

**AGENDA  
REGULAR CITY COUNCIL MEETING  
MONDAY, OCTOBER 26, 2009 — 6:00 P.M.  
KAUFMAN CITY HALL  
209 S. WASHINGTON  
KAUFMAN, TEXAS 75142**

**CITY COUNCILMEMBERS**

<b>MAYOR</b>	<b>WILLIAM FORTNER</b>
<b>MAYOR PRO-TEM</b>	<b>BARRY RATCLIFFE</b>
<b>COUNCILMEMBER</b>	<b>GIL ALTOM JR.</b>
<b>COUNCILMEMBER</b>	<b>JEFF COUNCIL</b>
<b>COUNCILMEMBER</b>	<b>CHARLES GILLENWATER</b>
<b>COUNCILMEMBER</b>	<b>KENNETH MUNDEN</b>
<b>COUNCILMEMBER</b>	<b>LOUIS TIJERINA</b>

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL MEETING TO ORDER:** Mayor calls the Meeting to order, state the date and time. State Councilmember's 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 ITEMS #1 THROUGH #2**

**"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 second reading and adoption of Ordinance O-17-09 of the City Council of the City of Kaufman, Texas adding to the Code of Ordinances Chapter 50, Health and Sanitation, Article II. Establishing Sections 50-34 through Sections 50-36, Definitions, Food Inspection-Health and Sanitation and Food Inspections; providing a severability clause; providing a penalty clause; providing for publication of the caption thereof, and providing an effective date.

2. Consider second reading and adoption of Ordinance O-18-09 of the City of Kaufman, Texas amending the Comprehensive Zoning Ordinance O-02-07 and Establishing a Specific Use Permit to allow a Private Club with Restaurant Services for Property located at 9 Oak Creek Drive, Suites B, C, D, and E, on Lot 2B Block A of the Rubio Addition, City of Kaufman, providing certain conditions; amending the Official Zoning Map; and providing for a penalty, severability, savings, and an effective date.

### **END OF CONSENT AGENDA**

### **PUBLIC HEARINGS**

3. Conduct Public Hearing and Consider Resolution R-20-09 to Consider the Land Use Assumptions Report.
  - A. Conduct a Public Hearing to consider the Land Use Assumptions Report. (Public Hearing continued from September 28, 2009 City Council Meeting).
  - B. Consider Adoption of Resolution R-20-09 of the City Council of the City of Kaufman, Texas approving the Land Use Assumptions Report under which Impact Fees for Water and Streets may be updated for the City of Kaufman, per Local Government Code Chapter 395, Subchapter C. (Tabled at the September 28, 2009 City Council Meeting)
4. Receive a Report from the Capital Improvements Advisory Committee (CIPAC) recommending a Ten (10) Year Capital Improvements Plan (CIP) and Impact Fee Update for Water and Streets 2009-2019.
5. Consider Authorizing Setting a Public Hearing, on Monday, December 21, 2009, to Consider and Adopt the City of Kaufman Capital Improvements Plan and Impact Fee Update for Water and Streets for 2009 – 2019. (Tabled at the September 28, 2009 City Council Meeting)

**PLANNING AND ZONING ITEMS**

6. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE O-19-09 AMENDING ORDINANCE O-09-09 FOR A THOROUGHFARE PLAN MAP AMENDMENT TO THE KAUFMAN COMPREHENSIVE PLAN FUTURE LAND USE AND THOROUGHFARE PLAN MAP, M-01-09 REQUESTED BY THE FIRST BAPTIST CHURCH OF KAUFMAN BY AMENDING TWO PROPOSED TYPE D COLLECTOR STREETS GENERALLY LOCATED NORTH AND EAST OF U.S. HIGHWAY 175 AND FAIR STREET; SOUTH OF NASH DRIVE, CARVER STREET, BOOKER STREET AND SHANNON STREET; WEST OF SOUTH HOUSTON STREET, PRIDMORE STREET, ADAMS LANE, BACON STREET, BORDER CIRCLE IN THE CITY OF KAUFMAN, KAUFMAN COUNTY TEXAS.
  - A. Conduct a Public Hearing amending the Thoroughfare Plan Map.
  - B. Consider first reading and approval of Ordinance O-19-09 of the City Council of the City of Kaufman, Texas amending Ordinance O-09-09 for a Thoroughfare Plan Map amendment to the Kaufman Comprehensive Plan Future Land Use and Thoroughfare Plan Map, by amending two proposed Type D Collector Streets generally located North and East of U.S. Highway 175 and Fair Street; south of Nash Drive, Carver Street, Booker Street and Shannon Street; west of South Houston Street, Pridmore Street, Adams Lane, Bacon Street, Border Circle in the City of Kaufman, Kaufman County Texas; and providing for a severability, savings, and an effective date.
  
7. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE O-20-09 FOR ZONE CHANGE Z-08-09 REQUESTED BY THE FIRST BAPTIST CHURCH OF KAUFMAN TO REZONE THREE TRACTS OF LAND OUT OF THE C.A. LOVEJOY SURVEY, ABSTRACT 303, IN THE CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS CONTAINING 39.119 ACRES FROM SINGLE FAMILY RESIDENTIAL-6, "SF-6" TO PLANNED DEVELOPMENT "PD". THE PROPERTY IS LOCATED IN THE 1900 BLOCK OF FAIR STREET ON THE NORTH SIDE OF US HIGHWAY 175 AND EXTENDING BACK TO THE INTERSECTION OF NASH STREET AND SHANNON STREET.
  - A. Conduct a Public Hearing for a zone change Z-08-09 requested by the First Baptist Church of Kaufman to rezone three tracts of land from Single Family "SF-6" to Planned Development "PD" containing 39.119 acres of land located in the 1900 Block of Fair Street, Kaufman, Texas.

- B. Consider first reading and approval of Ordinance O-20-09 of the City of Kaufman, Texas, as amended the Comprehensive Zoning Ordinance O-02-07, and the Official Zoning Map; changing the zoning classification on three tracts of land out of the C. A. Lovejoy Survey, Abstract 303, in the City of Kaufman, Kaufman County, Texas containing 39.119 acres from Single Family Residential-6, "SF-6" to Planned Development "PD-11" located in the 1900 Block of Fair Street on the North Side of US Highway 175 and extending back to the intersection of Nash Street and Shannon Street in the City of Kaufman, Kaufman County, Texas; and providing certain conditions; and providing for a penalty clause, severability clause, a savings clause, and an effective date.

### **DISCUSSION/ACTION ITEMS**

8. Consider First Reading and Approval of Ordinance O-21-09 Electing for the City to make current service and prior service contributions to the City's Account in the Municipal Accumulation Fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation.
9. Consider Approval and Authorize the Mayor to Execute an Agreement with Jacobs Engineering For Engineering Services For The Texas Community Development Block Grant Program, Sewer System Improvements Contract Number 729330.
10. Consider Approval of Resolution R-24-09 of the City Council of the City of Kaufman, Texas authorizing the City Manager to pursue all Energy Efficiency and Conservation Block Grants Funding made available by the American Recovery and Reinvestment Act.
11. Consider rescheduling the December 28, 2009 City Council meeting to Monday, December 21, 2009.

### **APPOINTMENTS**

12. Consider the appointment of two (2) Planning and Zoning Commissioner for a three year term through November 2012.
13. Consider the Appointment of One (1) Board of Adjustment Member to serve an unexpired term through November 2010.
14. Consider nominations to the Kaufman County Appraisal Review Board to be submitted to the Kaufman County Appraisal Board of Directors.

**ANNOUNCEMENTS FROM CITY MANAGER.**

1. Halloween on Houston Street, Saturday, October 31<sup>st</sup>.
2. Vietnam Wall Dedication, Saturday, November 7<sup>th</sup>, 2009 (Parade 1:00 pm. and Dedication at 3:00 pm.)
3. Poor Man's Supper, United Way, Thursday, November 12<sup>th</sup>, Fire Station, 6:00 p.m.

**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 4:30 P.M., THURSDAY, OCTOBER 22, 2009 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

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**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.