



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, MAY 24, 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, Patty Patterson, Barry Ratcliffe, Lisa Parker, Jeff Council, Matt Phillips, and Carole Aga. 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 Director Marcy Ratcliff, Police Chief Dana Whitaker and Police Captain Les Edwards.

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 from the April 26, 2021, Regular City Council meeting, and the May 10, 2021, Special City Council meeting.
2. Consider and take appropriate action on the Final Plat of Lot 2, Block E, Kings Fort Addition, Phase IV, a 0.9848-acre tract (a portion of PID# 202752) generally located on the south side of East Highway 175 and east of Center Drive to be addressed as 710 East Highway 175 and currently zoned Planned Development - 15 for Highway Commercial (PD-15-HC). A subdivision of one commercial lot is proposed. (Case #FP-05-21)

Council Member Council made a motion to approve consent agenda item 1 and 2 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

END OF CONSENT AGENDA

PRESENTATION

3. Presentation from Republic Services on a proposal to amend the service contract for Collection of Solid Waste with the City of Kaufman in order adjust the scope of work to allow weekly bulk collection, discussion, and authorizing the City Manager to execute necessary documents.

Joanna Fritz presented the Council with a proposed amendment to the service contract for the Solid Waste Collection in the City of Kaufman. She outlined the changes that would be made with the contract.

Councilmember Aga made a motion to approve the proposal to amend the service contract for Collection of Solid Waste with the City of Kaufman in order adjust the scope of work to allow weekly bulk collection as discussed and authorize the City Manager to execute necessary documents. The motion was seconded by Councilmember Council and passed 7/0.

PUBLIC HEARING

4. 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, providing proposed amendments to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning", of the City of Kaufman's Code of Ordinances, to add "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"; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date; and providing an effective date. (Case #Z-02-21). (This item was returned from City Council back to the Planning and Zoning Commission due to technical difficulties at the Planning and Zoning Commission meeting on April 6, 2021.)

- a. Presentation.

Ms. Ratcliff stated the City Council, on April 26, 2021 voted 7-0 to request the Planning and Zoning Commission reconsider the request from Mr. John Dumas allowing him to present his request again at the May 4, 2021, Planning and Zoning Commission. The Planning and Zoning Commission on May 4, 2021 voted on a motion to approve Z-02-21 for a definition of a private membership social game house and allowing as a SUP in the Commercial and Highway Commercial Districts. The motion failed because the vote was 3-3. However, the Planning and Zoning Commission recommended to amend the draft definition of a "private membership social game house" by a vote 6-0. This motion does not affect the failed motion above.

b. PUBLIC HEARING.

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

John Dumas, 115 Robinson Rd, Combine, Texas, presented Council with pictures and examples of other similar card house.

There being no further speakers, Mayor Jordan closed the public hearing at 6:31 PM.

c. Consider and take appropriate action on Ordinance O-17-21.

Mayor Jordan made a motion to deny Ordinance O-17-21. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

5. Hold a Public Hearing, consider, and take appropriate action on Ordinance O-20-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Article IX, "Parkland Dedication and Development", of Chapter 94, "Subdivisions", of the Code of Ordinances of the City of Kaufman to provide a City required percentage of land dedication, to provide for alternate methods of satisfying the land dedication requirement, and to provide for Council discretion to accept parks less than (2) two acres; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date.

a. Presentation.

Ms. Ratcliff outlined the proposed amendment for the Parkland Dedication Ordinance.

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:36 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:36 PM.

c. Consider and take appropriate action on Ordinance O-20-21.

Councilmember Phillips made a motion to approve Ordinance O-20-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

6. Hold a public hearing, consider and take appropriate action on Ordinance O-21-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to rezone an approximate 5.366 acres of land generally located in the 2600 block of Tabor Parkway (CR 151) (rear portion of PID #5377) in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas from Commercial (C) to Multi-Family -2 (MF-2) ; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Applicant: ZP Juniper Pointe Apartments, LP – Justin Zimmerman) (Case #Z-03-21)

- a. Presentation.

Ms. Ratcliff explained the proposed zoning change for the Juniper Apartments.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:38 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:40 PM.

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

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

7. Hold a public hearing, consider, and take appropriate action on Ordinance O-22-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to authorize Specific Use Permit – 46, and to approve the associated Site Plan in order to allow an attended car wash on property zoned Planned Development – 15 – Highway Commercial, an approximate 0.985 acre tract (a portion of PID# 202752) located at 710 East Highway 175, proposed to be platted as Lot 2, Block E, Kings Fort Addition, Phase IV, within the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Applicant: Konrad Rudnicki) (Case #Z-04-21)

- a. Presentation.

Ms. Ratcliff reviewed the specific use permit and site plan submitted by Konrad Rudnicki for a proposed car wash to be located in the Kings Fort Development.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:42 PM.

Konrad Rudnicki, 3609 Tokalon Drive, Dallas, Texas 75214, thanked Council for the time to present their business and plan.

There being no further speakers, Mayor Jordan closed the public hearing at 6:46 PM.

- c. Consider and take appropriate action on Ordinance O-22-21.

Councilmember Council made a motion to approve Ordinance O-22-21 as presented. The motion was seconded by Councilmember Aga and passed 7/0.

8. Hold a public hearing, consider, and take appropriate action on Ordinance O-23-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Highway Commercial (HC) on an approximate 7.9-acre tract of land (a portion of PID# 56874) generally located at 1900 East Highway 175 and being platted as Lot 1, Kaufman County Law Enforcement Center Addition, situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-06-21)

- a. Presentation.

Ms. Ratcliff presented the proposed zoning change for the south portion of the property the Kaufman County Law Enforcement Center is located on.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:48 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:48 PM.

- c. Consider and take appropriate action on Ordinance O-23-21.

Councilmember Aga made a motion to approve Ordinance O-23-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

9. Hold a public hearing, consider, and take appropriate action on Ordinance O-24-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Highway Commercial (HC); on an approximate 16.72-acre tract of land located directly west of the Kaufman County Law Enforcement Center (PIDs 5438 and 5525) and such property being situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-07-21)

- a. Presentation.

Ms. Ratcliffe stated the City Council, on March 22, 2021, approved Ordinance O-11-21 for the voluntary annexation as petitioned by the City of Kaufman. She added annexed property is required to be zoned within 90 days of annexation. The City of Kaufman initiated a zoning case to zone the 16.72-acres to Highway Commercial (HC).

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:50 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:50 PM.

c. Consider and take appropriate action on Ordinance O- 24-21.

Councilmember Parker made a motion to approve Ordinance O-24-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

10. Hold a public hearing, consider, and take appropriate action on Ordinance O-25-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Agricultural/Open District (A-O); on an approximate 73.491-acre tract of land located at 2121 Ola Road and East State Highway 243 (PID 213307) and such property being situated in the William Peters Survey, Abstract No. 407, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-08-21)

a. Presentation.

Ms. Ratcliff explained the City Council, on March 22, 2021, approved Ordinance O-12-21 for the voluntary annexation as petitioned by the City of Kaufman. She stated annexed property is required to be zoned within 90 days of annexation.

The City of Kaufman initiated a zoning case to zone the 73.491 acres to Agriculture/Open (A/O).

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:52 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:52 PM.

c. Consider and take appropriate action on Ordinance O-25-21.

Councilmember Phillips made a motion to approve Ordinance O-25-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

11. Hold a public hearing, consider, and take appropriate action on Ordinance O-26-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Agricultural/Open District (A-O); on an approximate 85.243-acre tract of land generally located at the northwest corner of East State Highway 243 and Farm to Market Road No. 2727 (PIDs 187223 and 51233) and such property being situated in the William Peters Survey, Abstract No. 407, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-09-21)

- a. Presentation.

Ms. Ratcliff informed the City council that on March 22, 2021, they approved Ordinance O-13-21 for the voluntary annexation as petitioned by the Kaufman Independent School District. She stated KISD initiated a zoning case to zone the 85.234 acres to Agriculture/Open (A/O).

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:53 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:53 PM.

- c. Consider and take appropriate action on Ordinance O-26-21.

Councilmember Ratcliffe made a motion to approve Ordinance O-26-21 as submitted. The motion was seconded by Councilmember Aga and passed 7/0.

DISCUSSION/ACTION ITEMS

12. Consider and take appropriate action on Ordinance O-27-21, an ordinance of the City Council of the City of Kaufman, Texas, repealing Section 2 of Ordinance No. O-16-21 to remove mandatory regulations related to the wearing of face coverings within city facilities; providing for the incorporation of premises; providing severability; providing for publication; and providing an effective date.

Mr. Slye explained to Council the ordinance is to repeal repeals Section 2 to comply with Governor Abbott's most recent Executive Order which is attached to this packet. This ordinance repeals the mandatory wearing of face masks in all municipal facilities. He stated staff will continue to encourage pandemic mitigation efforts.

Mayor Pro-Tem Patterson made a motion to approve Ordinance O-27-21 as presented. The motion was seconded by Councilmember Council and passed 7/0.

13. Consider and take appropriate action on Ordinance O-28-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Section 102-274, "Parking Time Limit", of Division 2, "Parking-Control Zone", of Article VII, "Parking", of Chapter 102, "Traffic and Vehicles", of the Code of Ordinances of the City of Kaufman to provide notice signs indicating time restricted parking and providing presumptive evidence of overtime parking; providing a penalty for each offense in an amount not to exceed \$500 and a separate offense shall be deemed committed upon each day during on or which a violation occurs or continues; and providing an effective date.

Mr. Slye stated this would amend the current parking ordinance to stipulate a time frame for the enforcement of parking in the downtown area.

Councilmember Council made a motion to approve Ordinance O-28-21 as presented. The motion was seconded by Councilmember Aga and passed 7/0.

14. Consider and take appropriate action on the award of bid and contract for depository and banking services for the City of Kaufman to American National Bank of Texas and authorizing the Mayor or his designee to execute necessary documents.

Ms. Wennerstrom presented the bids and recommended the award for given the American National Bank and Texas.

Councilmember Aga made a motion to award the bid and contract for depository and banking services for the City of Kaufman to American National Bank of Texas and authorize the mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Parker and passed 7/0.

15. Consider and take appropriate action on the award of bid and contract to Axis Contracting for the construction of paving and drainage improvements for Hillcrest Street, Melody Circle, and Priscilla Lane and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye reviewed the bids received for the paving and drainage improvements for Hillcrest Street, Melody Circle, and Priscilla Lane. He stated staff recommended awarding the bid and contract to Axis Contracting for the construction of the project.

Councilmember Aga made a motion to award the bid and contract to Axis Contracting for the Construction of paving and drainage improvements for Hillcrest Street, Melody Circle, and Priscilla Lane and authorizing the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

16. Consider and take appropriate action on the future park improvements for Shannon Park.

Dennis Sims presented and reviewed the proposed park renovation plan. He reviewed the probably costs for the entire proposal.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

17. Receive an update and discussion regarding the following:
- a. Community Events Update.
 - b. Discussion Items Report (DIR)
 - c. STAR Transit Ridership Report- April 2021
 - d. Careflite Compliance Report- April 2021
 - e. Fire Department Monthly Report- April 2021
 - f. Police Department Monthly Report- April 2021
 - g. Monthly Calendars Attached

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

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:37 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY

