



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, AUGUST 23, 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, states Councilmembers present, and declares a quorum present.**

Mayor Jordan called the City Council meeting to order at 06:01 PM. Councilmembers present were Patty Patterson, Jeff Jordan, Carole Aga, Jeff Council, Lisa Parker, Barry Ratcliffe. Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, Interim City Secretary Myra Manriquez, Finance Director Mary Wennerstrom, 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.

PRESENTATION

1. Inclusive Playground- RelyOn

RelyOn presents the City of Kaufman with a check for the Inclusive Playground.

CONSENT AGENDA

2. Consider and take appropriate action on the minutes from the July 26, 2021, Regular City Council Meeting.
3. Consider and take appropriate action on the minutes from the August 10, 2021, Budget Workshop and Special City Council Meeting.
4. Consider and take appropriate action on Resolution R-28-21, a Resolution of the City of Kaufman, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2021 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates

to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable rate-making expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.

5. Consider and take appropriate action on the Preliminary Plat of Lot 1, Block 1, Juniper Pointe Addition, being a tract of land containing 9.008-acres (PIDs 5373, 5377), situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas and generally located in the 2600 Block of Tabor Parkway. A one lot subdivision for an apartment complex in the Multi-Family-2 district is proposed. (Case No. PP-03-21)

Mayor Pro-Tem Patty Patterson made a motion to approve consent agenda items for 1-5. The motion was seconded by Council Member Lisa Parker and passed 6/0.

END OF CONSENT AGENDA

PUBLIC HEARING

6. Conduct a public hearing, consider and take appropriate action on Ordinance O-37-21, an Ordinance of the City Council of the City of Kaufman, Texas, to amend the Future Land Use Map of the City to reflect a change from Future Commercial and Future Neighborhood Service to Future Single Family (High Density) on approximately 26 acres of land (PIDs 184130, 16871), generally located in the 1500 Block of East Highway 175 in the Levi York Survey, Abstract No. 609, Kaufman County, Kaufman, TX. (Case No. Z-14-21) (Owner/Applicant Kaufman One WW, LLC)

- a. Presentation.

Ms Marcy Ratcliff presented her case to amend the future lands use map of the City to reflect a change from Future Commercial and Future Neighborhood to Future Single Family.

- b. PUBLIC HEARING.

Mayor Jordan opens the public hearing at 6:08pm.

No comments were given so the public hearing closes at 6:08pm.

- c. Consider and take appropriate action on Ordinance O-37-21.

Councilmember Council made a motion to Amend the Future Land Use Map. The motion was seconded by Councilmember Patterson and passed 6/0.

7. Conduct a public hearing, consider and take appropriate action on Ordinance O-38-21, an Ordinance of the City Council of the City of Kaufman, Texas, to rezone approximately 26 acres (PIDs 184130, 16871) of land, from Highway Commercial (HC) and Single-Family

Residential-20 (SF-20) to Planned Development (PD-21) for a maximum of 127 single-family residential lots. The property is generally located in the 1500 Block of East Highway 175 in the Levi York Survey, Abstract No. 609, Kaufman County, Kaufman, TX. (Case No. Z-14-21) (Owner/Applicant Kaufman One WW, LLC)

a. Presentation.

Marcy Ratcliff presents her case on taking to rezone 26 acres of land from Highway Commercial to Planned Development (PD-21)

b. PUBLIC HEARING.

Mayor Jordan opens the public hearing at 6:12pm

Mayor Jordan asks is the new development will require park. Marcy Ratcliff responded that there are no requirement to add a park there.

Tony Bailey, 5944 Priscilla Ln, Kaufman, Tx 75142, is in opposition with rezoning. He claims there is enough traffic there already and bringing in more house will make it worse. He also has an issue with the drainage.

Mr. Slye response to the claim reassuring the homeowner that the drainage issue will be worked in the near future. He also explained that when plans get turned in for new development they will need to turn in a traffic analysis report which would help with traffic.

Mayor Jordan assured homeowner that this development will be done properly.

With no further comments the Mayor Jordan closes the public hearing at 6:18pm.

c. Consider and take appropriate action on Ordinance O-38-21.

Council Member Jeff Council made a motion to approve Consider and take appropriate action on Ordinance O-38-21. as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

8. Conduct a public hearing, consider and take appropriate action on Ordinance O-39-21, an Ordinance of the City of Kaufman, amending the Comprehensive Zoning Ordinance of the City to authorize Specific Use Permit-47 for the sale of alcoholic beverages in conjunction with a restaurant, with alcohol consumption on premises only, on an approximate 0.44 acres of land zoned Highway Commercial (HC), and generally located at 5962 Fair Road (PID# 5300) in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas. (Case No. Z-15-21) (Owner/Applicant: Katina Williams Gibbons)

a. Presentation.

Marcy Ratcliff presents the case on amending the Comprehensive Zoning Ordinance of the City of Kaufman to authorize Specific Use Permit-47 for the sale of alcoholic beverages in conjunction with a restaurant.

Council Member Parker asks what was the use of the building before. Marcy Ratcliff answers that is use to be a bail bond business and before that a nail salon. The place has been empty for a while.

b. PUBLIC HEARING.

Mayor Jordan opens public hearing at 6:22pm.

No comments were given so Mayor Jordan closes the public hearing at 6:22pm.

- c. Consider and take appropriate action on Ordinance O-39-21.

Councilmember Ratcliffe makes a motion to approve Ordinance O-39-21. The motion is seconded by Parker and passed 6-0.

9. Conduct a Public Hearing and discussion regarding the City's Fiscal Year 2021-2022 Budget.

Budget presented by Finance Director Mary Wennerstrom. She showed a summary of historical tax values which includes proposed new tax rate. She explained some of the budget factors include 2 new positions and water/sewer rate increase.

Mr. Slye explains the Capital Improvements projects which includes Tabor Pkwy, street maintenance fund, storm drainage improvements.

Mayor Jordan opens the public hearing at 6:37pm and will continue the public hearing on the next agenda.

PLANNING AND ZONING COMMISSION ITEMS

10. Consider and take appropriate action on the Site Plan of proposed Lot 1, Block 1, Juniper Pointe Addition. An apartment complex with 72 units is proposed. The 9.008-acre tract (PIDs 5373 and 5377) is generally located in the 2600 block of Tabor Parkway (AKA CR 151). The property is zoned MF-2. (Case No. SP-02-21)

Marcy Ratcliff presents her case to take appropriate action on the site plan for Juniper Pointe Addition.

Mayor Jordan asked is a park would be located within the new development. Marcy Ratcliff explained that there is a dog park and section for recreational already there at the apartments.

Council Member Lisa Parker made a motion to approve Consider and take appropriate action on the Site Plan of proposed Lot 1, Block 1, Juniper Pointe Addition. An apartment complex with 72 units is proposed. The 9.008-acre tract (PIDs 5373 and 5377) is generally located in the 2600 block of Tabor Parkway (AKA CR 151). The property is zoned MF-2. (Case No. SP-02-21) as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

11. Consider and take appropriate action on the Final Plat of Prairie Creek Estates, Phase 3 Addition, an approximate 17.479 acre tract (PIDs 208 and 184100) generally located in the 1800 block of Rand Road (FM 1836) in the Thomas Beedy Survey, Abstract No. 21, proposed for development to contain 63 single family residential lots and zoned as Planned Development, PD-8 and requested Variances to the 1999 Design Manual for Storm Drainage Facilities, Criteria and Design Procedures, Sections C.2.2.5, Positive Overflow and C.4.1 Hydraulic Gradient of Conduits. (Case No. FP-08-21)

Marcy Ratcliff presents her case to take appropriate action on the Final Plat of Prairie Creek Estates.

- a. Presentation of requested variances to the 1999 Design Manual for Storm Drainage Facilities and the Final Plat of Prairie Creek Estates, Phase 3 Addition.
 - i Criteria and Design Procedures, Section C.2.2.5 Positive Overflow

ii Criteria and Design Procedures, Section C.4.1 Hydraulic Gradient of Conduits.

- b. Consider and take appropriate action on Variance requests to the 1999 Design Manual for Storm Drainage Facilities for Prairie Creek Estates, Phase 3 Addition.

Council Member Lisa Parker made a motion to approve Consider and take appropriate action on Variance requests to the 1999 Design Manual for Storm Drainage Facilities for Prairie Creek Estates, Phase 3 Addition. as presented. The motion was seconded by Council Member Carole Aga and Passed 6/0.

- c. Consider and take appropriate action on the Final Plat of Prairie Creek Estates, Phase 3 Addition.

Mayor Pro-Tem Patty Patterson made a motion to approve Consider and take appropriate action on the Final Plat of Prairie Creek Estates, Phase 3 Addition. as presented. The motion was seconded by Council Member Barry Ratcliffe and Passed 6/0.

12. Consider and take appropriate action on the Prairie Creek Estates, Phase 3 Subdivider's Agreement.

Marcy Ratcliff informed council of the Subdivider's Agreement for the Prairie Creek Estates.

Council Member Lisa Parker made a motion to approve Consider and take appropriate action on the Prairie Creek Estates, Phase 3 Subdivider's Agreement. as presented. The motion was seconded by Council Member Carole Aga and Passed 6/0.

DISCUSSION/ACTION ITEMS

13. Consider and take appropriate action on Ordinance O-36-21, an Ordinance of the City Council of the City of Kaufman, Texas accepting and approving an Annual Service Plan Update and Assessment Roll 2021-2022 for the Kaufman Public Improvement District No. 1, Phases 1A and No. 1B in compliance with Chapter 372 of the Texas Local Government Code, as amended; accepting and approving the Annual Service Plan Update and Updated Assessment Roll for PID 1, Phase 1A and Phase 1B, and providing the applicable TIRZ Credit Calculation, as set forth in Exhibit "A" to the Ordinance providing for payment of the assessments in accordance with Chapter 372; providing for the method of assessment and the payment of the assessments, providing penalties and interest on delinquent assessments and compliance with all other legal requirements providing for severability, and providing an effective date.

Josh Ardent (Vice President of Municap, Inc.) 600 E John Carpenter Freeway, St133, Irving, Tx 75062 presents the council with annual service and assessment plan update.

Council Member Barry Ratcliffe made a motion to approve Consider and take appropriate action on Ordinance O-36-21, an Ordinance of the City Council of the City of Kaufman, Texas accepting and approving an Annual Service Plan Update and Assessment Roll 2021-2022 for the Kaufman Public

Improvement District No. 1, Phases 1A and No. 1B in compliance with Chapter 372 of the Texas Local Government Code, as amended; accepting and approving the Annual Service Plan Update and Updated Assessment Roll for PID 1, Phase 1A and Phase 1B, and providing the applicable TIRZ Credit Calculation, as set forth in Exhibit "A" to the Ordinance providing for payment of the assessments in accordance with Chapter 372; providing for the method of assessment and the payment of the assessments, providing penalties and interest on delinquent assessments and compliance with all other legal requirements providing for severability, and providing an effective date. as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

14. Consider and take appropriate action on Ordinance O-40-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the Code of Ordinances, Chapter 106 Utilities, Section 106-7 Water Rates, paragraph (f) (g) (h) and Section 106.8 Sewer Rates, paragraph (e) to adopt increased rates for water and sewer services in order to account for increased costs of service, to increase the monthly rate reduction for seniors, to provide for manual adjustments as authorized by ordinance, policy or action of City Council; containing a severability clause; providing a penalty clause; and providing for publication and an effective date.

Mr. Slye explained the raise for water and sewer rates.

Mayor Pro-Tem Patty Patterson made a motion to approve Consider and take appropriate action on Ordinance O-40-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the Code of Ordinances, Chapter 106 Utilities, Section 106-7 Water Rates, paragraph (f) (g) (h) and Section 106.8 Sewer Rates, paragraph (e) to adopt increased rates for water and sewer services in order to account for increased costs of service, to increase the monthly rate reduction for seniors, to provide for manual adjustments as authorized by ordinance, policy or action of City Council; containing a severability clause; providing a penalty clause; and providing for publication and an effective date. as presented. The motion was seconded by Council Member Carole Aga and Passed 6/0.

15. Consider and take appropriate action on an installation contract between the City of Kaufman and Performance Services of Texas, Inc. for the purpose of providing services to install AMI water meters; and authorizing the City Manager or his designee to execute necessary documents.

Mr Slye presented the council with an installation contract between City of Kaufman and Performance Service of Texas, Inc.

Council Member Lisa Parker made a motion to approve Consider and take appropriate action on an installation contract between the City of Kaufman and Performance Services of Texas, Inc. for the purpose of providing services to install AMI water meters; and authorizing the City Manager or his designee to execute necessary documents. as presented. The motion was seconded by Council Member Barry Ratcliffe and Passed 6/0.

16. Consider and take appropriate action on Resolution R-29-21, a resolution of the City of Kaufman, Texas, approving a financing agreement for the purpose of procuring an AMI project and related equipment; authorizing the City Manager to enter into such agreement; providing for the incorporation of premises; and providing an effective date.

Mr. Slye explained the financing agreement for the purpose of procuring an AMI project and equipment.

Council Member Jeff Council made a motion to approve Consider and take appropriate action on Resolution R-29-21, a resolution of the City of Kaufman, Texas, approving a financing agreement for the purpose of procuring an AMI project and related equipment; authorizing the City Manager to enter into such agreement; providing for the incorporation of premises; and providing an effective date. as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

17. Consider and take appropriate action to award and execute a contract with YWRD, P.C. for the City's Comprehensive Annual Financial Services (Audit) for Fiscal Year 2021 at a cost of \$37,000 for the City Financials and \$4,750 for the Economic Development Corporation.

Ms Wennerstrom explained contract with YWRD.

Council Member Carole Aga made a motion to approve Consider and take appropriate action to award and execute a contract with YWRD, P.C. for the City's Comprehensive Annual Financial Services (Audit) for Fiscal Year 2021 at a cost of \$37,000 for the City Financials and \$4,750 for the Economic Development Corporation. as presented. The motion was seconded by Council Member Barry Ratcliffe and Passed 6/0.

18. Consider and take appropriate action on the paint and logo renderings for the South and North Water Tower.

Mr. Slye requested the opinion of the council to consider the colors and design for the water tower. Parker and Patterson say they like the second option which has Kaufman spelled out.

Mayor Jeff Jordan made a motion to approve Consider and take appropriate action on the paint and logo renderings for the South and North Water Tower. as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

APPOINTMENT

19. Consider and take appropriate action on the appointment of an Interim City Secretary and designate a signature authority.

Mr. Slye informed council that City Secretary would be out and would like to appoint an Interim City Secretary during Jessie's absence.

Council Member Barry Ratcliffe made a motion to approve Consider and take appropriate action on the appointment of an Interim City Secretary and designate a signature authority. as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

20. Consider and take appropriate action on the appointment of two (2) members to the Board of Adjustment for a two (2) year terms expiring September 2023.

Mayor Jeff Jordan made a motion to reappoint Kathy Burt and Jimmy Reed for a two (2) year terms expiring September 2023. as presented. The motion was seconded by Council Member Barry Ratcliffe and 6/0.

21. Consider and take appropriate action on the appointments of two (2) members to the Kaufman Economic Development Corporation for a two (2) year term through August 2023.

Mayor Jeff Jordan made a motion to reappoint Jane Lucas and Ben Breasher for a two (2) year term through August 2023. as presented. The motion was seconded by Council Member Lisa Parker and 6/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

22. Receive an update and discussion regarding the following:

- a. Wholesale Water Contracts Update.
- b. Washington Street Survey Update.
- c. ARPA Funds Update.
- d. Discussion Items Report (DIR)
- e. STAR Transit Ridership Report- July 2021
- f. Careflite Compliance Report- July 2021
- g. Fire Department Monthly Report- July 2021
- h. Police Department Monthly Report- July 2021
- i. Development Services Monthly Report- July 2021
- j. Monthly Calendars Attached

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

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:28pm.

ATTEST:

JEFF JORDAN
MAYOR

MYRA MANRIQUEZ

INTERIM CITY SECRETARY

