



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, SEPTEMBER 27, 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 6:01 PM. Councilmembers present were Jeff Jordan, Patty Patterson, Barry Ratcliffe, Carole Aga, Jeff Council, and Matt Phillips. Council Member Lisa Parker joined the meeting at 6:21pm. . Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Emily Bowlin, City Secretary Jessie Hanks, Finance Director Mary Wennerstrom, Development Services Director Marcy Ratcliff, Police Chief Dana Whitaker, and Police Sergeant Jason Stastny.

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.**

Jana Ewing Syurud, 10626 FM 429, Kaufman, Texas 75142, wanted to thank the council for their donation to Jake E's Riding Round Up. She expressed her great appreciation for the support from the City Council.

PROCLAMATION

1. 38th Annual National Night Out

Mayor Jordan read and proclaimed October 5th as the 38th Annual National Night Out.

PRESENTATION

2. KEDC Executive Director

Mr. Slye introduced the new Economic Development Executive Director, Stewart McGregor, who starts October 4th 2021. Mr. McGregor presented himself to the council and stated he was excited to join the City of Kaufman and work with staff to grow the community.

3. PACE (Property Assessed Clean Energy) Financing Program

Mr. Slye informed the Council this item would need to be moved to another agenda.

CONSENT AGENDA

4. Consider and take appropriate action on the minutes from the August 23, 2021, Regular City Council Meeting.
5. Consider and take appropriate action on the minutes from the September 13, 2021, Special City Council Meeting.
6. Consider and take appropriate action on the award of bid and contract for the Motor Fuel and Oil for Fiscal Year 2022 and authorizing the Mayor or his designee to execute necessary documents.
7. Consider and take appropriate action on the award of bid and contract for the Street Maintenance Materials for Fiscal Year 2022 and authorizing the Mayor or his designee to execute necessary documents.
8. Consider and take appropriate action to approve the transfer of aged bills to Collection of Delinquent Utility Billing Accounts Receivable Balances.
9. Consider and take appropriate action on the Final Plat of Lot 1, Block 1, Whitfield Addition. The 5.00-acre tract of land (portion of PID 548) situated in the Charles Askins Survey, Abstract No. 2, generally located at 7726 County Road 151, in the Extraterritorial Jurisdiction (ETJ) of the City of Kaufman, Kaufman County, Texas. (Case No. FP-11-21)
10. Consider and take appropriate action on an assignment of a Chapter 380 Economic Development Incentive Agreement between the City of Kaufman and W & R Properties, Inc. from W&R Properties to Border & Long Properties, LLC -34 Loop Series; and authorize the Mayor to the assignment and any necessary modification.
11. Consider and take appropriate action on a three (3) year lease agreement with Johnny Perry for the property located at 1003 W. Grove Street, to serve as the Public Works Department's office; and authorize the City Manager to execute the agreement and any necessary counterparts.
12. Consider and take appropriate action to move the November, 2021 Regular Council meeting to November 15, 2021 and to move the December, 2021 Regular Council meeting to December 20, 2021.

Councilmember Jeff Council made a motion to approve Items 4-12 on the consent agenda. The motion was seconded by Mayor Pro-Tem Patty Patterson and passed 6/0.

END OF CONSENT AGENDA

PUBLIC HEARING

13. Conduct a public hearing and take appropriate action on Ordinance O-49-21, an ordinance of the City Council of the City of Kaufman, Texas amending Ordinance No. O-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman to zone approximately 112 acres of newly annexed property to Agriculture-Open (A-O), such property being generally located at 3997 Farm to Market Road 1836 (PIDs 2195, 2196, and 2197), situated in the Thomas Beedy Survey, Abstract No. 21, City of Kaufman, Kaufman County, Texas. (Case No. Z-16-21)

a. Presentation

Ms. Ratcliff presented the re-zoning case to the Council and outlined the purpose. She read one letter of opposition into the record.

b. Public Hearing

Mayor Jordan opened the public hearing at 6:11pm.

There being no speakers present, Mayor Jordan closed the public hearing at 6:12pm.

c. Consider and take appropriate action on Ordinance O-49-21.

Council Member Jeff Council made a motion to approve Ordinance O-49-21 as presented. The motion was seconded by Council Member Matt Phillips and passed 6/0.

PLANNING & ZONING ITEMS

14. Consider and take appropriate action on the Site Plan of the proposed replat of Lot 1R & 2R, Block 1, Gregory Marlow Truck Stop Addition, being approximate 5.46 acres of land (PIDs 198186 and a portion of 16821), located at 1420 and 1430 East Mulberry (State Highway 243) and zoned Light Industrial("LI"), such Site Plan of two buildings; a liquor store and a convenience store/gas station with a restaurant with a drive-thru window service. (Case No. SP-03-21)

Ms. Ratcliff presented the council with the proposed site plan for the Marlow Truck Stop Addition. There were discussions regarding the additional properties, and the utilities.

Council Member Carole Aga made a motion to approve the Site Plan of the proposed replat of Lot 1R & 2R, Block 1, Gregory Marlow Truck Stop Addition, being approximate 5.46 acres of land (PIDs 198186 and a portion of 16821), located at 1420 and 1430 East Mulberry (State Highway 243) and zoned Light Industrial("LI"), such Site Plan of two buildings; a liquor store and a convenience store/gas station with a restaurant with a drive-thru window service (Case No. SP-03-21) as presented. The motion was seconded by Mayor Pro-Tem Patty Patterson and Passed 6/0.

15. Consider and take appropriate action on the Site Plan of Lot 2, Block C, Kings Fort Addition, Phase 1, being an approximate 1.00 acre tract of land (PID 187820), located in the 340 Block of East Highway 175 and zoned Planned Development No.7 ("PD-7"), such Site Plan a convenience store/gas station. (Case No. SP-04-21)

Ms. Ratcliff introduced the site plan for a convenience store/ gas station next to Whataburger. There were discussions regarding the building materials, and the means of egress to the property.

Mayor Pro-Tem Patty Patterson made a motion to approve the Site Plan of Lot 2, Block C, Kings Fort Addition, Phase 1, being an approximate 1.00 acre tract of land (PID 187820), located in the 340 Block of East Highway 175 and zoned Planned Development No.7 ("PD-7"), such Site Plan a convenience store/gas station (Case No. SP-04-21) as presented. The motion was seconded by Council Member Barry Ratcliffe and Passed 6/0.

16. Consider and take appropriate action on the Site Plan of proposed Lot 5, Block E, Kings Fort Addition, Phase 2, being approximate 2.054 acres tract of land (a portion of PID 202752),

situated in the D. Falcon Survey, Abstract No.151 generally located in the 750 Block of East Highway 175 and zoned Planned Development No. 15 ("PD-15"), such Site Plan a credit union with drive-thru services. (Case No. SP-05-21)

Ms. Ratcliff presented the council with the site plan for a credit union with drive-thru services in the Kings Fort Addition.

Council Member Jeff Council made a motion to approve the Site Plan of proposed Lot 5, Block E, Kings Fort Addition, Phase 2, being approximate 2.054 acres tract of land (a portion of PID 202752), situated in the D. Falcon Survey, Abstract No.151 generally located in the 750 Block of East Highway 175 and zoned Planned Development No. 15 ("PD-15"), such Site Plan a credit union with drive-thru services (Case No. SP-05-21) as presented. The motion was seconded by Council Member Matt Phillips and passed 7/0.

DISCUSSION/ACTION ITEMS

17. Consider and take appropriate action regarding Ordinance O-45-21, an ordinance of the City Council of the City of Kaufman, Texas, amending the City's 2020-2021 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Mr. Wennerstrom explained the proposed FY21 budget amendments including to the balance revenues, expense surpluses, and shortfalls.

Council Member Lisa Parker made a motion to approve Ordinance O-45-21, an ordinance of the City Council of the City of Kaufman, Texas, amending the City's 2020-2021 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall as presented. The motion was seconded by Council Member Carole Aga and Passed 7/0.

18. Consider and take appropriate action regarding Ordinance O-46-21, an ordinance of the City Council of the City of Kaufman, amending the KEDC 2020-2021 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Anne Glasscock presented the council with budget adjustments for KEDC.

Council Member Matt Phillips made a motion to approve Ordinance O-46-21, an ordinance of the City Council of the City of Kaufman, amending the KEDC 2020-2021 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall as presented. The motion was seconded by Council Member Carole Aga and Passed 7/0.

19. Consider and take appropriate action on Ordinance O-47-21, an ordinance of the City Council of the City of Kaufman, Texas, amending the City's Code of Ordinances by amending Subsection 102-162(b) of Division 2, "Speed Limits", of Article V, "Traffic Schedules", of Chapter 102, "Traffic and Vehicles", to establish additional school zones to be located on South Dallas, Royal, Phillips Circle, South Houston, South Madison, Ninth, Main, and Shannon Streets; providing for the incorporation of premises; providing for amendments; providing a savings clause and cumulative repealer clause; providing a severability clause; providing a penalty in an amount not to exceed \$200 for each violation with a separate violation committed upon each day during or on which a violation occurs or continues and providing an effective date.

Mr. Slye presented the proposed ordinance to add a school zone on Pyle Street for Kaufman Christian School.

Council Member Carole Aga made a motion to approve Ordinance O-47-21 as presented. The motion was seconded by Council Member Jeff Council and Passed 7/0.

20. Consider and take appropriate action on Ordinance O-48-21, an ordinance of the City Council of the City of Kaufman, Texas, amending the City's Code of Ordinances by amending Division 2, "Parking Control Zone", of Article VII, "Parking", of Chapter 102, "Traffic and Vehicles", to correct a numbering error in the Codification and to rename and amend Section 102.271, "Definitions; Zone Established" by amending the definition of Recreational Vehicle to include boats, and to rename and amend Section 102.273 to include Recreational Vehicles in order to establish a violation of law for any person to leave, park or stand any recreational vehicle, including boats, upon any public street, alley, parkway, boulevard, or public place or upon property within any area zoned as either a single-family residential district or multifamily residential district according to the City's zoning ordinance, providing exceptions for temporary loading and unloading, road maintenance and work done by public utilities or for mechanical failures as well as other temporary conditions; providing for the incorporation premises; providing for amendments; providing a savings clause and cumulative repealer clause; providing a severability clause; providing a penalty in an amount not to exceed \$500 for each violation with a separate violation committed upon each day during or on which a violation occurs or continues; and providing an effective date.

Mr. Slye informed the council the proposed ordinance would help with public safety issues on the street. There were discussions about the location of these types of vehicles, the enforcement of the ordinance, and the amount of time a RV or Trailer could be parked before in violation.

Mayor Pro-Tem Patty Patterson made a motion to approve Ordinance O-48-21 as presented. The motion was seconded by Council Member Lisa Parker and Passed 7/0.

21. Consider and take appropriate action on the award of bid and contract for the Elevated Water Tank Repair and Repaint and authorize the Mayor or his designee to execute necessary documents

Mr. Slye outlined the contract for the Elevated Water tank repair and repaint. There were discussions regarding the logo for the water tower and the potential addition of lights.

Council Member Jeff Council made a motion to approve the award of bid and contract for the Elevated Water Tank Repair and Repaint and authorize the Mayor or his designee to execute the necessary documents. The motion was seconded by Council Member Barry Ratcliffe and Passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

22. Receive an update and discussion regarding the following:
 - a. ARPA Update
 - b. Discussion Items Report (DIR)
 - c. STAR Transit Ridership Report- August 2021
 - d. Careflite Compliance Report- August 2021

- e. Fire Department Monthly Report- August 2021
- f. Police Department Monthly Report- August 2021
- g. Development Services Monthly Report- August 2021
- h. Monthly Calendars Attached

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

EXECUTIVE SESSION

Mayor Jordan recessed into the Executive Session at 7:12 pm

23. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
- a. Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting 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 regarding:

Kaufman County Properties

South Pointe Development

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

Mayor Jordan reconvened into open session at 7:32 pm.

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

There was no action required from the Executive Session Items.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:34 pm.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY

