

**AGENDA  
REGULAR CITY COUNCIL MEETING  
MONDAY, JULY 17, 2006 — 6:00 P.M.  
CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS**

**CITY COUNCILMEMBERS**

<b>MAYOR</b>	<b>PAULA BACON</b>
<b>MAYOR PRO-TEM</b>	<b>LONNIE BOUNDS</b>
<b>COUNCILMEMBER</b>	<b>GIL ALTOM JR.</b>
<b>COUNCILMEMBER</b>	<b>FLOYD CHOYCE</b>
<b>COUNCILMEMBER</b>	<b>JEFF COUNCIL</b>
<b>COUNCILMEMBER</b>	<b>WILLIAM FORTNER</b>
<b>COUNCILMEMBER</b>	<b>BARRY RATCLIFFE</b>

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL MEETING TO ORDER:** Mayor calls the Meeting to order, state the date and time. State Councilmembers present and declare a quorum present.

**CITIZENS COMMENTS (5 MINUTES)** Citizens may address the City Council on any subject but must first complete a Request to Speak Form. Comments are limited to five (5) minutes, but no more than five (5) minutes per individual, and are not transferable. Citizen's comments not to exceed a total of 15 minutes.

Proclamations

**CONSENT AGENDA ITEM #1 THROUGH #4**

**“All matters listed under the Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.”**

1. Consider approval of the Minutes of the June 19, 2006 Regular City Council Meeting.
2. Consider second reading and approval of Ordinance O-04-06, of the City of Kaufman, Texas, amending the Comprehensive Zoning Ordinance O-14-99, dated March 22, 1999, and the Official Zoning Map; changing the zoning classification on a single tract of land totaling 12,354 square feet (0.2836 acre) from existing Single-Family-6 Residential District to Retail (R) District; generally located on the northeast corner of West Grove

Street and Clay Street at 401 W. Grove Street, being described as part of Block 27 of the Original Town of Kaufman Addition described in a deed recorded in Volume 1277, Page 236 of the Deed Records of City of Kaufman, Kaufman County, Texas; and providing for a penalty clause, providing a severability clause, a savings clause and an effective date.

3. Consider second reading and adoption of Ordinance O-06-06 of the City of Kaufman, Texas, amending the Comprehensive Zoning Ordinance O-14-99, dated March 22, 1999, and the Official Zoning Map; changing two (2) tracts of land totaling 4.519 acres from existing Retail (R) District on Tract 1, being a 0.662 acre parcel of land to Single-Family 6 (SF-6) District and from existing Light Industrial (LI) District on Tract 2, being a 3.857 acre parcel of land to Single-Family 6 (SF-6) District; generally located south of State Highway 175 and west of Fair Road, and being described as a part of that certain called 46.75 acres, Second tract of land conveyed to Bob H. Fickett and Walter W. Ditzler as recorded in Volume 442, Page 477 of the Deed Records of Kaufman County, and being situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas; and providing for a penalty clause, providing a severability clause, a savings clause and an effective date.
4. Consider approval of Resolution R-13-06 Regarding the Annual Review of the City of Kaufman Investment Policy as amending for a further One (1) Year pursuant to the Public Funds Investment Act.

### **END OF CONSENT AGENDA**

### **PRESENTATIONS**

5. Presentation from Mr. Dick Demien, IESI, regarding an update on Solid Waste Services.
6. Presentation from Mr. Jason Feller, Kaufman Economic Development Corporation Board member in regards to developing a task force to seek Kaufman as a potential Retirement Designation.
7. Consider approval of a request from the Kaufman County Tax Assessor to discontinue the early property tax payment discounts.

### **PLANNING AND ZONING**

8. Consider a request from Keith Dillion, agent for Rodney Adams, regarding a zoning change from Single-Family 6 (SF-6) to Planned Development for single-family residential uses; generally located south of Becky Lane and between the east and west sections of Phillips Circle, being described as a 3.052 acre tract of land being all of Phase 5 of the Valley Park Addition,

- as recorded in a deed to Rodney Ray Adams in Volume 587, Page 608 of the Deed Records of Kaufman County, and being part of the A.L. Carter Survey, Abstract No. 98 City of Kaufman, Kaufman County, Texas. (Case No. Z-05-06).
- a. Conduct Public Hearing.
  - b. Consider first reading of Ordinance O-07-06 rezoning 3.052 acre tract of land being all of Phase 5 of the Valley Park Addition.
9. Consider a discussion of proposed revisions to Section 22 through Section 32 (Non-Residential District requirements and Overlay Districts) of the Zoning Ordinance O-14-99 as recommended by the Planning and Zoning Commission.
  10. Conduct a Public Hearing and take citizens comments on proposed revisions to Section 22 through Section 32 (Non-Residential District requirements and Overlay Districts) of the Zoning Ordinance O-14-99 as recommended by the Planning and Zoning Commission.
    - a. Open Public Hearing.
    - b. Close Public Hearing.
  11. Consider approval of final revisions to Sections 12-21 of the Zoning Ordinance O-14-99. (Council reviewed revisions June 19<sup>th</sup>.)

### **BID AWARDS**

12. Consider approval of Resolution R-15-06 regarding the Bid Award for Construction on the 2005 TCDP Water Grant Project Contingent Upon Contractor Approval By the Office of Rural Community Affairs and authorize the use of water/wastewater reserves to account for the shortfall.

### **DISCUSSION/ACTION ITEMS**

13. Consider approval of Resolution R-14-06 of the City Council of the City of Kaufman, Texas declaring that the City is qualified to offer a Tax Abatement Program in accordance with the Property Redevelopment and Tax Abatement Act and renewing incentives for Economic Development.

### **APPOINTMENTS**

14. Consider the appointment of Three (3) Members to serve on the Kaufman Economic Development Corporation. One (1) for an unexpired term and Two (2) for a three year term.

**EXECUTIVE SESSION**

THE CITY COUNCIL WILL HOLD A CLOSED EXECUTIVE SESSION PURSUANT TO CHAPTER 551, GOVERNMENT CODE V.T.C.A. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 LEGAL.

1. LEGAL - Under TEX. GOV'T. CODE Sec. 551.071
  - a. Consult with City Attorney regarding an update on pending litigation.

ANY FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN EXECUTIVE SESSION MEETING OR ON INFORMATION RECEIVED IN A CONFERENCE WITH EMPLOYEES WILL ONLY BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEX. GOV'T CODE CH. 551. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AS AUTHORIZED BY TEX. GOV'T CODE SEC. 551.001, ET SEQ. (TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF EXECUTIVE SESSION ON THE EXECUTIVE SESSION MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING, WITHOUT LIMITATION, SECTIONS 551.071-551.086 OF THE OPEN MEETINGS ACT.

**END OF EXECUTIVE SESSION**

15. CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED MEETING ITEMS:
  1. LEGAL – Under TEX. GOV'T CODE Sec. 551-071.  
  
Legal – pending litigation

**ANNOUNCEMENTS FROM CITY MANAGER.**

1. City Council Budget Work Session – Monday, July 31, 2006

**REQUEST/COMMENTS FROM MEMBERS OF CITY COUNCIL.**

**ADJOURNMENT.**

I, JO ANN TALBOT, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 12:00 NOON, FRIDAY, JULY 14, 2006 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

JO ANN TALBOT, CITY SECRETARY

**THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES) AND 551 .087 (ECONOMIC DEVELOPMENT).**

**THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.**