

**AGENDA  
REGULAR CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 18, 2006 — 6:00 P.M.  
209 S. WASHINGTON  
KAUFMAN, TEXAS 75142**

**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.

**CONSENT AGENDA ITEM #1 THROUGH #8**

**“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 July 31, 2006 Special City Council Meeting.
2. Consider approval of the Minutes of the July 31, 2006 Budget Work Session Meeting.
3. Consider approval of the Minutes of the August 21, 2006 Regular City Council Meeting.

4. Consider approval of the Minutes of the September 5, 2006 Special City Council Meeting.
5. Consider approval of the Minutes of the September 11, 2006 Special City Council Meeting.
6. Consider approval and authorize the City Manager to execute an Interlocal Agreement between the North Central Texas Council of Governments and City of Kaufman for E911 Service, Equipment Addressing and Database Maintenance for a two-year period ending August 31, 2008.
7. Bid Award – Fiscal Year 2006/2007 Motor Fuel and Oil.
8. Bid Award – Fiscal Year 2006/2007 Street Maintenance Materials.

### **END OF CONSENT AGENDA**

### **PLANNING AND ZONING**

9. Consider a request and approval from the Church's Chicken Corporation regarding a Preliminary Plat, being all of a certain 0.726 acre tract of land, located at 2223 S. Washington, southeast of the intersection of State Highway 34 and County Road 151, and being out of the residue of an 18.592 acre tract of land as described in a deed to Spikes Cooley recorded in Volume 754, Page 713 of the Deed Records of Kaufman County, and being situated in the D. Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas. Case No. P-02-06. (P & Z approval 5-0)
10. Consider a request and approval from the Church's Chicken Corporation regarding a Final Plat, being all of a certain 0.726 acre tract of land, located at 2223 S. Washington, southeast of the intersection of State Highway 34 and County Road 151, and being out of the residue of an 18.592 acre tract of land as described in a deed to Spikes Cooley recorded in Volume 754, Page 713 of the Deed Records of Kaufman County, and being situated in the D. Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas. Case No. P-03-06. (P & Z approval 5-0)
11. Consider a request and approval from the Church's Chicken Corporation regarding a Site Plan, in order to develop a restaurant with drive-through services, being all of a certain 0.726 acre tract of land, located at 2223 S. Washington, southeast of the intersection of State Highway 34 and County Road 151, and being out of the residue of an 18.592 acre tract of land as described in a deed to Spikes Cooley recorded in Volume 754, Page 713 of the Deed Records of Kaufman County, and being situated in the D.

Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas. Case No. S-04-06. (P & Z approval 5-0)

12. Consider a request and approval from Mulberry Kaufman Enterprises, Inc. regarding an Amended Site Plan, in order to add a new drive-through service window to the Kaufman Grocery Store, located at 1107 E. Mulberry Street, Suite F, being all of a certain 0.671 acre tract of land, as conveyed in a deed to Mulberry Kaufman Enterprises, Inc., as recorded in Volume 1393, Page 491, Deed Records of Kaufman County, and being situated in the J.B. Cole Survey, Abstract 84, City of Kaufman, Kaufman County, Texas. Case No. S-05-06. (P & Z approval 6-0)
13. Consider a request and approval from Kaufman Foursquare Church regarding an Amended Site Plan, in order to add a new 4,000 square feet Sanctuary with additional parking, located at 91 Oak Creek Drive, being all of a certain 5.378 acre tract of land, as conveyed in a deed to Oak Hill Fellowship Church, as recorded in Volume 1219, Page 417, Deed Records of Kaufman County, and being situated in the C.A. Lovejoy Survey, Abstract 302 and 303, City of Kaufman, Kaufman County, Texas. Case No. S-06-06. (P & Z approval 6-0)

#### **BID AWARDS**

14. City Lake Property – Off Highway 243 - Lease

#### **PUBLIC HEARINGS**

15. Conduct a Public Hearing on the Proposed Fiscal Year 2006-2007 Annual Program of Services (Budget per Section 7.05, Home Rule Charter of the City of Kaufman, Texas.)

#### **DISCUSSION/ACTION ITEMS**

16. Consider adoption of Ordinance O-10-06 adopting the Annual Program of Services (Budget) for the City of Kaufman, Texas and a Revised Job Classification Plan for the Fiscal Year beginning on October 1, 2006 and ending on September 30, 2007.
17. Consider adoption of Ordinance O-11-06 levying the ad valorem tax of the City of Kaufman, Texas for the year 2006; on all taxable property within the corporate limits of the City as of January 1, 2006; not exempt by law; providing revenues for payment of current municipal expenses; and providing for the collection of taxes and the enforcement of collection.
18. Consider adoption of Ordinance O-12-06 approving the 2006 tax rolls for the City of Kaufman, Texas.

19. Consider adoption of Ordinance O-13-06 of the City of Kaufman, Texas amending the 2005-2006 Fiscal Year Budget.
20. Consider approval of Resolution R-17-06 of the City Council of the City of Kaufman, Texas, endorsing the Texas Department of Transportation's process for evaluating the State Highway 34 Corridor Improvements, the preferred Alignment K, as depicted in the State Highway 34 Alternatives and Constraints Map dated March 29, 2006, as the Locally Preferred Alternative. (Tabled 8-21-06)
21. Consider approval of Resolution R-19-06 of the City Council of the City of Kaufman, Texas authorizing the City Manager to execute a Lease Agreement for the City Lake off of Highway 243.
22. Consider approval and authorize the Parks and Recreation Board to solicit funds through the Rental of Sport Field Fencing for advertising with Windscreen Signs at the Kaufman Sports Complex.
23. Consider approval of the Kaufman Economic Development Corporation Fiscal Year 2006-2007 Budget.

### **APPOINTMENTS**

24. Consider the Appointment of Three (3) Board of Adjustment Members for a two (2) year term and Two Alternate Members.

### **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 551.074 PERSONNEL.

1. PERSONNEL - Under TEX. GOV'T. CODE Sec. 551.074
  - a. City Manager's Annual Evaluation.

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**

25. CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED MEETING ITEMS:

1. PERSONNEL – Under TEX. GOV'T CODE Sec. 551-074.
  - a. Consider any official action regarding the City Manager's Evaluation.

**ANNOUNCEMENTS FROM CITY MANAGER.**

**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 4:00 P.M., FRIDAY, SEPTEMBER 15, 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.