



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, JANUARY 24, 2022 -
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, Barry Ratcliffe, Carole Aga, and Matt Phillips. Councilmember Parker joined the meeting at 6:07 PM. Councilmember Council joined the meeting at 6:21 PM. Mayor Pro-Tem Patterson was absent. 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, KEDC Executive Director Stewart McGregor, 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

2. Lions Club- Inclusive Park Sponsorship

Mike Williams, President of the Lion's Club, presented the City Council with a \$15,000 check for the Inclusive Park.

1. Texas Health Kaufman- Inclusive Park Sponsorship

Toya White, Chief Operating and Chief Nursing Officer of Texas Health Kaufman, presented the City Council with a \$25,000 check for the Inclusive Playground.

3. Presentation and discussion regarding a Development Services update.

Mr. Slye gave the Council an update regarding the new developments coming to the City of Kaufman.

CONSENT AGENDA

4. Consider and take appropriate action on the minutes from December 20, 2021, Regular City Council meeting.

5. Consider and take appropriate action regarding rescheduling the March 28, 2022, Regular City Council Meeting to Monday, March 21, 2022, for Kaufman County Day.

6. Consider and take appropriate action to schedule a Special City Council Meeting for Monday, May 16, 2022, for the purpose of canvassing the Election Returns.
7. Consider and take appropriate action on Resolution R-01-22, a resolution of the City Council of the City of Kaufman, Texas, adopting the Kaufman County Hazard Mitigation Plan.
8. Consider and take appropriate action on Resolution R-02-22, a resolution of the City Council of the City of Kaufman, Texas, authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents (\$0.05) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
9. Consider and take appropriate action on the Final Plat of Lot 5, Block E, Kings Fort Kaufman, being a tract of land containing 2.054-acres (PID 215291), situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas. The property will be addressed as 750 East Highway 175. The property is zoned Planned Development - 15 for Highway Commercial (PD-15-HC). A subdivision of one commercial lot is proposed. (Case FP-01-22)

Councilmember Aga made a motion to approve consent agenda item 4-9 as presented. The motion was seconded by Councilmember Phillips and passed 6/0.

END OF CONSENT AGENDA

DISCUSSION/ACTION ITEM

10. Consider and take appropriate action on a Development Agreement between the City of Kaufman and Kaufman One WW, for the Freeman Farm Development, an approximate 25.411 acres of land located in the Levi York Survey, Abstract No. 609, City of Kaufman, Kaufman County, Texas; and authorizing the Mayor or his designee to execute necessary documents. (Freeman Farm)

Mr. Slye presented the Development Agreement with Kaufman One WW for a residential development (Freeman Farm). He outlined the authorized projects under this agreement and the associated costs.

Councilmember Phillips made a motion to approve the Development Agreement with Kaufman One WW for the Freeman Farm Development subject to final legal review. The motion was seconded by Councilmember Parker and passed 6/0.

PUBLIC HEARING

11. Conduct a Public Hearing on the advisability of Public Improvements and Creation of the Kaufman Public Improvement District No. 3 ("PID No. 3") within the City of Kaufman, pursuant to Chapter 372 of the Texas Local Government Code on an approximate 25.411 acres of land which is generally located at the northern intersection of US 175 and Primrose Lane, located Levi York Survey, Abstract No. 609, City of Kaufman and identified as the Freeman Farm development and located within the corporate limits of the City of Kaufman, and Consider and take appropriate action on Resolution R-03-22 creating PID No. 3 pursuant to a by petition filed by Kaufman One WW, LLC, a Texas limited liability company requesting creation of PID No. 3; and providing an effective date. (Freeman Farm)

a. Presentation

Mr. Slye informed the Council about the proposed development.

b. Public Hearing

Mayor Jordan opened the Public Hearing at 6:23 PM.

There being no speakers present, Mayor Jordan closed the Public Hearing at 6:23 PM.

c. Consider and take appropriate action on Resolution R-03-22.

Councilmember Aga made a motion to approve Resolution R-03-22 as presented. The motion was seconded by Councilmember Ratcliffe and passed 6/0.

12. Conduct a Public Hearing on the Proposed City of Kaufman Property Assessed Clean Energy ("PACE") Program, including the report made available for public inspection, as required by Section 399.08 of the PACE Act, Chapter 399 of the Texas Local Government Code.

a. Presentation

Mr. Slye introduced Glenn Silva, Chief Operating Officer for Lone Star PACE. Mr. Silva gave the Council a brief presentation reviewing the program.

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 6:28 PM

- c. Consider and take appropriate action on Resolution R-04-22, a resolution of the City Council of the City of Kaufman, Texas, establishing the City of Kaufman Property Assessed Clean Energy ("PACE") Program.

Councilmember Phillips made a motion to approve Resolution R-04-22 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

- d. Consider and take appropriate action regarding a Professional Services Agreement for Administration of a Property Assessed Clean Energy ("PACE") Program with Lone Star PACE; and authorizing the City Manager or his designee to execute necessary documents.

Councilmember Ractliffe made a motion to approve the Professional Services Agreement with Lone Star PACE as presented. The motion was seconded by Councilmember Aga and passed 6/0.

13. Conduct a public hearing, consider, and take appropriate action on Ordinance O-03-22, an Ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, collectively, "The Comprehensive Zoning Ordinance and the Official Zoning Map" of the City, to approve Specific Use Permit No. fifty, ("SUP-50") to permit light equipment sales or rental with outdoor display to be located in the front yard, subject to conditions, on an approximate 5.792 acre tract of land (PID 378) zoned Commercial "C", such property being generally located at 3440 East Highway 175, in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas;

providing for the incorporation of premises; providing amendments and zoning map amendments; providing assignability and expiration/recission; providing land use regulations; providing a cumulative repealer clause; providing a severability clause; providing a penalty 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 an effective date.

a. Presentation

Mr. Slye outlined the request for a Specific Use Permit and the conditions associated.

b. Public Hearing

Mayor Jordan opened the Public Hearing at 6:31 PM.

Vince Whitehead, 705 S Main St., Kemp, Texas, introduced himself as the applicant. He informed the Council of the purpose of the request.

There being no speakers present, Mayor Jordan closed the Public Hearing at 6:32 PM.

c. Consider and take appropriate action on Ordinance O-03-22.

Councilmember Aga made a motion to approve Ordinance O-03-22 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

DISCUSSION/ACTION ITEMS

14. Consider and take appropriate action on Ordinance O-01-22, an ordinance of the City of Kaufman, ordering and calling the City's General Election to be held on May 7, 2022, for the purpose of electing three (3) people to serve as Council members for the City of Kaufman for a term of (2) years each; providing notice of election; providing for the approval of a joint election and Contract for Election Services with Kaufman County; designating polling dates, times and locations for election day and early voting; and authorizing the Mayor or designee to execute necessary documents.

Ms. Hanks outlined the purpose of the Ordinance, the seats up for election, and the contract with Kaufman County.

Councilmember Ratcliffe made a motion to approve Ordinance O-01-22 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

15. Consider and take appropriate action on Ordinance O-02-22, an ordinance of the City Council of the City of Kaufman, amending Ordinance O-43-21 to amend the KEDC 2021-2022 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Mr. McGregor presented the proposed budget amendments for KEDC.

Councilmember Phillips made a motion to approve Ordinance O-02-22 as presented. The motion was seconded by Councilmember Ratcliffe and passed 6/0.

16. Consider and take appropriate action on Resolution R-05-22, a resolution of the City Council of the City of Kaufman, Texas, declaring that the City is qualified to offer Tax Abatement and to renew the Tax Abatement Policy.

Mr. Slye outlined that cities are required to adopt or renew a tax abatement policy every two years and the City had not done so since 2018. He reviewed the history of the policy and explained staff is working to review the policy and will bring amendments back to the Council at a later date.

Councilmember Parker made a motion to approve Resolution R-05-22 as presented. The motion was seconded by Councilmember Phillips and passed 6/0.

17. Consider and take appropriate action to ratify a Professional Services Agreement with HE Planning+ Design, LLC. for on-call Planning Services for the City of Kaufman.

Mr. Slye informed Council about the professional services agreement with HE Planning for Planning services while the city works to fill the Development Services position.

Councilmember Aga made a motion to ratify a Professional Services Agreement with HE Planning+ Design, LLC. for on-call Planning Services for the City of Kaufman. The motion was seconded by Councilmember Ratcliffe and passed 6/0.

APPOINTMENT

18. Consider and take appropriate action on the appointment of one (1) member to serve on the Planning and Zoning Commission for the unexpired remainder of a two (2) year term through November 2022.

Ms. Hanks informed the Council about the two vacancies on the Planning and Zoning Commission. She presented the application for service.

Mayor Jordan made a motion to appoint Kathy Thorpe to the Planning and Zoning Commission for the unexpired remainder of a two (2) year term through November 2022. The motion was seconded by Councilmember Parker and passed 6/0.

19. Consider and take appropriate action on the appointment of one (1) alternate member to serve on the Board of Zoning Adjustment for the unexpired remainder of a two (2) year term through September 2022.

Ms. Hanks presented the application from Pat Thorpe to serve on the Board of Zoning Adjustments.

Mayor Jordan made a motion to appoint Pat Thorpe as an alternate member to serve on the Board of Zoning Adjustment for the unexpired remainder of a two (2) year term through September 2022. The motion was seconded by Councilmember Phillips and passed 6/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

20. Receive an update and discussion regarding the following:

- a. RFP- IT Services

- b. First day to file an application for a place on the ballot for the City's General Election, January 19, 2022. Last day to file an application - February 18, 2022.
- c. Chamber of Commerce Banquet- February 15
- d. March City Council Meeting- March 21
- e. Kaufman County Days- March 27 & 28
- f. Council Retreat- April 14 & 15 at Kaufman Civic Center
- g. Special City Council Meeting- Election Canvass- May 16
- h. Discussion Items Report (DIR)
- i. STAR Transit Ridership Report- December 2021
- j. Careflite Compliance Report- December 2021
- k. Fire Department Monthly Report- December 2021
- l. Police Department Monthly Report- December 2021
- m. Development Services Monthly Report- December 2021
- n. Monthly Calendars Attached

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

EXECUTIVE SESSION

Mayor Jordan adjourned into Executive Session at 6:47 PM

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

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 6:54 PM.

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

There was no action regarding the Executive Session.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 6:54 PM.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**

