

**MINUTES OF THE  
SPECIAL CITY COUNCIL MEETING  
MONDAY, AUGUST 31, 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>

**CALL MEETING TO ORDER:** Mayor Fortner called the Meeting to order at 6:03 p.m. Councilmembers present were William Fortner, Barry Ratcliffe, Jeff Council, Charles Gillenwater, Kenneth Munden and Gil Altom Jr. Mayor Fortner declared a quorum present. Also present were City Manager Curtis Snow, ACM/City Secretary Jo Ann Talbot, Chief of Police Michael Holder, and 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.

No comments were made.

**PROCLAMATION CELEBRATING EPISCOPAL CHURCH OF OUR MERCIFUL SAVIOUR BUILDING "ONE HUNDRED YEARS OLD" SEPTEMBER 2009.**

Mayor Fortner read the Proclamation celebrating the Episcopal Church of Our Merciful Saviour one hundred years old. Mayor Fortner presented the Proclamation to Father David Petrash of the Episcopal Church of Our Merciful Saviour.

**PROCLAMATION - CONSTITUTION WEEK – SEPTEMBER 17<sup>TH</sup>, 2009.**

Mayor Fortner read the Proclamation of Constitution Week. No one was present.

## **PUBLIC HEARING**

1. Conduct a Public Hearing regarding the City's Fiscal Year 2009-2010 Budget.

Mayor Fortner declared the Public Hearing open at 6:10 p.m.

City Manager Curtis Snow informed the Council that the Fiscal Year Budget for 2009/2010 is in the amount of \$6,899,161. It is a 7.6% decrease compared to last's year budget.

No other comments were made the Public Hearing was closed at 6:13 p.m.

## **DISCUSSION/ACTION ITEMS**

2. Consider adoption of Ordinance O-13-09 adopting the Annual Program of Services (Budget) for the City of Kaufman, Texas, for the Fiscal Year beginning on October 1, 2009, and ending on September 30, 2010.

City Manager Curtis Snow informed the Council that this budget was filed on July 31, 2009 along with final budget documents. The budget has not changed from its original filing and budget workshop.

The total budget is \$6,899,161. This is \$570,062 less than the current year budget. This is a 7.6% decrease. The General Fund decreased nearly 12%.

After some discussion, Councilmember Council moved and seconded by Councilmember Gillenwater to adopt Ordinance O-13-09 adopting the Annual Program of Services (Budget) for the City of Kaufman, Texas, for the Fiscal Year beginning on October 1, 2009, and ending on September 30, 2010. Mayor Fortner called for a vote with all voting AYE, the motion carried.

3. Consider adoption of Ordinance O-14-09 levying the ad valorem tax of the City of Kaufman, Texas, for the year 2009; on all taxable property within the corporate limits of the City as of January 1, 2009; not exempt by law; providing revenues for payment of current municipal expenses; and providing for the collection of taxes and the enforcement of collection.

City Manager Curtis Snow informed the Council that Public Hearings were not necessary since the Council is adopting the effective tax rate which will raise the same amount of funds from last year. Therefore, the Ordinance before Council will adopt the effective tax rate.

The City is proposing to adopt the tax rate at the effective tax rate of \$0.6371. The rate for the Maintenance and Operating expenditures (M&O) is \$0.5590 and \$0.0781 will be distributed to pay the City's debt service (I&S). There will be no increase in the taxes collected. Total Assessed Valuations for property in Kaufman decreased to where it would collect the same revenue as last year's \$0.6088 tax rate.

Mr. Snow explained there was a decrease in valuation due to a couple of businesses closing and the new law exempting disabled veterans.

Councilmember Altom questioned holding a public hearing on tax rate. Mr. Snow informed the Council that it is State law if you adopt your effective tax rate and collect the same amount of funds from last year you do not have to hold public hearings.

After discussion, Councilmember Altom moved and seconded by Councilmember Munden to adopt Ordinance O-14-09 levying the ad valorem tax of the City of Kaufman, Texas, for the year 2009; on all taxable property within the corporate limits of the City as of January 1, 2009; not exempt by law; providing revenues for payment of current municipal expenses; and providing for the collection of taxes and the enforcement of collection. Mayor Fortner called for a vote with all voting AYE, the motion carried.

4. Consider adoption of Ordinance O-15-09 approving the 2009 Tax Rolls for the City of Kaufman, Texas.

City Manager Curtis Snow informed the Council that the Tax Assessor Collector has Certified Taxable Value at \$269,478,013 for the 2009 Tax Rolls for the City of Kaufman.

Mayor Pro-Tem Ratcliffe moved and seconded by Councilmember Gillenwater to adopt Ordinance O-15-09 approving the 2009 Tax Rolls for the City of Kaufman, Texas. Mayor Fortner called for a vote with all voting AYE, the motion carried.

5. Consider adoption of Ordinance O-16-09 of the City Council of the City of Kaufman, Texas, amending and supplementing Chapter 106 Utilities, Section 106.7 (f) Water Rates (g) Senior Citizens residential monthly rate reduction; and (h) flat fee for water meters outside the corporate limits; containing a severability clause; a repealer clause; and providing for an effective date.

City Manager Curtis Snow informed the Council that the anticipated revenues for the Utility fund next year will be \$2,647,099 as compared to \$2,683,975 budgeted in the current year. That is a \$36,876 or 1.4%

decrease. This decrease is primarily due to a projected reduction in water consumption. The planned operating expenses are \$2,775,810. Last year expenses were budgeted to be \$2,793,590. This is a \$17,780 or 0.6% decrease. Expenses and capital purchases were reduced to meet the challenge of reduced revenues.

One expense that continues to climb is the cost of water purchased. North Texas Municipal Water District (NTMWD) costs are going up \$52,608.05 due to a 12¢ increase per thousand gallons. They have projected cost increases that will continue to escalate over a fifteen year period. These increases are due to the cost of developing new water supplies.

The 12¢ per thousand addition constitutes a 1.2 % increase.

The rate changes proposed will generate \$44,033. Because of the “take or pay” clause in our contract with NTMWD, and because we anticipate selling less water than the “take or pay” quantity, we will pay NTMWD an additional \$52,608 this next year and the rate increase will produce only \$44,033. This gap is something we will have to look at in future years if sales do not eventually return.

After discussion, Mayor Fortner moved and seconded by Councilmember Altom to adopt Ordinance O-16-09 of the City Council of the City of Kaufman, Texas, amending and supplementing Chapter 106 Utilities, Section 106.7 (f) Water Rates (g) Senior Citizens residential monthly rate reduction; and (h) flat fee for water meters outside the corporate limits; containing a severability clause; a repealer clause; and providing for an effective date. Mayor Fortner called for a vote with all voting AYE, the motion carried.

## **APPOINTMENTS**

6. Consider the appointment of One (1) Councilmember to serve on the City Council to fill a vacancy for an unexpired term through May 2010.

Mayor Fortner reminded the Council that this appointment is necessary due to Steve Cooper’s resignation. Mr. Cooper moved out of State due to a job change.

City Manager Curtis Snow explained the procedure to nominate and appoint a Councilperson.

Mayor Fortner nominated Louis Tijerina. Councilmember Munden nominated Sam Grimes.

Mayor Fortner requested to close nominations.

The Mayor asks for a show of hands that want to appoint Louis Tijerina for the City Council unexpired term through May 2010.

Councilmember Gillenwater, Mayor Pro-Tem Ratcliffe, Mayor Fortner, Councilmember Altom and Councilmember Council raised their hands for Louis Tijerina.

There being a majority show of hands, Louis Tijerina was appointed to the City Council for an unexpired term through May 2010 election.

**ANNOUNCEMENTS FROM CITY MANAGER.**

City Manager Curtis Snow reminded the City Council of the Work Session on September 14, 2009, regarding the Washington Street Corridor, a new East Mulberry Corridor and a Medical Corridor for Ed Hall Drive.

Councilmember Council inquired about brush on Hickory and W. Grove.

Councilmember Munden inquired about the National Guard Armory.

Councilmember Council inquired about Phillips Circle and concrete culverts on some property and how does the City get the old Railroad Right-of-Way mowed.

Councilmember Council inquired when a leak would be fixed in front of D.G. Council's building on Washington Street.

**ADJOURNMENT.**

There being no further business, the meeting was adjourned at 6:41 p.m.

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**WILLIAM FORNTER  
MAYOR**

**ATTEST:**

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**JO ANN TALBOT  
CITY SECRETARY**