

**`AGENDA  
REGULAR CITY COUNCIL MEETING  
MONDAY, MAY 24, 2010 — 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.

**SWEARING IN ELECTED OFFICIALS**

1. STATEMENT OF ELECTED OFFICE AND ADMINISTER OATH OF OFFICE FOR ELECTED OFFICIALS.

**PRESENTATIONS**

2. RECOGNITION OF APPRECIATION TO THE KAUFMAN POLICE DEPARTMENT.

**CONSENT AGENDA ITEMS #3 THROUGH #7**

**"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."**

3. CONSIDER APPROVAL OF THE MINUTES OF THE APRIL 26, 2010, REGULAR CITY COUNCIL MEETING.
4. CONSIDER APPROVAL OF THE MINUTES OF THE MAY 10, 2010, SPECIAL CITY COUNCIL MEETING.
5. CONSIDER APPROVAL FOR THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN COUNTRY BIBLE CHURCH AND THE CITY OF KAUFMAN FOR A ONE (1) YEAR TERM.
6. CONSIDER APPROVAL OF RESOLUTION R-11-10 OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO TEMPORARILY CLOSE SH 34 AND FM 1388 FOR THE PURPOSE OF THE ANNUAL 4<sup>TH</sup> OF JULY PARADE.
7. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE O-07-10 AMENDING THE COMPREHENSIVE ZONING ORDINANCE, O-02-07, AS AMENDED; BY GRANTING Z-04-10; RELATIVE TO SECTION 10.4.B PUBLIC HEARING AND NOTICE, ESTABLISHING NOTIFICATION PROCEDURES FOR AMENDMENTS OR PROPOSED CHANGES TO THE THOROUGHFARE PLAN.

#### **END OF CONSENT AGENDA**

#### **BID AWARD**

8. CONSIDER THE BID AWARD FOR CONTRACT NUMBER R729330 UNDER THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BETWEEN THE CITY OF KAUFMAN AND THE TEXAS DEPARTMENT OF RURAL AFFAIRS CONTINGENT UPON STATE AND FEDERAL APPROVAL.

#### **PLANNING AND ZONING**

9. CONDUCT A PUBLIC HEARING AND CONSIDER ORDINANCE O-08-10 COMMUNICATIONS, INC. FOR A SPECIFIC USE PERMIT FOR A PROPOSED 440 FOOT COMMERCIAL ANTENNA SUPPORT STRUCTURE AT THE KAUFMAN COUNTY LAW ENFORCEMENT CENTER, LOCATED AT 1900 EAST U.S. HIGHWAY 175 AND PLATTED AS LOT 1, KAUFMAN COUNTY LAW ENFORCEMENT CENTER ADDITION, CONTAINING 45 ACRES, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS, ON PROPERTY ZONED HIGHWAY COMMERCIAL "HC". CASE NO. Z-05-10.
  - a. Conduct Public Hearing.  
  
Close Public Hearing.



- b. CONSIDER FIRST READING AND APPROVAL OF ORDINANCE O-10-10 AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE O-02-07 FOR SPECIFIC USE PERMIT NUMBER TWENTY-ONE (SUP-21) TO ALLOW AN INDOOR AUTO PARTS AND ACCESSORY SALES AT 902 SOUTH WASHINGTON STREET, AND PLATTED AS LOT 1, BLOCK 1, O'REILLY 1 ADDITION, CONTAINING 0.758 ACRES, PROVIDING CERTAIN CONDITIONS; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR A PENALTY CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

### **DISCUSSION/ACTION ITEMS**

12. CONSIDER A REQUEST FROM TAX ASSESSOR-COLLECTOR DICK MURPHY TO RESALE PROPERTY LOCATED AT 1603 PARK STREET, LOTS 18 THROUGH 22, BLOCK 12, COTTAGE HEIGHTS ADDITION, KAUFMAN, KAUFMAN COUNTY, TEXAS IN THE AMOUNT OF \$500.00 TO LEE J. SCHMITT, P. O. BOX 870, LANCASTER, TEXAS 75146.

### **APPOINTMENTS**

13. CONSIDER THE APPOINTMENT OF MAYOR PRO-TEM.

### **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 551.072 REAL ESTATE.

1. Real Estate - Under TEX. GOV'T. CODE Sec. 551.072
  - a. Discuss a real estate transaction to negotiate an agreement to acquire property in the Valley Park Addition, Kaufman, Kaufman County, Texas.

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**

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

Real Estate - Under TEX. GOV'T. CODE Sec. 551.072

- a. Authorize the City Manager to negotiate an agreement to acquire property in the Valley Park Addition, Kaufman, Kaufman County, Texas.

**ANNOUNCEMENTS FROM CITY MANAGER.**

1. Reschedule Council Retreat
2. Relocation of Kaufman County Farmers Market
3. City Manager vacation
4. City of Kaufman's Face book page

**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, MAY 20, 2010 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED 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.