



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, OCTOBER 3, 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, states Councilmembers present, and declares a quorum present.**

Mayor Jordan called the City Council meeting to order at 6:02 PM. Councilmembers present were Jeff Jordan, Matt Phillips, Patty Patterson, Lisa Parker, and Charles Gillenwater. Councilmember Carole Aga and Quattro Borders were absent. Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, and City Secretary Jessie Hanks.

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.

DISCUSSION/ACTION ITEMS

1. Consider and take appropriate action Ordinance O-37-22, an Ordinance of the City Council of the City of Kaufman finding that a public necessity exists to acquire a permanent drainage easement being an approximate 25,397 square feet of land, more or less, situated in the Thomas Beedy Survey, Abstract No. 21, City of Kaufman, Kaufman County, Texas, and being a portion of that certain tract of land described in deed to Ezequiel Arriaga and Martha Leticia, according to the deed filed in Volume 4961, Page 63, Real Property Records of Kaufman County, Texas, and any related necessary temporary construction easements, generally located approximately 600' northwest of the intersection of Melody Circle and Rand Road, and being more particularly described herein; the drainage easement being necessary for public utilities purposes and other public uses; providing notice of an official determination to acquire interests in the property for utilities purposes and other public uses; authorizing and delegating authority to the City Manager or his designee to obtain the necessary appraisal reports and make bona fide offers of just compensation for the herein described properties; ratifying prior documents made and actions taken for acquisition of the property interests herein described; authorizing and delegating authority to the City Attorney to institute eminent domain proceedings on behalf of the City for the acquisition of the properties herein described if negotiations are unsuccessful; appropriating funds from a lawful source; providing a cumulative repealer clause; providing a severability clause; and providing an effective date.

Mr. Slye gave a brief overview of the history of this item and the need to move forward with these proceedings. This is regarding the easement needed to complete a storm drainage project on Melody Circle.

Mayor Pro-Tem Phillips made a motion that the City Council of the City of Kaufman adopts Ordinance No. O-37-22 and authorized the use of the power of eminent domain to acquire a 25,397 square feet of land, more or less, permanent drainage easement and 5-foot wide temporary construction easement on the north side of the permanent drainage easement in the Thomas Beedy Survey, Abstract No. 21, Kaufman County, generally located 600 feet northwest of the intersection of Melody Circle and Rand Road, Kaufman County, Texas (as more fully described and depicted in Exhibits "A" and "B" of the proposed ordinance for this item) for a public purpose in order to install public utilities, including but not limited to, municipal purpose of conveying stormwater runoff from public roadway(s) and drainage line(s), which includes but not limited to the following municipal functions: installing a drainage line(s), headwall structure and channel grading within the Drainage Easement Property, and other public uses. The motion was seconded by Councilmember Parker. Ms. Hanks called for a record vote, at which point Jeff Jordan, Matt Phillips, Patty Patterson, Lisa Parker, and Charles Gillenwater voted AYE, None voted NAY, and passed 5/0.

EXECUTIVE SESSION

Mayor Jordan recessed into Executive Session at 6:05 PM.

2. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
 - a. Texas Government Code 551.071: A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) 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 Chapter 551: Eminent Domain for Easement Property; Agenda Item No. 1

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 6:36 PM.

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

The action for the executive session was taken under Item No. 1 of the agenda.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 6:38 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY

