

**MINUTES OF THE
REGULAR CITY COUNCIL MEETING
MONDAY, JULY 16, 2007 — 6:00 P.M.
209 S. WASHINGTON
KAUFMAN, TEXAS 75142**

CITY COUNCILMEMBERS

MAYOR	WILLIAM FORTNER
MAYOR PRO-TEM	LONNIE BOUNDS
COUNCILMEMBER	GIL ALTOM JR.
COUNCILMEMBER	JEFF COUNCIL
COUNCILMEMBER	CHARLES GILLENWATER
COUNCILMEMBER	BARRY RATCLIFFE
COUNCILMEMBER	VON CARL THOMAS

INVOCATION: Councilmember Von Carl Thomas

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER: Mayor Fortner called the meeting to order at 6:02 p.m. Councilmembers present were William Fortner, Lonnie Bounds, Gil Altom Jr., Jeff Council, Charles Gillenwater, Barry Ratcliffe and Von Carl Thomas. Mayor Fortner declared a quorum present. Also present were City Attorney David Dodd, City Manager Curtis Snow, City Secretary Jo Ann Talbot, Director of Development of Services Terry Capehart, Chief of Police James M. Smith and Captain Roach.

SPECIAL RECOGNITION OF SERVICE FOR MAYOR BACON

Mayor Fortner presented former Mayor Bacon a service plaque in recognition of four years of service as Mayor.

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 citizen's comments were made.

CONSENT AGENDA ITEMS #1 THROUGH #3

1. Consider approval of the Minutes of the June 18, 2007 Regular City Council Meeting.

2. Consider second reading and adoption of Ordinance O-06-07, voluntary annexation from Calvary Baptist Church, annexing adjacent and contiguous property to the City of Kaufman, Texas; being all of a certain tract of land, being part of that certain called 14.987 acre tract conveyed to Calvary Baptist Church by Kaufman Joint Venture on June 26, 2006, recorded in Vol. 2907, Page 297 of the Deed Records of Kaufman County, Texas, and being a single tract of land totaling 9.126 acres that is contiguous and adjacent to the City of Kaufman, Texas, and is not more than one half (1/2) mile in width, and is vacant with no qualified voters in residence; located at 1609 Rand Road, and being situated in the Levi L. York Survey, Abstract 608; City of Kaufman, Kaufman County, Texas.
3. Consider approval of Resolution R-14-07 Annual Review of the City of Kaufman Investment Policy as amended for a further One (1) Year pursuant to the Public Funds Investment Act.

Mayor Pro-Tem Bounds moved and seconded by Councilmember Ratcliffe to approve the Consent Agenda Items #1 through #3. Mayor Fortner called for a vote with all voting AYE, the motion carried.

END OF CONSENT AGENDA

PLANNING AND ZONING

4. Consider a request and approval from Ray Rubio regarding an Amended Site Plan, in order to expand the existing Crossroads Liquor Store by approximately 3,900 square feet, located at 1807 S. Houston Street, being Lot 1, Block A of the Rubio Addition, City of Kaufman, Kaufman County, Texas. (Case No. S-03-07) (P & Z approval 5-0)

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 expand their existing 5,027 square feet retail liquor/donut store by approximately 3,900 square feet and relocate the drive-through service window to the new addition, which will increase the building size to 8,927 square feet. The new addition will be added onto the rear of the existing building and 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 total number of parking spaces required will be forty-two (42) spaces;

thirty-eight (38) spaces at one space per 200 sq. ft. of retail space and four (4) spaces at one space per 100 square feet for the 400 sq. ft. dining area of the donut shop. The existing parking lot has thirty one (31) spaces and with eleven (11) new spaces to be added the parking requirement will be achieved. For projects with 26-50 parking spaces a minimum of two handicapped spaces are required and the site plan indicates this requirement has also been met. Since the building, with the proposed addition, will exceed the 7,500 square feet threshold for a fire suppression system requirement the owners have agreed to install a sprinkler system to satisfy this code issue.

The Planning and Zoning Commission approved the Site Plan with a vote of 5-0.

Mr. Capehart reported that he had discussed with the property owners the landscaping around the existing area and the property owners have agreed to upgrade the landscaping.

Mr. Louis Tijerina, 10 Climbing Tree, Kaufman, representing the property owners informed the City Council that new landscaping would be installed to be more attractive.

Mayor Fortner asked if the building's exterior would be changed from its current look.

Mr. Tijerina reported that their plans were to stucco the outside of the building to make it look like the new buildings that were built recently.

Councilmember Ratcliffe moved and seconded by Councilmember Council to table the Site Plan until the landscaping plan was complete for review. Mayor Fortner called for a vote with all voting AYE, the motion carried.

5. Consider a request from Lee Ayres, Executive Director of the Kaufman Economic Development Corporation, regarding an amendment to the Millennium Business Park Planned Development (PD O-16-99) Exhibit "B" in order to expand the allowed uses on certain lots within the business park, located at 1701 E. State Highway 175, and being all of a certain 78.572 acre tract of land out of the Levi York Survey, Abstract 609, being all of the Kaufman Business Park Addition, City of Kaufman, Kaufman County, Texas. (Case No. Z-02-07) (P & Z approval 5-0)
 - a. Conduct Public Hearing

Mayor Fortner declared the Public Hearing open at 6:17 p.m.

Mr. Lee Ayres, Director for the Kaufman Economic Development Corporation, informed the Council that the changes to the Millennium Business Park Planned Development included the use of some lots that will align with the new Highway 34 Realignment. The uses of those lots would be for retail and commercial use. Mr. Ayres informed the Council that EDC couldn't give away property for retail or commercial uses.

There being no other persons to speak, the Public Hearing was closed at 6:22 p.m.

- b. Consider first reading and approval of Ordinance O-08-07 amending the Millennium Business Park Planned Development (PD O-16-99) Exhibit "B" Performance and Development Standards of Planned Development O-16-99, dated April 12, 1999, in order to expand the allowed uses on certain lots within the Millennium Business Park.

Director of Development of Services Terry Capehart informed the Council that the KEDC Board of Directors approved the proposed revisions on April 10, 2007 and the recommendation to amend the current standards had been forwarded to the Planning and Zoning Commission.

The purpose of the proposed changes is to take advantage of the high visibility the State Highway 175 and proposed State Highway 34 Bypass. This affords certain lots in the business park by allowing specific highway commercial, retail and service uses along with other certain amendments to be permitted on these lots. The original intent of the remainder of the business park planned development is to primarily be an employment center. The proposed revisions are intended to promote long term economic vitality, the highest and best uses, preserve property values and encourage new development within the community.

The Planning and Zoning Commission voted 5-0 to approve the proposed PD amendment.

Public Comment Forms were mailed to eighteen (18) property owners within 300 feet of this request. No Comment Forms had been returned at time of posting the Agenda; however, one telephone call was received favoring the request.

Councilmember Altom moved and seconded by Mayor Pro-Tem Bounds to approve first reading and approval of Ordinance O-08-07 amending the Millennium Business Park Planned Development (PD O-16-99) Exhibit "B" Performance and Development Standards of

Planned Development O-16-99, dated April 12, 1999, in order to expand the allowed uses on certain lots within the Millennium Business Park. Mayor Fortner called for a vote with all voting AYE, the motion carried.

6. Consider a request from Calvary Baptist Church, regarding the establishment of the initial zoning on a certain tract of land, being a single tract of land totaling 9.126 acres, recently annexed, as Single-Family 8 District (SF-8); located at 1609 Rand Road, being described in a deed recorded in Volume 2907, Page 297 of the Deed Records of Kaufman County, and being situated in the Levi York Survey, Abstract 608; City of Kaufman, Kaufman County, Texas. (Case No. Z-03-07) (P & Z approval 5-0)

- a. Conduct Public Hearing

Mayor Fortner opened the Public Hearing at 6:25 p.m. There being no one to speak for or against, Mayor Fortner closed the Public Hearing at 6:26 p.m.

- b. Consider first reading and approval of Ordinance O-09-07 amending the Comprehensive Zoning Ordinance O-02-07, dated March 19, 2007, and the Official Zoning Map; establishing the initial zoning classification as Single-Family-8 (SF-8) Residential District on a certain 9.126 acre tract of land, recently annexed; located at 1609 Rand Road.

Development of Services Terry Capehart informed the Council the applicants petitioned to voluntarily annex a 9.126 acre tract of land on June 18, 2007 which was approved by the City Council and are requesting that the initial zoning be established as Single-Family 8 (SF-8) Residential District.

The applicant is proposing to construct the new Calvary Baptist Church facility on the fifteen acre tract of land, which is located adjacent to the Helen Edwards School at 1609 Rand Road, of which the subject 9.126 acre tract is a part. Phase 1 of the proposed facility will be a 14,000 square feet sanctuary that will be added to in later phases as depicted on the site plan that was approved by the City Council on June 18, 2007.

The Comprehensive Plan recommends that the subject property be developed as Low Density Residential, which is in agreement with the proposed zoning.

The Planning and Zoning Commission voted 5-0 to approve the proposed initial zoning.

Public Comment Forms were mailed to five (5) property owners within 300 feet of this request. No Comment Forms had been returned the time of posting the Agenda.

Mr. Capehart reported that the property owners were addressing any drainage issues that may occur around the creek area.

Councilmember Altom moved and seconded by Councilmember Council to approve the first reading of Ordinance O-09-07 amending the Comprehensive Zoning Ordinance O-02-07, dated March 19, 2007, and the Official Zoning Map; establishing the initial zoning classification as Single-Family-8 (SF-8) Residential District on a certain 9.126 acre tract of land, recently annexed; located at 1609 Rand Road. Mayor Fortner called for a vote with all voting AYE, the motion carried.

DISCUSSION/ACTION ITEMS

7. Consider first reading and approval of Ordinance O-10-07 of the City of Kaufman, Texas, amending Chapter 22 and Chapter 46 of the Code of Ordinances, amending Ordinance O-05-00, replacing and repealing all of Ordinance O-21-99 and Ordinance O-34-01, and adopting by reference the 2005 National Electrical Code; 2003 International Building Code; 2003 International Residential Code; 2003 International Fire Code; 2003 International Plumbing Code; 2003 International Mechanical Code; 2003 International Fuel Gas Code; 2003 International Energy Conservation Code; 2003 International Property Maintenance Code; 2003 International Existing Building Code; and 2003 International Private Sewage Disposal Code; adopting certain local amendments as recommended by the North Central Council of Governments (NCTCOG) to the codes as enumerated; providing for a penalty; providing for a severability clause; a repealer clause; and providing an effective date.

Development of Services Terry Capehart informed the Council that prior to 1999 numerous building codes were being used by various jurisdictions to regulate construction including the Uniform Building Codes (UBC), Southern Building Code Congress International (SBCCI), Building Officials and Code Administrators International (BOCA), etc. In 2000, the first International Building Codes (IBC) were published for adoption in which all of the previous code councils joined efforts to standardize building codes across the country. These universally accepted codes are routinely updated every three years and the City of Kaufman is currently operating under the 1999 National Electrical Code and the 2000 International Building Codes. The State of Texas adopted the International Building Codes and National Electrical Code as the official building codes of Texas in January 2007 and currently all 50 states have joined Texas in the

adoption of the IBC. The Regional Codes Coordinating Committee of the North Central Council of Governments (NCTCOG), consisting of 27 members comprised of local government officials, architects, engineers, contractors, educators, property management professionals, insurance representatives, builders and developers, have made the recommendation that all municipalities and jurisdictions in North Central Texas adopt the 2003 International Codes and the 2005 National Electrical Code with the recommended Regional (local) Amendments. Bureau Veritas, the City's building inspection consultants, also recommend adopting the 2005 NEC and 2003 IBC in order to be consistent with other cities in North Texas. Since architects, developers and builders as well as our inspectors are now very familiar with the 2003 codes, project design costs and construction costs are kept to a minimum. Since it is customary to update the Zoning Ordinance and Comprehensive plan about every 5 to 6 years, it is staff's recommendation to adopt the International Building Codes on alternating cycles as well, thus giving developers and the City staff a long-term stable environment for operation. It is very rare that major changes occur in the construction industry that would necessitate a three year adoption cycle and local amendments could always address critical issues.

Many of the local amendments adopted for the 2000 Codes have been carried over into the 2003 Code cycle and thus do not impose significant changes. However, two significant amendments have been added: Form surveys performed by a licensed surveyor are now required for all new construction and are to be available to the Building Inspector at the plumbing rough inspection before concrete is poured. Also, cellular core PVC pipe has been prohibited in plumbing work conducted in the City due to reports of numerous system failures using this product in North Texas. Only solid core PVC pipe will be allowed. The Energy Conservation Code was revised to be more understandable by the construction trades and will help the City meet energy conservation goals recently imposed by the State.

The amendment to Ordinance O-05-00 that is referenced in Chapter 22 of the Code of Ordinances, as recommended by the City Attorney, is to remove the reference to extending building codes into the extraterritorial jurisdiction due to conflict with Local Government Code Chapter 212.049 – "Building Permits in Extraterritorial Jurisdiction. This subchapter does not authorize the municipality to require municipal building permits or otherwise enforce the municipality's building code in its extraterritorial jurisdiction."

The Fire Department, Public Works and Development Services Staff recommend approval.

After discussion of Ordinance O-10-07, Councilmember Council moved and seconded by Councilmember Ratcliffe to approve first reading of Ordinance O-10-07 of the City of Kaufman, Texas, amending Chapter 22 and Chapter 46 of the Code of Ordinances, amending Ordinance O-05-00, replacing and repealing all of Ordinance O-21-99 and Ordinance O-34-01, and adopting by reference the 2005 National Electrical Code; 2003 International Building Code; 2003 International Residential Code; 2003 International Fire Code; 2003 International Plumbing Code; 2003 International Mechanical Code; 2003 International Fuel Gas Code; 2003 International Energy Conservation Code; 2003 International Property Maintenance Code; 2003 International Existing Building Code; and 2003 International Private Sewage Disposal Code; adopting certain local amendments as recommended by the North Central Council of Governments (NCTCOG) to the codes as enumerated; providing for a penalty; providing for a severability clause; a repealer clause; and providing an effective date. Mayor Fortner called for a vote with all voting AYE, the motion carried.

8. Consider first reading and approval of Ordinance O-11-07 of the City of Kaufman, Texas, amending the Code of Ordinances; Chapter 102; Article VIII; Section 102-301 – Definitions to reflect recent revisions to State Law affecting the City Code of Ordinances; providing for a penalty clause, providing for a severability clause, repealing all conflicting ordinances, and providing an effective date.

Development of Services Terry Capehart informed the Council that Ordinance O-11-07 was amending the Code of Ordinances; Chapter 102; Article VIII; Section 102—301 to comply with new state law as follows:

Antique Vehicles are now considered to be at least 25 years old. The old law was 35 five years old or older were classified as antique vehicles.

Junked Vehicles that remain inoperable for more than 30 days are in violation of State Law. The old law and the City's current ordinance states that junked vehicles that remained inoperable for more than 45 days were a violation of the law.

Councilmember Thomas moved and Councilmember Gillenwater seconded the motion to approve the first reading of Ordinance O-11-07 of the City of Kaufman, Texas, amending the Code of Ordinances; Chapter 102; Article VIII; Section 102-301 – Definitions to reflect recent revisions to State Law affecting the City Code of Ordinances; providing for a penalty clause, providing for a severability clause, repealing all conflicting ordinances, and providing an effective date. Mayor Fortner called for a vote with all voting AYE, the motion carried.

9. Consider first reading and approval of Ordinance O-12-07 of the City of Kaufman, Texas, amending the Code of Ordinances, Chapter 90 "Streets, sidewalks, and other public places" by adding a new Article V; providing definitions; declaring prohibited uses on public sidewalks; providing for liability of abutting property owners for injuries caused by defective sidewalks and driveways; providing for liability for persons making special use of sidewalks or driveways; providing for City of Kaufman cost sharing for repairs of sidewalks; providing for City Council to undertake involuntary assessment proceedings for necessary repairs; providing for voluntary property owner participation costs; permitting; deleting Section 102-4 riding animals or bicycles on sidewalks; providing for a penalty, a repealer, savings clause and an effective date.

City Manager Curtis Snow informed the City Council that Ordinance O-12-07 was reviewed and discussed at the June 2007 City Council meeting. This ordinance sets standards that currently do not exist relating to the liability, use, maintenance and repair of sidewalks within the City. It also includes a cost participation section between the City and the property owner for the repair and replacement of sidewalks.

Mayor Fortner confirmed that the liability issue has always been the property owners' responsibility and the City did not create anything new in the ordinance for property owners. City Attorney David Dodd agreed.

Councilmember Altom moved and seconded by Councilmember Gillenwater to approve first reading of Ordinance O-12-07 of the City of Kaufman, Texas, amending the Code of Ordinances, Chapter 90 "Streets, sidewalks, and other public places" by adding a new Article V; providing definitions; declaring prohibited uses on public sidewalks; providing for liability of abutting property owners for injuries caused by defective sidewalks and driveways; providing for liability for persons making special use of sidewalks or driveways; providing for City of Kaufman cost sharing for repairs of sidewalks; providing for City Council to undertake involuntary assessment proceedings for necessary repairs; providing for voluntary property owner participation costs; permitting; deleting Section 102-4 riding animals or bicycles on sidewalks; providing for a penalty, a repealer, savings clause and an effective date. Mayor Fortner called for a vote with all voting AYE, the motion carried.

10. Consider first reading and approval of Ordinance O-13-07 of the City Council of the City of Kaufman, Texas, amending the Code of Ordinance, Chapter 66, Article II, "Smoking" by deleting Section 66-31 through Section 66-35 and supplementing with Section 66-31 through Section 66-70; providing provisions regulating smoking in public places; providing a severability clause; providing an effective date; and providing for a penalty.

City Manager Curtis Snow informed the Council that the proposed ordinance bans smoking in all public places. The ordinance is modeled after one recently adopted in the City of Abilene. The ordinance is an absolute ban on smoking in public places and places of employment. The reason this ordinance was selected was that it is easy to amend if there is any particular ban that the Council may choose to delete. For instance, the ordinance defines what a "bar" is and has its own section. If the Council so chooses to allow smoking in bars, the Council may wish to delete that section. There is also a section that prohibits smoking within 20 feet of the public buildings where smoking is prohibited. The Council may amend that for whatever distance they feel is appropriate or delete it in its entirety.

Mayor Fortner is a proponent of the ban. He commented that any person has the right to eat in a restaurant without having to smell smoke or breathe secondhand smoke. He is very much in favor of this ordinance. One hundred thousand people a year die from smoking-related causes. He believes we need to do anything to discourage smoking.

Councilmember Altom commented that we might be jumping the gun on this issue. He said the ordinance would affect local businesses, especially restaurants and if we pass this ordinance as it is, we would be affecting a lot of businesses in our community. Councilmember Altom commented that we shouldn't consider this ordinance until we've had an opportunity to hear what citizens' thoughts and concerns. One of Councilmember Altom's concerns was from the fact that even if council opts to exclude bars and private clubs from the ban, smoking in most of the community's restaurant bars would be prohibited because their bars are not "closed off" from eating areas.

Councilmember Thomas questioned whether there was a need for such an ordinance. He commented that he understands there have been several other communities that have already done this, but he doesn't think we should jump into this just because everybody else is doing it.

After discussion the Council felt that a Public Hearing should be scheduled to hear more public input on the issue. The Public Hearing will be scheduled at the August City Council meeting.

Mayor Pro-Tem Bounds moved and seconded by Councilmember Council to postpone voting on Ordinance O-13-07 until next month's meeting after conducting a Public Hearing on this issue. Mayor Fortner called for a vote with all voting AYE, the motion carried.

11. Consider adoption of Ordinance O-14-07 amending the 2006-2007 Fiscal Year Budget (Budget amendment #07-005)

City Manager Curtis Snow informed the Council that a police patrol vehicle was involved in an accident earlier this year leaving the Department short of a vehicle. Ordinance O-14-07 amends the Budget to purchase a replacement vehicle, which is the next item on the agenda. The City received a check for \$9,999.00 for the totaled vehicle. Staff is requesting to apply the insurance proceeds toward the purchase of a replacement vehicle. The General Fund currently has \$20,553.00 from auctioned proceeds that is restricted to equipment replacement. Staff is requesting approval to utilize approximately \$10,000 of these restricted funds to subsidize the balance of this budget amendment.

Councilmember Council asked if a new light bar was included on the purchase of the vehicle. City Manager Curtis Snow reported that no light bar was ordered with the vehicle and that could be discussed in the next agenda item.

Councilmember Altom moved and seconded by Councilmember Thomas to adopt Ordinance O-14-07 amending the 2006-2007 Fiscal Year Budget (Budget amendment #07-005). Mayor Fortner called for a vote with all voting AYE, the motion carried.

12. Consider approval to purchase One (1) 2007 Ford Crown Victoria Police Interceptor from the Texas Building and Procurement Commission on the State Contract.

City Manager Curtis Snow informed the Council that the cost of the 2007 Ford Crown Victoria Police Interceptor is \$19,925.00. Emergency equipment will be installed on the vehicle costing a total \$22,500.00.

Councilmember Council questioned why a new light bar was not included in the purchase of emergency equipment. The old light bar may not work properly and for safety reasons a new light bar should be included.

After discussion Councilmember Council moved and seconded by Councilmember Altom to approve the purchase One (1) 2007 Ford Crown Victoria Police Interceptor from the Texas Building and Procurement Commission on the State Contract and to include the purchase of a new light bar for the vehicle. Mayor Fortner called for a vote with all voting AYE, the motion carried.

13. Consider second reading and adoption of Ordinance O-07-07 of the City of Kaufman, Texas, providing an addendum to Stage 3 (Goals for use reduction and actions available under stage 3, severe) of the City of

Kaufman Drought Contingency Plan; increasing landscape watering to twice per week per service address; reducing watering times; modifying municipal watering; and allowing swimming pools to be filled to maintain operational levels; to become effective upon adoption of this ordinance and continue until December 31, 2007 or until drought conditions change; providing for a repealer clause; providing a severability clause; providing for a penalty clause; and providing an effective date.

City Manager Curtis Snow informed the Council that the drought restrictions had been lifted by North Texas Municipal Water District. Ordinance O-07-07 provided amendments to the Drought Contingency Plan and now the amendments of the Plan is no longer in effect. Staff recommended to review the whole plan and come back with a more workable Plan in the future. Therefore, staff would like to table this item until November 2007 City Council meeting.

Councilmember Ratcliffe moved and seconded by Mayor Pro-tem Bounds to table of Ordinance O-07-07 until the November 2007 City Council meeting. Mayor Fortner called for a vote with all voting AYE, the motion carried.

14. Consider approval and authorize the Mayor to execute a contract with the Office of Rural Community Affairs Texas, Community Development Block Grant Program (TxCDGB) for a Planning and Capacity Building Fund Grant, Contract No. 727114.

City Manager Curtis Snow informed the Council that the Grant project elements consists of basic planning studies, street system plan, water system plan and storm drainage system plan. The total grant is \$60,100.00. The Office of Rural Community Affairs is contributing \$45,100.00 along with the City's match of \$15,000.00.

Councilmember Altom moved and seconded by Councilmember Council to approval and authorize the Mayor to execute a contract with the Office of Rural Community Affairs Texas, Community Development Block Grant Program (TxCDGB) for a Planning and Capacity Building Fund Grant, Contract No. 727114. Mayor Fortner called for a vote with all voting AYE, the motion carried.

15. Consider setting the date, time and place for a Public Hearing regarding the City's Fiscal Year 2007-2008 Budget.

Councilmember Altom moved and seconded by Councilmember Thomas to set Monday, August 20, 2007, 6:00 pm., City Hall, Council Chambers for a Public Hearing regarding the City's Fiscal Year 2007-2008 Budget. Mayor Fortner called for a vote with all voting AYE, the motion carried.

The Council took a break at 7:31 p.m.

EXECUTIVE SESSION

The Council convened into Executive Session at 7:43 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 551.074 PERSONNEL.

1. Personnel - Under TEX. GOV'T. CODE Sec. 551.074
 - a. To discuss police personnel.

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 Council adjourned the Executive Session at 9:13 p.m.

END OF EXECUTIVE SESSION

16. CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED MEETING ITEMS:
 1. PERSONELL – Under TEX. GOV'T CODE Sec. 551-074.

Police Personnel.

No Action taken.

ANNOUNCEMENTS FROM CITY MANAGER.

City Manager Curtis Snow informed the Council that he would be on vacation from July 20th through August 7th. He could be reached by email or by his cell phone.

City Manager Curtis Snow also informed the Council that Mayor Fortner delivered three framed art pieces for the City Hall lobby.

REQUEST/COMMENTS FROM MEMBERS OF CITY COUNCIL.

Councilmember Council inquired about the old Janicek building on the corner of Mulberry and S. Washington Street. City Manager informed the Council that the property owner was working on the structure removing the old roof.

The old Feed Store Restaurant that burned located on Jackson Street, the property owner was removing the debris from the inside of the burned structure.

City Manager informed the Council that Sam Lalumia was purchasing the Scott's Drug Store building to remodel as a restaurant and the Greenslade Drug Store was being auctioned on August 4th. He reported that good things could be happening for the downtown square.

Mayor Pro-Tem Bounds inquired about the status of refurbishing the water towers. City Manager Curtis Snow reported he would get with the Director of Public Works regarding the water towers.

Councilmember Gillenwater commended the new Code Enforcement Officer for a job well done.

Councilmember Thomas reported he wanted to go to the TML Seminar held on August 10th and 11th regarding Newly Elected Officials.

ADJOURNMENT.

There being no further business Mayor Pro-Tem Bounds moved and seconded by Councilmember Altom to adjourn the meeting at 9:19 p.m. Mayor Fortner called for a vote with all voting AYE, the motion carried.

**WILLIAM FORTNER
MAYOR**

ATTEST:

**JO ANN TALBOT
CITY SECRETARY**

