

**AGENDA  
REGULAR CITY COUNCIL MEETING  
MONDAY, FEBRUARY 11, 2008 — 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>GIL ALTOM JR.</b>
<b>COUNCILMEMBER</b>	<b>KENNY CAMPBELL</b>
<b>COUNCILMEMBER</b>	<b>JEFF COUNCIL</b>
<b>COUNCILMEMBER</b>	<b>CARLA CROUCH</b>
<b>COUNCILMEMBER</b>	<b>CHARLES GILLENWATER</b>
<b>COUNCILMEMBER</b>	<b>BARRY RATCLIFFE</b>
<b>COUNCILMEMBER</b>	<b>VACANT</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 approval of the Minutes of the January 14, 2008 Regular City Council Meeting.
2. Consider the second reading and adoption of ordinance O-02-08 of the city council of the City of Kaufman, Texas, ("city") approving a settlement agreement between the Atmos cities steering committee and ATMOS

ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" or "the company") regarding the company's Statement of Intent to change gas rates in all cities exercising original jurisdiction; declaring EXISTING rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the settlement agreement and finding the rates to be set by the attached tariffs to be just and reasonable; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this Ordinance to the company and legal counsel.

## **END OF CONSENT AGENDA**

### **PLANNING AND ZONING ITEMS**

3. Conduct a Public Hearing at the request of Anthony Slappy, owner of My Sports Bar & Grill, for a Specific Use Permit to allow a Private Club with restaurant services for property located at 9 Oak Creek Drive, Suites B & C, described as Lot 2A, Block A of the Rubio Addition, City of Kaufman, Texas. (CASE NO. S-2-08 / SUP-14) (P&Z denied 2-2)
  - A. STATE THE TIME AND CONDUCT A PUBLIC HEARING.
  - B. Consider first reading and approval of Ordinance O-03-08 of the City of Kaufman, Texas amending the Comprehensive Zoning Ordinance O-02-07 and establishing Specific Use Permit Number Fourteen (SUP-14); providing certain conditions; amending the Official Zoning Map; and providing for a penalty, severability, savings, and an effective date.
4. Conduct a Public Hearing at the request of Jeff King, to change the Zoning from Single-Family (SF-8) to Commercial (C), for property located behind 825 East Fair Street, described as a portion of 10.00 acres being approximately 79,060 square feet or 1.81496 acres of the A.L. Carter Survey, City of Kaufman, Texas. (Case No. Z-02-08) (P & Z approval 4-0)
  - A. STATE THE TIME AND CONDUCT A PUBLIC HEARING.
  - B. Consider first reading and approval of Ordinance O-04-08 of the City of Kaufman, Texas amending the Comprehensive Zoning Ordinance O-02-07, dated March 19, 2007, and the Official Zoning Map; changing the zoning classifications on a portion of a 10.00 acre tract of land totaling 79,060 square feet or approximately 1.81496 acres from existing Single Family-8 Residential District to Commercial (C) District; generally located behind 825 East Fair Street of the A.L. Carter Survey, from the north property line of property number 28019 to the east boundary line; everything north of the line would remain

Single-Family 8 and approximately 1.81496 acres south of the line would be changed to Commercial (C); providing for a penalty clause, providing for severability clause, a savings clause and an effective date.

5. Conduct a Public Hearing at the request of the City of Kaufman for a proposed street name change of West Highway 243, in honor of Dr. Edward (E.I.) Hall. The proposed street name change is "Ed Hall Drive". The location of the change starts at the corner of North Clay Street and Grove Street and West State Highway 243; goes east, ending at the Highway 175 feeder road. (CASE NO. M-01-08) (P & Z approval 4-0)
  - A STATE THE TIME AND CONDUCT A PUBLIC HEARING.
  - B. Consider first reading and approval of Ordinance O-01-08 of the City of Kaufman, Texas approving a street name change for a portion of Highway 243 West located at the Corner of North Clay Street and Grove Street and ending at the Highway 175 Feeder Road from the exiting street name of "Ed Hall Drive".

#### **BID AWARDS**

6. Consider Bid Award For Kaufman CWSRF Phase II Sanitary Sewer Project (CWSRF #71419) Contract IV, Project 2B And Project 6B Contingent On TWDB Approval.
7. Consider Bid Award For Kaufman CWSRF Phase II Sanitary Sewer Project (CWSRF #71419) Contract IV, Project 1, Project 2A With Pavement Alternative B, Project 3, Project 4, Project 5, Project 6A and Project 7 Including Change Order #1 Contingent On TWDB Approval.

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

8. Consider first reading and approval of Ordinance O-05-08 of the City of Kaufman, Texas, designating the fourth Monday of each month as the regular meeting night of the Kaufman City Council; providing for a repealer; providing for severability; and establishing an effective date.
9. Consider an increase to customer rate to reflect the adjusted Consumer Price Index (CPI) as provided in the IESI Solid Waste Disposal Service Contract effective February 2008.
10. Consider approval of Resolution R-02-08 of the City of Kaufman, Texas to enter into an agreement with the Texas Department of Transportation to

close a portion of Farm Market Road 1388 for two hours on March 13, 2008 for a DWI accident reenactment.

11. Consider amending the City of Kaufman, Texas Tax Abatement Policy as recommended by City Staff and the Kaufman Economic Development Corporation.
12. Consider Approval of Resolution R-03-08 of the City Council of the City of Kaufman, Texas authorizing the City Manager to execute a Joint Election Contract for Election Services with Kaufman County Elections Department.
13. Consider Approval of Resolution R-04-08 of the City Council of the City of Kaufman, Texas calling (order) the annual City Election set for May 10, 2008.
14. Consider Approval of the Notice of Election to be issued by the Mayor, in accordance with the Texas Election Code, Section 3.004 for a Municipal General Election to be held on Saturday, May 10, 2008 for the purpose of electing Three (3) Councilmembers.
15. Consider a recommendation from the City Manager regarding an executive search firm for the position of Police Chief.

#### **APPOINTMENTS**

16. Consider Appointment of Four (4) Members to the Keep Kaufman Beautiful Board for a two-year term through March 2010 and one (1) unexpired term through March 2009.
17. Consider the Appointment of Three (3) Park and Recreation Board members for a two year term through 2010 and One (1) unexpired term through March 2009.

#### **ANNOUNCEMENTS FROM CITY MANAGER.**

1. Regional Transportation Meeting – February 13, 2008 – City Hall, 6:30 p.m.
2. Kaufman Chamber Banquet – February 19, 2008.
3. Kaufman County Day In Austin – March 16, & 17<sup>th</sup>

#### **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., THURSDAY, FEBRUARY 7, 2008 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 .086 (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.**