

**AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, NOVEMBER 19, 2007 — 6:00 P.M.
KAUFMAN CITY HALL
209 S. WASHINGTON
KAUFMAN, TEXAS 75142**

CITY COUNCILMEMBERS

MAYOR	WILLIAM FORTNER
COUNCILMEMBER	GIL ALTOM JR.
COUNCILMEMBER	KENNY CAMPBELL
COUNCILMEMBER	JEFF COUNCIL
COUNCILMEMBER	CHARLES GILLENWATER
COUNCILMEMBER	BARRY RATCLIFFE
COUNCILMEMBER	VON CARL THOMAS

INVOCATION

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER: Mayor calls the Meeting to order, state the date and time. State Councilmembers present and declare a quorum present.

SPECIAL RECOGNITION OF SERVICE FOR COUNCILMEMBER – LONNIE BOUNDS

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 #8

“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 October 15, 2007 Regular City Council Meeting.

2. Consider approval of the Minutes of the October 23, 2007 Joint Meeting with Kaufman City Council and Kaufman Independent School District.
3. Consider approval of the Minutes of the November 6, 2007 Special City Council Meeting.
4. Consider approval and authorize the Mayor to execute an Agreement with Carter & Burgess, Inc. for Engineering Services for the 2007 Texas Community Development Block Grant Program, Sewer System Improvements #727320.
5. Consider second reading and adoption of Ordinance O-21-07 AMENDING THE COMPREHENSIVE ZONING ORDINANCE O-02-07, DATED MARCH 19, 2007, BY AMENDING SECTION 44.7A – GENERAL SIGN REGULATIONS, BY REVISING THE HEIGHT AND SIZE RESTRICTIONS FOR FLAGS, ADOPTING A SIZE TO HEIGHT PROPORTIONALITY AND ADDING MAINTENANCE REQUIREMENTS FOR FLAGS; CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; AND PROVIDING FOR A PENALTY CLAUSE, PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.
6. Consider second reading and adoption of Ordinance O-22-07 AN ORDINANCE DESIGNATING A CERTAIN AREA AS A COMMERCIAL/INDUSTRIAL TAX ABATEMENT ZONE IN THE CITY OF KAUFMAN, TEXAS, TO BE KNOWN AS REINVESTMENT ZONE NO. 3, ESTABLISHING THE BOUNDARIES THEREOF, PROVIDING FOR AN EFFECTIVE DATE AND CONTAINING A SEVERABILITY CLAUSE.
7. Consider second reading and adoption of Ordinance O-23-07 AN ORDINANCE DESIGNATING A CERTAIN AREA AS A COMMERCIAL/INDUSTRIAL TAX ABATEMENT ZONE IN THE CITY OF KAUFMAN, TEXAS, TO BE KNOWN AS REINVESTMENT ZONE NO. 4, ESTABLISHING THE BOUNDARIES THEREOF, PROVIDING FOR AN EFFECTIVE DATE AND CONTAINING A SEVERABILITY CLAUSE.
8. Consider second reading and adoption of Ordinance O-24-07 AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE IMMEDIATE EFFECT.

END OF CONSENT AGENDA

PLANNING AND ZONING ITEMS

9. Consider a request from Bryan Tebo, representing ETMC ambulance services, regarding a Specific Use Permit to allow ambulance services, located at 306 W. Mulberry Street, and being all of Lot 6R, Block 13 of the ETMC Addition, City of Kaufman, Kaufman County, Texas. (Case No. Z-05-07) (P & Z approval 5-0)
 - A. Conduct Public Hearing
 - B. Consider first reading of Ordinance O-27-07 establishing Specific Use Permit Number thirteen (SUP-13) for ambulance services; providing certain conditions; amending the official zoning map; providing for a penalty; severability; savings and effective date.
10. Consider a request from Bryan Tebo, representing ETMC ambulance services, and act upon a recommendation to the City Council regarding a Site Plan for a new ambulance service facility, being a 10,000 square feet tract of land located at 306 W. Mulberry Street, described as Lot 6R, Block 13 of the ETMC Addition, City of Kaufman, Kaufman County, Texas. (Case No.S-05-07) (P & Z approval 5-0)

DISCUSSION/ACTION ITEMS

11. Consider approval of the Purchase of One (1) 2008 Ford Expedition XLS from the Houston Galveston Area Council (HGAC) on the State Contract through vendor Philpott Motors.
12. Consider approval and authorize the City Manager to execute a Tax Abatement Agreement between the City of Kaufman and Abox Company, Inc.
13. 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 November 2007.

APPOINTMENTS

14. Consider the appointment of One (1) Planning and Zoning Commission member for a three year term through November 2010.
15. Consider the appointment of One (1) Keep Kaufman Beautiful Board member for an unexpired term through March 2008.
16. Consider the appointment of a Mayor Pro-Tem.

17. Consider submitting names for consideration to the Kaufman County Appraisal District Board to serve on the Appraisal Review Board.
18. Consider the re-appointment of Ray Raymond to serve as a member of the Kaufman County Appraisal District Board of Directors a shared representative with Kaufman Independent School District.

EXECUTIVE SESSION

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
 - b. Update on pending litigation – Dallas Crown Packing Company

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.

END OF EXECUTIVE SESSION

19. CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED MEETING ITEMS:
 1. Legal – Under TEX. GOV'T. CODE Sec. 551.071
 - b. Update on pending litigation – Dallas Crown.

ANNOUNCEMENTS FROM CITY MANAGER.

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, NOVEMBER 16, 2007 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

**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.