

**MINUTES OF THE
REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 22, 2009 — 6:00 P.M.
KAUFMAN CITY HALL
209 S. WASHINGTON
KAUFMAN, TEXAS 75142**

CITY COUNCILMEMBERS

MAYOR	WILLIAM FORTNER
MAYOR PRO-TEM	BARRY RATCLIFFE
COUNCILMEMBER	GIL ALTOM JR.
COUNCILMEMBER	STEVE COOPER
COUNCILMEMBER	JEFF COUNCIL
COUNCILMEMBER	CHARLES GILLENWATER
COUNCILMEMBER	KENNETH MUNDEN

INVOCATION: Cowboy Church Pastor Tom Roane

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER: Mayor Fortner called the meeting to order at 6:09 p.m. Councilmember's present were William Fortner, Gil Altom Jr., Jeff Council, Charles Gillenwater, Kenneth Munden and Barry Ratcliffe. Councilmember Cooper was absent. Mayor Fortner declared a quorum present. Also present were City Attorney David Dodd, City Manager Curtis Snow, ACM/City Secretary Jo Ann Talbot, Chief of Police Michael Holder, Captain Randy Roach, Director of Finance Cathy Cummins.

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.

Wanda Gambles, 222 N. Shannon, Kaufman addressed the Council regarding the rezoning of her property and her neighbors property. She asked when this was going to be accomplished. City Manager Curtis Snow reported that the process of the Land Use Map was almost complete. The Director of Development of Services was not present to answer Ms. Gambles questions. Ms. Gambles felt that her property should be zoned residential and not a commercial status.

Billy Bruner, 301 East Oak, Kaufman, complained about a resident at Hickory Street and N. Monroe. He reported that the resident is not zoned commercial but they conduct auto repair and their property is junked up with auto parts and vehicles sitting around their residents. Mr. Bruner also complained about Gomez

Auto Shop in the 200 Block of N. Washington Street. He also reported this place of business was also all junked up.

SPECIAL RECOGNITION – Mayor Fortner presented Councilmember Kenny Campbell a plaque for his service time to the City Council. Mayor Fortner thanked Mr. Campbell.

CONSENT AGENDA ITEMS #1 THROUGH #6

“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 May 18, 2009, Regular Council Meeting.
2. Consider approval of the Minutes of the June 1, 2009, Special City Council Meeting.
3. Consider approval of the Kaufman County Appraisal District Budget for Year 2010.
4. Consider second reading and adoption of Ordinance O-07-09 of the City Council of the City of Kaufman, Texas amending Chapter 58 Law Enforcement, Section 58.32 Created; Composition and Section 58.34 Rank Generally; by deleting these Sections in their entirety and supplementing with a new Section 58.32 Created; Composition and Section 58.34 Rank Generally; Containing a Severability Clause; and Providing for an Effective Date.
5. Consider Approval of Resolution R-13-09 of the City Council of the City of Kaufman, Texas Accepting the Construction of the Jefferson Sewer Improvements under the City’s Texas Community Development Block Grant Program Contract No. 727320 and Authorizing Final Payment to the Contractor.
6. Consider Approval of Resolution R-14-09 of the City Council authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery.

Councilmember Altom moved and seconded by Councilmember Gillenwater to approve the Consent Agenda #1 through #6. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Cooper was absent.

END OF CONSENT AGENDA

PUBLIC HEARING

7. Conduct a Public Hearing in regard to the submission of an application to the Texas Department of Agriculture/Office of Rural Community Affairs for Texas Community Development Program (TCDP) grants.

Mayor Fortner declared the Public Hearing open at 6:18 p.m. ACM/City Secretary Jo Ann Talbot informed the Council that the Public Hearing is to allow citizens an opportunity to discuss the citizens' participation plan, the development of local housing and community development needs, the amount of the Texas Community Development Program funding available. No comments were made from the audience. Mayor Fortner declared the Public Hearing closed at 6:20 p.m.

DISCUSSION/ACTION ITEMS

8. Consider approval of Resolution R-11-09 of the City of Kaufman, Texas approving an application for funding through the Texas Department of Agriculture Downtown Revitalization Program for Improvements.

ACM/City Secretary Jo Ann Talbot informed the Council that Resolution R-11-09 authorizes the City to submit an application for \$150,000.00 from the Texas Department of Agriculture Downtown Revitalization Program. If the grant is approved, it would provide the City with funds to improve the south side of the square on Mulberry Street from Washington Street to Jackson Street. Proposed improvements include replacing sidewalks, adding ADA access, handrails, improved storm drainage, and underground utilities. The maximum grant award available is \$150,000.00 and the funds are to be expended within two years of the contract date. The amount is sufficient to repair and improve one block face of the square. The Administration Department will be responsible for the administration of the grant. The City's match for this project is \$45,000.00 for engineering and construction activities.

After discussion, Mayor Pro-Tem Ratcliffe moved and seconded by Councilmember Gillenwater to approve Resolution R-11-09 of the City of Kaufman, Texas approving an application for funding through the Texas Department of Agriculture Downtown Revitalization Program for Improvements. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Cooper was absent.

9. Consider Approval of Resolution R-12-09 of the City of Kaufman of the City Council for the submission of a grant application for the Multi Purpose Community Command Vehicle to the Office of the Governor, Criminal Justice Division, and State of Texas.

Chief of Police Michael Holder informed the Council that Resolution R-12-09 authorizes the City to submit an application for a multi purpose Community Command Vehicle that will be for a 2010 Ford Expedition Extended Length SUV. It will be a fully functioning police vehicle. It will contain a laptop computer that will allow constant contact with the communication center and internet access to monitor live video cameras throughout the city. The vehicle will have emergency lights and sirens for code 3 responses. The vehicle will be equipped with crime scene search and crime prevention supplies. It will also contain items needed to make it a fully functional command center during emergencies. The vehicle will be marked like the two new police vehicles. The Community Command Vehicle is designed to handle three types of situations; crime prevention, command post for special events, and command vehicle during emergencies. The vehicle is supplied and ready to go at a moments notice. Currently, the Kaufman Police Department does not have a Multi Purpose Community Command Vehicle. Officers must respond to the police department where all supplies and equipment are kept before responding to the scene. The vehicle will allow for a quick response by the police department saving lives and time. It will serve to reduce crime in the neighborhoods and to provide easy access to the police department. This access increases the interaction between the police and the community/businesses in a positive manner. If the grant is approved the City will be responsible for maintenance and insurance for the vehicle.

After discussion, Councilmember Altom moved and seconded by Councilmember Council to approve Resolution R-12-09 of the City of Kaufman of the City Council for the submission of a grant application for the Multi Purpose Community Command Vehicle to the Office of the Governor, Criminal Justice Division, and State of Texas. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Cooper was absent.

10. Consider Approval of Professional Services Agreement and Technical Services with Jacobs Engineering Group, Inc. for preparation of construction plans and specifications for the design of a street extending from State Highway 34 to County Road 151 (Old Kemp Highway).

City Manager Curtis Snow informed the Council that since the days when Shuler and Meara presented the possibility of a Wal-Mart at Highway 175

and Highway 34, there has also been the plan to reroute the “Old Kemp Highway” (C. R. 151) to allow more traffic stacking at the intersection of Highway 34 and Highway 175. Since the prospects of Wal-Mart have lain fallow, this project has laid fallow. But the cost of the project continues to grow.

The realignment would benefit more than the traffic patterns and access to the Wal-Mart project. It would open up new attractive commercial property for development.

Therefore, it is proposed that we move forward with this project by starting the design of the new alignment. The cost of this design would come from street impact fees. Construction of this project would be a combination of street impact fees and Kaufman Economic Development Corporation (EDC) funds if approved by the EDC Board and Council.

The cost of the Engineering contract with Jacobs is \$47,250.00. Funding will be provided by the Street Impact Fee Fund. The City has collected Street Impact fees with a total of \$240,856.00. The remaining street impact fees will be used for construction of the street.

After discussion and deliberation, Councilmember Altom moved and seconded by Councilmember Ratcliffe to authorize the City Manager to execute a Professional Services Agreement and Technical Services with Jacobs Engineering Group, Inc. for preparation of construction plans and specifications for the design of a street extending from State Highway 34 to County Road 151 (Old Kemp Highway). Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Cooper was absent.

APPOINTMENTS

11. Consider the appointment of an elected official (designee) to serve as its voting representative to North Central Texas Council of Governments (NCTCOG) General Assembly.

Councilmember Council moved and seconded by Councilmember Altom to appoint Councilmember Charles Gillenwater to serve as its voting representative to North Central Texas Council of Governments (NCTCOG) General Assembly. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Cooper was absent.

12. Consider the Appointment of Two (2) Park and Recreation Board members for a two year term through March 2011.

Councilmember Council moved and seconded by Councilmember Munden to appoint Wilfred Bowers and Frank E. Barker to the Park and Recreation Board members for a two year term through March 2011. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Cooper was absent.

ANNOUNCEMENTS FROM CITY MANAGER.

Mr. Kenneth Mathis informed the Council that he was the new town operator for Atmos Energy.

City Manager Curtis Snow reminded the City Council of the Joint Work Session with Chamber of Commerce, Monday, July 13, 2009 6:00 p.m. at El Mexicano Taqueria, (the Blue House) 1500 S. Washington Street.

Councilmember Council mentioned a water leak on Old Kemp Highway and that the road needed fixing before school started.

Councilmember Council mentioned that overgrown grass was inside the old Feed Store Restaurant and the rear wall had fallen down.

Councilmember Council mentioned that Brad Lamb had taken out all the concrete on the vacant lots near the Downtown Square and field dirt had been put in place on the lots.

Councilmember Council mentioned their was a dumpster at the Houston Street apartments close to the road recently placed by the entrance.

Councilmember Council expressed his concerns about the National Guard Armory over grown grass and the dumpster being full of trash all the time.

Councilmember Council mentioned of standing water on Melody Circle.

Councilmember Munden mentioned that the Public Works crews were not using proper safety equipment to make repairs to water and sewer lines.

ADJOURNMENT.

There being no further business, the City Council meeting was adjourned at 7:00 p.m.

**WILLIAM FORTNER
MAYOR**

ATTEST:

**JO ANN TALBOT
CITY SECRETARY**