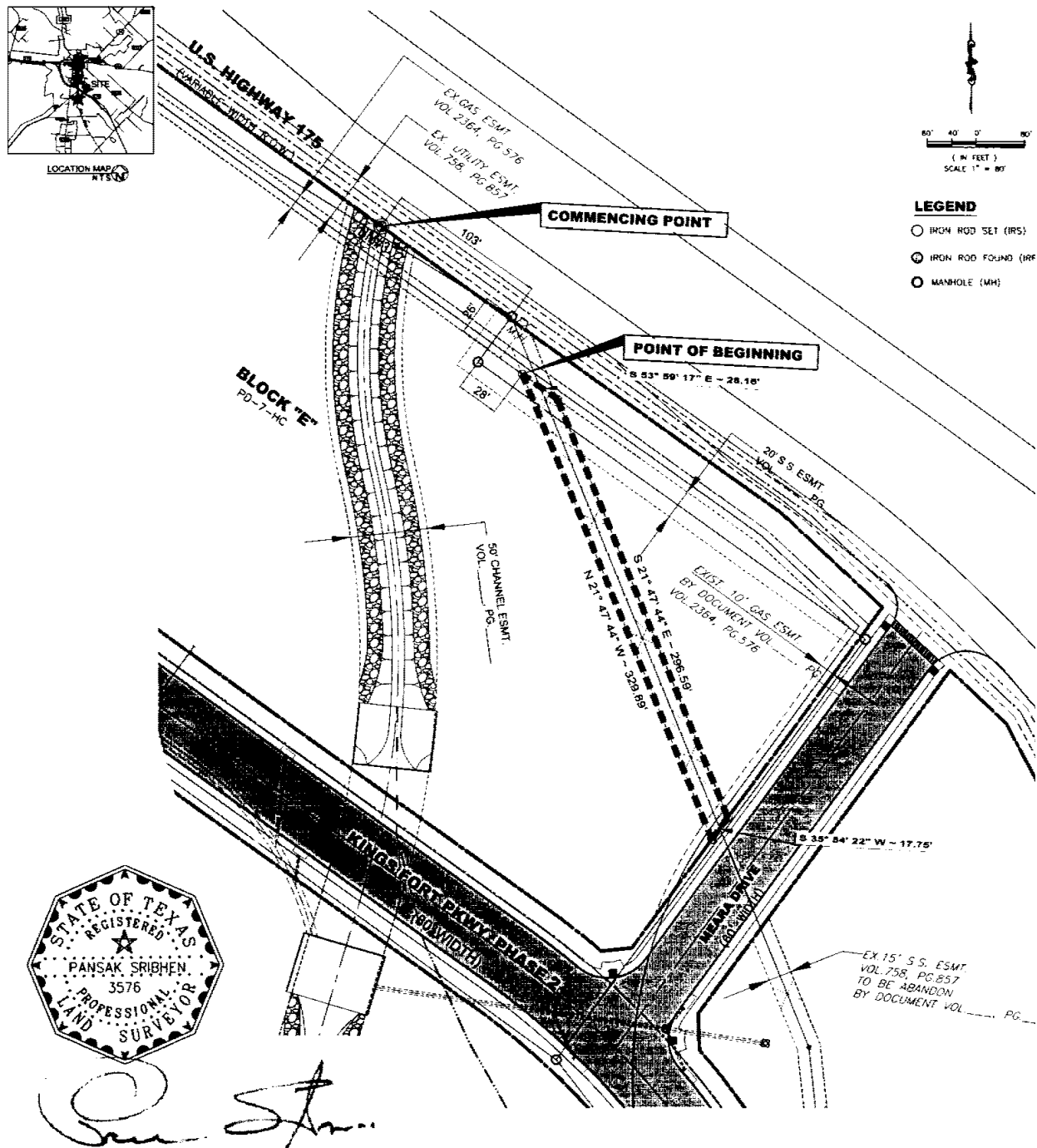
COUNTY OF KAUFMAN

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2021,  
by \_\_\_\_\_, \_\_\_\_\_ of the **CITY OF KAUFMAN, TEXAS**, a Texas home-  
rule municipality.

\_\_\_\_\_  
Notary Public – State of Texas

## EXHIBIT A

### The Abandoned Area



**METES & BOUNDS DESCRIPTION:**

WHEREAS H. GEORGE SCHULER, TRUSTEE OF JWS LAND Ltd., being the owner of a tract of land in the County of Kaufman, State of Texas, said tract being described as follow;

**BEING** a 15 feet Abandon Exist Sanitary Sewer Easement a tract of land situated in the D Falcon Survey, Abstract No. 151 and being more particularly described by metes and bounds as follows;

**COMMENCING** at an "X" cut found on the center of top of exist Concrete Headwall at Creek West of SH 34, located at Southerly R.O.W. line of US 175 (variable width R.O.W.); **Thence** S 53° 59' 17" E, a distance of 103 feet to exist 6 feet sanitary sewer found on Southeast of US Highway 175, (variable width R.O.W.); **THENCE** S 35° 54' 22" W, a distance of 26 feet to the corner; **Thence** S 53° 59' 17" E, a distance of 28 feet to **THE POINT OF BEGINNING**;

**THENCE** S 53° 59' 17" E, a distance of 28.16 feet, to a 1/2" iron rod set for a corner;

**THENCE** S 21° 47' 44" E, a distance of 296.59 feet to a 1/2" iron rod set for a corner, said point being on West Row of Meara Drive;

**THENCE** S 35° 54' 22" W, a distance of 17.75 feet to a 1/2" iron rod set for a corner;

**THENCE** N 21° 47' 44" W, a distance of 329.89 feet, to **THE POINT OF BEGINNING**, and containing 4,130 square feet or 0.10 Acres tract of land, more or less.







**Meeting**  
**Date: 4/26/2021**

**Date: 4/12/2021**

**Item #: 6.**

**Dept.: Development**  
**Services**

**PZ Item**

**SUBJECT:**

Hold a Public Hearing, consider, and take appropriate action on Ordinance O-17-21, an ordinance of the City Council of the City of Kaufman, Texas, amending 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 "Private Membership Social Game House" as a use permitted only when a specific use permit is approved and only in the Commercial (C) and Highway Commercial (HC) Zoning Districts by amending Chart 4, "Recreational and Entertainment Uses" of Section 33.4, "Use Regulations", and Section 33.5, "Definitions". (Case #Z-02-21)

**BACKGROUND:**

See the attached April 4, 2021 Planning and Zoning Commission Report.

If City Council approves the proposed amendments to the Zoning Ordinance, Staff will have to propose amendments to Section 14 Amusements and Entertainments at a later date

Because the Planning and Zoning Commission recommended denial of the proposed amendments to the Zoning Ordinance, it will require a 3/4 favorable votes (6 members) of all members of the City Council to approve the request.

**Author:**

Marcy Ratcliff, Development Services Director

**Reviewed:**

Mike Slye, City Manager

**Cost:** N/A

**Funds Available:** N/A

**Source:** N/A

**Recommendation:** The Planning and Zoning Commission on April 4, 2021 recommended denial of Z-02-21 by a vote of 6-1 for amendments to the Comprehensive Zoning Ordinance relative to adding the definition of a "Private Membership Social Game House" and allowing as an approved specific use permit in the Commercial (C) and Highway Commercial (HC) zoning districts in Section 33.4 Use Regulations, Chart 4, Recreational Entertainment Uses and to Section 33.5 Definitions.

The Planning and Zoning Commission agreed the proposed use was not a use desired in the City of Kaufman and had reservations against the use since Section 14-32(a)3 of the Code of Ordinances expressly prohibits gambling.

| Safe & Secure                       | Business<br>Friendly/Economic<br>Development | Partnership &<br>Community<br>Involvement | Healthy &<br>Environmentally<br>Cons. Comm. | Financial &<br>OPS Stewardship |
|-------------------------------------|----------------------------------------------|-------------------------------------------|---------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/>          | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                    | <input type="checkbox"/>       |





**Meeting Date:** April 6, 2021

**Consent:** No

**Discussion/Action:** Yes

**SUBJECT:** Consider and take appropriate action on an Ordinance amending the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, codified as Chapter 118 of the City of Kaufman Code of Ordinances, to add "Private Membership Social Game House" as requiring a specific use permit in the "Commercial" (C) and "Highway Commercial" (HC) zoning districts in Section 33.4 Use Regulations, Chart 4, Recreational and Entertainment Uses, and to Section 33.5 Definitions. (Case No. Z-02-21)

**BACKGROUND/SUMMARY:**

Mr. John Dumas is requesting to amend the City of Kaufman Comprehensive Zoning Ordinance to allow a "Private Membership Social Game House" as a specific use permit (SUP) to Section 33.4 Use Chart – 4 for Recreational and Entertainment Uses specifically in the "Commercial" (C) and "Highway Commercial" (HC) zoning districts. The request also adds the definition "Private Membership Social Game House" to Section 33.5 Definitions. See the attached applicant's letter.

Mr. Dumas' proposed definition of "Private Membership Social Game House" which includes tournament-style card-playing also added pinball, pool table, shuffleboard, and other similar amusement devices. Below is the current definition of Amusement, Commercial (Indoor). This use is allowed by a specific use permit in the "Retail" (R) "Central Business District" (CBD) and the "Washington Street Corridor" (WSC) and by right in the "Commercial" (C) and "Light Industrial" (LI) districts. It is not allowed in the "Highway Commercial" (HC) zoning district

7. **AMUSEMENT, COMMERCIAL (INDOOR)** - An amusement enterprise that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line, and that provides activities, services, and/or instruction for the entertainment of customers or members, but not including amusement arcades. Uses may include, but are not limited to, the following: bowling alley, ice skating rink, martial arts club, racquetball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, and other similar types of uses. Included are video arcades where more than ten (10%) percent of the public floor area is devoted to three (3) or more amusement devices that are operated for a profit, whether the same is operated in conjunction with any other business or not, including but not limited to such amusement devices as coin-operated pinball machines, video games, electronic games, shuffleboards, pool tables or other similar amusement devices.

When an Amusement, Commercial (indoor) use operates in the City of Kaufman an Amusement Permit is required. For example, Wal Mart's game room has an amusement permit. The difference between the proposed "Private Membership Social Game House" and an amusement use is one you have to pay for a membership and rental of the chair/amusement game and most of the time with arcades you just get the enjoyment of the game. In 1993, lawmakers approved

legislation known as the “fuzzy animals” bill. It was intended to ensure that amusement games, such as those played by children at Chuck E. Cheese’s or a carnival that awarded stuffed animals, would not be considered unlawful gambling devices. The bill, signed into law by Gov. Ann W. Richards, legalized any device made for “bona fide amusement purposes” that awarded noncash prizes with a value of \$5 or no more than 10 times the amount charged to play the game.

The Kaufman Code of Ordinance, Section 14 - Amusement and Entertainment. Specifically addresses the requirements for amusement permits, fees, hours, locations, and more. Section 14-32(3) specifically states **“No gambling of any kind shall be allowed on the premises, not prizes awarded for the operation of any coin-operated device of amusement or skill.”** See the attachment.

Mr. Dumas’ letter references food sales which is a permitted use in the “Commercial” and “Highway Commercial” zoning districts. He also references the sale of alcoholic beverages. The sale of alcoholic beverages for on-premise consumption is only allowed in conjunction with a restaurant (a private club with restaurant services) with the approval of a SUP. If the site, he chooses already has a SUP then he has to meet the requirements of the approved SUP. If the site does not have a SUP for a private club, he would have to apply and receive approval from City Council

Staff has researched eight surrounding cities to see if this type of use is allowed in their cities. The cities contacted were; Terrell, Crandall, Mesquite, Rowlett, Rockwall, Seagoville, Forney, and Garland.

The City of Terrell allows amusements such as pinball, billiards, in the “Light Industrial” and “Commercial” zoning districts as a specific use permit.

The City of Forney does not allow it as a use.

Staff has not heard back from the cities of Crandall, Rowlett, Rockwall, Seagoville, or Garland.

The City of Mesquite does allow this type of use as a Conditional Use Permit, which would be the same as our Specific Use Permit. For definitions and descriptions of different types of uses, the City of Mesquite uses the United States Department of Labor, Occupational Safety and Health Administration. Under Description for 7997: Membership Sports and Recreation Clubs, it lists “bridge clubs, membership” for Sports and recreation clubs which are restricted to use by members and their guests. Due to the gray area of 8-liners, the City of Mesquite has adopted an ordinance addressing and limiting them.

## RECOMMENDATIONS:

Staff recommends denial of case Z-02-21, a request to add “Private Membership Social Game House” as requiring a specific use permit in the Commercial (C) and Highway Commercial (HC) Zoning Districts in Section 33.4 Use Regulations, Chart 4, Recreational and Entertainment Uses, and to Section 33.5 Definitions.

ATTACHMENTS:

1. Applicant's letter
2. Code of Ordinance Amusements and Entertainments -Section 14-32(3)
3. City of Kaufman Use Chart 4 Proposed Change
4. City of Kaufman Definitions Proposed Change
5. City of Mesquite Schedule of Permitted Uses
6. United States Department of Labor, Occupational Safety and Health Administration
7. City of Mesquite Web Page for Coin-Operated Amusement Devices
8. City of Mesquite Coin-Operated Amusement Device Guide
9. City of Mesquite Ordinance Regarding Coin-Operated Devices

Marcy Ratcliff  
Development Services  
972-932-2216 ext. 117  
[Kaufmanplanning@kaufmantx.org](mailto:Kaufmanplanning@kaufmantx.org)

## Applicant's Letter

### Introduction and Business Plan

To: P&Z and City Council

RE: Add Definition To Section 33.5, Social Card House

Dear Gentlemen/Gentlewomen,

**Intro:** First, thank you for taking the time to review my request. My name is John Dumas, I am a resident of Seagoville, TX. I graduated from Terrell, Texas in 1996 and moved back to the area in 2015. I am looking to start a Social Card Club in Kaufman, Texas. There are 31 in the State of Texas at this time with more in the process of starting. We are looking to keep the tax revenue dollars in the State of Texas, specifically Kaufman County, instead of the going to OK or LA.

**Business Concept:** We are a private social card club that offers a safe and friendly environment to play a variety of card games, specializing in Texas Hold EM, Pot Limit Omaha and Tournament play and more. We are providing a pressure free NO RAKE business model for members only, with memberships available to everyone over 21 that agree with our membership terms. This model is mirrored after 31 other successful social card rooms over the last 6 years throughout Texas. This business model began in Austin and quickly spread to Houston, San Antonio, Round Rock and most recently Dallas with 2 more approved in Dallas as well. This provides anywhere from \$200,000 to \$7,500,000 in gross revenue providing the Cities with solid a solid tax revenue.

**Meeting State Requirements:** What makes the business model legit in the State of Texas is no money will be drawn from the "pot" and players will receive 100% of the winnings. All Buy-Ins will be converted to "poker chips" so there will be NO cash on the tables. The business will create taxable revenue by charging a membership fee and a chair rental fee by the hour along with food sales. We are currently deciding on BYOB or a beer/wine permit which the location is already approved for. All staff will be TABC certified in our establishment regardless however this is NOT a bar or high consumption business. We will have cameras, security system and trained security or off duty sheriffs during peak hours to ensure safety. We will have a copy of every patron that enters the establishment due to our membership service requirements.

**COVID-19:** We will require temperature checks at the front door, hands to be sanitized and a mask to be worn at the table at all times. They may remove it to take a drink only, when consuming food, we will require them to sit in a designated area. We will also clean tables and chairs with hospital grade disinfectant after each person/game ends. Each deck of cards will be replaced after that table finishes.

**Zoning Ordinance Revision:** Section 33.2.4 Recreational & Entertainment which uses Section 33.5 and will be adding number 8 definition for Commercial and Highway Commercial Zoning with a Special Use Permit.

**Definition:** Private membership social game house specializing in tournament style card playing. Uses may include but not limited to pinball, pool table, shuffleboard and other similar amusement devices. Open to the public via membership and also private parties.

**SUP:** We are trying to keep the locations in commercial areas only and away 1,000 feet away from schools and churches out of respect to the community and its citizens.

Thank you for the opportunity and I look forward to answering any additional questions you may have.

# Code of Ordinance Section 14 Amusements and Entertainments

## AMUSEMENTS AND ENTERTAINMENTS

§ 14-31

### ARTICLE I. IN GENERAL

#### Sec. 14-1. Share of fee on bingo prizes.

Pursuant to V.T.C.A., Occupations Code § 2001.503, the city shall receive a share of the fee that is collected from persons who win bingo prizes.  
(Code 1974, § 21½-4)

#### Secs. 14-2—14-30. Reserved.

### ARTICLE II. PERMIT AND REGULATIONS

#### DIVISION 1. GENERALLY

#### Sec. 14-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Amusement center* means a business establishment in which at least 25 percent of the public floor area is devoted to coin-operated amusement devices and their public use, except those places operated by religious, charitable, and educational organizations.

*Billiard hall* means any place operated for profit where billiards are played, except those places operated by religious, charitable, and educational organizations.

*Billiards* means any game played on a table with balls and cue sticks where the balls are struck by the sticks and the balls strike against one another.

*Bowling alley* means any building, premises or portion thereof where the game of bowling or nine pins or other similar games are played.

*Coin-operated amusement device* means a machine or device operated by insertion of a coin, token or similar object, for the purpose of amusement or skill.

*Other place of amusement* means any building, premises or portion thereof in which facilities are provided for the playing of any coin-operated game or device of amusement or skill, or game of cards, dice or dominoes or other games requiring special equipment for the playing of games; other than in a private home, church or nonprofit community center.

*Premises* means any premises requiring a permit under the terms of this article.

*Public dance hall* means any building, premises or portion thereof in which a public dance is held, exposed or displayed.

(Code 1974, § 15-1; Ord. No. O-03-97, § 15-1, 3-24-1997; Ord. No. O-2-98, § 15-1, 3-9-1998)

**Cross reference**—Definitions generally, § 1-2.

Supp. No. 6

CD14:3

## Code of Ordinance Section 14 Amusements and Entertainments

§ 14-32

### KAUFMAN CODE

#### **Sec. 14-32. Regulations governing premises.**

*(a) Condition of premises.*

- (1) The premises regulated by this article shall be kept and maintained in a clean, healthful and sanitary condition in accordance with all applicable statutes and ordinances, and all rooms or halls connected to the premises shall be well-lighted and kept open and free from blinds, screens and obstructions.
- (2) No loud, boisterous, obscene or lewd conduct shall be allowed on the premises.
- (3) No gambling of any kind shall be allowed on the premises, nor prizes awarded for the operation of any coin-operated device of amusement or skill.

*(b) Vacation of premises.* Any member of the police department having determined that an act or condition prohibited in subsection (a) of this section is being committed or exists on the premises of a place or a business granted a permit under this article and that the persons creating such condition or committing such act are owners or employees of such premises or place of business, shall be authorized to immediately cause the premises to be closed and vacated until the hour of 8:00 a.m. next immediately following such determination.

*(c) Violation deemed a misdemeanor.* Any permittee, his officer, agent, employee, or servant who permits on a licensed premises any act or condition prohibited by subsection (a) of this section shall be guilty of a misdemeanor. This permission shall not be construed as a limitation to prosecute for any other offense or any permit revocation.

(Code 1974, § 15-9(a), (b)(1), (d); Ord. No. O-12-09, § 1, 9-28-2009)

#### **Sec. 14-33. Billiard halls.**

*(a) Hours of operation.* No person owning, operating or managing a billiard hall shall allow minors or other persons regardless of age to be present on the premises other than during the following hours of authorized operations:

- (1) 10:00 a.m. to 11:00 p.m., Sunday through Thursday.
- (2) 10:00 a.m. to 12:00 midnight, Friday through Saturday.

*(b) Sign pertaining to minors exhibited.* It shall be the duty of the owner, exhibitor or lessee of a billiard hall to affix and prominently display a sign on the premises, which sign shall read: "PLAY BY MINORS UNDER 18 YEARS OF AGE NOT ALLOWED BETWEEN THE HOURS INDICATED BELOW UNLESS ACCOMPANIED BY PARENTS OR GUARDIAN." The owner, exhibitor or lessee referred to in this section shall attach to this sign the hours of operation referred to in subsection (a) of this section.

(Code 1974, §§ 15-10, 15-11; Ord. No. O-03-97, § 15-10, 3-24-1997)

Supp. No. 6

CD14:4



## Code of Ordinance Section 14 Amusements and Entertainments

### AMUSEMENTS AND ENTERTAINMENTS

§ 14-62

#### **Sec. 14-34. Amusement centers.**

(a) *Hours of operation.* No person owning, operating or managing an amusement center shall allow minors or other persons regardless of age to operate any amusement machine or device on the premises other than during the following hours of authorized operation:

- (1) 10:00 a.m. to 11:00 p.m., Sunday through Thursday.
- (2) 10:00 a.m. to 12:00 midnight, Friday through Saturday.

(b) *Participation by minors.* No person owning, operating or managing an amusement center shall allow the operation of any amusement machine or device by a minor between the hours of 7:00 a.m. and 3:00 p.m. during the fall and/or spring terms when students are normally required to attend school in the school district in which the center is located.

(c) *Location.* No amusement center shall be allowed to operate if it is located within 150 feet of a public or private elementary, intermediate or high school. For purposes of this article measurements shall be made in a straight line without regard to intervening structures or objects, from the nearest door in the portion of the building used as an amusement center to the nearest door of a school.

(Code 1974, § 15-12; Ord. No. O-03-97, § 15-12, 3-24-1997)

#### **Sec. 14-35. Inspection procedures.**

Any member of the permit committee, its agent or employees may at any time within normal business hours make an inspection of the licensed premises for purposes of ensuring compliance with this article.

(Code 1974, § 15-13)

#### **Secs. 14-36—14-60. Reserved.**

### DIVISION 2. PERMIT

#### **Sec. 14-61. Required.**

No person shall operate, cause or allow to be operated or use any building, premises or portions of any building or premises within the city for the purpose of operating a billiard hall, public dance hall, bowling alley or other place of amusement without having first obtained a permit therefor in accordance with the terms of this article.

(Code 1974, § 15-3)

#### **Sec. 14-62. Application; fee; issuance; duration.**

(a) Application for a permit required by this division shall be filed by the owner or operator with the city secretary on forms to be furnished by the city. Such application shall be accompanied by an application fee of \$25.00. Upon receipt of an application, the city secretary shall refer it to a permit committee composed of the chief of police and the city manager for

CD14:5

## Code of Ordinance Section 14 Amusements and Entertainments

§ 14-62

### KAUFMAN CODE

approval or disapproval. If the committee approves the application, the city secretary shall issue the permit, which shall remain in force until August 1 next following. The permit shall not be transferable, nor shall the fee be refundable.

(b) In addition to the fee which is to accompany any application, the following permit fees will be applicable to any permit obtained regarding the following:

- (1) For each billiard table, \$10.00 annually.
  - (2) For each shuffleboard installed, \$25.00 annually.
  - (3) For each other form of a game or device for amusement or skill, \$10.00 annually.
- (Code 1974, § 15-4)

#### **Sec. 14-63. Investigation and approval of application.**

The permit committee established pursuant to this division shall investigate applications for permits required by this division filed with the city secretary. No application shall be approved unless the permit committee finds that:

- (1) The owner, operator and all other persons having an interest in the premises for which application is made are of good moral character, having never been convicted of a felony or a misdemeanor involving moral turpitude that directly relates to the duties and responsibilities of their occupation under this article, and are not in arrears in the payment of any tax or other debt owed to the city.
- (2) The building, room, hall or premises in which the operation is proposed complies with and conforms to all health, building code, and fire regulations of the city; is properly ventilated and is supplied and equipped with suitable and sufficient toilet and sewage conveniences and facilities; and is so located with reference to other buildings and private residences so as not to constitute a nuisance to other citizens and residents of the community.

(Code 1974, § 15-5)

#### **Sec. 14-64. Renewal; fee.**

On or before July 1 of each year the holder of a permit issued pursuant to this article shall make application for renewal of the permit on forms provided by the city. Application and consideration of renewal permits shall be made in the same manner as an original permit but it shall be the duty of the permit committee to approve renewal unless the investigation reveals a violation of any of the terms or conditions of the original permit or this article. Each application for renewal permits shall be accompanied by the annual permit fee of \$10.00. The renewal fee shall not be refundable.

(Code 1974, § 15-7)

CD14:6

## Code of Ordinance Section 14 Amusements and Entertainments

### AMUSEMENTS AND ENTERTAINMENTS

§ 14-68

#### **Sec. 14-65. Right of appeal from denial.**

Any applicant for a permit required by this article whose application is denied by the permit committee may appeal such denial to the city council in accordance with section 14-67.  
(Code 1974, § 15-8)

#### **Sec. 14-66. Grounds for revocation or suspension.**

The violation of any section of this article, or any other statute or ordinance that directly relates to the duties and responsibilities of an occupation under this article, shall be sufficient grounds for the revocation of any permit granted pursuant to section 14-62. Such permit may also be suspended for a time definite and such suspension and revocation procedure shall be in accordance with section 14-67.  
(Code 1974, § 15-14)

#### **Sec. 14-67. Action to suspend or revoke; appeal.**

(a) The permit committee, after notice and opportunity for hearing, shall have the authority to suspend or permanently revoke any permit.

(b) Any person, including permittees, aggrieved by the permit committee's decision may appeal the decision to the city council by furnishing written notice of appeal to the city secretary within ten days after such decision is rendered.

(c) The city council shall within 15 days after receipt of the notice set a date for hearing for appeal, and such date shall be within 45 days from the receipt of the notice of appeal.

(d) After notice and opportunity for hearing, the city council may revoke, suspend for a time definite, or reinstate the permit.

(e) Any person aggrieved by the decision of the city council may within ten days appeal the decision to the district court of the county.

(f) Notice, as used in this section, shall mean correspondence by U.S. mail, certified, return receipt requested, to the address of the licensed premises.

(g) Knowledge of the prohibited conditions and activities by the permittee's agent, officer, representative, employee, or servant shall be imputed to the permittee in any administrative hearing pursuant to this article.

(Code 1974, § 15-9(b)(2)—(7), (c))

#### **Sec. 14-68. Falsified application prohibited; penalties.**

It shall be unlawful for any person to make or knowingly permit the making of any false or misleading statement in any application made pursuant to this article. In addition to any other punishment or sanction, the violation of this section shall be grounds for the immediate

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## Code of Ordinance Section 14 Amusements and Entertainments

§ 14-68

### KAUFMAN CODE

revocation of any permit granted pursuant to such application. Such permit may also be suspended for a time definite and such suspension and revocation procedure shall be in accordance with section 15-67.

(Code 1974, § 15-6)

CD14:8

# Kaufman Zoning Ordinance Chart 4 Proposed Change

## CHART - 4 CITY OF KAUFMAN, TEXAS ZONING ORDINANCE

\* Must  
follow  
Sec. 33.1.B

### Legend for Interpreting Schedule of Uses

|    |                                                 |
|----|-------------------------------------------------|
|    | Designates use prohibited in District indicated |
| P  | Designates use permitted in District indicated  |
| S  | Designates use requires a Specific Use Permit   |
| TU | Designates use requires a Temporary Use Permit  |

| RECREATIONAL AND ENTERTAINMENT USES                                         | Definitions | AO | SF-20 | SF-10 | SF-8 | SF-6 | TH | MF-1 | MF-2 | MH | O | LR | R | CBD | C | LI | HC | WSC |
|-----------------------------------------------------------------------------|-------------|----|-------|-------|------|------|----|------|------|----|---|----|---|-----|---|----|----|-----|
| Alcoholic beverage sales in conjunction with a restaurant (per Sec.40.10) ▶ |             |    |       |       |      |      |    |      |      |    |   |    | S | S   | S | S  | S  | S   |
| Amusement arcade                                                            | 7           |    |       |       |      |      |    |      |      |    |   |    | S | S   | P | P  |    | S   |
| Amusement, commercial (indoor)                                              | 7           |    |       |       |      |      |    |      |      |    |   |    | S | S   | P | P  | S  | S   |
| Amusement, commercial (outdoor)                                             | 8           |    |       |       |      |      |    |      |      |    |   |    |   |     | S | S  | S  |     |
| Athletic field or stadium (private)                                         | 15          |    |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Athletic field or stadium (public)                                          | 14          | P  | P     | P     | P    | P    | P  | P    | P    | P  |   |    |   |     | P | P  | P  |     |
| Country club (private)                                                      | 50          | P  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     | S | S  | S  |     |
| Dance hall                                                                  | 52          |    |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Day camp for children                                                       | 53          | P  | S     | S     | S    | S    | S  | S    | S    | S  |   |    | P |     | P | S  | S  | S   |
| Fairgrounds or exhibition area                                              | 64          | S  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| Golf course                                                                 | 84          | P  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     | S | S  | S  |     |
| Health, fitness, sports club (indoors only)                                 | 215         |    |       |       |      |      |    |      |      |    | S | S  | P | S   | P | P  | P  |     |
| Park or playground (public)                                                 | 155         | P  | P     | P     | P    | P    | P  | P    | P    | P  | P | P  | P | P   | P | P  | P  | P   |
| Park or playground (private) non-commercial                                 | 154         | S  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     |   |    |    | S   |
| Private club (restaurant alcohol sales)                                     | 171         |    |       |       |      |      |    |      |      |    |   |    | S | S   | S | S  | S  |     |
| Private Membership Social Game House                                        |             |    |       |       |      |      |    |      |      |    |   |    |   |     | S |    | S  |     |
| Rodeo grounds                                                               | 64          | S  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| RV park                                                                     | 179         |    |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Sexually oriented business (see code of ord. Ch. 118)                       | 200         |    |       |       |      |      |    |      |      |    |   |    |   |     |   | P  |    |     |
| Stable (commercial)                                                         | 205         | P  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| Stable (private)                                                            | 206         | P  | S     |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Swimming pool (commercial)                                                  | 219         |    |       |       |      |      |    |      |      |    |   |    | S |     | S | S  | S  |     |
| Swimming pool (private)                                                     | 220         | P  | P     | P     | P    | P    | P  | P    | P    | P  |   |    |   |     |   |    |    | P   |
| Tennis court (private) lighted                                              | 227         | S  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     |   |    |    |     |
| Tennis court (private) no lights                                            | 227         | P  | P     | P     | P    | P    | P  | P    | P    | P  |   |    |   |     |   |    |    | P   |
| Theater (open drive-in)                                                     | 228         |    |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| Theater or playhouse (indoor)                                               | 229         |    |       |       |      |      |    |      |      |    | S | S  | P | P   | P | P  | P  | P   |
| Zoo (private)                                                               | 259         | S  |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Zoo (public)                                                                | 260         | S  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |

▶ Amended 02-23-2015 by O-01-2015

## Kaufman Definitions With New Addition Proposed Change

- 162. **PET AND ANIMAL GROOMING SHOP -**
- 163. **PETROLEUM DISTRIBUTION/STORAGE/WHOLESALE FACILITY -**
- 164. **PLANNED DEVELOPMENT DISTRICT –**
- 165. **PLANNING AND ZONING COMMISSION -**
- 166. **PLAT -**
- 167. **PORTABLE BUILDING SALES (OUTDOOR DISPLAY) -**
- 168. **PREMISES -** Land together with any buildings or structures situated thereon, same as “Lot”.
- 169. **PRIMARY USE -** The principal or predominant use of any lot or building.
- 170. **PRINTING SHOP (COMMERCIAL) –**
- 171. **PRIVATE CLUB -** An establishment providing social and/or dining facilities which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of, that portion of Title 3, Chapter 32, Vernon's Texas Codes Annotated, Alcoholic Beverage Code, as the same may be hereafter amended, and as it pertains to the operation of private clubs.
- 172. **PRIVATE MEMBERSHIP SOCIAL GAME HOUSE -** Private membership social game house specializing in tournament style card playing. Uses may include but not limited to pinball, pool table, shuffleboard and other similar amusement devices. Open to the public via membership and also private parties.
- 173. **PRODUCE STAND -**
- 174. **PROFESSIONAL SERVICE -**
- 175. **PROPANE SALES -**
- 176. **PUBLIC AGENCY BUILDING, SHOP, YARD OR FACILITY –**
- 177. **PUBLIC VIEW -**
- 178. **RECREATION/COMMUNITY CENTER -** A public or private facility place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.
- 179. **RECREATIONAL VEHICLE/CAMPER SALES AND LEASING -**
- 180. **RECREATIONAL VEHICLE (RV) PARK -**
- 181. **RECYCLING KIOSK**
- 182. **REHABILITATION CARE FACILITY (HALFWAY HOUSE) –**

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# City of Mesquite's Schedule of Permitted Uses

## PART 3: NONRESIDENTIAL DISTRICTS 3-200 USE REGULATIONS

### 3-203 SCHEDULE OF PERMITTED USES

| SIC CODE | USE DESCRIPTION                                                                                                                                                       | O | GR | LC | THN<br>R29<br>NGTC<br>1 | CV | MU | CB | SS | C | I | PKNG<br>STND | SPECIAL CONDITIONS                                                                                                                                                                        |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|----|-------------------------|----|----|----|----|---|---|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | a-1. Minor Reception Facility<br>NOT within 500-ft of a<br>Residential District                                                                                       |   | P  | P  |                         |    | P  | P  |    | P | P | 11           | Requires compliance with<br>3-508 (A).                                                                                                                                                    |
|          | a-2. Minor Reception Facility<br>within 500-ft of a<br>Residential District                                                                                           |   | C  | C  |                         |    | C  | C  |    | C | C | 11           | Ord. 4797/8-3-2020<br>Requires a CUP when the Facility is<br>located within 500 feet of a<br>residential district.<br>Requires compliance with<br>3-508 (A).                              |
|          | b. Major Reception Facility                                                                                                                                           |   |    |    |                         |    |    | C  |    | C | C | 11           | Ord. 4797/8-3-2020<br>Facilities are required to be located<br>at least 500 feet from any residential<br>district.<br><br>Requires compliance with<br>3-508 (A).                          |
| 792      | Theatrical Producers, Bands,<br>Entertainers<br>7922 Theatrical Producers (except)                                                                                    |   |    | P  |                         | C  | P  | P  |    | P | P | 28           |                                                                                                                                                                                           |
|          | a. Ticket Agencies, Entertainment                                                                                                                                     |   | P  | P  |                         |    | P  | P  |    | P | P | 3            |                                                                                                                                                                                           |
|          | 7929 Bands, Other Entertainment<br>Groups                                                                                                                             |   |    | P  |                         | C  | P  | P  |    | P | P | 28           |                                                                                                                                                                                           |
| 793      | Bowling Centers                                                                                                                                                       |   |    | C  |                         |    |    | C  |    | C | C | 19           | Requires buildings to be located at<br>least 100 feet from any residential<br>district.                                                                                                   |
| 794      | Commercial Sports                                                                                                                                                     |   |    |    |                         |    |    |    |    | C | C | 10           | Prohibits outdoor activities within<br>500 feet of any residential district;<br>Requires buildings for indoor sports<br>to be located at least 100 feet from<br>any residential district. |
| 799      | Miscellaneous Amusement,<br>Recreation Services<br>7991 Physical Fitness Facilities                                                                                   |   | P  | P  |                         | C  | P  | P  |    | P | P | 1            |                                                                                                                                                                                           |
|          | 7992 Public Golf Course                                                                                                                                               | P | P  | P  |                         | C  | P  | P  |    | P | P | 14           |                                                                                                                                                                                           |
|          | 7993 Coin-operated Amusement<br>Gameroom (More than 4<br>Machines)                                                                                                    |   | C  | C  |                         |    | C  | C  |    | C | C | 11           | Requires compliance with 3-507.<br>Requires one customer restroom<br>each for male and female. Requires<br>Licensing(Ord 4820; 10-19-2020)                                                |
|          | 7996 Amusement Parks (Outdoor)                                                                                                                                        |   |    |    |                         |    |    |    |    | C | C | 13           | Prohibits outdoor activities within<br>500 feet of any residential district.                                                                                                              |
| ★        | 7997 Membership Recreation Clubs<br>(except)                                                                                                                          |   |    | C  |                         | C  |    | C  |    | C | C | 28           |                                                                                                                                                                                           |
|          | a. Indoor Sports, Athletic<br>Clubs                                                                                                                                   |   | P  | P  |                         | C  | P  | P  |    | P | P | 1            |                                                                                                                                                                                           |
|          | b. Country Clubs                                                                                                                                                      | C | P  | P  |                         | C  | P  | P  |    | P | P | 14           |                                                                                                                                                                                           |
| 7999     | Amusement, Recreation Service,<br>NEC<br>a. Outdoor Facilities, Activities<br>(Includes miniature golf,<br>driving ranges, go-cart tracks,<br>skateboard parks, etc.) |   |    |    |                         |    |    |    |    | C | C | 13           | Prohibits outdoor activities within<br>200 feet of any residential district.                                                                                                              |
|          | b. Indoor Facilities, Activities                                                                                                                                      |   |    | C  |                         | C  |    | C  |    | C | C | 12           | Requires building to be located at                                                                                                                                                        |

P = Permitted Use (3-201A)  
P = Italicized P (P) Use Permitted Only in Conjunction with Gasoline Sales (3-504)  
C = Conditional Use (3-201B)  
S = Special Exception (3-201C)  
NEC = Not Elsewhere Classified

\* Refer to 4-800 – TERRA Overlay District: An asterisk  
(\*) indicates that the use requires approval of a  
Conditional Use Permit if located in the TERRA Overlay  
District.

<sup>1</sup> Refer to applicable form-based code

SIC Search

## Description for 7997: Membership Sports and Recreation Clubs

Division I: Services | Major Group 79: Amusement And Recreation Services | Industry Group 799:  
Miscellaneous Amusement And Recreation

### 7997 Membership Sports and Recreation Clubs

Sports and recreation clubs which are restricted to use by members and their guests. Country, golf, tennis, yacht, and amateur sports and recreation clubs are included in this industry. Physical fitness facilities are classified in Industry 7991.

- Aviation clubs, membership
- Baseball clubs except professional and semiprofessional
- Bathing beaches, membership
- Beach clubs, membership
- Boating clubs, membership
- Bowling leagues or teams, except professional and semiprofessional
- ★ ▪ Bridge clubs, membership
- Club, membership: sports and recreation, except physical fitness
- Country clubs, membership
- Flying fields maintained by aviation club
- Football club, except professional and semiprofessional
- Golf clubs, membership
- Gun clubs, membership
- Handball clubs, membership
- Hockey clubs, except professional and semiprofessional
- Hunt clubs, membership
- Racquetball clubs, membership
- Recreation and sports club, membership: except physical fitness
- Riding clubs, membership
- Shooting clubs, membership
- Soccer clubs, except professional and semiprofessional
- Sports and recreation clubs, membership: except physical fitness
- Swimming clubs, membership
- Tennis clubs, membership
- Yacht clubs, membership



# City of Mesquite's Web Page for Coin-Operated Amusement Devices

## Coin-Operated Amusement Devices

On October 19, 2020, the City Council approved [Ordinance No. 4820](#) amending the requirements for coin-operated amusement devices. A coin-operated amusement device, also called a coin-operated machine, is any kind of machine operated by or with a coin, U.S. currency, metal slug, token, electronic card, or check including music, skill, or pleasure. The purpose of this amendment is to ensure that the use of coin-operated amusement devices will not have adverse effects on nearby properties.

Please use the [Coin-Operated Amusement Device Guide](#) to review the new requirements and determine if a Conditional Use Permit (CUP) will be required to have coin-operated amusement devices within your business.

If you have additional questions, please contact the Planning & Zoning Division at 972-216-6216.

**All establishments with coin-operated amusement devices must be in compliance with the new requirements no later than January 1, 2021.**

### Applications & Resources

- [Coin-Operated Amusement Device Guide](#)
- [Conditional Use Permit Application](#)
- [Zoning Submission Calendar](#)
- [Ordinance - 4820: Coin-Operated Amusement Devices](#)
- [CSS - How to Apply Online](#)

[Home](#)

[Contact Us](#)

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[Accessibility](#)

 [Notices](#)

[Site by CivicPlus®](#)



**All applications may be applied for online at [www.energov.cityofmesquite.com](http://www.energov.cityofmesquite.com)**

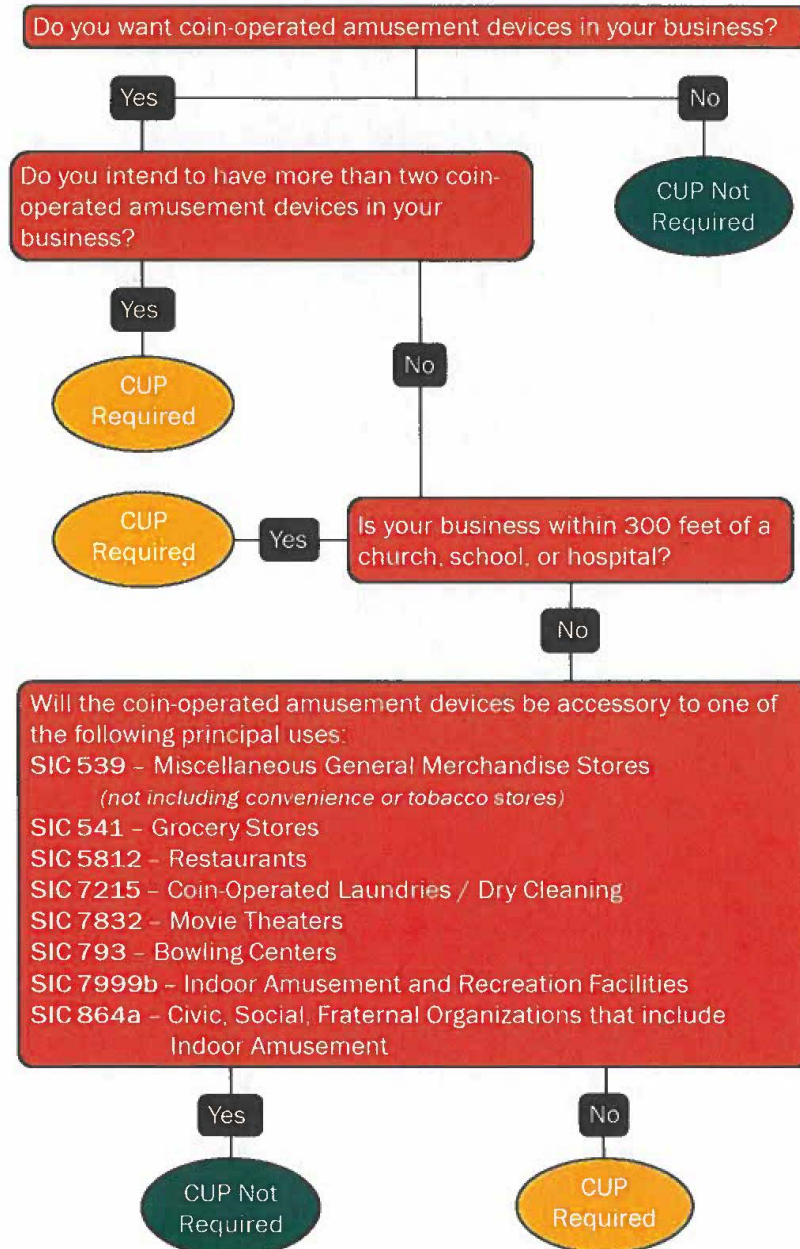
A Conditional Use Permit (CUP) may be required for businesses that desire to have coin-operated amusement devices. A CUP is required to ensure that the use of such devices will not have adverse effects on nearby properties.



Conditional Use Permits (CUP) require a zoning application through the Planning and Zoning Division and must be presented and voted on by the Planning & Zoning Commission and City Council. The CUP process includes property owner notification and public hearings at the Planning & Zoning Commission and City Council meetings.

| CUP PROCESS                         |
|-------------------------------------|
| \$800—\$1,000                       |
| 2-3 months                          |
| For questions call:<br>972-216-6212 |

## DO I NEED A CONDITIONAL USE PERMIT?



## REQUIREMENTS FOR COIN-OPERATED AMUSEMENT DEVICES

|                                                   | REQUIREMENTS                                                                                                                                                                                                                                                               |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Location/<br/>Separation<br/>Requirements:</b> | All coin-operated amusement devices are prohibited within 300 feet of a church, school, or hospital, measured from the closest point of the structure where the coin-operated amusement device is located to the nearest property line of the church, school, or hospital. |
| <b>Maximum<br/>Number:</b>                        | A maximum of two coin-operated amusement devices are allowed by right as an accessory use to an approved principal use. More than two devices requires approval of a Conditional Use Permit.                                                                               |
| <b>Accessibility:</b>                             | All gamerooms and coin-operated amusement devices must be kept open and accessible during business hours.                                                                                                                                                                  |
| <b>Primary Use<br/>Maintained:</b>                | Two coin-operated amusement devices are allowed by right as an accessory use to an approved principal use. If the business is not an approved principal use, a Conditional Use Permit is required.                                                                         |
| <b>Restrooms:</b>                                 | Two restrooms are required, one for each male and female.                                                                                                                                                                                                                  |
| <b>Compliance:</b>                                | All establishments with coin-operated amusement devices must be in compliance with these requirements no later than January 1, 2021.                                                                                                                                       |
| <b>Licensing:</b>                                 | All coin-operated amusement devices must be licensed through the Building Inspection Division.                                                                                                                                                                             |

## HOW TO APPLY FOR CONDITIONAL USE PERMIT

Applications for a CUP are submitted online through the Citizen Self Service (CSS) portal at [www.EnerGov.CityofMesquite.com](http://www.EnerGov.CityofMesquite.com).

On the CSS home page, click on the "Login or Register" tile to begin. If you have any issues logging in, please visit: <https://www.cityofmesquite.com/DocumentCenter/View/15123/CSS-FAQ>.

Once logged in, select the "Apply" button and locate the application for a "Conditional Use Permit".



### Login or Register

Login to an existing or create a new account. You can also find help if you forgot your login information.



## City of Mesquite's Ordinance Regarding Coin-Operated Device

### ORDINANCE NO. 4820 Zoning Text Amendment No. 2020-05

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY AMENDING SECTION 3-203 FOR COIN-OPERATED AMUSEMENT DEVICES OPERATING AS AN ACCESSORY USE AND AS A MAIN USE BY CROSS-REFERENCING APPLICABLE REGULATIONS; AMENDING SECTION 3-507, "COIN-OPERATED AMUSEMENT DEVICES," TO LIMIT MAIN USES TO WHICH COIN-OPERATED AMUSEMENT DEVICES MAY BE AN ACCESSORY USE, ADD APPLICABLE SPACING REQUIREMENTS, MEASUREMENT CALCULATIONS, A COMPLIANCE DATE, DEFINITION, AND A PENALTY AND ENFORCEMENT PROVISION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

**WHEREAS**, the City of Mesquite, Texas ("City"), is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to the Texas Constitution, Article 11, Section 5 and the Texas Local Government Code, Chapter 9; and

**WHEREAS**, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, Section 51.072(a); and

**WHEREAS**, a home-rule municipality may enforce ordinances necessary to protect health, life and property, and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, Section 54.004, as amended; and

**WHEREAS**, the City shall have the power to enact and enforce ordinances necessary to protect health, life and property, and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government and order and security of the City and its inhabitants, pursuant to Mesquite City Charter, Article III, Section 2; and

**WHEREAS**, the City may regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes pursuant to Texas Local Government Code, Title 7, Subtitle A, Chapter 211, Section 211.003; and

**WHEREAS**, coin-operated amusement devices such as eight-liners can have adverse effects on nearby properties, compromising the quality of life, property values and the character of surrounding neighborhoods; and

**WHEREAS**, in recognition of these deleterious effects, Section 2153.452(b) of the Texas Occupations Code expressly authorizes a city to restrict the exhibition of coin-operated amusement machines within 300 feet of a church, school or hospital; and

## City of Mesquite's Ordinance Regarding Coin-Operated Device

Zoning / ZTA No. 2020-05 / Adding Spacing Requirements for Coin-Operated Amusement Devices / October 19, 2020  
Page 2 of 5

**WHEREAS**, the Mesquite Zoning Ordinance contains this spacing requirement when coin-operated amusement devices are operated as a main use in connection with a conditional use permit for a coin-operated amusement gameroom; and

**WHEREAS**, the City Council finds that it is in the best interests of the City to include the state-authorized spacing requirement indiscriminately to all coin-operated amusement devices regardless of whether they are gamerooms operating as a main use, or accessory to another main use, or located in a planned development or other special district; and

**WHEREAS**, the City Council desires to clarify how the spacing distance is measured; and

**WHEREAS**, it is the intent of the City Council to ensure that there be adequate regulations to protect the public health, safety, and welfare concerning the operation of coin-operated amusement devices; and

**WHEREAS**, the Planning and Zoning Commission gave public notice and held a public hearing regarding proposed revisions and recommended amendment of the ordinance; and

**WHEREAS**, the City Council gave public notice and held a public hearing regarding the proposed amendment; and

**WHEREAS**, the City Council finds that it is in the best interests of the citizens of the City to amend the Mesquite Zoning Ordinance as herein provided.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:**

**SECTION 1.** The statements, facts, findings and recitals contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated herein and adopted as part of this ordinance for all purposes.

**SECTION 2.** Division I, "Services," of Section 3-203, "Schedule of Permitted Uses," of the Mesquite Zoning Ordinance is hereby amended by cross-referencing other applicable requirements in the special conditions under SIC Code 7993 regarding coin-operated amusement devices to read as follows, said Ordinance in all other respects to remain in full force and effect:

| SIC CODE | USE DESCRIPTION                                           | O | GR | LC | THN | CV | MU | CB | SS | C | I | PKNG STND | SPECIAL CONDITIONS                                                                                           |
|----------|-----------------------------------------------------------|---|----|----|-----|----|----|----|----|---|---|-----------|--------------------------------------------------------------------------------------------------------------|
| 7993     | Coin-operated Amusement Gameroom (More than two Machines) |   | C  | C  |     |    | C  | C  |    | C | C | 11        | Requires compliance with 3-507. Requires one customer restroom each for male and female. Requires licensing. |

**SECTION 3.** Division L, "Accessory Uses and Structures," of Section 3-203, "Schedule of Permitted Uses," of the Mesquite Zoning Ordinance is hereby amended by cross-referencing other applicable requirements in the special conditions under SIC Code 7 regarding

## City of Mesquite's Ordinance Regarding Coin-Operated Device

Zoning / ZTA No. 2020-05 / Adding Spacing Requirements for Coin-Operated Amusement Devices / October 19, 2020  
Page 3 of 5

coin-operated amusement devices to read as follows, said Ordinance in all other respects to remain in full force and effect:

| SIC CODE | USE DESCRIPTION                 | O | GR | LC | THN<br>EIR<br>NGTC<br>I | CV | MU | CB | SS | C | I | PKNG<br>STND | SPECIAL CONDITIONS                                                                                                                                 |
|----------|---------------------------------|---|----|----|-------------------------|----|----|----|----|---|---|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 7        | Coin-operated Amusement Devices | P | P  | P  |                         |    | P  | P  |    | P | P |              | Permits a maximum of two machines. Requires licensing. Requires compliance with 3-507. Classify more than two machines as a primary use under 7993 |

**SECTION 4.** Section 3-507, "Coin-operated Amusement Devices," of Part 3, "Nonresidential Districts," of the Mesquite Zoning Ordinance, is hereby repealed and replaced with the following:

In addition to the requirements of Section 3-203, an establishment that includes coin-operated amusement devices, either as a primary use with an approved conditional use permit or as an accessory use permitted by right, shall comply with the following regulations:

A. *Open gamerooms.* All gamerooms or other areas of an establishment where coin-operated amusement devices are located and offered for the use and enjoyment of patrons or invitees of the establishment shall be kept open and accessible during business hours.

B. *Primary use to be maintained.* An establishment that includes coin-operated amusement devices as an accessory use permitted-by-right shall at all times actively conduct and maintain the primary use of the establishment as declared on the approved certificate-of-occupancy. The failure to actively conduct and maintain the primary use shall create a rebuttable presumption that the coin-operated amusement devices no longer constitute an accessory use of the premises and the certificate-of-occupancy shall be subject to revocation. For purposes of this Section, "actively conduct and maintain" means to occupy not less than 50 percent of the floor space of the establishment, exclusive of restrooms and storage areas, with displays, racks or shelves stocked with goods, wares, unexpired food or other merchandise for sale to customers or with equipment or furniture necessary for producing goods or providing services to clients in accordance with the approved certificate-of-occupancy. Coin-operated amusement devices shall only be permitted as an accessory use to the following principal uses:

| SIC   | Use                                        |
|-------|--------------------------------------------|
| 539   | Miscellaneous General Merchandise Stores   |
| 541   | Grocery Stores                             |
| 5812  | Restaurants                                |
| 7215  | Coin-Operated Laundries / Dry Cleaning     |
| 7832  | Movie Theaters                             |
| 793   | Bowling Centers                            |
| 7999b | Indoor Amusement and Recreation Facilities |

## City of Mesquite's Ordinance Regarding Coin-Operated Device

Zoning / ZTA No. 2020-05 / Adding Spacing Requirements for Coin-Operated Amusement  
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### 864a Civic, Social, Fraternal Organizations that include Indoor Amusement

C. *Retrofitting required.* An establishment with coin-operated amusement devices in use on the effective date of this ordinance shall modify or retrofit the premises to comply with the requirements of this Section no later than January 1, 2021.

D. *Location near churches, schools or hospitals.* All coin-operated amusement devices are prohibited within 300 feet of a church, school or hospital, measured from the closest point of the structure where the coin-operated amusement device is located to the nearest property line of the church, school or hospital.

E. *Coin-Operated Amusement Device or Machine* has the same meaning as "Coin-operated machine" in Texas Occupations Code, Section 2153.002(9), as may be amended.

### F. *Penalty and Enforcement.*

1. It shall be unlawful and an offense for the proprietor, operator or any on-duty manager of the establishment to:

a. close, conceal or prevent, or attempt to close, conceal or prevent, any person from entering or looking with a direct line of sight into a gameroom or other area containing coin-operated amusement devices by the use of a human or electronic sentinel, or the use of doors, curtains, partitions, walls, counters or other physical or visual obstructions; or

b. display or operate coin-operated amusement devices in conflict with the primary use of the establishment.

2. The failure to actively conduct and maintain the primary use to which two (2) or less coin-operated amusement devices are an accessory use shall create a rebuttable presumption that the coin-operated amusement devices no longer constitute an accessory use of the premises; and:

a. the certificate-of-occupancy shall be subject to revocation; and

b. the Building Official or others authorized to enforce this Code shall be authorized to seal all machines, either illegal or non-compliant with this section, in a manner consistent with Texas Occupations Code, Section 2153.352, as may be amended.



3. Any person violating any provision of this Section shall be guilty of a misdemeanor and, upon conviction, shall be fined as prescribed in Section 1-6 of the Mesquite City Code. Each and every day such violation continues shall constitute a separate offense.

4. In addition to and cumulative of all other penalties and enforcement, the city shall have the right to seek injunctive relief for any and all violations of this article.

**SECTION 5.** All ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

**SECTION 6.** Should any word, sentence, clause, paragraph, phrase or section of this ordinance be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Mesquite Zoning Ordinance as a whole.

**SECTION 7.** This ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of October 2020.



Bruce Archer  
Mayor

ATTEST:



Sonja Land  
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall  
City Attorney

## ORDINANCE NO. O-17-21

**AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING THE CITY'S COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. O-02-07, AS AMENDED, AND CHAPTER 118, "ZONING", OF THE CITY'S CODE OF ORDINANCES, TO ADD "PRIVATE MEMBERSHIP SOCIAL GAME HOUSE" AS A USE PERMITTED ONLY WHEN A SPECIFIC USE PERMIT IS APPROVED AND ONLY IN THE "COMMERCIAL DISTRICT" AND "HIGHWAY COMMERCIAL DISTRICT" BY AMENDING CHART 4, "RECREATION AND ENTERTAINMENT USES", OF SUBSECTION 33.4, "USE CHARTS", OF SECTION 33, "USE REGULATIONS", AND SUBSECTION 33.5, "DEFINITIONS", OF SECTION 33, "USE REGULATIONS", BY ADOPTING A DEFINITION FOR "PRIVATE MEMBERSHIP SOCIAL GAME HOUSE"; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE 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 SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kaufman is a home rule municipality authorized to adopt regulations governing the use of land within its corporate limits; and

**WHEREAS**, the City of Kaufman has adopted development standards designed to maintain and encourage development and redevelopment within the commercial sections of the City, identified as the Central Business District ("CBD"); and

**WHEREAS**, the City of Kaufman has adopted a Comprehensive Zoning Ordinance regulating land use within the City, providing uses, definitions and regulations for development in the Commercial ("C") and the Highway Commercial ("HC") Districts to provide for recreational and entertainment type uses convenient to thoroughfares and collector streets located within these zoning districts of the City; and

**WHEREAS**, at its' regular meeting held on the 6<sup>th</sup> day of April 2021, the Planning and Zoning Commission of the City of Kaufman, after holding a public hearing, considered and made a recommendation to the City Council for denial of a request (Case No. Z-02-21) to amend the Use Regulations of the Comprehensive Zoning Ordinance, specifically Chart 4, "Recreation and Entertainment Uses", of Subsection 33.4 and subsection 33.5, "Definitions", of Section 33, "Use Regulations", of the Code of Ordinances to add private membership social game house as a permitted use within the C and HC Districts only with with an approved specific use permit; and

**WHEREAS**, at its' regular meeting held on the 26<sup>th</sup> day of April 2021, the City Council of the City of Kaufman, after holding a public hearing for the proposed amendments to the Use Regulations of the Comprehensive Zoning Ordinance, specifically to Section 33.4 - Chart 4, "Recreation and Entertainment Uses", and Section 33.5, "Definitions", determined that all legal requirements of notice and hearings were met, that the public was provided an opportunity to provide input, and after considering the public input and the recommendation of the Planning and Zoning Commission, the Council determined that the proposed amendments to the Comprehensive Zoning Ordinance are consistent with the goals of set forth in the Comprehensive Plan of the City and would serve the best interest of the health and safety and substantially further the economic development and general welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:**

**SECTION 1. INCORPORATION OF PREMISES.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. AMENDMENTS.**

(a) That Ordinance No. O-02-07, as amended, the Comprehensive Zoning Ordinance of the City, and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, are hereby amended to add private membership social game house as a permitted use only in the Commercial and Highway Commercial Districts and only pursuant to a specific use permit approved by the City, by amending Chart 4 – "Recreation and Entertainment Uses", of subsection 33.4, "Use Charts", of Section 33, "Use Regulations", of Ordinance No. O-02-07 as set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein, and Chapter 118, "Zoning", of the Code of Ordinances of the City as set forth within this paragraph and all other chapters and subsection of Ordinance No. O-02-07 and Chapter 118 not specifically amended hereby shall remain in full force and effect without amendment.

(b) That Ordinance No. O-02-07, as amended, the Comprehensive Zoning Ordinance of the City, and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, is hereby amended to adopt a definition for "Private Membership Social Game House", to add that definition in alphabetical order and to renumber all subsections of subsection 33.5, "Definitions", of Section 33, "Use Regulations", of Ordinance No. O-02-07 accordingly and amending Chapter 118, "Zoning", of the Code of Ordinances of the City as set forth below with all other chapters and subsections of Ordinance No. O-02-07 and Chapter 118 not specifically amended hereby to remain in full force and effect without amendment.

...

**"##\_PRIVATE MEMBERSHIP SOCIAL GAME HOUSE** is defined as the

private membership social game house specializing in tournament style card playing and/or other uses may include but not limited to pinball, pool table, shuffleboard and other similar amusements and coin-operated amusement devices. All such games and/or devices shall not violate the Texas Penal Code, Chapter 47, "Gambling" as amended. Such use is restricted to use by members, their guests and private parties. A private membership social game house use is prohibited within 300 feet of a church, school, or hospital, measured from the closest point of the structure where the private membership social game house is located to the nearest property line of the church, school or hospital."

. . .

**SECTION 3. CUMULATIVE REPEALER.** This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose, the Ordinance shall remain in full force and effect.

**SECTION 4. SAVINGS CLAUSE.** All rights and remedies of the City of Kaufman, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 5. PENALTY.** Any person who intentionally, knowingly, recklessly or criminally negligent violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum 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.

**SECTION 6. PUBLICATION AND EFFECTIVE DATE.** This Ordinance shall take effect upon its passage and publication as required by law and as prescribed by City.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS on this the 26<sup>th</sup> day of April 2021.**

**APPROVED:**

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Jeff Jordan, Mayor  
City of Kaufman, Texas

**ATTEST:**

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Jessie Hanks, City Secretary  
City of Kaufman, Texas

**APPROVED AS TO FORM:**

---

Patricia A. Adams, City Attorney

Exhibit "A"  
Amended Chart 4, "Recreation and Entertainment Uses"

**CHART - 4**  
**CITY OF KAUFMAN, TEXAS**  
**ZONING ORDINANCE**

\* Must  
follow  
Sec. 33.1.B

| Legend for Interpreting Schedule of Uses |  |  |                                                 |
|------------------------------------------|--|--|-------------------------------------------------|
|                                          |  |  | Designates use prohibited in District indicated |
| P                                        |  |  | Designates use permitted in District indicated  |
| S                                        |  |  | Designates use requires a Specific Use Permit   |
| TU                                       |  |  | Designates use requires a Temporary Use Permit  |

| RECREATIONAL AND ENTERTAINMENT USES                                         | Definitions | AO | SF-20 | SF-10 | SF-8 | SF-6 | TH | MF-1 | MF-2 | MH | O | LR | R | CBD | C | LI | HC | WSC |
|-----------------------------------------------------------------------------|-------------|----|-------|-------|------|------|----|------|------|----|---|----|---|-----|---|----|----|-----|
| Alcoholic beverage sales in conjunction with a restaurant (per Sec.40.10) ▶ |             |    |       |       |      |      |    |      |      |    |   |    | S | S   | S | S  | S  | S   |
| Amusement arcade                                                            | 7           |    |       |       |      |      |    |      |      |    |   |    | S | S   | P | P  |    | S   |
| Amusement, commercial (indoor)                                              | 7           |    |       |       |      |      |    |      |      |    |   |    | S | S   | P | P  | S  | S   |
| Amusement, commercial (outdoor)                                             | 8           |    |       |       |      |      |    |      |      |    |   |    |   |     | S | S  | S  |     |
| Athletic field or stadium (private)                                         | 15          |    |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Athletic field or stadium (public)                                          | 14          | P  | P     | P     | P    | P    | P  | P    | P    | P  |   |    |   |     | P | P  | P  |     |
| Country club (private)                                                      | 50          | P  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     | S | S  | S  |     |
| Dance hall                                                                  | 52          |    |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Day camp for children                                                       | 53          | P  | S     | S     | S    | S    | S  | S    | S    | S  |   |    | P |     | P | S  | S  | S   |
| Fairgrounds or exhibition area                                              | 64          | S  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| Golf course                                                                 | 84          | P  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     | S | S  | S  |     |
| Health, fitness, sports club (indoors only)                                 | 215         |    |       |       |      |      |    |      |      |    | S | S  | P | S   | P | P  | P  |     |
| Park or playground (public)                                                 | 155         | P  | P     | P     | P    | P    | P  | P    | P    | P  | P | P  | P | P   | P | P  | P  | P   |
| Park or playground (private) non-commercial                                 | 154         | S  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     |   |    |    | S   |
| Private club (restaurant alcohol sales)                                     | 171         |    |       |       |      |      |    |      |      |    |   |    | S | S   | S | S  | S  |     |
| Private Membership Social Game House                                        |             |    |       |       |      |      |    |      |      |    |   |    |   |     | S |    | S  |     |
| Rodeo grounds                                                               | 64          | S  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| RV park                                                                     | 179         |    |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Sexually oriented business (see code of ord. Ch. 118)                       | 200         |    |       |       |      |      |    |      |      |    |   |    |   |     |   | P  |    |     |
| Stable (commercial)                                                         | 205         | P  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| Stable (private)                                                            | 206         | P  | S     |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Swimming pool (commercial)                                                  | 219         |    |       |       |      |      |    |      |      |    |   |    | S |     | S | S  | S  |     |
| Swimming pool (private)                                                     | 220         | P  | P     | P     | P    | P    | P  | P    | P    | P  |   |    |   |     |   |    |    | P   |
| Tennis court (private) lighted                                              | 227         | S  | S     | S     | S    | S    | S  | S    | S    | S  |   |    |   |     |   |    |    |     |
| Tennis court (private) no lights                                            | 227         | P  | P     | P     | P    | P    | P  | P    | P    | P  |   |    |   |     |   |    |    | P   |
| Theater (open drive-in)                                                     | 228         |    |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |
| Theater or playhouse (indoor)                                               | 229         |    |       |       |      |      |    |      |      |    | S | S  | P | P   | P | P  | P  | P   |
| Zoo (private)                                                               | 259         | S  |       |       |      |      |    |      |      |    |   |    |   |     |   |    |    |     |
| Zoo (public)                                                                | 260         | S  |       |       |      |      |    |      |      |    |   |    |   |     |   | S  |    |     |

▶ Amended 02-23-2015 by O-01-2015



Meeting  
Date: 4/26/2021

Date: 4/12/2021

Item #: 7.

Dept.: Development  
Services

**PZ Item**

**SUBJECT:**

Hold a Public Hearing, consider, and take appropriate action on Ordinance O-18-21, 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 to add a new subsection, subsection "N", to be entitled, "Compliance Required; Exceptions", to subsection 44.4, "Administration", of Section 44, "Sign Regulations", to provide for compliance with the sign regulations and exceptions from such regulations for signs serving a city, state or federal governmental purpose; providing a penalty for violations; and providing an effective date. (Case #Z-05-21)

**BACKGROUND:**

See the attached April 4, 2021 Planning and Zoning Commission Report.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

**Cost:** N/A

**Funds Available:** N/A

**Source:** N/A

**Recommendation:** The Planning and Zoning Commission on April 6, 2021 voted 6-1 to approve Z-05-21 for amendments to the Comprehensive Zoning Ordinance, Section 44.4.N, Sign Regulation regarding gateway signage.

| Safe & Secure                       | Business<br>Friendly/Economic<br>Development | Partnership &<br>Community<br>Involvement | Healthy &<br>Environmentally<br>Cons. Comm. | Financial &<br>OPS Stewardship |
|-------------------------------------|----------------------------------------------|-------------------------------------------|---------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/>          | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                    | <input type="checkbox"/>       |



**Meeting Date:** April 6, 2021

**Consent:** No

**Discussion/Action:** Yes

**SUBJECT:** Consider and take appropriate action on an Ordinance amending the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, codified as Chapter 118 of the City of Kaufman Code of Ordinances, to add a new subsection, subsection "N", to be entitled, "Compliance Required: Exceptions", to subsection 44.4, "Administration", of Section 44, "Sign Regulations", to provide for compliance with the sign regulations and exceptions from such regulations. (Case No. Z-05-21)

**BACKGROUND/SUMMARY:**

On March 22, 2021, the City Council was presented a report on a partnership with CEIS to design and construct digital monument signs for the City of Kaufman.

CEIS will design, construct and maintain the signs and surrounding landscaping at no cost to the City. CEIS will dedicate an agreed-upon percentage of time for City messaging, which could include, but not be limited to, special events, emergency messages, holiday schedules. Time not allotted to the City will be offered to businesses for advertising with proceeds going to CEIS.

City Council requested staff to proceed with the process to amend the City's current sign ordinance to allow this type of signage.

The draft language allows signage erected by or on behalf of the City to contain messaging regarding City services, public safety, and/or health and the general welfare. It also allows off-premise messaging. The size, location, and setback requirements do not apply to these types of signs. City Council will be reviewing three possible sites with CEIS. The sites chosen will be based on the traffic counts. The one site that has been tentatively agreed upon is the area north of McDonald's. This area had been a part of TxDOT right-of-way until recently when South Washington Street south of Highway 175 down to State Highway 34 Bypass was transferred to the City of Kaufman in its entirety.

**RECOMMENDATIONS:**

Staff recommends approval of case Z-05-21, a request to add a new subsection, subsection "N", to be entitled, "Compliance Required: Exceptions", to subsection 44.4, "Administration", of Section 44, "Sign Regulations", to provide for compliance with the sign regulations and exceptions from such regulations.



ATTACHMENTS:

1. Picture of Proposed Signage
2. City Council Report for 03-22-2021
3. Proposed Ordinance

Marcy Ratcliff  
Development Services  
972-932-2216 ext. 117  
[Kaufmanplanning@kaufmantx.org](mailto:Kaufmanplanning@kaufmantx.org)

## Proposed Signage



## City Council Report for 03-22-2021



**Meeting**  
**Date: 3/22/2021**

**Date: 3/11/2021**

**Item #: 16.**

**Dept.: Administration**

### **Action Item**

#### **SUBJECT:**

Presentation, consider and take appropriate action on a partnership with CEIS to design and construction digital monument signs for the City of Kaufman.

#### **BACKGROUND:**

The City has the opportunity to enter into a contract with CEIS for the construction of digital monument signs on City Property. The signs will be at no cost to the City and CEIS will dedicate an agreed upon percentage of time for City messaging. Time not allotted to the City will be offered to businesses for commercial advertising with proceeds going to CEIS. In addition, the City will have the ability to place emergency messages on the signs in real time.

CEIS will design, construct and maintain the signs and surrounding landscaping at no cost to the City.

Staff is seeking direction from the City Council on whether or not to proceed with this project and if the City Council has preferred sign design.

Staff has a draft contract that has a 10-year term. CEIS has stated that their ROI is 8 years which is why they are requesting the longer than normal contract term.

This project will also require an amendment to the City's current sign ordinance. Staff has a draft ordinance that will be presented to the Planning and Zoning Board in April and will then be placed on the April City Council Agenda along with the contract for consideration.

#### **Author:**

Mike Holder, Assistant City Manager

#### **Reviewed:**

Mike Slye, City Manager

**Cost: \$0.00**

**Funds Available: N/A**

**Source: N/A**

**Recommendation: Staff is seeking direction from Council of the preference of design for the signs.**

| <b>Safe &amp; Secure</b> | <b>Business<br/>Friendly/Economic<br/>Development</b> | <b>Partnership &amp;<br/>Community<br/>Involvement</b> | <b>Healthy &amp;<br/>Environmentally<br/>Cons. Comm.</b> | <b>Financial &amp;<br/>OPS Stewardship</b> |
|--------------------------|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/>                   | <input checked="" type="checkbox"/>                    | <input type="checkbox"/>                                 | <input type="checkbox"/>                   |

## Proposed Ordinance

ORDINANCE NO. \_\_\_\_\_

**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, CODIFIED AS CHAPTER 118 OF THE CITY OF KAUFMAN CODE OF ORDINANCES, TO ADD A NEW SUBSECTION, SUBSECTION “N”, TO BE ENTITLED, “COMPLIANCE REQUIRED; EXCEPTIONS”, TO SUBSECTION 44.4, “ADMINISTRATION”, OF SECTION 44, “SIGN REGULATIONS”, TO PROVIDE FOR COMPLIANCE WITH THE SIGN REGULATIONS AND EXCEPTIONS FROM SUCH REGULATIONS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE/REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is a home rule municipality organized under the Constitution and the laws of the State of Texas; and

**WHEREAS**, Subsection 44.4, “Administration”, of Section 4, “Sign Regulations,” of the Zoning Ordinance sets out various guidelines for the administration of the sign regulations by the Development Services Director; and

**WHEREAS**, the City Council has determined it necessary and appropriate to adopt this Ordinance to provide for compliance and exceptions to the sign regulations of the Zoning Ordinance; and

**WHEREAS**, a requested change to the Zoning Ordinance requires a public hearing before the Planning and Zoning Commission and City Council; and

**WHEREAS**, at its regular meeting held on April 6, 2021, the Planning and Zoning Commission held a public hearing and considered and made a recommendation to City Council for approval of this Ordinance and the amendments proposed herein; and

**WHEREAS**, at its regulator meeting held on April 19, 2021, the City Council of the City of Kaufman held a public hearing to consider the amendments proposed herein to the Zoning Ordinance and: (1) determined that all legal requirements of notice and hearings were met; (2) considered the recommendations of the Planning and Zoning Commission; (3) provided the public an opportunity to provide input; (4) considered public input; (5) considered the compatibility of the proposed amendments with the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City; and (6) determined that the proposed amendment to the Zoning Ordinance as set forth herein below is consistent with the goals of the City Council and would serve the best interest of the health safety, and general welfare of the public.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:**

**SECTION 1. INCORPORATION OF PREMISES.** That the above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. AMENDMENT.** That subsection 44.4, "Administration", of Section 44, "Sign Regulations", of the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, codified as Chapter 118 of the City of Kaufman Code of Ordinances is hereby amended to add a new subsection, subsection "N", to be entitled "Compliance Required; Exceptions", which shall be and read as follows with all other provisions of subsection 44.4 of the Zoning Ordinance to remain in full force and effect without amendment:

N. Compliance Required; Exceptions.

1. It shall be unlawful for any person to violate the provisions of this section or the size, location, and setback requirements in section 44.7, except as permitted by subsection 2, below.
2. This section and the size, location, and setback requirements in section 44.7 shall not apply to:
  - a. Signs erected by or on behalf of the City that contain a portion of messaging dedicated to the operation of City services, public safety, and/or health and the general welfare, regardless of whether such sign contains off-premises messaging;
  - b. Signs required by federal, state or local law;
  - c. Signs containing government messages that are approved by the City on any sign, both on and off City property;
  - d. Signs related to City activities and/or sponsorship. These include but are not limited to municipal banners, special event signs, kiosks, monument signs, government awareness signs, etc.;
  - e. Any sign specifically authorized by the City Council as a result of a compromise of litigation or other lawful disputed claim; and
  - f. A sign required to be located by federal, state or local law in order to enforce a property owner's rights.

**SECTION 3. CUMULATIVE/REPEALER CLAUSE.** This Ordinance shall be cumulative of all other Ordinances of the City of Kaufman and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take

effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5. PUBLICATION/EFFECTIVE DATE.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_ 2021.

---

**JEFF JORDAN**  
**MAYOR**

**ATTEST:**

---

**JESSIE HANKS**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

---

**PATRICIA A. ADAMS**  
**CITY ATTORNEY**

## ORDINANCE NO. O-18-21

**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, CODIFIED AS CHAPTER 118 OF THE CITY OF KAUFMAN CODE OF ORDINANCES, TO ADD A NEW SUBSECTION, SUBSECTION “N”, TO BE ENTITLED, “COMPLIANCE REQUIRED; EXCEPTIONS”, TO SUBSECTION 44.4, “ADMINISTRATION”, OF SECTION 44, “SIGN REGULATIONS”, TO PROVIDE FOR COMPLIANCE WITH THE SIGN REGULATIONS AND EXCEPTIONS FROM SUCH REGULATIONS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE/REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) 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.**

**WHEREAS**, the City is a home rule municipality organized under the Constitution and the laws of the State of Texas; and

**WHEREAS**, Subsection 44.4, “Administration”, of Section 4, “Sign Regulations,” of the Zoning Ordinance sets out various guidelines for the administration of the sign regulations by the Development Services Director; and

**WHEREAS**, the City Council has determined it necessary and appropriate to adopt this Ordinance to provide for compliance and exceptions to the sign regulations of the Zoning Ordinance; and

**WHEREAS**, a requested change to the Zoning Ordinance requires a public hearing before the Planning and Zoning Commission and City Council; and

**WHEREAS**, at its regular meeting held on April 6, 2021, the Planning and Zoning Commission held a public hearing and considered and made a recommendation to City Council for approval of this Ordinance and the amendments proposed herein; and

**WHEREAS**, at its regular meeting held on April 19, 2021, the City Council of the City of Kaufman held a public hearing to consider the amendments proposed herein to the Zoning Ordinance and: (1) determined that all legal requirements of notice and hearings were met; (2) considered the recommendations of the Planning and Zoning Commission; (3) provided the public an opportunity to provide input; (4) considered public input; (5) considered the compatibility of the proposed amendments with the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City; and (6) determined that the proposed amendment to the Zoning Ordinance as set

forth herein below is consistent with the goals of the City Council and would serve the best interest of the health safety, and general welfare of the public.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:**

**SECTION 1. INCORPORATION OF PREMISES.** That the above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. AMENDMENT.** That subsection 44.4, "Administration", of Section 44, "Sign Regulations", of the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, codified as Chapter 118 of the City of Kaufman Code of Ordinances is hereby amended to add a new subsection, subsection "N", to be entitled "Compliance Required; Exceptions", which shall be and read as follows with all other provisions of subsection 44.4 of the Zoning Ordinance to remain in full force and effect without amendment:

N. Compliance Required; Exceptions.

1. It shall be unlawful for any person to violate the provisions of this section or the size, location, and setback requirements in section 44.7, except as permitted by subsection 2, below.
2. This section and the size, location, and setback requirements in section 44.7 shall not apply to:
  - a. Signs erected by or on behalf of the City that contain a portion of messaging dedicated to the operation of City services, public safety, and/or health and the general welfare, regardless of whether such sign contains off-premises messaging;
  - b. Signs required by federal, state or local law;
  - c. Signs containing government messages that are approved by the City on any sign, both on and off City property;
  - d. Signs related to City activities and/or sponsorship. These include but are not limited to municipal banners, special event signs, kiosks, monument signs, government awareness signs, etc.;
  - e. Any sign specifically authorized by the City Council as a result of a compromise of litigation or other lawful disputed claim; and
  - f. A sign required to be located by federal, state or local law in order to enforce a property owner's rights.



**SECTION 3. CUMULATIVE/REPEALER CLAUSE.** This Ordinance shall be cumulative of all other Ordinances of the City of Kaufman and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5. PENALTY.** Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**SECTION 6. PUBLICATION/EFFECTIVE DATE.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

**PASSED AND APPROVED** this 26<sup>th</sup> day of April, 2021.

---

**JEFF JORDAN**  
**MAYOR**

**ATTEST:**

---

**JESSIE HANKS**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

---

**PATRICIA A. ADAMS**  
**CITY ATTORNEY**



**Meeting**  
**Date: 4/26/2021**

**Date: 4/12/2021**

**Item #: 8.**

**Dept.: Development**  
**Services**

**PZ Item**

**SUBJECT:**

Consider and take appropriate action on the Land Study and Preliminary Plat of South Pointe at Kaufman Sports Village Addition, an approximate 53.871 acre tract generally located at the northwest corner of South Houston Street and State Highway 34 Bypass. A 101 lot subdivision is proposed.

**BACKGROUND:**

Staff was unable to provide the Planning and Zoning Commission a recommendation at the regular April 6, 2021 meeting because the revisions were submitted on the day the packet went out. The Planning and Zoning held a special meeting on April 20, 2021 to give staff time to review the revised Preliminary Plat. See the attached Planning and Zoning Commission report dated April 20, 2021. Staff recommended conditional approval of the Preliminary Plat of South Pointe at Kaufman Sports Village Addition based on the comments in the report.

**Author:**

Marcy Ratcliff, Development Services Director

**Reviewed:**

Mike Slye, City Manager

**Cost: N/A**

**Funds Available: N/A**

**Source: N/A**

**Recommendation: The Planning and Zoning Commission on April 20, 2021 recommended conditional approval of the Preliminary Plat of South Pointe at Kaufman Sports Village Addition by a vote of 6-0 based on the comments in the attached report.**

| <b>Safe &amp; Secure</b>            | <b>Business<br/>Friendly/Economic<br/>Development</b> | <b>Partnership &amp;<br/>Community<br/>Involvement</b> | <b>Healthy &amp;<br/>Environmentally<br/>Cons. Comm.</b> | <b>Financial &amp;<br/>OPS Stewardship</b> |
|-------------------------------------|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/>                   | <input checked="" type="checkbox"/>                    | <input type="checkbox"/>                                 | <input type="checkbox"/>                   |



**Meeting Date:** April 20, 2021

**Consent:** Yes

**Discussion/Action:** No

**SUBJECT:** Consider and take appropriate action on the Land Study and Preliminary Plat of South Pointe at Kaufman Sports Village Addition. The 53.871-acre tract is generally located at the northwest corner of South Houston Street and State Highway 34 Bypass. A proposed mixed-use development that includes retail, office, restaurants, indoor sports facility, multi-family, and single-family townhouse development. A 101 lot subdivision is proposed. (Case No. PP-01-21)

**BACKGROUND/PURPOSE:**

A preliminary plat is an overall plan for developing property by showing the lot layout over a topographic map, showing all the existing and proposed drainage features and facilities, street layout, and direction of curb flow.

Land Study approval is required in conjunction with a preliminary plat for any tract over 25 acres in size. The purpose is to allow the Commission and City Council to review proposed major thoroughfares and collector street patterns, land use, environmental issues, the property's relationship to adjoining subdivisions or properties, to assist in evaluating the impacts of developing the land and conformance to adopted plans and ordinances. The land study matches the approved concept plan of Planned Development-18

**PHASING:**

There are 6 phases to this development. The chart below is the information that is shown on the Phasing Plan of the development.

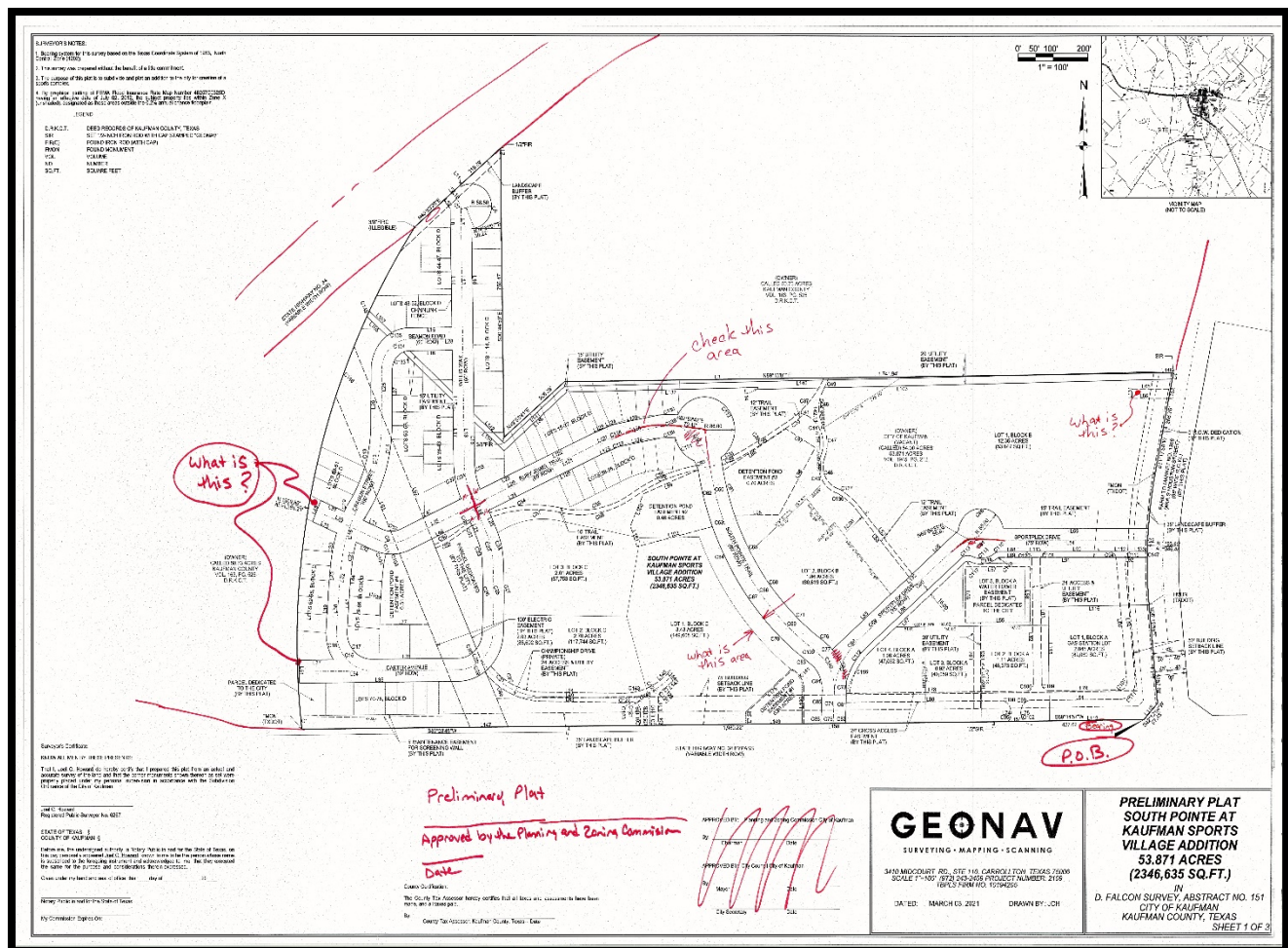
| Phases | Type of Use                             | Projected Start | Number of Lots in Dev | Block  | Lot Number        |
|--------|-----------------------------------------|-----------------|-----------------------|--------|-------------------|
| 1      | Public Improvement – Streets, Utilities | 2021            |                       |        |                   |
| 2      | Sportplex                               | 2021            | 1                     | B      | Lot 1             |
| 3      | Retail and Office                       | 2022            | 6                     | A<br>B | Lots 1-5<br>Lot 2 |
| 4      | Hotel                                   | 2023            | 1                     | C      | Lot 1             |
| 5      | Mixed Use                               | 2023            | 2                     | C      | Lots 2 and 3      |
| 6      | Residential                             | 2023            | 91                    | D      | Lots 1-91         |

**THOROUGHFARE PLAN:** All the right-of-ways necessary for State Highway 34 Bypass have been dedicated by separate instruments. The required five feet (5') right-of-way dedication for South Houston Street, per the Kaufman Thoroughfare Plan, is shown on the Preliminary Plat. The City Engineer determined the Preliminary Plat's right-of-way dedication meets the Traffic Impact Analysis (TIA).

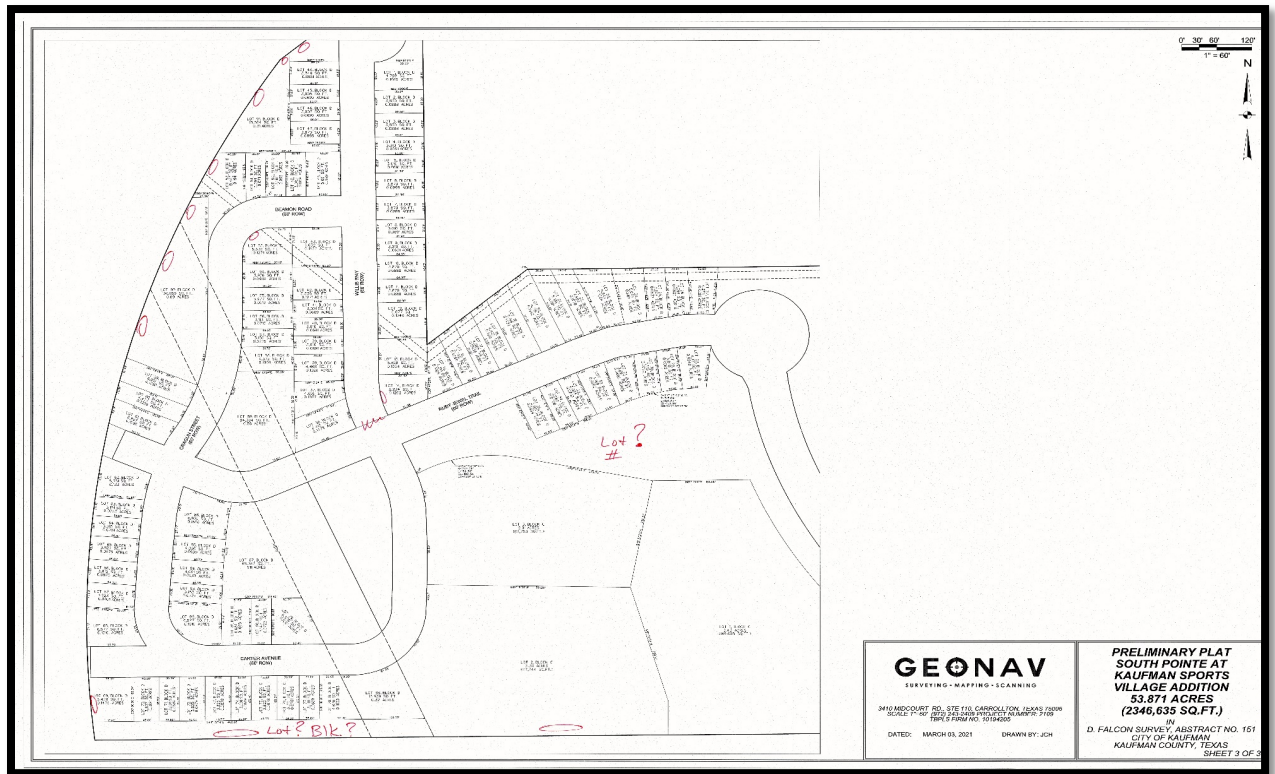
## RECOMMENDATIONS:

Staff, recommends approval of the Land Study and conditional approval of the Preliminary Plat of the South Pointe at Kaufman Sports Village Addition with the following conditions.

1. The street proposed to be named as Willis Way needs to be renamed to a name approved by Kaufman County 911. All the other street names have been approved by Kaufman County 911.
2. Please see attached markup of the preliminary plat for additional information.







3. Still need to show existing property lines of adjoining properties as well as existing Right of Way widths per subdivision ordinance, it appears there is an existing Texas Power & Light easement running through the property from the 1960's, if possible please include the easement info. per ordinance (Sec. 2.4,i,3 & 2.4,i,4).
4. Show contours with intervals of two feet (2') or less shown for the area, with all elevations on the contour map referenced to the latest U.S.C. and G.S. data per ordinance (Sec. 2.4,i,10).
5. Show proposed/existing zoning per ordinance (Sec. 2.4,i,16)
6. The west end of streets Ruby Jewel Trail and Carter Avenue do not make it out to the property line, these areas are unclear and confusing, please clarify if this area is part of a larger lot, an easement or push the ROW out to the property line?
7. Please make individual, standalone areas in between proposed ROW's with their own block and numbering system as opposed to continuing block and lot numbers across multiple proposed street ROW's.
8. What kind of easement is the standalone easement near the northeast corner?

9. The bearing along south property line at southeast corner and the Point of Beginning is missing near the southeast corner.
10. The property description still calls to go along Highway 34 along the west property line when in fact it goes along a Kaufman County tract, I do not believe this is future highway 34, it is Kaufman County property until it reaches Highway 34 along the north line.
11. Please adjust centerline at street intersection and cul-de-sacks to straighten out centerline and take out curves.
12. The following approval signature note shall be placed in the lower right-hand corner of the page of each preliminary plat by the developer:

Preliminary Plat

\_\_\_\_\_  
Approved by the Planning and Zoning Commission

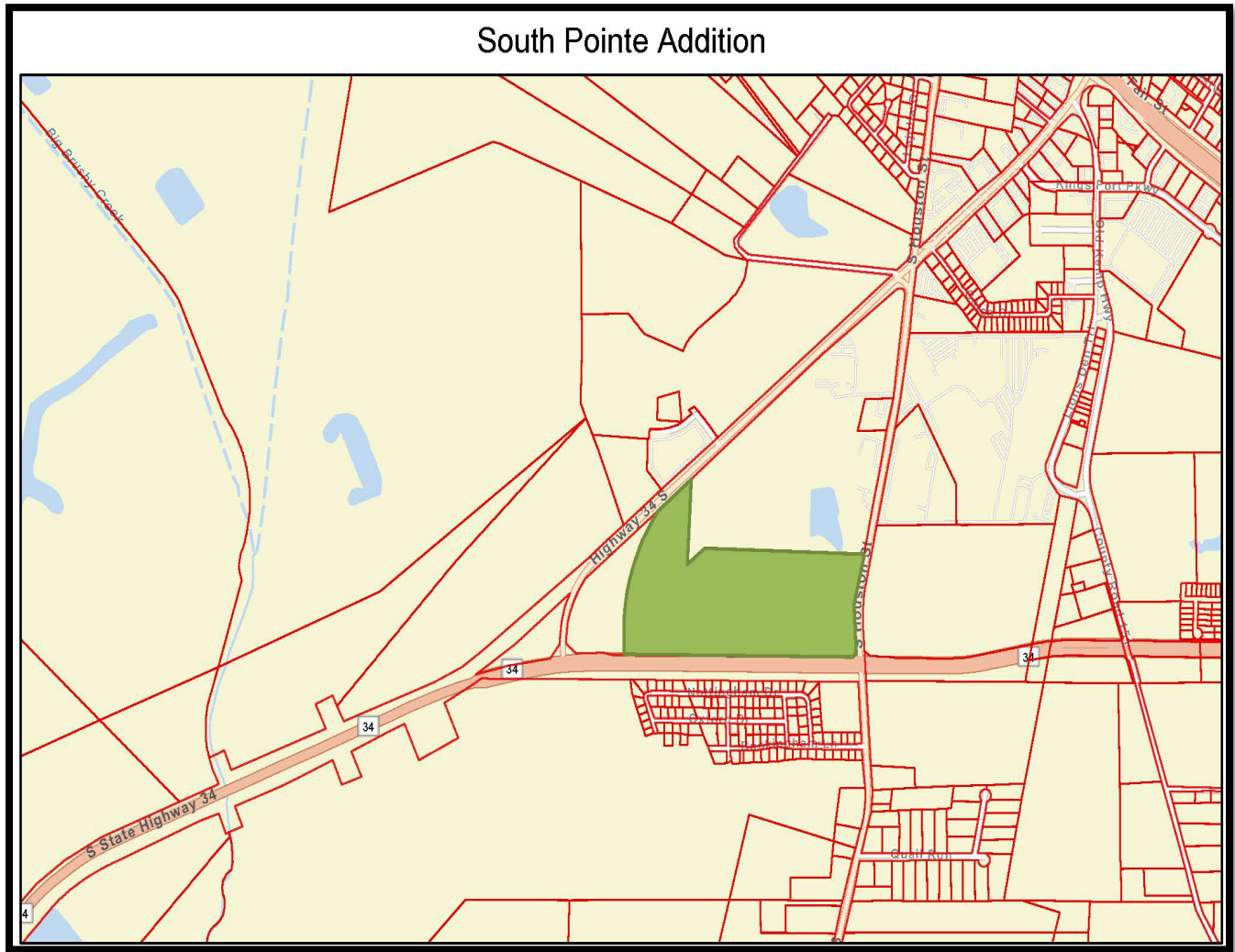
\_\_\_\_\_  
Date

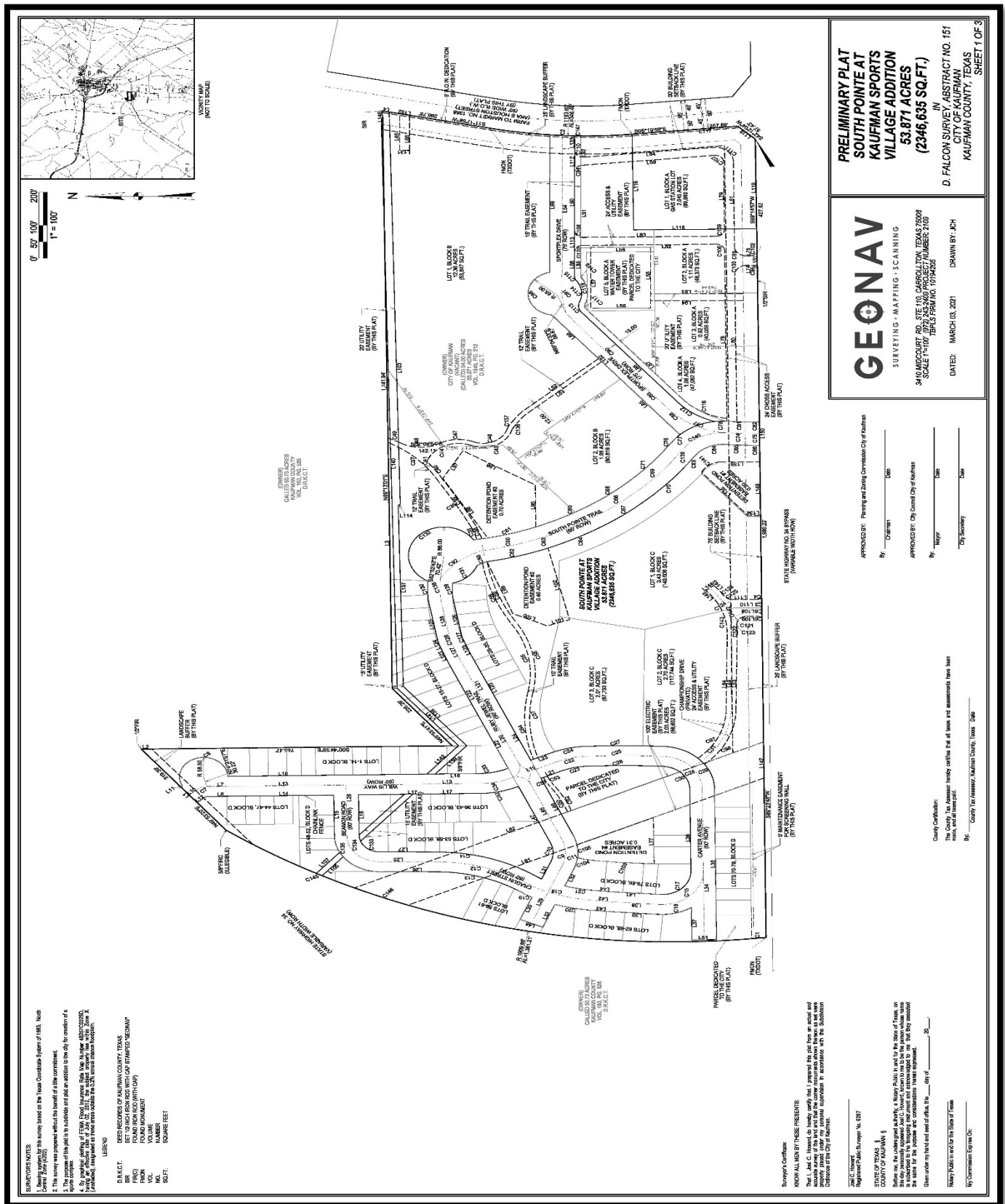
ATTACHMENTS:

1. Location Map
2. Preliminary Plat
3. Land Study
4. Phasing Plan

Marcy Ratcliff, Development Services Director  
972-932-2216 ext. 117 [Kaufmanplanning@kaufmantx.org](mailto:Kaufmanplanning@kaufmantx.org)

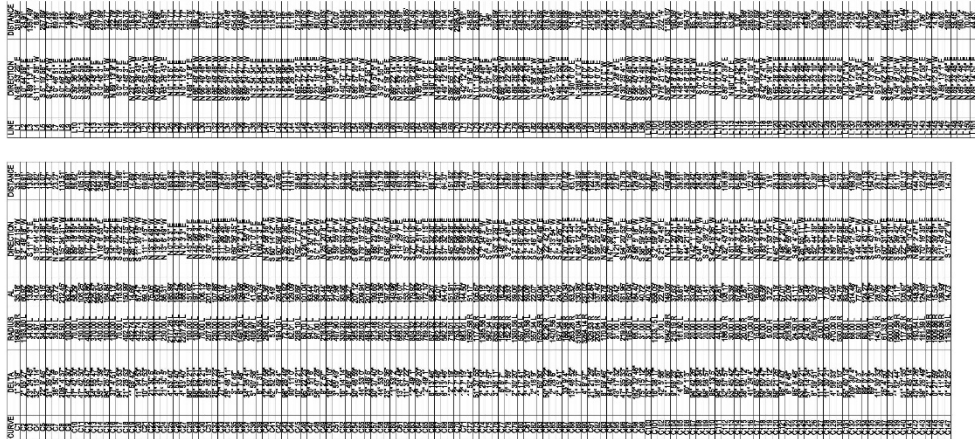
## Location Map







0' 50' 100' 200'  
1" = 100'



**Utility, Access and Maintenance Easements:**

The area of easement shown on this plat as "Utility, Access and Maintenance Easements" is located within the City of Kaufman, Texas, and is subject to the following easements:

**Utility Easement:** The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, a utility easement over and under the land shown on this plat for the purpose of installing, maintaining, and operating utility lines, including but not limited to electric, gas, water, sewer, and telecommunications lines. The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, a utility easement over and under the land shown on this plat for the purpose of installing, maintaining, and operating utility lines, including but not limited to electric, gas, water, sewer, and telecommunications lines. The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, a utility easement over and under the land shown on this plat for the purpose of installing, maintaining, and operating utility lines, including but not limited to electric, gas, water, sewer, and telecommunications lines.

**Access Easement:** The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, an access easement over and under the land shown on this plat for the purpose of providing access to the land shown on this plat for the City of Kaufman, Texas, and its employees, agents, and contractors. The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, an access easement over and under the land shown on this plat for the purpose of providing access to the land shown on this plat for the City of Kaufman, Texas, and its employees, agents, and contractors. The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, an access easement over and under the land shown on this plat for the purpose of providing access to the land shown on this plat for the City of Kaufman, Texas, and its employees, agents, and contractors.

**Now Therefore, Know All Men by These Presents:**

The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, a utility easement over and under the land shown on this plat for the purpose of installing, maintaining, and operating utility lines, including but not limited to electric, gas, water, sewer, and telecommunications lines. The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, a utility easement over and under the land shown on this plat for the purpose of installing, maintaining, and operating utility lines, including but not limited to electric, gas, water, sewer, and telecommunications lines. The City of Kaufman, Texas, is hereby granting to the City of Kaufman, Texas, a utility easement over and under the land shown on this plat for the purpose of installing, maintaining, and operating utility lines, including but not limited to electric, gas, water, sewer, and telecommunications lines.

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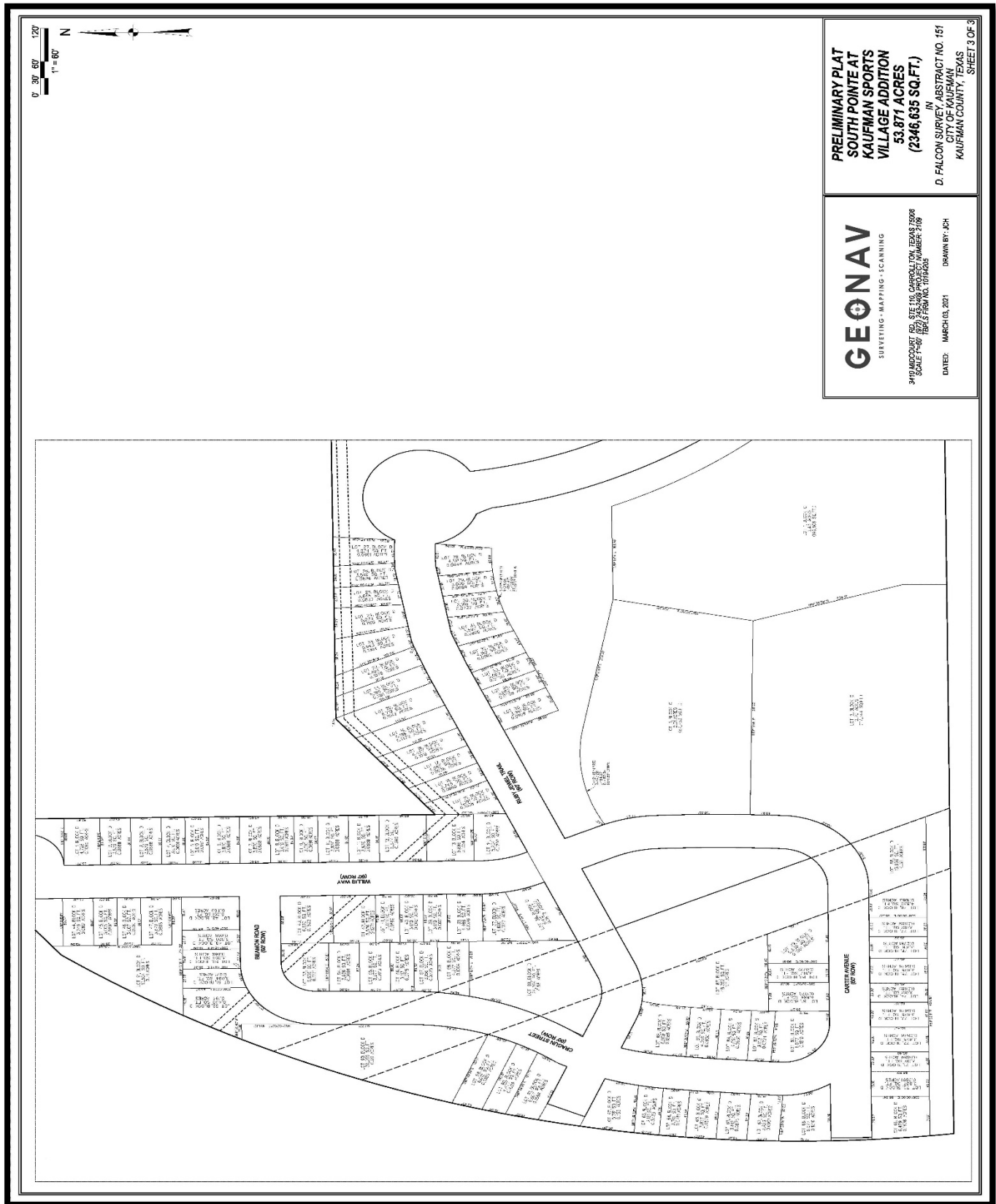
**GEONAV**  
SURVEYING • MAPPING • SCANNING  
9410 MIDCOURT, RD. STE. 110, CARROLLTON, TEXAS 75006  
504.474.1111  
FAX: 504.474.1112  
WWW.GEONAV.COM

**PRELIMINARY PLAT**  
**SOUTH POINTE AT**  
**KAUFMAN SPORTS**  
**VILLAGE ADDITION**  
**53.871 ACRES**  
**(2346,635 SQ.Ft.)**  
IN  
D. FALCON SURVEY, ABSTRACT NO. 151  
CITY OF KAUFMAN  
KAUFMAN COUNTY, TEXAS  
SHEET 2 OF 3

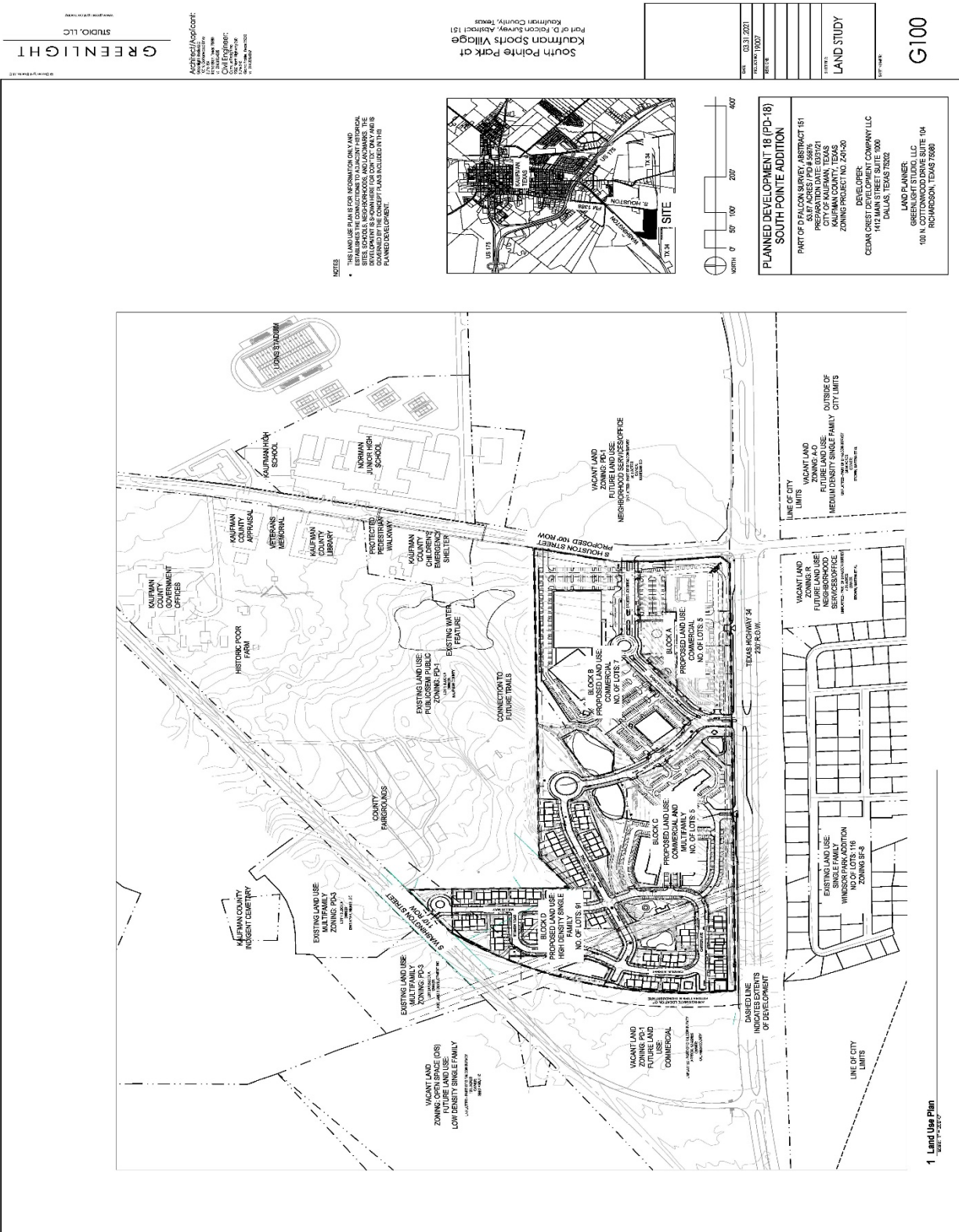
DATED: MARCH 03, 2021  
DRAWN BY: JCH

9410 MIDCOURT, RD. STE. 110, CARROLLTON, TEXAS 75006  
504.474.1111  
FAX: 504.474.1112  
WWW.GEONAV.COM

# Preliminary Plat Section Enlarged – Page 3



# Land Study



GREENLIGHT  
 STUDIO, LLC

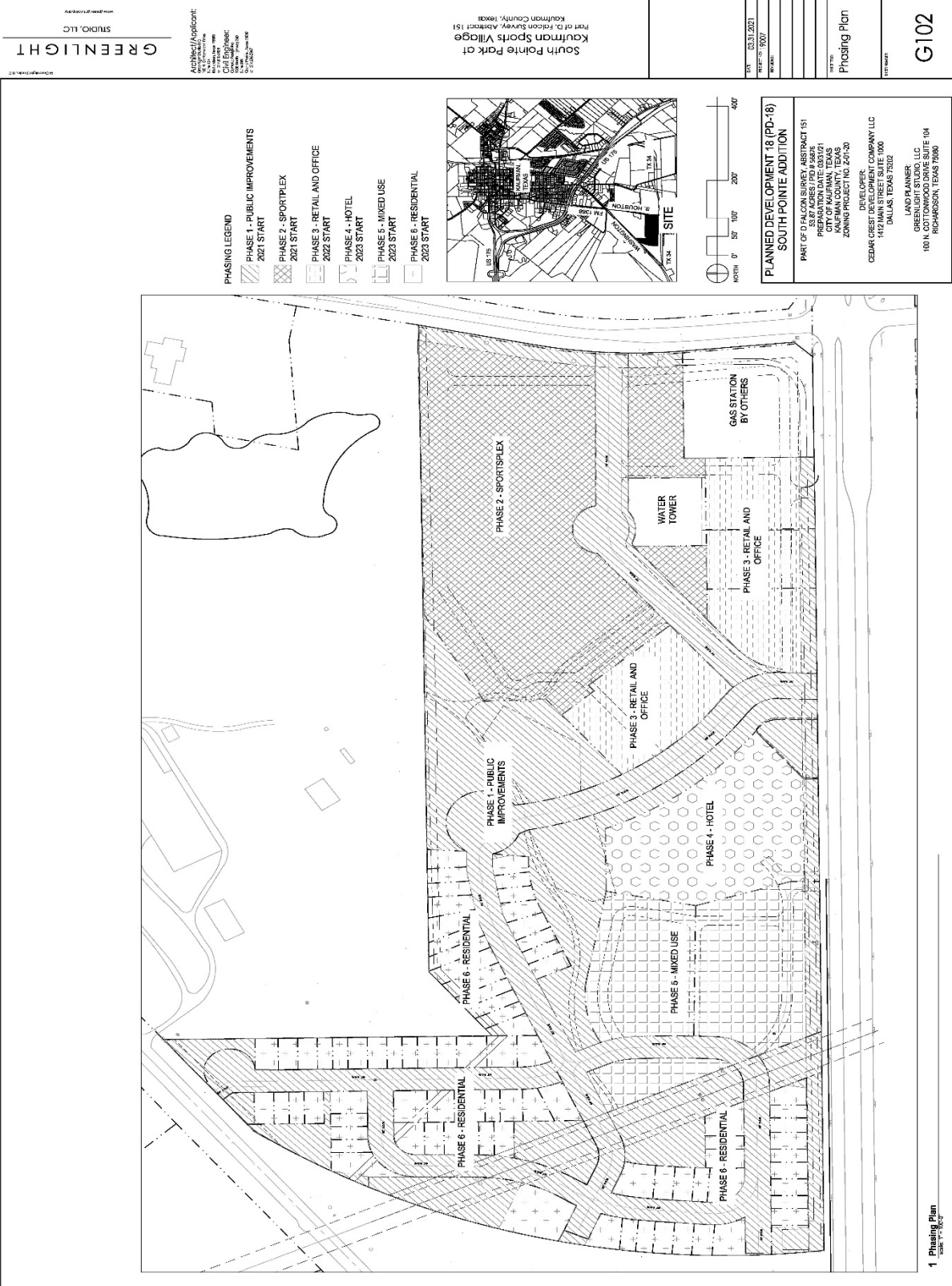
Architect/Engineer  
 Green Shft Studio, LLC  
 101 N. Cottonwood Drive, Suite 104  
 Richmond, Texas 75380  
 281.481.1111  
 www.greenlightstudio.com

South Pointe Park at  
 Kaufman Sports Village  
 Part of D. Falcon Survey, Abstract 181  
 Kaufman County, Texas

|            |            |
|------------|------------|
| DATE       | 03.31.2021 |
| PROJECT    | 18007      |
| SHEET      |            |
| LAND STUDY |            |

G100

# Phasing Plan





**Meeting**  
**Date: 4/26/2021**

**Date: 4/19/2021**

**Item #: 9.**

**Dept.: Administration**

**Resolution**

**SUBJECT:**

Consider and take appropriate action on Resolution R-20-21, a resolution of the City Council of the City of Kaufman, Texas, expressing support for a street construction project to connect 175 and HWY 34 within the City.

**BACKGROUND:**

Resolution R-20-21 details the City of Kaufman's support of the proposed road project that would connect the HWY 34 By-pass to HWY 175 adjacent to the Kaufman County Law Enforcement Center and KEDC property. This road would improve safety as well as add value to the KEDC property.

Author:  
Mike Slye, City Manager

Reviewed:  
Mike Slye, City Manager

**Cost:** Unknown

**Funds Available:** Yes

**Source:** Street Impact Fee

**Recommendation:** Staff recommends approval of Resolution R-20-21 as presented.

| Safe & Secure                       | Business<br>Friendly/Economic<br>Development | Partnership &<br>Community<br>Involvement | Healthy &<br>Environmentally<br>Cons. Comm. | Financial &<br>OPS Stewardship      |
|-------------------------------------|----------------------------------------------|-------------------------------------------|---------------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

## **RESOLUTION NO. R-20-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, SUPPORTING THE CONSTRUCTION AND DEVELOPMENT OF A ROAD THAT WOULD CONNECT STATE HIGHWAY 34 AND US HIGHWAY 175 WITHIN THE CITY OF KAUFMAN; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Kaufman County has proposed the construction and development of a proposed road for the purpose of connecting State Highway 34 and US Highway 175 within the City of Kaufman, Kaufman County, Texas; and

**WHEREAS**, the safety of the traveling public are the biggest benefactors from this project including several current businesses, the entire Kaufman County Law Enforcement Center, Kaufman County Justice Center, and Animal Adoption Center, the future development of a school campus for Trinity Valley Community College, and future economic development of vacant properties in the area; and

**WHEREAS**, the construction and development of this project would immensely enhance the Economic Development prospects for the surrounding properties; and

**WHEREAS**, the City Council of the City of Kaufman views this project as the highest priority for city transportation and have sought to amend the City's Thoroughfare Plan in order to better financially participate in this project; and

**WHEREAS**, the City Council of the City of Kaufman, by passage of this Resolution, hereby acknowledges its support of the construction and development of a road that would connect State Highway 34 and US Highway 175 within the City of Kaufman.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:**

**SECTION 1.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.** The City Council hereby confirms that it supports the proposed construction and development of a road that would connect State Highway 34 and US Highway 175 in Kaufman, TX in Kaufman County and that this formal action has been taken to put on record the opinion expressed by the City Council on April 26, 2021.

**SECTION 3.** This Resolution shall become effective immediately upon its passage and approval.

**PASSED AND APPROVED** this day the 26th of April, 2021.

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**JEFF JORDAN**  
**MAYOR**

**ATTEST:**

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**JESSIE HANKS**  
**CITY SECRETARY**

**APPROVED AS TO LEGAL FORM:**

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**PATRICIA A. ADAMS**  
**CITY ATTORNEY**







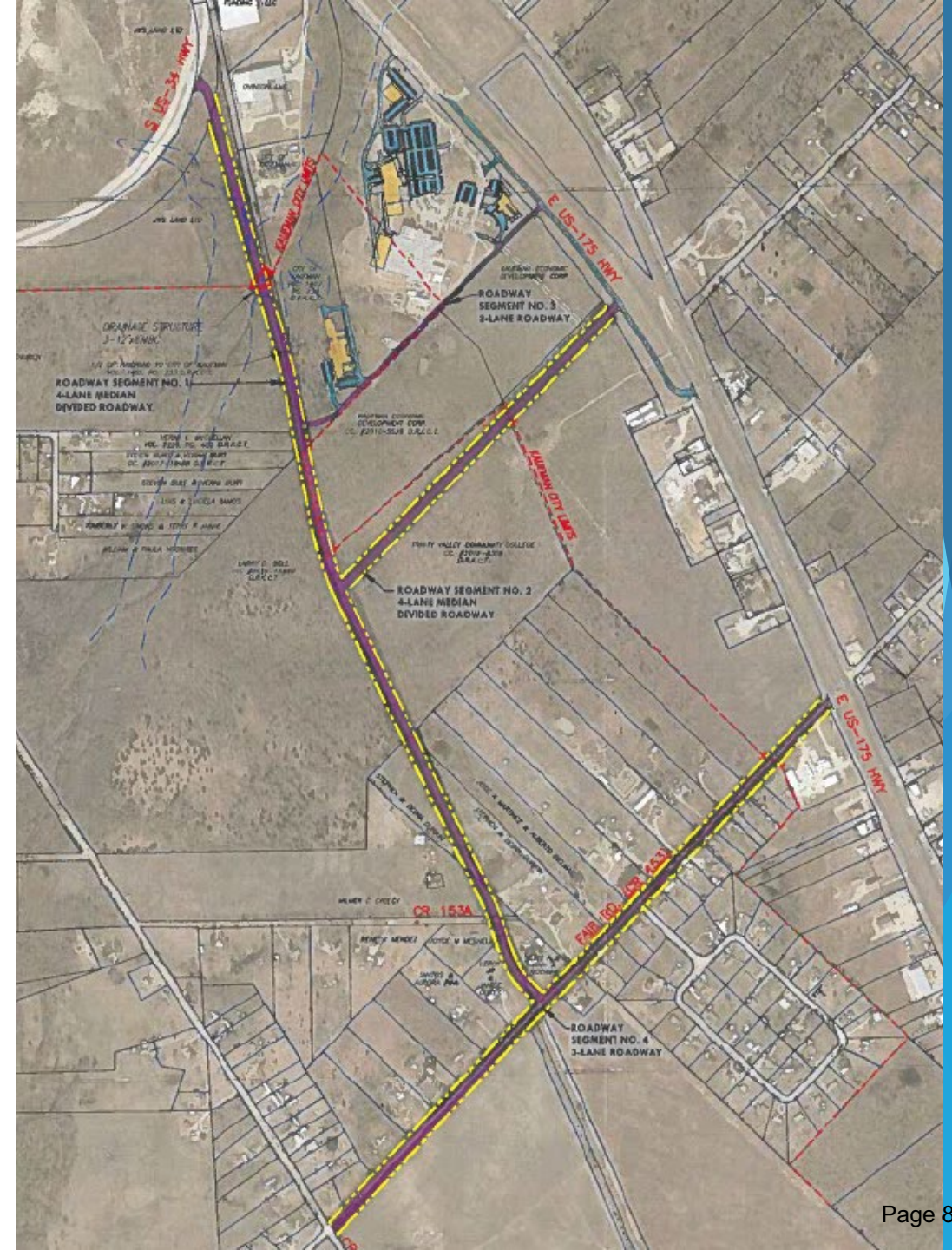
# Probable Cost Estimate - TNP

|            |             |
|------------|-------------|
| Segment 1: | \$6,000,000 |
| Segment 2: | \$2,200,000 |
| Segment 3: | \$ 800,000  |
| Segment 4: | \$3,000,000 |

TOTAL CONSTRUCTION: \$12,000,000

Does not include Utilities or Soft Costs

Street Impact Fee Balance - \$805K





April 15, 2021

North Central Texas Council of Governments  
Regional Transportation Commission  
Centerpoint II  
616 Six Flags Drive  
Arlington, TX 76011

SUBJECT: Letter of Support for SH34/US HWY175 Connector Road

Sirs:

The purpose of this letter is to offer the City of Kaufman's strong support of the proposed SH34/US HWY 175 Connector Road presented by Kaufman County.

Safety of the traveling public is the biggest benefactor from this project. Currently 2 manufacturing plants and the entire Kaufman County campus must use a single point of ingress/egress. The County Sheriff/deputies must use this single access point, NUMO Manufacturing (approx. 150 employees) and Advanced Tables, Inc. (approx. 50 employees) and all of their delivery and supply trucks must use this single access point.

The county's Law Enforcement Center (S.O.'s offices and jail) will soon be joined by the Kaufman County Judicial Center and Animal Adoption Center having to use this single access point as well. This project will provide for a much safer option while providing additional access to all parties mentioned above.

The current access point is extremely dangerous. It intersects with US Hwy 175 at a point where vehicles traveling westbound on US175 are cresting a hill. Entering the highway at this point without visual clearance is extremely dangerous – especially for large, slow-moving 18-wheeled trucks and emergency vehicles responding from the Sheriff's Office.

Secondarily, this project would enhance the city's Economic Development prospects immensely. This transportation project would be contiguous to the Kaufman EDC property that would support the increased population at the Kaufman County Campus as described earlier.

The city is currently amending its Thoroughfare Plan to include this proposed route. That will allow the city (with Council approval) to financially participate in this project using city Street Impact Fees.

This proposed project is the highest priority city transportation project. We are on the front end of the continued expansion and growth of the Dallas metro area. It will only get worse. Please consider supporting this project on an expedited, emergency basis.

Jeff Jordan  
Mayor

Mike Slye  
City Manager



**Meeting**  
**Date: 4/26/2021**

**Date: 4/21/2021**

**Item #: 10.**

**Dept.: Administration**

**Action Item**

**SUBJECT:**

Consider and take appropriate action regarding the placement of electrical utility lines along State Highway 34 bypass to service Marlow's Truck Stop.

**BACKGROUND:**

This item is regarding the utility poles that were installed along the east side of the HWY 34 By-pass between Rand Rd. and State HWY 243. The poles were installed by Oncor and would provide electric service to the future development of that area.

Staff contacted Oncor to inquire about placing the lines underground and removing the unsightly poles. Oncor is willing to do that for \$63,327.92. Staff is seeking direction from the City Council on whether or not to pursue this and fund the cost.

Author:  
Mike Slye, City Manager

Reviewed:  
Mike Slye, City Manager

**Cost: \$63,327.92**

**Funds Available: \$0.00**

**Source: Unknown**

**Recommendation: Staff is seeking direction from Council.**

| <b>Safe &amp; Secure</b> | <b>Business<br/>Friendly/Economic<br/>Development</b> | <b>Partnership &amp;<br/>Community<br/>Involvement</b> | <b>Healthy &amp;<br/>Environmentally<br/>Cons. Comm.</b> | <b>Financial &amp;<br/>OPS Stewardship</b> |
|--------------------------|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                 | <input type="checkbox"/>                   |



**Meeting**  
**Date: 4/26/2021**

**Date: 4/23/2021**

**Item #: 11.**

**Dept.: Administration**

**Action Item**

**SUBJECT:**

Consider and take appropriate action regarding an agreement between the City and Community Internet Providers, LLC for use of City infrastructure to locate facilities; and authorizing the City Manager to finalize and execute necessary documents.

**BACKGROUND:**

**Author:**

**Reviewed:**

Mike Slye, City Manager

**Cost:**

**Funds Available:**

**Source:**

**Recommendation:**

| Safe & Secure            | Business<br>Friendly/Economic<br>Development | Partnership &<br>Community<br>Involvement | Healthy &<br>Environmentally<br>Cons. Comm. | Financial &<br>OPS Stewardship |
|--------------------------|----------------------------------------------|-------------------------------------------|---------------------------------------------|--------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>                     | <input type="checkbox"/>                  | <input type="checkbox"/>                    | <input type="checkbox"/>       |



**Meeting**  
**Date: 4/26/2021**

**Date: 4/23/2021**

**Item #: 12.**

**Dept.: Administration**

**Action Item**

**SUBJECT:**

Consider and take appropriate action on the appointment of one (1) member to the Parks and Recreation Board for a two (2) year term to expire March 2023.

**BACKGROUND:**

Shannon Prox applied to fill vacancies on the PAR Board. This board currently has two vacancies that are needing to be filled. Staff believes Mr. Prox would be a great addition to the Park and Recreation board.

Author:  
Jessie Hanks, City Secretary

Reviewed:  
Mike Slye, City Manager

**Cost:**

**Funds Available:**

**Source:**

**Recommendation: Staff recommends appointment of Shannon Prox to the Parks and Recreation Board for a two (2) year term to expire March 2023.**

| Safe & Secure            | Business<br>Friendly/Economic<br>Development | Partnership &<br>Community<br>Involvement | Healthy &<br>Environmentally<br>Cons. Comm. | Financial &<br>OPS Stewardship |
|--------------------------|----------------------------------------------|-------------------------------------------|---------------------------------------------|--------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>                     | <input type="checkbox"/>                  | <input type="checkbox"/>                    | <input type="checkbox"/>       |





BOARD OR COMMISSION  
CANDIDATE APPLICATION FOR APPOINTMENT

Which of the City's Boards/Commissions are you interested in serving on?

- |                                                                |                                                                 |
|----------------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Kaufman Economic Development Corp.    | <input type="checkbox"/> Keep Kaufman Beautiful Board           |
| <input type="checkbox"/> Planning and Zoning Commission        | <input type="checkbox"/> Other (Please specify in space below.) |
| <input type="checkbox"/> Board of Adjustment                   |                                                                 |
| <input checked="" type="checkbox"/> Parks and Recreation Board |                                                                 |
| <input type="checkbox"/> Downtown Development Advisory Board   |                                                                 |

|                                                 |                                     |
|-------------------------------------------------|-------------------------------------|
| Name: <u>Shannon Prox</u>                       | Date Submitted: <u>4/23/21</u>      |
| Home Address: <u>1005 Melody Kaufman TX</u>     | Occupation: <u>machine operator</u> |
| Home Phone #: <u>903-292-1212</u>               | Employer: <u>Smurfit Kappa</u>      |
| *E-mail Address: <u>Shannonprox24@gmail.com</u> | Work Phone #: <u>214-515-6400</u>   |

Kaufman resident for 30 years.

Qualified Voter: Yes ☒ No ☐

Are you related to any of the City Council members or the City Manager? Yes ☐ No ☒  
If so, please give the name of the person you are related to and your relation to that person.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Relationship

Highest Education Level Completed, School Attended and Year Graduated: (High School/College)

Kaufman High School 2002

Boards/Commissions/Committees you have previously served on:

Dates

N/A

Professional and/or Community (Civic) Activities:

Young Bulls Association

Skills, Hobbies, or Talents:

coach, mentor to kids, enjoy giving back to the community

Signature

## DISCUSSION ITEMS REPORT (DIR)

| Project Title                        | Department          | Agenda Date | Entered Date | Status/Notes                                                  | Strategy Map |
|--------------------------------------|---------------------|-------------|--------------|---------------------------------------------------------------|--------------|
| Splash Pad                           | Parks &Rec          | TBD         | 10/23/2018   | TDPW Grant/Parks Master Plan/South Pointe Dev                 | 2,3,4        |
| Thoroughfare Plan Update             | Development Serv    | TBD         | 10/23/2018   |                                                               | 2,5          |
| Bldg Standards Commission Ordinance  | Development Serv    | 9/1/2019    | 10/23/2018   | BSC to review                                                 | 4            |
| Marlow Development                   | Development Serv    | 4/22/2019   | 10/23/2018   | Accept Utilities                                              | 2            |
| South Pointe                         | Development Serv    |             | 2/3/2021     | Waiting on applicant to submit PP in March 2021               | 2,3,4        |
| Recodification of City Ordinances    | Admin               | 11/13/2018  | 10/23/2018   | Franklin Review                                               | 5            |
| Subdivision Ordinance Update         | Development Serv    | 1/27/2020   | 10/23/2018   | TNP, Staff & City Attorney reviewing rough draft              | 5            |
| Citizens Academy                     | Admin/Public Safety |             | 11/27/2018   | Planning Phase                                                | 1,3          |
| Kaufman Lake                         | Admin/PW            |             | 1/8/2019     | Offer Exepted                                                 | 2,4,5        |
| Downtown Parking                     | Admin               |             | 1/16/2019    | Input from Downtown Advisory Committee                        | 2            |
| Kaufman Estates                      | PW/Admin            | 10/28/2019  |              | Council Action to Amend CCN                                   | 5            |
| Summer Youth Program                 | Admin/Parks         | TBD         | 7/16/2019    | COVID Postponement                                            | 1,3,4        |
| Digital Gateway Signage              | Admin               | TBD         | 8/17/2020    | Negotiating Contract Agreement/ROW                            | 2,3          |
| City Lakes Emer Action Plan          | Public Works        | TBD         | 8/7/2019     |                                                               | 5            |
| Disc Golf Course                     | Admin/PW            | TBD         | 8/23/2019    | Planning Phase                                                | 2,3,4        |
| Washington Street Utility Relocation | Admin/PW            | TBD         | 10/1/2019    | SUE forwarded to TxDOT                                        | 2,5          |
| Kaufman Square Speakers              | Admin/PW            | TBD         | 10/22/2019   | Scheduled for April                                           | 2,3          |
| TPW Grant for City Lake Park         | Parks &Rec          | TBD         | 12/10/2019   | Submitted                                                     | 4,5          |
| CareFlight Facility                  | Admin               | TBD         | 3/9/2020     | Discussions regarding relocation                              | 1,3          |
| COVID - 19                           | Admin/Public Safety | TBD         | 3/11/2020    | Action Plan in Place                                          | 4,5          |
| Greenlight City/EDC Marketing        | Admin/EDC           |             | 6/16/2020    | Greenlight Retainer                                           | 1,2          |
| TIRZ #2                              | Admin               |             | 8/6/2020     | PPFP Approved 082420                                          | 2,3,4        |
| Comprehensive Plan                   | Admin               |             | 8/26/2020    | Need to update plan                                           | 2,3,4,5      |
| Fire Department 5 Year Plan          | FD                  |             | 8/26/2020    | In progress                                                   | 2,5          |
| Fire Engine Replacement              | FD                  | 1/25/2021   | 1/25/2021    | Lease Approved                                                | 1,5          |
| Website Update                       | Admin               |             | 1/26/2021    | Planning Phase                                                | 2,3          |
| Street Maintenance Program           | Public Works        |             | 1/29/2021    | Budget Approved, Phase 1 complete. Start Phase 2.             | 2,4,5        |
| Storm Drainage Projects              | Public Works        |             | 1/29/2021    | Budget Approved                                               | 2,4,5        |
| North & South Water Tower Rehab      | Public Works        |             | 1/29/2021    | North for engineering design, requesting CDBG grant for South | 4,5          |
| Body Cameras                         | PD                  |             | 2/2/2021     | Possible Grant Opportunity                                    | 1,3,5        |
| Annual Report                        | Admin               |             | 2/24/2021    | Planning Phase                                                | 3            |

## DISCUSSION ITEMS REPORT (DIR)

| Project Title                            | Project Lead     | Agenda Date           | Entered Date | Status/Notes                                           |
|------------------------------------------|------------------|-----------------------|--------------|--------------------------------------------------------|
| PID Creation Resolution                  | Dev Svc/Admin    | 11/13/2018            | 10/24/2018   | Complete                                               |
| TIRZ Creation Ordinance Amendment        | Dev Svc/Admin    | 11/13/2018            | 10/24/2018   | Complete                                               |
| TIRZ Project Reprioritization Resolution | Dev Svc/Admin    | 11/13/2018            | 10/24/2018   | Complete                                               |
| Home Improvement Incentive Program       | Development Serv | 11/13/2018            | 10/23/2018   | Complete                                               |
| Budget Book Submission to GFOA           | Finance          |                       | 10/23/2018   | Complete                                               |
| Interlocal Agreement w/County for PID    | Finance          |                       | 10/30/2018   | PID Assessment for Georgetown in 2020                  |
| WWTP Priority Project List               | Public Works     | 11/13/2018            | 10/23/2018   | Mark Hill - Consultant                                 |
| 2600 Commerce Way Permit Ready           | Development Serv | NA                    | 11/6/2018    | Complete Permit Issued 11/26/2018                      |
| 600 N Nash KC Street Barn Permit Issued  | Development Serv | NA                    | 11/6/2018    | Complete Finaled 01/04/2019                            |
| Rev Ch 22 & 46 7500SF F Sprinkler Req    | Development Serv | 01/28/2019 02/25/2019 | 1/21/2019    | Complete 02/25/2019                                    |
| Realtor PID Training                     | Admin            | NA                    |              | Complete 4/23/2019                                     |
| Fee Schedule Update                      | Development Serv |                       | 6/4/2019     | Approved by Council                                    |
| Bureau Veritas Contract Update           | Development Serv |                       | 6/4/2019     | Approved by Council                                    |
| Park Master Plan Update                  | Parks & Rec      | 8/5/2019              | 10/23/2018   | Approved by Council                                    |
| 34/243 Signal Installation               | Public Works     |                       | 10/23/2018   | Complete                                               |
| HR Coordinator                           | Admin            |                       | 12/17/2018   | Admin/HR Assistant Full-Time Sept. 30                  |
| Agenda Software Installation/Training    | Admin            |                       | 10/23/2018   | Complete                                               |
| 5 Year CIP                               | Admin            | 11/25/2019            | 11/25/2019   | Work Session 12/16/19                                  |
| Water & Street Impact Fee Update         | Development Serv |                       | 6/10/2019    | Council approved 12/16/19                              |
| Intern Program                           | HR               | TBD                   | 12/10/2019   | Policy to Council 3/30/20                              |
| WWTP Finance Application                 | Finance          | 11/13/2018            | 10/23/2018   | GTUA Approval                                          |
| PD/FD Safety Equipment Grant             | Public Safety    | TBD                   | 3/3/2020     | Application Submitted                                  |
| Street Maintenance Priorities            | PW/Admin         |                       | 2/27/2019    | List Presented to Council/Incorporated into 5 Year CIP |
| Traffic Signal 1388@34 ByPass            | Admin            |                       | 1/28/2020    | Final Construction Underway                            |
| Solid Waste RFP                          | Admin            | TBD                   | 5/18/2020    | Contract Finanlized and Approved                       |
| PD Body Camera Grant                     | PD               | 4/27/2020             | 5/19/2020    | Grant not awarded                                      |
| Civic Center                             | Admin            | 7/22/2019             |              | Accepted 01/25/21                                      |
| Phase II - Street Bond                   | Public Works     | 10/28/2019            | 10/23/2018   | Accepted 01/25/21                                      |
| TxDOT Turnback                           | Admin            | 12/17/2018            | 11/6/2018    | Accepted 01/25/21                                      |
| City Lakes Park Fence                    | Public Works     |                       | 1/26/2021    | Complete                                               |
| Building Official                        | Development Serv |                       | 12/10/2020   | Hired                                                  |
| 54-Acre Development                      | Development Serv | 5/18/2020             | 10/23/2018   | PD to Council 05/18/2020                               |
| Building Code Update                     | Development Serv | 10/28/2019            | 6/4/2019     | Approved O-28-19                                       |
| Park Dedication Ordinance                | Development Serv | 1/25/2021             | 10/23/2018   | PH continued to 2/22/2021                              |
| Police Department Server                 | PD               |                       | 1/29/2021    | Ordered thru TSM                                       |
| Tree Mitigation Ordinance                | Development Serv |                       | 2/24/2021    | Approved                                               |



April 7, 2021

To: Kaufman County

From: Kim Britton on behalf of Ashley Berryhill, Finance Director

Re: March 2021 Demand and Response Ridership Report

**TRIP INFORMATION:**

|                           | S     | O     | N     | D     | J     | F     | M     | A | M | J | J | A | TOTAL         |
|---------------------------|-------|-------|-------|-------|-------|-------|-------|---|---|---|---|---|---------------|
| <b>Trips</b>              | 1,641 | 1,665 | 1,483 | 1,451 | 1,391 | 1,184 | 2,159 |   |   |   |   |   | <b>10,974</b> |
| <b>Service Days</b>       | 20    | 22    | 19    | 21    | 19    | 14    | 23    |   |   |   |   |   | <b>138</b>    |
| <b>Average Daily Trip</b> | 82    | 75    | 78    | 69    | 73    | 85    | 94    |   |   |   |   |   | <b>80</b>     |

|                 | <b>Trip Origin Total</b> |
|-----------------|--------------------------|
| COTTONWOOD      | 0                        |
| COMBINE         | 0                        |
| CRANDALL        | 27                       |
| FORNEY          | 376                      |
| GRAYS PRARIE    | 0                        |
| GUN BARRELL     | 1                        |
| HEARTLAND       | 0                        |
| KAUFMAN         | 453                      |
| KEMP            | 40                       |
| MABANK          | 30                       |
| OAK GROVE       | 0                        |
| OAK RIDGE       | 0                        |
| POST OAK        | 0                        |
| ROSSER          | 0                        |
| SCURRY          | 9                        |
| TERRELL         | 1,223                    |
| <i>Subtotal</i> | <i>2,159</i>             |

|                         |    |
|-------------------------|----|
| Terrell Senior Terraces | 44 |
| Terrell State Hospital  | 0  |

| <b>KAUFMAN COUNTY TOTALS</b> |              |
|------------------------------|--------------|
| <b>TOTAL TRIPS</b>           | <b>2,159</b> |
| <b>NO SHOW &amp; CANCELS</b> | <b>1,204</b> |



| D/R-KAUFMAN COUNTY                       | Sep-20        | Oct-20        | Nov-20        | Dec-20        | Jan-21        | Feb-21        | Mar-21        | Apr-21        | May-21        | Jun-21        | Jul-21        | Aug-21        | TOTALS        | Avg        |
|------------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|------------|
| (UPT) Unlinked Passenger Trips           | 1,641         | 1,665         | 1,483         | 1,451         | 1,391         | 1,149         | 2,159         | 0             | 0             | 0             | 0             | 0             | 10,939        | 1,367      |
| COTTONWOOD                               | 0             | 0             | 0             | 0             | 0             | 0             | 0             |               |               |               |               |               | 0             | 0          |
| COMBINE                                  | 0             | 0             | 0             | 0             | 0             | 0             | 0             |               |               |               |               |               | 0             | 0          |
| CRANDALL                                 | 48            | 40            | 36            | 51            | 50            | 29            | 27            |               |               |               |               |               | 281           | 40         |
| FORNEY                                   | 253           | 229           | 255           | 265           | 264           | 233           | 376           |               |               |               |               |               | 1,875         | 268        |
| GRAYS PRARIE                             | 0             | 0             | 0             | 3             | 0             | 0             | 0             |               |               |               |               |               | 3             | 0          |
| GUN BARRELL                              | 0             | 0             | 0             | 0             | 0             | 0             | 1             |               |               |               |               |               | 1             | 0          |
| HEARTLAND                                | 23            | 28            | 11            | 0             | 1             | 1             | 0             |               |               |               |               |               | 64            | 9          |
| KAUFMAN                                  | 289           | 233           | 267           | 194           | 237           | 212           | 453           |               |               |               |               |               | 1,885         | 269        |
| KEMP                                     | 54            | 61            | 59            | 49            | 66            | 45            | 40            |               |               |               |               |               | 374           | 53         |
| MABANK                                   | 43            | 51            | 52            | 60            | 37            | 30            | 30            |               |               |               |               |               | 303           | 43         |
| OAK GROVE                                | 0             | 4             | 2             | 0             | 1             | 0             | 0             |               |               |               |               |               | 7             | 1          |
| OAK RIDGE                                | 0             | 0             | 0             | 0             | 0             | 0             | 0             |               |               |               |               |               | 0             | 0          |
| POST OAK                                 | 0             | 0             | 0             | 0             | 0             | 0             | 0             |               |               |               |               |               | 0             | 0          |
| ROSSER                                   | 2             | 0             | 0             | 0             | 0             | 0             | 0             |               |               |               |               |               | 2             | 0          |
| SCURRY                                   | 36            | 38            | 31            | 38            | 27            | 9             | 9             |               |               |               |               |               | 188           | 27         |
| TERRELL                                  | 893           | 981           | 770           | 791           | 708           | 625           | 1,223         |               |               |               |               |               | 5,991         | 856        |
|                                          | 1,641         | 1,665         | 1,483         | 1,451         | 1,391         | 1,184         | 2,159         | 0             | 0             | 0             | 0             | 0             | 10,974        | 915        |
| KAUF DR TOTAL (+TSH, Charter)            | 1,641         | 1,665         | 1,483         | 1,451         | 1,391         | 1,184         | 2,159         | 0             | 0             | 0             | 0             | 0             | 10,974        | 915        |
| <b>CONTRACTED SERVICES</b>               | <b>Sep-20</b> | <b>Oct-20</b> | <b>Nov-20</b> | <b>Dec-20</b> | <b>Jan-21</b> | <b>Feb-21</b> | <b>Mar-21</b> | <b>Apr-21</b> | <b>May-21</b> | <b>Jun-21</b> | <b>Jul-21</b> | <b>Aug-21</b> | <b>TOTALS</b> | <b>Avg</b> |
| Charter                                  | 0             | 0             | 0             | 0             | 0             | 0             | 52            | 0             | 0             | 0             | 0             | 0             | 52            | 4          |
| Terrell State Hospital                   | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0          |
| Terrell Senior Terraces                  | 36            | 35            | 33            | 61            | 38            | 34            | 44            | 0             | 0             | 0             | 0             | 0             | 281           | 27         |
| Medicaid                                 | 167           | 131           | 129           | 157           | 116           | 116           | 188           | 0             | 0             | 0             | 0             | 0             | 1,004         | 84         |
| AAA-Title III B - Kaufman                | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0          |
| Nursing Home Contracts                   | 203           | 166           | 162           | 218           | 154           | 150           | 284           | 0             | 0             | 0             | 0             | 0             | 1,337         | 111        |
|                                          | 406           | 332           | 324           | 436           | 308           | 300           | 568           | 0             | 0             | 0             | 0             | 0             | 2,674         | 227        |
| <b>Adjusted Trip Total</b>               | 1,235         | 1,333         | 1,159         | 1,015         | 1,083         | 884           | 1,591         | 0             | 0             | 0             | 0             | 0             | 8,300         | 632        |
| *Trip Totals without Contracted Services |               |               |               |               |               |               |               |               |               |               |               |               |               |            |
| <b>ELDERLY AND DISABLED</b>              | <b>Sep-20</b> | <b>Oct-20</b> | <b>Nov-20</b> | <b>Dec-20</b> | <b>Jan-21</b> | <b>Feb-21</b> | <b>Mar-21</b> | <b>Apr-21</b> | <b>May-21</b> | <b>Jun-21</b> | <b>Jul-21</b> | <b>Aug-21</b> | <b>TOTALS</b> |            |
| > = 60                                   | 125           | 148           | 131           | 114           | 164           | 147           | 294           | 0             | 0             | 0             | 0             | 0             | 1,123         |            |
| DIS <60                                  | 1,129         | 1,163         | 1,063         | 1,076         | 1,006         | 837           | 1,207         | 0             | 0             | 0             | 0             | 0             | 7,481         |            |
| <b>E &amp; D</b>                         | 1,254         | 1,311         | 1,194         | 1,190         | 1,170         | 984           | 1,501         | 0             | 0             | 0             | 0             | 0             | 8,604         |            |
|                                          | <b>Sep-20</b> | <b>Oct-20</b> | <b>Nov-20</b> | <b>Dec-20</b> | <b>Jan-21</b> | <b>Feb-21</b> | <b>Mar-21</b> | <b>Apr-21</b> | <b>May-21</b> | <b>Jun-21</b> | <b>Jul-21</b> | <b>Aug-21</b> | <b>TOTALS</b> |            |
| GENERAL PUBLIC                           | 406           | 332           | 324           | 436           | 308           | 300           | 568           | 0             | 0             | 0             | 0             | 0             | 2,674         |            |
| % of Adjusted Total                      | 33%           | 25%           | 28%           | 43%           | 28%           | 34%           | 36%           | #DIV/0!       | #DIV/0!       | #DIV/0!       | #DIV/0!       | #DIV/0!       |               |            |
| Can/NoShow                               | 217           | 193           | 169           | 147           | 152           | 152           | 164           | 0             | 0             | 0             | 0             | 0             | 1,194         |            |
| Advanced Cancel                          | 2,411         | 1,387         | 1,490         | 1,481         | 1,367         | 1,364         | 1,040         | 0             | 0             | 0             | 0             | 0             | 10,540        |            |
| DENIALS                                  | 138           | 39            | 119           | 74            | 65            | 41            | 118           | 0             | 0             | 0             | 0             | 0             | 594           |            |



April 8, 2021

To: City of Kaufman

From: Kim Britton on behalf of Ashley Berryhill, Finance Director

Re: March 2021 Demand and Response Ridership Report

**TRIP INFORMATION:**

|                         | S   | O   | N   | D   | J   | F   | M   | A | M | J | J | A | TOTAL        |
|-------------------------|-----|-----|-----|-----|-----|-----|-----|---|---|---|---|---|--------------|
| <b>Trips</b>            | 289 | 233 | 267 | 194 | 237 | 212 | 453 |   |   |   |   |   | <b>1,885</b> |
| <b>No. Service Days</b> | 21  | 22  | 19  | 21  | 19  | 14  | 23  |   |   |   |   |   | <b>139</b>   |
| <b>Avg. Daily Trips</b> | 13  | 11  | 14  | 9   | 13  | 15  | 20  |   |   |   |   |   | <b>14</b>    |

| NO. OF TRIPS | PURPOSE                                                    |
|--------------|------------------------------------------------------------|
| 0            | Education                                                  |
| 3            | Government                                                 |
| 67           | Medicaid                                                   |
| 155          | Medical                                                    |
| 0            | Nutrition (Senior Center)                                  |
| 21           | Other (adult-day care, beauty salon, friend's homes, etc.) |
| 51           | Shopping                                                   |
| 97           | Work                                                       |
| 52           | Contract Services                                          |
| 7            | Vaccination                                                |

| ELDERLY AND DISABLED RIDERSHIP |                          |
|--------------------------------|--------------------------|
| 44                             | Disabled Trips           |
| 211                            | Elderly (&/or Dis) Trips |

255 E &amp; D Total Rides

E &amp; D Percent of Total Trips – 56%

| MARCH UNDUPLICATED PASSENGERS        |
|--------------------------------------|
| 78                                   |
| YEAR TO DATE UNDUPLICATED PASSENGERS |
| 140                                  |

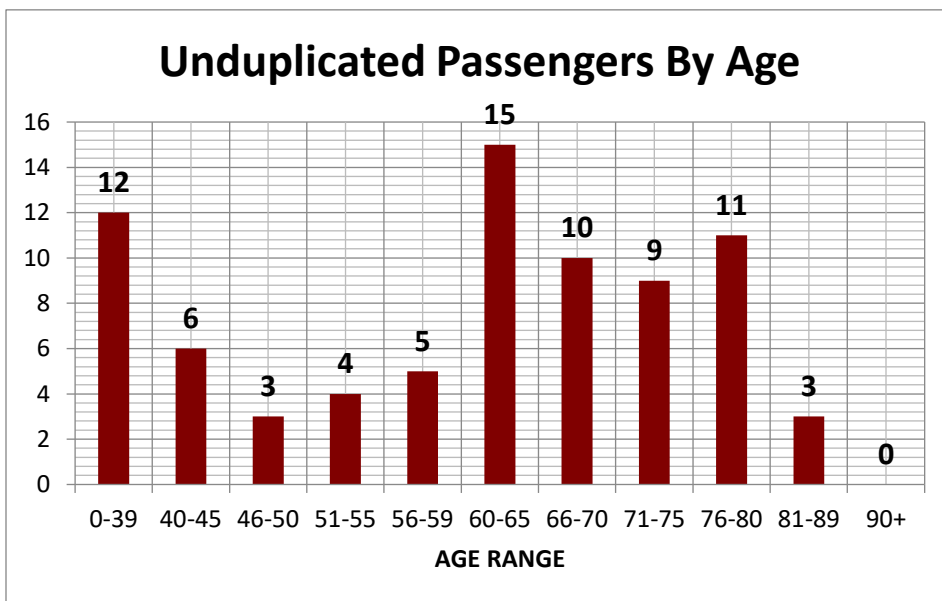


|                    | Trip Total |
|--------------------|------------|
| KAUFMAN TO KAUFMAN | 252        |
| KAUFMAN TO OUTSIDE | 182        |
| OUTSIDE TO KAUFMAN | 19         |

453

|                             |     |
|-----------------------------|-----|
| NOSHOW/CANCEL               | 334 |
| DENIALS                     | 33  |
| Month to Month Unduplicated | 78  |
| YTD Unduplicated            | 140 |

|                              |     |
|------------------------------|-----|
| March 2021 Total D & R Trips | 453 |
|------------------------------|-----|



April 7, 2021

To: Kaufman County

From: Kim Britton on behalf of Ashley Berryhill, Finance Director

Re: March 2021 STARNow – Kaufman County Ridership Report

**FY2021 TRIP INFORMATION:**

|                         | S   | O   | N   | D   | J   | F   | M    | A | M | J | J | A | TOTAL        |
|-------------------------|-----|-----|-----|-----|-----|-----|------|---|---|---|---|---|--------------|
| <b>Trips</b>            | 750 | 899 | 851 | 913 | 989 | 698 | 1081 |   |   |   |   |   | <b>6,181</b> |
| <b>Service Days</b>     | 21  | 22  | 19  | 21  | 19  | 14  | 23   |   |   |   |   |   | <b>139</b>   |
| <b>Avg. Daily Trips</b> | 36  | 41  | 45  | 44  | 52  | 50  | 47   |   |   |   |   |   | <b>44</b>    |

|                                     |                                  |                          |                                    |                           |                                   |                           |
|-------------------------------------|----------------------------------|--------------------------|------------------------------------|---------------------------|-----------------------------------|---------------------------|
| Completed Boardings ⓘ               | Avg. Boardings Per Service Hr. ⓘ | Boarding Cancellations ⓘ | Boarding Cancellations (No-Show) ⓘ | Cancellation Percentage ⓘ |                                   |                           |
| 1081                                | 4.27                             | 239                      | 35                                 | 18.11 %                   |                                   |                           |
|                                     |                                  |                          |                                    |                           |                                   |                           |
| Cancellation Percentage (No Show) ⓘ | Total Requests ⓘ                 | Completed Requests ⓘ     | No Drivers Available Requests ⓘ    | Request Cancellations ⓘ   | Request Cancellations (No Show) ⓘ |                           |
| 2.65 %                              | 1101                             | 889                      | 4                                  | 208                       | 32                                |                           |
|                                     |                                  |                          |                                    |                           |                                   |                           |
| Avg. # of Requests per Rider ⓘ      | Avg. Travel Duration ⓘ           | Avg. Travel Distance ⓘ   | Mean Wait Time ⓘ                   | Median Wait Time ⓘ        | Bookings from Admin Panel ⓘ       | Bookings from Rider App ⓘ |
| 10.39                               | 10.25 min                        | 2.96 mi                  | 22.42 min                          | 13.75 min                 | 54.95 %                           | 43.48 %                   |
|                                     |                                  |                          |                                    |                           |                                   |                           |
| Flag Down Bookings ⓘ                | Avg. # Riders per Request ⓘ      |                          |                                    |                           |                                   |                           |
| 1.57 %                              | 5.2                              |                          |                                    |                           |                                   |                           |

### Response Summary:

|                              | Responses  | Transports | Exceptions | Compliance %  | Transport %   |
|------------------------------|------------|------------|------------|---------------|---------------|
| Priority 1 <8:59             | 30         | 20         | 3          | 90%           | 67%           |
| Priority 2 <11:59            | 74         | 37         | 3          | 96%           | 50%           |
| Priority 3 <14:59            | 27         | 18         | 0          | 100%          | 67%           |
| Emergency Transfers<0:29:59  | 93         | 92         | 47         | 49%           | 99%           |
| Non-Emergency Transfers<0:15 | 48         | 46         | 9          | 81%           | 96%           |
| Helicopter                   | 14         | 14         |            |               |               |
| <b>Totals</b>                | <b>286</b> | <b>227</b> |            | <b>95.50%</b> | <b>61.11%</b> |

### Transport Summary:

|                                           | Number     | Percentage  |
|-------------------------------------------|------------|-------------|
| Baylor Scott and White Dallas             | 6          | 3%          |
| Baylor Scott and White Sunnyvale          | 4          | 2%          |
| Baylor Scott and White Lakepointe Rowlett | 0          | 0%          |
| Baylor Scott and White Lakepointe Forney  | 0          | 0%          |
| Childrens Medical Center                  | 14         | 7%          |
| Dallas Regional Medical Center            | 2          | 1%          |
| Medical City Dallas                       | 0          | 0%          |
| Parkland                                  | 1          | 0%          |
| Texas Health-Dallas                       | 62         | 29%         |
| Texas Health- Kaufman                     | 63         | 30%         |
| Texas Health -Plano                       | 0          | 0%          |
| Texas Health-Rockwall                     | 1          | 0%          |
| UT Health- Athens                         | 1          | 0%          |
| UT Health- Tyler                          | 1          | 0%          |
| UT Health- Cedar Creek                    | 1          | 0%          |
| VA Medical Center Dallas                  | 0          | 0%          |
| Other Hospitals                           | 19         | 9%          |
| Nursing home, residence, other            | 38         | 18%         |
|                                           | <b>213</b> | <b>100%</b> |

|                                    | Number    | % of Total  |
|------------------------------------|-----------|-------------|
| Patient Refusal/Treat No Transport | 25        | 42%         |
| Pt is DOS                          | 0         | 0%          |
| Cancellation- No Patient           | 34        | 58%         |
|                                    | <b>59</b> | <b>100%</b> |

Average Response Time  
City Wide--Emergency Calls

0:06:04

|                       | Responses | Exceptions |     |
|-----------------------|-----------|------------|-----|
| <b>Last 100 Calls</b> |           |            |     |
| Priority 1            | 100       | 11         | 89% |
| Priority 2            | 100       | 4          | 96% |
| Priority 3            | 100       | 1          | 99% |



# COUNCIL MONTHLY UPDATE

MARCH 2021



**In March 2021, the Kaufman Fire Department responded to 195 calls for service.**

**In March 2020, we responded to 175 calls for service**

**Covid-19 testing was conducted twice at the Fire Station by State and will be finished.**

**Performed inspections on new Plum Tree Apartment fire sprinklers Hydro test and visual inspections, buildings 3 and Tractor Supply fire riser line.**

**There were 3 calls that we were unable to respond to due to being tied up on other calls (EMS, accidents) and no additional personnel were available to respond. Luckily all were medical emergencies and EMS was available to get to them within 15 minutes.**



# **DEPARTMENT**

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# **SNAPSHOT MARCH**



## Training:

(Fire Ce's)

**Vehicle Extrication**

CONDUCTED EXTRICATION CLASS



(EMS Ce's)

**Jurisprudence**



# DEPARTMENT SNAPSHOT March 2021

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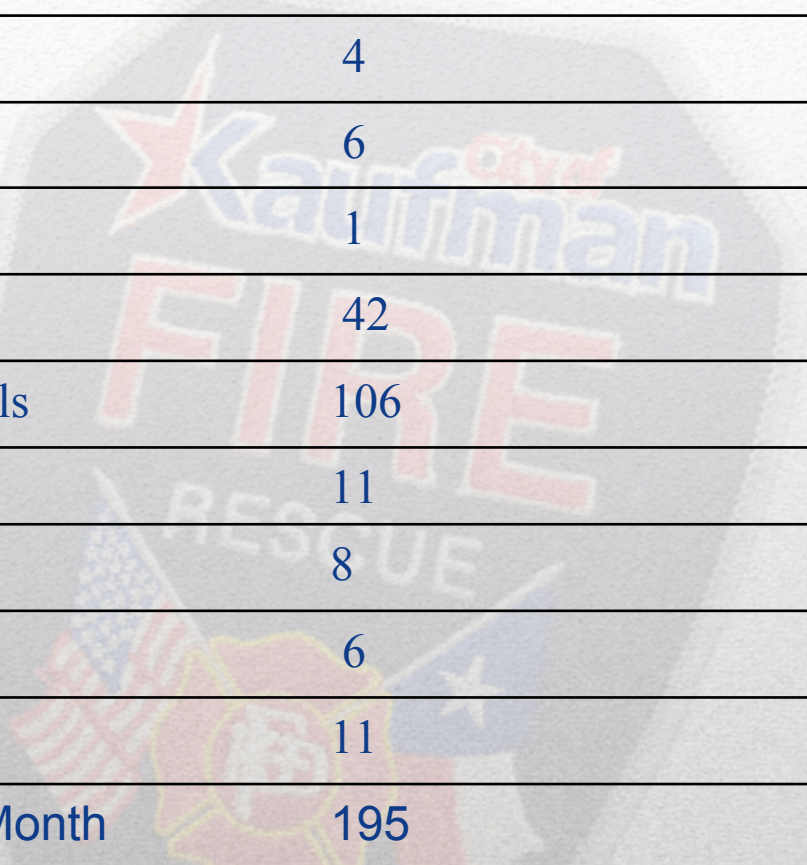
- **Incident Response Time  
Monthly Average**

- **March 2021 Monthly  
Average Response  
Time 5 Minutes 20  
Seconds (5.20)**
- **March 2020 Monthly  
Average Response  
Time 5 Minutes 30  
Seconds (5.30)**



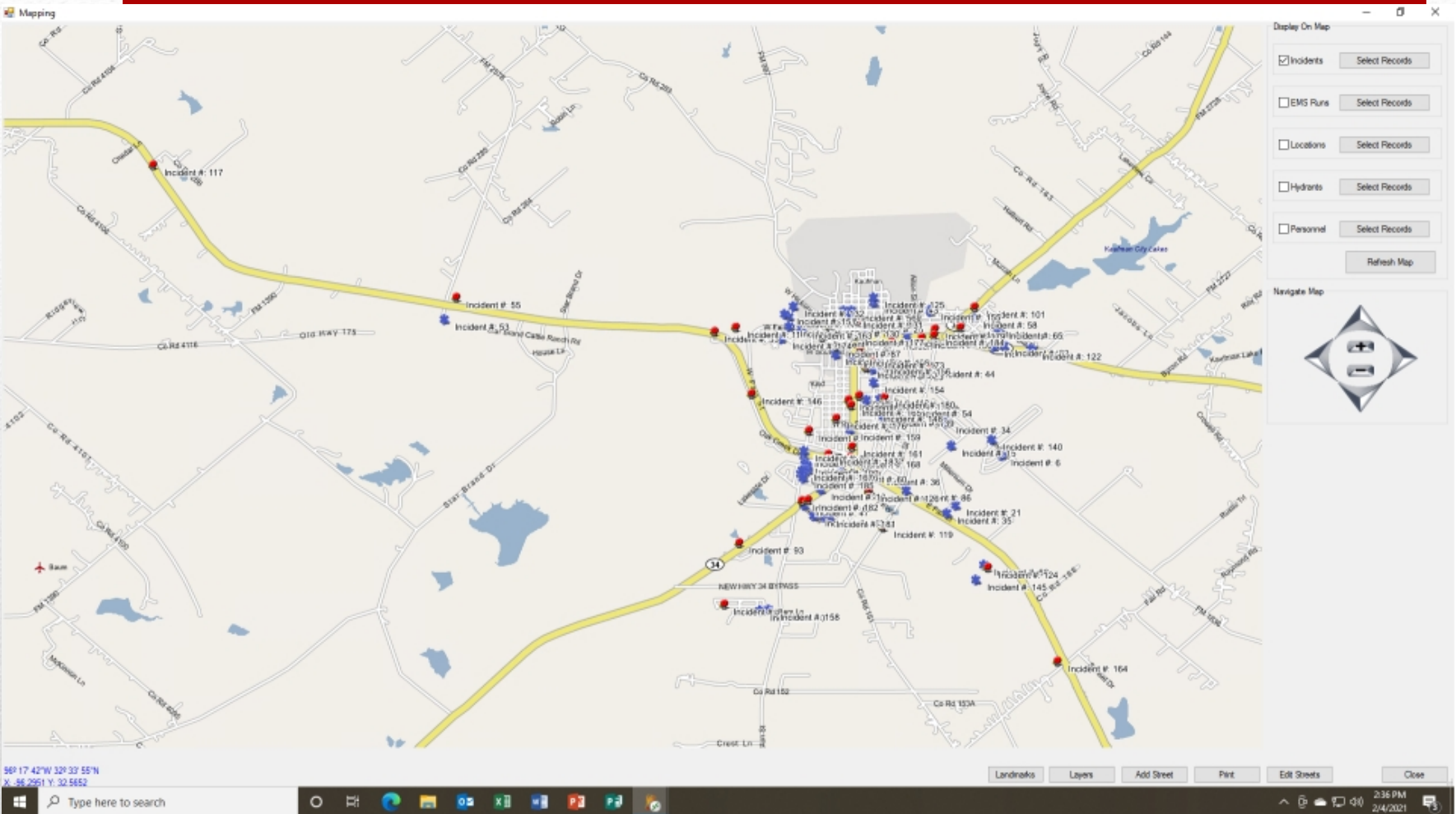
# **DEPARTMENT SNAPSHOT**





|                           |     |
|---------------------------|-----|
| Inspections               | 26  |
| Structure Fires           | 4   |
| Grass/Trash               | 6   |
| Automobiles               | 1   |
| Accidents                 | 42  |
| Emergency Medical Calls   | 106 |
| Haz / Smoke Calls         | 11  |
| False Alarms              | 8   |
| Mutual Aid                | 6   |
| Public Assist Unlocks     | 11  |
| Total Responses for Month | 195 |

# MARCH 2021 Responses



# INCIDENT LOCATION MAP

RED=FIRE INCIDENTS/ACCIDENTS

BLUE= MEDICAL INCIDENTS

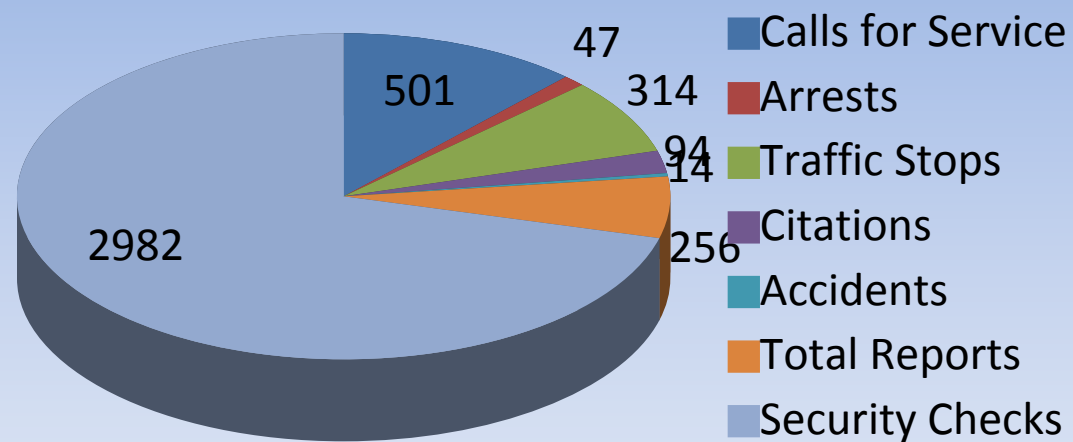
# KAUFMAN POLICE DEPARTMENT PATROL ACTIVITY MARCH 2021

## March 2021, Kaufman Police Department's Patrol Division Activity:

- **501** Calls For Service, Including Accidents
- **14** Traffic Accidents
- Completed **2982** Homes, Parks, & Business Checks
- Completed **314** Traffic Stops
- Completed **210** Incident Reports
- Completed **256** Reports
- Made **46** Arrests
- Average monthly response time to calls is **5:10** minutes.

Other points of interest include:

- Utilized the radar trailer on HWY 34 Bypass, East Mulberry Street and South Washington Street.
- Increased traffic enforcement on Ola Road due to citizen complaints of speeding vehicles.





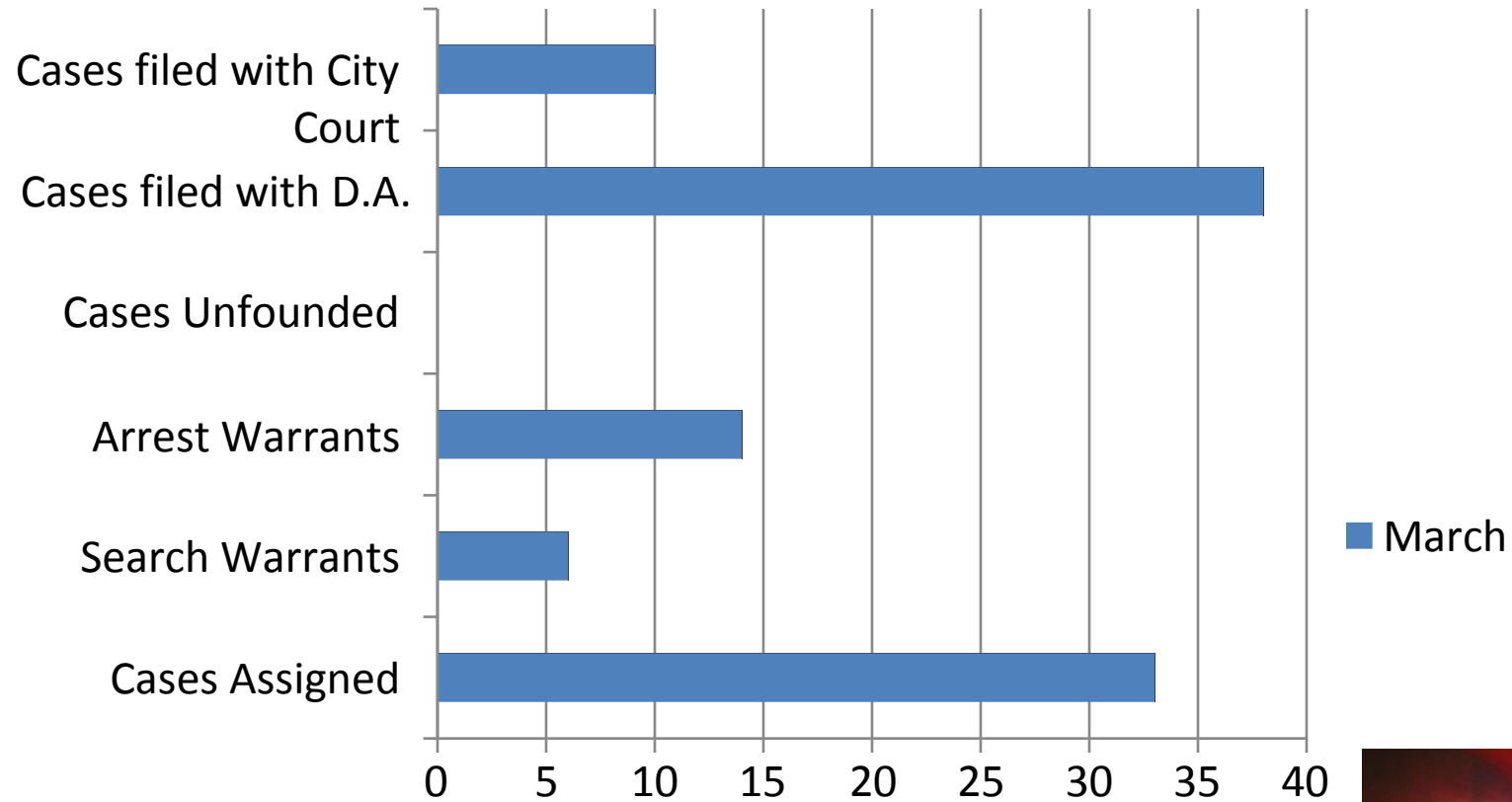
## Community Engagement March 2021

**Social Media Posts, Facebook Followers 10,880.**

**Events attended by Kaufman Police Department employees:**

- Weekly Shut-Ins Check
- Houston Street Bunny Trail Event
- Hired Officer William Jones
- Sent out Updated Business Crime Watch Posters



Kaufman Criminal Investigations Division  
March 2021

|       | Cases Assigned | Search Warrants | Arrest Warrants | Cases Unfounded | Cases filed with D.A. | Cases filed with City Court |
|-------|----------------|-----------------|-----------------|-----------------|-----------------------|-----------------------------|
| March | 33             | 6               | 14              | 0               | 38                    | 10                          |





# KAUFMAN POLICE DEPARTMENT

## MARCH 2021



### Year to Date - Offenses Known to Police for March 2021

Printed On: 4/14/2021

Agency: TX1290200 - KAUFMAN PD

Page 1 of 2

| Classification of Offenses                      | Offenses Reported | Offenses Cleared | Projected Rate/1000 | Last YTD Reported | Percent Change |
|-------------------------------------------------|-------------------|------------------|---------------------|-------------------|----------------|
| Animal Cruelty, Total                           |                   |                  |                     |                   | -              |
| Arson, Total                                    |                   |                  |                     |                   | -              |
| Assault Offenses, Total                         | 12                | 7                | 1.51                | 16                | -25.00%        |
| Firearm                                         |                   |                  |                     |                   | -              |
| Knife                                           |                   |                  |                     | 1                 | -100.00%       |
| Other Weapons                                   |                   |                  |                     | 2                 | -100.00%       |
| Personal Weapons                                | 12                | 7                | 1.51                | 13                | -7.69%         |
| Bribery, Total                                  |                   |                  |                     |                   | -              |
| Burglary/Breaking and Entering, Total           | 7                 | 2                | 0.88                | 3                 | 133.33%        |
| No Force                                        | 4                 |                  | 0.50                | 1                 | 300.00%        |
| Force                                           | 3                 | 2                | 0.38                | 2                 | 50.00%         |
| Counterfeiting/Forgery, Total                   | 2                 |                  | 0.25                | 7                 | -71.43%        |
| Destruction/Damage/Vandalism of Property, Total | 7                 | 1                | 0.88                | 6                 | 16.67%         |
| Drug/Narcotic Offenses, Total                   | 50                | 47               | 6.31                | 37                | 35.14%         |
| Drug Equipment Violations                       | 14                | 14               | 1.77                | 14                | 0.00%          |
| Drug/Narcotic Violations                        | 36                | 33               | 4.54                | 23                | 56.52%         |
| Embezzlement, Total                             |                   |                  |                     |                   | -              |
| Extortion/Blackmail, Total                      |                   |                  |                     |                   | -              |
| Fraud Offenses, Total                           | 7                 | 3                | 0.88                | 3                 | 133.33%        |
| False Pretense/Swindle/Confidence Game          |                   |                  |                     |                   | -              |
| Hacking/Computer Invasion                       |                   |                  |                     |                   | -              |
| Identity Theft                                  |                   |                  |                     |                   | -              |
| Impersonation                                   | 4                 | 2                | 0.50                | 3                 | 33.33%         |
| Credit Card/Automatic Teller Machine Fraud      | 3                 | 1                | 0.38                |                   | -              |
| Welfare Fraud                                   |                   |                  |                     |                   | -              |
| Wire Fraud                                      |                   |                  |                     |                   | -              |
| Gambling Offenses, Total                        |                   |                  |                     |                   | -              |
| Betting/Wagering                                |                   |                  |                     |                   | -              |
| Gambling Equipment Violations                   |                   |                  |                     |                   | -              |
| Operating/Promoting/Assisting Gambling          |                   |                  |                     |                   | -              |
| Homicide Offenses, Total                        |                   |                  |                     |                   | -              |
| Murder and Nonnegligent Manslaughter            |                   |                  |                     |                   | -              |
| Negligent Manslaughter                          |                   |                  |                     |                   | -              |
| Human Trafficking, Total                        |                   |                  |                     |                   | -              |
| Human Trafficking, Commercial Sex Acts          |                   |                  |                     |                   | -              |
| Human Trafficking, Involuntary Servitude        |                   |                  |                     |                   | -              |
| Kidnapping/Abduction, Total                     |                   |                  |                     |                   | -              |

This report reflects incidents submitted to the Texas Department of Public Safety's Uniform Crime Reporting (UCR) system as applied to your request. UCR is a voluntary program, wherein, participating agencies are required to submit their data annually but have no data frequency submission requirement. As data is submitted, routine data validations are applied to ensure completeness; however, the responsive data contained within this report may have been retrieved from the system prior to being subject to or completing those validation routines, and as such, may contain inaccuracies, be incomplete or not reflect every incident that may have occurred within the specified jurisdiction for the requested timeframe. As such, this report is a reflection of all of the data contained within the TXDPS UCR System at the time of inquiry for the timeframe specified. Every effort has been made to produce the data in the requested format.



Year to Date - Offenses Known to  
Police for March 2021

Printed On: 4/14/2021

Agency: TX1290200 - KAUFMAN PD

Page 2 of 2

| Classification of Offenses          | Offenses Reported | Offenses Cleared | Projected Rate/1000 | Last YTD Reported | Percent Change |
|-------------------------------------|-------------------|------------------|---------------------|-------------------|----------------|
| Larceny/Theft Offenses, Total       | 27                | 6                | 3.40                | 26                | 3.85%          |
| Motor Vehicle Theft, Total          | 6                 | 2                | 0.76                | 4                 | 50.00%         |
| Buses                               |                   |                  |                     |                   | -              |
| Automobiles                         | 3                 | 1                | 0.38                | 4                 | -25.00%        |
| Other Motor Vehicles                | 1                 |                  | 0.13                |                   | -              |
| Trucks                              | 1                 | 1                | 0.13                |                   | -              |
| Recreational Vehicles               | 1                 |                  | 0.13                |                   | -              |
| Pornography/Obscene Material, Total | 2                 |                  | 0.25                |                   | -              |
| Prostitution Offenses, Total        |                   |                  |                     |                   | -              |
| Assisting or Promoting Prostitution |                   |                  |                     |                   | -              |
| Prostitution                        |                   |                  |                     |                   | -              |
| Purchasing Prostitution             |                   |                  |                     |                   | -              |
| Robbery, Total                      |                   |                  |                     |                   | -              |
| Firearm                             |                   |                  |                     |                   | -              |
| Personal Weapons                    |                   |                  |                     |                   | -              |
| Other Weapons                       |                   |                  |                     |                   | -              |
| Knife                               |                   |                  |                     |                   | -              |
| Sex Offenses, Total                 |                   |                  |                     | 1                 | -100.00%       |
| Fondling                            |                   |                  |                     |                   | -              |
| Rape                                |                   |                  |                     | 1                 | -100.00%       |
| Sexual Assault with an Object       |                   |                  |                     |                   | -              |
| Sodomy                              |                   |                  |                     |                   | -              |
| Sex Offenses, Non-Forcible, Total   |                   |                  |                     |                   | -              |
| Incest                              |                   |                  |                     |                   | -              |
| Statutory Rape                      |                   |                  |                     |                   | -              |
| Stolen Property Offenses, Total     | 1                 |                  | 0.13                |                   | -              |
| Weapons Law Violations, Total       | 3                 | 3                | 0.38                | 2                 | 50.00%         |
| Group A Offense, Total              | 124               | 71               | 15.64               | 105               | 18.10%         |
| Crimes Against Person, Total        | 12                | 7                | 1.51                | 17                | -29.41%        |
| Crimes Against Property, Total      | 57                | 14               | 7.19                | 49                | 16.33%         |
| Crimes Against Society, Total       | 55                | 50               | 6.94                | 39                | 41.03%         |
| Officers Killed or Assaulted YTD    | 0                 |                  |                     | 1                 | -100.00%       |

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# KAUFMAN POLICE DEPARTMENT ANIMAL CONTROL REPORT MARCH 2021

## March 2021, Kaufman Animal Control Responded To-

- 31 Calls For Service
- 3 Follow-up Calls
- Warnings Issued – 5
- Citations Issued – 0
- Traps Set - 4

### Animals Captured

On Calls – 13  
On View – 0

### Animals Turned Over

To Owner – 2  
To Humane Society – 23

Dead Animals Recovered: - 3

**Note:** Ground-breaking for Construction of New Kaufman County Pet Adoption Center.



## APRIL 2021

| Sunday | Monday                                   | Tuesday                                 | Wednesday | Thursday                     | Friday | Saturday |
|--------|------------------------------------------|-----------------------------------------|-----------|------------------------------|--------|----------|
|        |                                          |                                         |           | 1                            | 2      | 3        |
| 4      | 5                                        | 6<br>Planning &<br>Zoning<br>Meeting    | 7         | 8                            | 9      | 10       |
| 11     | 12<br>Council Retreat<br>12 p.m.         | 13<br>KEDC<br>Council Retreat<br>8 a.m. | 14        | 15<br>Parks & Rec<br>Meeting | 16     | 17       |
| 18     | 19                                       | 20                                      | 21        | 22                           | 23     | 24       |
| 25     | 26<br>Regular City<br>Council<br>Meeting | 27                                      | 28        | 29                           | 30     |          |

# MAY 2021

| Sunday    | Monday                                                                | Tuesday                                     | Wednesday | Thursday                            | Friday    | Saturday                    |
|-----------|-----------------------------------------------------------------------|---------------------------------------------|-----------|-------------------------------------|-----------|-----------------------------|
|           |                                                                       |                                             |           |                                     |           | <b>1</b><br>Election<br>Day |
| <b>2</b>  | <b>3</b>                                                              | <b>4</b><br>Planning &<br>Zoning<br>Meeting | <b>5</b>  | <b>6</b>                            | <b>7</b>  | <b>8</b>                    |
| <b>9</b>  | <b>10</b><br>Special City<br>Council<br>Meeting<br>(Canvass Election) | <b>11</b>                                   | <b>12</b> | <b>13</b>                           | <b>14</b> | <b>15</b>                   |
| <b>16</b> | <b>17</b>                                                             | <b>18</b>                                   | <b>19</b> | <b>20</b><br>Parks & Rec<br>Meeting | <b>21</b> | <b>22</b>                   |
| <b>23</b> | <b>24</b><br>Regular City<br>Council<br>Meeting                       | <b>25</b>                                   | <b>26</b> | <b>27</b>                           | <b>28</b> | <b>29</b>                   |
| <b>30</b> | <b>31</b>                                                             |                                             |           |                                     |           |                             |

# JUNE 2021

| Sunday | Monday                                   | Tuesday                              | Wednesday | Thursday                     | Friday | Saturday |
|--------|------------------------------------------|--------------------------------------|-----------|------------------------------|--------|----------|
|        |                                          | 1<br>Planning &<br>Zoning<br>Meeting | 2         | 3                            | 4      | 5        |
| 6      | 7                                        | 8<br>KEDC                            | 9         | 10                           | 11     | 12       |
| 13     | 14                                       | 15                                   | 16        | 17<br>Parks & Rec<br>Meeting | 18     | 19       |
| 20     | 21                                       | 22                                   | 23        | 24                           | 25     | 26       |
| 27     | 28<br>Regular City<br>Council<br>Meeting | 29                                   | 30        |                              |        |          |

# JULY 2021

| Sunday | Monday                                   | Tuesday                              | Wednesday | Thursday                     | Friday | Saturday                           |
|--------|------------------------------------------|--------------------------------------|-----------|------------------------------|--------|------------------------------------|
|        |                                          |                                      |           | 1                            | 2      | 3<br>July 4 <sup>th</sup><br>Event |
| 4      | 5                                        | 6<br>Planning &<br>Zoning<br>Meeting | 7         | 8                            | 9      | 10                                 |
| 11     | 12                                       | 13                                   | 14        | 15<br>Parks & Rec<br>Meeting | 16     | 17                                 |
| 18     | 19                                       | 20                                   | 21        | 22                           | 23     | 24                                 |
| 25     | 26<br>Regular City<br>Council<br>Meeting | 27                                   | 28        | 29                           | 30     | 31                                 |





**Meeting**  
**Date: 4/26/2021**

**Date: 4/21/2021**

**Item #: 15.**

**Dept.: Administration**

**Action Item**

**SUBJECT:**

Consider and take appropriate action on an interlocal agreement with College Mound for the purpose of providing water service to the Kaufman Lake Development.

**BACKGROUND:**

**Author:**

**Reviewed:**  
Mike Slye, City Manager

**Cost:**

**Funds Available:**

**Source:**

**Recommendation:**

| <b>Safe &amp; Secure</b> | <b>Business<br/>Friendly/Economic<br/>Development</b> | <b>Partnership &amp;<br/>Community<br/>Involvement</b> | <b>Healthy &amp;<br/>Environmentally<br/>Cons. Comm.</b> | <b>Financial &amp;<br/>OPS Stewardship</b> |
|--------------------------|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>                              | <input type="checkbox"/>                               | <input type="checkbox"/>                                 | <input type="checkbox"/>                   |