

**MINUTES OF THE
REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 22, 2007 — 6:00 P.M.
209 S. WASHINGTON
KAUFMAN, TEXAS 75142**

CITY COUNCILMEMBERS

MAYOR	PAULA BACON
MAYOR PRO-TEM	LONNIE BOUNDS
COUNCILMEMBER	GIL ALTOM JR.
COUNCILMEMBER	FLOYD CHOYCE
COUNCILMEMBER	JEFF COUNCIL
COUNCILMEMBER	WILLIAM FORTNER
COUNCILMEMBER	BARRY RATCLIFFE

INVOCATION: Chief of Police James M. Smith

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER: Mayor Bacon called the Meeting to order at 6:07 p.m. Councilmembers present were Mayor Bacon, Mayor Pro-Tem-Bounds, Councilmember Altom, Councilmember Choyce, Councilmember Council, Councilmember Fortner, and Councilmember Ratcliffe. The Mayor declared a quorum present. Also present were City Attorney Robert Hager, City Manager Curtis Snow, City Secretary Jo Ann Talbot, Director of Public Works Richard Underwood, Chief of Police James M. Smith, Director of Development of Services Terry Capehart 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.

Key to the City – Carolyn Long

Mayor Bacon presented a KEY TO THE CITY to Carolyn Long with many thanks for her courage and vision taking on the Fall Festival for the past two (2) years and making it a successful event.

CONSENT AGENDA ITEM #1

“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 December 18, 2006 Regular City Council Meeting.

Councilmember Altom moved and seconded by Councilmember Council to approve the Consent Agenda Item # 1. Mayor Bacon called for a vote with all voting AYE, the motion carried.

END OF CONSENT AGENDA

PRESENTATIONS

2. Presentation by Witherspoon, Yeldell and Wilson, P.C. and the acceptance of the City of Kaufman Fiscal Year 2005-2006 financial report.

Mr. Greer Yeldell, P.C., representative of Witherspoon, Yeldell and Wilson, the City's outside Auditor, presented the City of Kaufman's Fiscal Year 2005-2006 financial report. Mr. Yeldell reported that the City had a very good year with no reportable conditions. The City ended the year with \$393,776 more revenue than budgeted. Expenditures for the year came in under budget in the amount of \$218,432. The financial standing of the City improved by \$612,208 during fiscal year 2006. The City met all debt requirements and paid cash for vehicles and equipment purchased.

Mr. Yeldell commended the City Finance Officer and City Staff for their hard work on preparing information for the City's audit. It is also the 8th consecutive year to be recognized in receiving the Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association (GFOA).

The Mayor and City Council congratulated Director of Finance Cathy Cummins and City Staff for their intense work on the audit.

PLANNING AND ZONING ITEMS

3. Consider a request from Harbinder Mahli, regarding an Amended Site Plan, in order to close in a carport structure for drive-through service, located at 300 W. Grove Street, being parts of Lots 5,6 and 7, Block 11 of the Original Town of Kaufman, as conveyed in a deed to Harbinder and Jagir Mahli, as recorded in Volume 2055, Page 510, Deed Records of Kaufman County, and being situated in the J.B. Cole Survey, Abstract 84, City of Kaufman, Kaufman County, Texas. Case No. S-01-07 (P&Z approval 4-0)

Director of Development of Services Terry Capehart informed the Council that Section 40.3 provides that when an existing approved site plan is amended in such a way as to materially change traffic circulation or existing buildings are enlarged then the site plan must be reconsidered by the Planning and Zoning Commission and City Council for approval.

The applicant is proposing to close in a carport structure on the west side of their existing convenience store in order to provide drive-through service. The convenience store is currently 4,950 square feet in size and the additional enclosed space will add approximately 1,925 square feet for a total of 6,875 square feet. Traffic will enter the drive-through from Grove Street (front of the store) and exit onto Oak Street to the rear. An old existing frame house has been demolished to allow for improved traffic flow on the site and provide for an escape lane for the drive-through as required by the Zoning Ordinance. The stacking lane meets the minimum requirement for three vehicles and does not interfere with access to the remainder of the site. The new structure will be constructed to match the same materials as the main store and thus meet the exterior façade requirements. The addition will also meet all of the required setbacks.

The Planning and Zoning Commission has made the recommendation to the City Council by a vote of 4-0 to approve the proposed Site Plan.

Mayor Pro-Tem Bounds inquired if the structure would be like a drive through beer barn with coolers out in the drive through. Mr. Harbinder Mahli, property owner, informed the Council that everything sold would be inside of the building and not in the drive through area.

After discussion on the location of the dumpster pad site and landscaping, Mayor Pro-Tem Bounds moved and seconded by Councilmember Choyce to approve a request by Mr. Harbinder Mahli to amend a site plan to close in a carport structure for drive-through service, located at 300 W. Grove Street, in addition, move the dumpster pad site to the rear of the building on the east side of the rear exist driveway that enters on Oak Street and to provide adequate landscaping on the property. Mayor Bacon called for a vote with all voting AYE, the motion carried.

4. Conduct a Public Hearing and take citizens comments on proposed revisions to Section 34 through Section 44 Development Standards of the Zoning Ordinance O-14-99.
 - a. Open Public Hearing

Mayor Bacon declared the Public Hearing open at 6:26 p.m.
 - b. Close Public Hearing

There being no one to speak on proposed revisions to Section 34 through Section 44 Development Standards of the Zoning Ordinance O-14-99 the Mayor declared the Public Hearing closed at 6:47 p.m.

5. Consider approval of final revisions regarding Section 34 through Section 44 (Development Standards) of the Zoning Ordinance O-14-99 as recommended by the Zoning Ordinance/Comprehensive Plan Steering Committee and the Planning and Zoning Commission. (P&Z approval 4-0)

Director of Development of Services Terry Capehart informed the Council that work sessions on Sections 34-44 were conducted by the Planning and Zoning Commission on October 23, 2006, November 6, 2006 and a Public Hearing was conducted on January 2, 2007 regarding the proposed changes. Mr. Capehart gave an overview of the revisions on Sections 34-44 of the Zoning Ordinance.

After a lengthy discussion of the revisions to Sections 34-44 of the Planning and Zoning Ordinance the City Council made the following recommendations of changes to Sections 34-44 as follows:

Section 34.5 EXPANSION OF NONCONFORMING USES AND BUILDINGS:

Amend Section 34.5 E. 1. b. as follows:

- E. 1. b. The City Council may approve an alternate façade material, other forms of architectural design, **or waive certain development standards to the additions of nonconforming structures that existed prior to the adoption date of this Ordinance during the Site Plan approval process in order to preserve the character of unique or historically significant structures which contribute or add value to the neighborhood or community.**

Delete Section 34.5 E. 1. c. paragraph

Amend Section 34.5 F. paragraph by deleting the words “current setback requirements for the district in which it is located,”.

Add Exception a. and b. to Section 34.5 F as follows:

- F. 1. Exceptions:
 - a. In order to preserve the historical heritage and character of the City of Kaufman it is recognized that

unique and significant structures, which contribute or add value to the neighborhood or community should be protected, even though they may not meet current area or development standards and are thus “nonconforming”.

- b. If a structure of this nature is abandoned as stated above, the owner may request that “protected” status be granted by the Planning and Zoning Commission in order to reoccupy the building with a conforming use without having to meet the current area or development standards. Appeals of the Commission’s decision must be made in writing within seven (7) days to the City Council.

Section 40.9 BUILDING FAÇADE REQUIREMENTS:

Amend Section 40.9 B. 3. Nonresidential d. ii. to read as follows:

- B.3.d.ii. The City Council may approve an alternate façade material, other forms of architectural design, or waive certain development standards to the additions of nonconforming structures that existed prior to the adoption date of this Ordinance during the Site Plan approval process in order to preserve the character of unique or historically significant structures which contribute or add value to the neighborhood or community.

Director of Development of Services Terry Capehart reported that a new draft of the Zoning Ordinance would be presented to the Council at an upcoming Work Session to further review the Ordinance.

Councilmember Choyce moved and seconded by Councilmember Altom to approve the revisions regarding Section 34 through Section 44 (Development Standards) of the Zoning Ordinance O-14-99 as recommended by the Zoning Ordinance/Comprehensive Plan Steering Committee / Planning and Zoning Commission and the City Council. Mayor Bacon called for a vote with all voting AYE, the motion carried.

The City Council took a recess at 7:43 p.m. to view the new Quint Fire Truck. The City Council reconvened the meeting at 8:08 p.m.

DISCUSSION/ACTION ITEMS

6. Consider Approval And Authorize the City Manager to Execute A Final Quantity Change Order For The Kaufman CWSRF2 TWDB Project ID 71550, CWSRF Wastewater Loan 124400 (CWSRF ID 2961-02) Contingent Upon TWDB Approval.

Director of Public Works Richard Underwood informed the Council that this project includes a trunk sewer main and manhole installation from the WWT Plant to SH 34, from the WWT Plant to Rand Road, sewer main installation from the trunk sewer main to Fair Road, service to 4 properties on Fair Road, Priscilla Lane, CR 166 and the installation of a lift station. This is a final quantity change order to close the project. The change order is due to a number of field quantity changes that occurred during the construction.

The Change Order will increase the overall contract for Gin-Spen, Inc. in the amount of \$30,197.45. The original contract amount of \$1,874,720.30 minus \$189,240.45 (Change Order #1) plus the \$30,197.45 (Final Change Order) will bring the final contract amount to \$1,715,677.30.

Staff recommends that Council approve and authorize the City Manager to execute the Final Quantity Change Order in the amount of \$30,197.45 contingent upon TWDB final approval.

Councilmember Council moved and seconded by Councilmember Altom to Approval And Authorize the City Manager to Execute A Final Quantity Change Order For The Kaufman CWSRF2 TWDB Project ID 71550, CWSRF Wastewater Loan 124400 (CWSRF ID 2961-02) Contingent Upon TWDB Approval. Mayor Bacon called for a vote with all voting AYE, the motion carried.

7. Consider Approval Of Resolution R-01-07 Of The City Council Of The City Of Kaufman, Texas Accepting The Construction Of The Kaufman CWSRF2 TWDB Project ID 71550, CWSRF Wastewater Loan 124400 (CWSRF ID 2961-02) And Authorizing Final Payment To Gin-Spen, Inc. Contingent Upon TWDB Approval.

Director of Public Works Richard Underwood informed the Council that upon approval of Resolution R-01-07 would accept the construction of the CWSRF Wastewater Improvements and authorizes final payment to Gen-Spen, Inc. The construction of this project is now complete and has passed the final inspection by City Staff, PBS & J Engineering, and the TWDB inspector.

The project includes a trunk sewer main and manhole installation from the WWT Plant to SH 34, from the WWT Plant to Rand Road, sewer main installation from the trunk sewer main to Fair Road, sewer service to 4 properties on Fair Road, Priscilla Lane, CR 166 and the installation of a lift station.

The total cost of construction of this project is \$1,715,667.30, which includes both change order #1 and the final quantity Change order from

Gin-Spen, Inc. The final payment including retainage will be \$85,783.86. Adequate funds are available through the CWSRF funding to finalize this project contingent upon TWDB approval.

Staff recommends that Council accept Resolution R-01-07 and authorize final payment in the amount of \$85,783.86 to Gin-Spen, Inc contingent upon TWDB approval.

Mayor Pro-Tem Bounds moved and seconded by Councilmember Ratcliffe to approve Resolution R-01-07 Of The City Council Of The City Of Kaufman, Texas Accepting The Construction Of The Kaufman CWSRF2 TWDB Project ID 71550, CWSRF Wastewater Loan 124400 (CWSRF ID 2961-02) And Authorizing Final Payment To Gin-Spen, Inc. Contingent Upon TWDB Approval. Mayor Bacon called for a vote with all voting AYE, the motion carried.

8. Consider Approval of Resolution R-02-07 of the City Council of the City of Kaufman, Texas declaring that the City is qualified to offer a Tax Abatement Program for Commercial Property in the Washington Street Corridor and the Central Business District in accordance with the Property Redevelopment and Tax Abatement Act.

City Manager Curtis Snow informed the Council that upon approval of Resolution R-02-07 the City would be qualified to offer a Tax Abatement Program for Commercial Property in the Washington Street Corridor and the Central Business District in accordance with the Property Redevelopment and Tax Abatement Act. Mr. Snow reported that during the retreat this year, the Council expressed an interest in a tax abatement policy for the Washington Street Corridor. Since that time, it has become important to the community to encourage new development in the Central Business District. The policy offers abatement incentives to both areas.

The proposed abatement policy offers progressive incentives for redevelopment in both the "Corridor" and downtown. The scale for the incentives is more generous than the policy for industrial development. For example, the abatement offered for a fifty to a hundred thousand dollar investment would be entitled to a 40% abatement for four years. The industrial abatement is not offered for projects under \$500,000.

The reason these abatements are more liberal is to encourage new investments that will have a significant impact on the community profile and economic mix. It is important to Kaufman that the downtown is viable and attractive. The same circumstances hold true for the Washington Street Corridor.

Mr. Snow explained how the Policy works to the Council. If a business downtown or in the "Corridor" decides to structurally remodel and refinish its exterior to start a new business or expand on an existing business, they may petition the City for tax abatement. Based on the current value of the property as established by the appraisal district, the **Base** is set. The value of the improvements and qualifying personal property is what is abated.

If a property on the square is worth \$200,000 and the plan is to invest another \$200,000 and purchase \$200,000 in equipment (such as kitchen equipment) than the completed project will have a value set by the appraisal district of up to \$400,000 and new equipment for \$200,000. Based on the proposed policy, the property owner would be entitled to an abatement on the difference from the beginning appraisal and the finished appraisal. If it were a \$200,000 difference, then the property owner would get an abatement of 80% for five years. At the city's current tax rate of \$.62, that would be about \$992 a year for five years or \$4,960. The abatement on the equipment would be on a sliding scale of 50% in the first year, down to 10% in the fifth year. In this case, it would have a value of approximately \$1,860. The combined value of the abatements is \$6,920. The abatement for personal property is also available to tenants (a business leasing the building.)

The County Judge has agreed to support a tax abatement policy as well for the County. If the County approves a policy, like it has with the industrial abatement policy, then the incentive is worth even more.

This abatement policy is on future value, therefore there is no financial impact other than delayed revenues that may have come to the City after the improvements during the abatement period.

Staff recommends the Council consider this policy as another incentive to create change in the Washington Street Corridor and Downtown.

Councilmember Fortner moved and seconded by Councilmember Ratcliffe to approve Resolution R-02-07 of the City Council of the City of Kaufman, Texas declaring that the City is qualified to offer a Tax Abatement Program for Commercial Property in the Washington Street Corridor and the Central Business District in accordance with the Property Redevelopment and Tax Abatement Act. Mayor Bacon called for a vote with all voting AYE, the motion carried.

Councilmember Altom suggested that Staff notify the business owners in the Central Business District and Washington Street Corridor of the new Tax Abatement Commercial Property Policy.

9. Consider Adoption of Ordinance O-01-07 of the City of Kaufman, Texas amending Ordinance O-10-06 Annual Program of Services (Budget) revising the Personnel Classification Plan to Reclassify Police Sergeants/Criminal Investigation Sergeants Pay Grade and providing for a severability clause.

City Manager Curtis Snow informed the Council that upon adoption of Ordinance O-01-07 the Personnel Classification Plan would be amended to reclassify Police Sergeants/ Criminal Investigation Sergeants Pay Grade. Mr. Snow reported that in 2004, the City elevated the Police Officer's pay grade from Grade 10 to Grade 12. The purpose of this change was to increase Police Officer's salaries to retain personnel and be competitive in recruiting new personnel. Because this change placed their salaries above some of the more seasoned Sergeants, any sergeant below Step 7 in their pay grade was moved to Step 7. This change kept all of the Sergeants above the Police Officers' salaries.

The changes adopted by Council in 2004 remedied the problems that were perceived at that time. Unfortunately, when the City adjusted one pay grade without adjusting the other has left an opening for future problems.

Recently the City promoted a Patrol Officer to Sergeant. Under the Compensation & Classification Study implementation guidelines, a promotion requires a salary increase to the beginning of the new pay grade or 10%, whichever is greater. What Staff found was that the Sergeant's pay grade overlaps the Police Officer's pay grade to such a degree that less experienced Patrol Officers are getting paid more than the beginning of the Sergeant's pay grade.

Each pay grade should not necessarily be exclusive to the next lower pay grade because of the hierarchal system we work. There are always fewer jobs available for promotion than there are persons competing for promotion. Therefore, it is quite likely that a Police Officer could spend his whole career in the same position. A seasoned Patrol Officer can have more value than a newly promoted Sergeant and entitled to more compensation.

Conversely, pay grades should not overlap to such an extent that lesser experienced Patrol Officers get paid more than more experienced Sergeants. The two Pay Grades the city currently has for Patrol Officer and Sergeant, the gap between the starting salaries of both positions is \$3,200. Before the change in 2004, there was a \$5,596 difference.

Changing the pay grade for Sergeants will not affect anyone's salary other than one sergeant whose current salary will be below the new pay grade. That Sergeant will be brought up to the beginning of the new range.

The pay grade in the Police Department above the Sergeant's level will not be adversely affected. This change in pay grade still allows enough room between the Lieutenants grade and the Sergeant's grade for adequate promotion benefits.

The cost of this change will be for one Sergeant's salary at a cost of \$2,320. These costs can be covered through typical salary savings through the year.

Staff recommends amending the Job Classification Pay Plan for Sergeants the same as the City amended the plan for Patrol Officers in 2004. This change will allow the Department to promote or recruit Sergeants and compensate them appropriately at the beginning of their pay grade and not have them compensated less than lesser experienced Patrol Officers.

Mayor Pro-Tem Bounds moved and seconded by Councilmember Choyce to adopt Ordinance O-01-07 of the City of Kaufman, Texas amending Ordinance O-10-06 Annual Program of Services (Budget) revising the Personnel Classification Plan to Reclassify Police Sergeants/Criminal Investigation Sergeants. Mayor Bacon called for a vote with all voting AYE, the motion carried.

10. Consider Authorizing the City Manager, in conjunction with the EDC Director, to negotiate a contract with a retail market analysis consulting firm for the purposes of providing necessary information to recruit retail trade to Kaufman and authorize a commitment of up to \$35,000 over three years to pay for said contract.

City Manager Curtis Snow mentioned that the City Council in 2005, at a joint meeting with the Kaufman Economic Development Corporation Board of Directors expressed a strong interest in attracting retail to Kaufman. This new goal was corroborated through a survey of Kaufman residents that put retail at the top of the list of things to achieve for the community. The forthcoming Vision 20/20 Strategic Plan also places new retail as a goal.

The EDC Director and the City Manager have been investigating strategies to attract new retail over the past year. It was decided that Kaufman needs a thorough assessment of the purchasing power in Kaufman and the surrounding area that would give the City and the EDC

the information they needed to influence corporate decision making of retail chains that may succeed here.

The City Manager and the EDC Director have interviewed two firms that offer the analysis. One firm, Retail Coach, has experience in Kaufman County where they undertook a similar study for Terrell. Their cost is approximately \$30,000. The second firm, the Buxton Group, has vast experience nationally. Their proposal comes with a price tag in excess of \$65,000.

Because of the large difference in the two proposals, it is difficult to discern whether one proposal is a real bargain or it is a matter of "getting what you pay for."

The Buxton Group has extensive national experience, from Jacksonville, Florida to San Diego, California. The RetailCoach has more experience in smaller cities around the Metro-plex. But the biggest difference in the two proposals is the databases in the psycho-graphics reports. RetailCoach is going to spend more time "on the ground" interviewing nearby retailers and rely on local demographics. The Buxton Group is going to spend less time in the area and use their proprietary database on purchasing patterns of people in Kaufman County.

The EDC Director and the City Manager agreed that a study was needed and that if necessary, the City would contribute to the planning effort. The bottom line was that the \$70,000 that was originally proposed was a lot of money and Terrell had used the less expensive firm and was quite pleased with the results. A great number of other major cities in the country that the Buxton approach will produce more results. Therefore, EDC Director and City Manager agreed that if we went with the more expensive approach, the City and EDC would split the costs. If we went for the lesser cost proposal, EDC would pick up the major portion of the costs.

The EDC Director and the City Manager asked the EDC Board for funding of a retail assessment study for an amount of up to \$30,000. The Board understood the difference in price of the two alternatives and deferred to the Director to determine which firm to use, with the expectation that the City would match any costs above the \$30,000 limit.

This study will be used to proactively pursue identified retailers that should be interested in Kaufman but do not know about us. The study will also identify what retailers not to waste resources on based on our current psychographics. The result should be increased retail in three years, which means more retail sales tax for the City.

By virtue of the fact that the KEDC authorized up to \$30,000 for the project, it can be assumed they recommend the City undertaking a retail market analysis. They deferred to staff to choose which firm.

This project will cost the City up to \$12,000 a year for three years. This money can come from reserves and have no impact on the current budget.

Staff recommends authorizing the City Manager to negotiate a contract with a retail market analysis firm for the Council's consideration and not to spend more than \$35,000 in reserves over the next three years to fund such a contract.

After further explanation and debate of the market study, Councilmember Ratcliffe moved and seconded by Councilmember Fortner to authorize the City Manager, in conjunction with the EDC Director, to negotiate a contract with a retail market analysis consulting firm for the purposes of providing necessary information to recruit retail trade to Kaufman and authorize a commitment of up to \$35,000 over three years to pay for said contract. Mayor Bacon called for a vote. Mayor Pro-Tem Bounds, Councilmember Council, Councilmember Altom, Mayor Bacon, Councilmember Ratcliffe and Councilmember Fortner voted AYE. Councilmember Choyce voted NAY. The motion carried 6-1.

11. Consider nominations for a Farmers Market Committee.

Councilmember Fortner nominated Cecil Chaney to serve on the Farmers Market Committee. Councilmember Council moved and seconded by Councilmember Altom to appoint Cecil Chaney to the Farmers Market Committee. The Mayor called for a vote with all voting AYE, the motion carried.

Councilmember Altom moved and seconded by Mayor Pro-Tem Bounds to table and continue this agenda item until next month for further nominations. Mayor Bacon called for a vote with all voting AYE, the motion carried.

12. Consider scheduling a meeting date for a Work Session regarding the Zoning Ordinance.

The City Council scheduled a Work Session meeting for Monday, February 5, 2007 to discuss the revisions of the Kaufman Zoning Ordinance.

EXECUTIVE SESSION

The City Council convened into Executive Session at 8:58 p.m.

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 551.071 LEGAL.

1. LEGAL - Under TEX. GOV'T. CODE Sec. 551.071
 - a. Consult with City Attorney regarding an update on Dallas Crown pending litigation.

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.

The City Council adjourned out of Executive Session at 9:22 p.m.

END OF EXECUTIVE SESSION

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

1. LEGAL – Under TEX. GOV'T CODE Sec. 551-071.

Dallas Crown pending litigation.

No action taken.

ANNOUNCEMENTS FROM CITY MANAGER.

City Manager Curtis Snow reported that the Council was given a Master List of Street Paving Ranking.

City Manager reported that the Council was given a first time Business Plan (budget book). The Business Plan had been sent to Government Finance Officers Association (GFOA) for review. Normally, cities do not receive recognition the first year of submittal. GFOA will report on conditions that need improved or required in the Plan. City Manager thanked Cathy Cummins Director of Finance and City Staff for their help.

City Manager asked the Council to contact the City Secretary for attendance to the Chamber Banquet.

REQUEST/COMMENTS FROM MEMBERS OF CITY COUNCIL.

Councilmember Bounds thanked Staff for the Business Plan.

ADJOURNMENT.

Councilmember Council moved and seconded by Mayor Pro-Tem Bounds to adjourn the meeting at 9:24 p.m. Mayor Bacon called for a vote with all voting AYE, motion carried.

**PAULA BACON
MAYOR**

ATTEST:

**JO ANN TALBOT
CITY SECRETARY**