

**MINUTES OF THE
REGULAR CITY COUNCIL MEETING
MONDAY, OCTOBER 15, 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: Reverend Joseph G. Mehan Jr.

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER: Mayor Fortner called the Meeting to order at 6:04 p.m. Councilmembers present were William Fortner, Lonnie Bounds, Gil Altom Jr., Barry Ratcliffe, Charles Gillenwater and Jeff Council. Mayor Fortner declared a quorum present. Councilmember Thomas was absent. Also present were City Attorney David Dodd, City Manager Curtis Snow, ACM/City Secretary Jo Ann Talbot, Director of Development of Services Terry Capehart, and Chief of Police James M. Smith.

RECOGNITION: Mayor Fortner presented Skipper Yates with a plaque for a Good Citizen Award. Mr. Yates has served as a Kaufman Volunteer Fireman for over 44 years and served as a Councilmember for several years. The City Council recognized his service to the community.

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 #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 September 10, 2007 Special City Council Meeting.
2. Consider approval of the Minutes of the September 17, 2007 Regular City Council Meeting.

Councilmember Council moved and seconded by Councilmember Gillenwater to approve the Consent Agenda items 1 and 2. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

END OF CONSENT AGENDA

PLANNING AND ZONING ITEMS

3. Consider an amendment to the Zoning Ordinance O-02-07, at the request of the City Council, regarding text revisions to Section 44.7A - General Sign Regulations – Flags, in order to improve consistency with other sections of the Sign Ordinance and clarify language regarding the display of flags. The proposed text revisions are to be applied city-wide and will not change any Zoning District Boundary or the Zoning Classification on any real property. (Zoning Case Z-03-07) P & Z approval 6-0.
 - a. Conduct Public Hearing

Mayor Fortner called the Public Hearing open at 6:08 p.m.

No citizen's comments were made.

Director of Development of Services Terry Capehart informed the City Council that a recent request for a variance to the Zoning Ordinance, Section 44.7, General Sign Regulations – A. Flags, revealed several inconsistencies and conflicts in the language of the Sign Ordinance. The variance was denied by the Zoning Board of Adjustments and the City Council has remanded this issue back to the Planning and Zoning Commission for a recommendation. The current ordinance limits flag pole heights to twenty-five feet (25') in residential zoned property and thirty-five feet (35') in nonresidential zoned property rather than allow flags poles to equal the allowed sign height in each district. Also, it is a concern that grossly oversized flags may be used to simply attract attention and

detract from the traditional purpose of displaying a flag which is to show patriotism, honor and corporate and community pride and thus a proportionality element is needed in order to balance the size of flag to the height of the pole. A maintenance clause has also been included in order to insure that flags are maintained in good condition so as to reflect favorably on the property owner and the community. The proposed amendments are attached as Exhibit "A" to the Ordinance O-21-07.

The Planning and Zoning Commission has made the recommendation to the City Council by a vote of 6-0 to approve the proposed zoning ordinance amendment.

Since the proposed revisions are for text changes only and will not change any zoning district boundaries or the zoning classification on any real property only a notice in the newspaper of record published 15 days prior to the first public hearing is required.

No other comments were made. Mayor Fortner closed the Public Hearing at 6:11 p.m.

- b. First Reading 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.

Councilmember Altom moved and seconded by Councilmember Ratcliffe to approve the first reading 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. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent

DISCUSSION/ACTION ITEMS

4. Consider the creation of Reinvestment Zone No. 3 for Commercial/Industrial Tax Abatement for (Abox) property located at 706 Rand Road, Kaufman, Texas.
 - a. Conduct a Public Hearing.

Mayor Fortner declared the Public Hearing open at 6:12 p.m.

City Manager Curtis Snow informed the Council that this information is for agenda item #4 and #5.

City Manager Curtis Snow informed the Council that A-Box Paper Company is in the process of expanding their operations to another location (on Old Kemp Highway) and purchasing \$4,000,000 in equipment to meet their new service levels. The \$4,000,000 and 12 plus new employs they plan to hire qualify them under the City's existing tax abatement policy.

The existing policy allows for up to 400% abatement over five years on all new property. A-Box has chosen to ask for that abatement in the form of 100% for four years.

In order to offer abatement, the City has to establish a Reinvestment Zone that meets certain criteria established by State law. The ordinance under consideration establishes two zones that coincide with the existing property lease by A-Box Paper Company on Rand Road and the leased property located on Old Kemp Highway.

Once the zones are established, the Council will consider an Abatement Agreement for A-Box on \$4,000,000 of personal property or equipment that will require them to hire at least twelve new employees.

Councilmember Altom asked if this tax abatement was on real property or personal property. City Manager Curtis Snow reported that this was only for personal property. He also informed the Council that the City, County and Trinity Valley Community College had meet to discuss the tax abatement. They also will offer tax abatement to Abox.

Mayor Fortner declared the Public Hearing closed at 6:19 p.m.

- b. Consider first reading and approval 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.

Councilmember Council moved and seconded by Councilmember Gillenwater to approve the first reading 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. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

5. Consider the creation of Reinvestment Zone No. 4 for Commercial/Industrial Tax Abatement for (Abox) property located at 2400 C.R. 151, Kaufman, Texas.

- a. Conduct a Public Hearing.

Mayor Fortner declared the Public Hearing open at 6:20 p.m.

City Manager Curtis Snow reported this item is the same as Agenda item #4 except the investment zone is located at 2400 C.R. 151.

Mr. Keith Thompson owner of Abox introduced himself and gave the Council information about their business.

Mr. Lee Ayers, Director of Kaufman Economic Development, reported that Mr. Thompson had purchased the business (Abox) about three years ago from Lewis Armstrong. Abox Paper Company has six years left on a lease located off Rand Road and they also lease a facility off of U.S. 175, all owned by Lewis Armstrong. In 2004 they employed 53 people and did \$4.5 Million gross sales. Today they employ about 95 people and do approximately \$11.2 Million in gross sales. Current wages average \$32,000 per employee. They have company paid health insurance and retirement program. Abox currently has \$6.37 Million invested in furniture, equipment, and machinery in Kaufman. This compares to \$2.7 Million invested by Numo Manufacturing that includes land,

building, machinery and equipment. It also compares to approximately \$4.7 Million in investment by Falcon Steel that includes land, building, machinery and equipment.

Mayor Fortner declared the Public Hearing closed at 6:24 p.m.

- b. Consider first reading and approval 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.

Mayor Pro-tem Bounds moved and seconded by Councilmember Altom to approve the first reading 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. Mayor Fortner called for a vote with all voting AYE. Councilmember Thomas was absent.

6. Consider continued taxation of tangible personal property in transit which otherwise be exempt pursuant to Texas Tax Code, Section 11.253.
 - a. Conduct a Public Hearing.

Mayor Fortner declared the Public Hearing open at 6:25 p.m.

City Manager Curtis Snow informed the Council that before House Bill 621, the State had a similar provision for goods in transit that were shipped out of Texas. It was called the Freeport Exemption. Kaufman like other cities opted not to provide this exemption as an economic development tool. There are a number of positive aspects to this law that attracts industries doing business out of the State, but it was not a tool that seemed useful to Kaufman and could have a negative impact on the tax base because some of our existing primary industries already do business out of the State.

This new law would include industries doing business in the State. It provides an exemption on personal property (inventory) being stored at a location not under the control of the owner of the property. For instance, if Wal-Mart stored its goods in a warehouse they did not own, those goods would be tax exempt. This logic extends to businesses changing their warehousing to contract warehouses, exempting their entire inventory. The Kaufman County Appraisal District offers an analysis of what the potential loss to Kaufman's tax base could be if we opted to implement House Bill 621. That loss would be \$27,426,821 in Kaufman's tax base.

Another quirk in this new law is that the exemption will apply if the City takes no action. Cities have to choose to "opt out" of the provisions of this law.

The law firm of Linebarger, et.al., has sent a concise analysis of the Bill.

There is a potential net loss to the Cities tax base of \$8,219,610. This would mean that if the City chooses to assess the same tax revenues of previous years, the tax rate would have to increase, shifting the tax burden to residential and commercial properties.

There is a potential net loss to the Cities tax base of \$8,219,610 or approximately \$50,000 in tax revenues.

Staff recommends Council adopting the ordinance to continue taxation on goods-in-transit.

Mayor Fortner declared the Public Hearing closed at 6:31 p.m.

- b. Consider first reading and approval 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.

Councilmember Ratcliffe moved and seconded by Councilmember Gillenwater to approve the first reading 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. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

7. Consider adoption of Ordinance O-25-07 Amending the Fiscal Year 2007/2008 Budget to Allow for the Purchase of One (1) 2008 Ford 500 from the Texas Building and Procurement Commission on the State Contract.

City Manager Curtis Snow informed the Council that Chief James M. Smith currently drives a seized Chevrolet truck. This limits his visibility in the community.

The cost of the 2008 Ford 500 is \$17,937.00. The emergency equipment and installation is approximately \$3,900.00. The total cost of the vehicle will be approximately \$21,837.00.

Staff proposes to use proceeds from the recent auction of forfeited vehicles to pay \$12,000 toward the purchase of this vehicle. No budget amendment to the Police Forfeiture Fund 2008 Budget will be necessary. The remaining \$9,837 would come from General Fund reserves. A budget amendment would be necessary to allow for the partial payment from the General Fund.

A request use of \$12,000 from seizure fund and \$9,837 from the general fund reserves.

Staff recommends:

- (a) Approval of Ordinance #O-25-07 amending the FY08 General Fund Budget.
- (b) Approval to purchase the 2008 Ford 500 on the state contract through the Texas Building and Procurement Commission; no other bid process is necessary. Total price of this vehicle including installation of equipment is not to exceed \$21,837.00.

Councilmember Council was informed that this vehicle will not be used for a pursuit vehicle and the Chief's truck will be auctioned at the next auction.

Councilmember Altom asked about the recent funds received from the auction. City Manager Curtis Snow informed the Council that approximately \$12,000 was made from the auction.

Mayor Pro-Tem Bounds moved and seconded by Councilmember Council to approve Ordinance O-25-07 Amending the Fiscal Year 2007/2008 Budget to Allow for the Purchase of One (1) 2008 Ford 500 from the Texas Building and Procurement Commission on the State Contract. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

8. Consider adoption of Ordinance O-26-07 AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS AMENDING AND SUPPLEMENTING CHAPTER 106 UTILITIES, SECTION 106.7 (f) WATER RATES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Curtis Snow informed the Council that North Texas Municipal Water District (NTMWD) notified the City September 28th of a water rate increase. The letter states that they are increasing their water rates 6¢, effective presumably October 1.

Apparently this increase stems from a presentation given in April of 2006. No one from Kaufman was present at the presentation. These increases stem from the cost of capital to build the new water sources they have planned.

An average family in Kaufman consumes 7,000 gallons per month. Forgo them the 6¢ increase will be 42¢ per month or \$5.04 a year. Seniors consume less than half of that, so their increase would be around \$2.50 a year.

The City budgeted \$465,600 for water costs to NTMWD. Their “take or pay” requirement, with the 6¢ increase is \$495,395. That would leave a \$29,795 shortfall. If the Budget needs amending due to this change it will be done at the end of the fiscal year.

After discussion, Mayor Fortner moved and seconded by Councilmember Altom to adopt O-26-07 AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS AMENDING AND SUPPLEMENTING CHAPTER 106 UTILITIES, SECTION 106.7 (f) WATER RATES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

9. Consider approval of Resolution R-17-07 a RESOLUTION OF THE CITY OF KAUFMAN SUSPENDING THE OCTOBER 25, 2007, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE AND OTHER CITIES IN THE ATMOS ENERGY CORP., MID-TEX DIVISION SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

City Manager Curtis Snow informed the Council that after continued requests for GRIP rate increases, Atmos has filed a Statement of Intent to Increase Rates. Loyd-Gosslink, the attorneys for the Atmos Cities Steering Committee have recommended to member cities that they adopt a resolution to suspend the request for an increase until there is reasonable time to evaluate their request. This resolution has to be passed before October 25.

The rate increase will affect the City budget as well as all citizens and businesses in Kaufman.

After discussion, Councilmember Altom moved and seconded by Councilmember Council to approve Resolution R-17-07 a RESOLUTION OF THE CITY OF KAUFMAN SUSPENDING THE OCTOBER 25, 2007, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE AND OTHER CITIES IN THE ATMOS ENERGY CORP., MID-TEX DIVISION SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

APPOINTMENTS

10. Consider the appointment of Three (3) Planning and Zoning Commission members for a three (3) year term.

Councilmember Ratcliffe moved and seconded by Mayor Pro-Tem Bounds to appoint Kenny Campbell, Larry Nelson, and Patsy Leftwich to the Planning and Zoning Commission for a three (3) year term. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

11. Consider the appointment of One (1) Member to serve on the Kaufman Economic Development Corporation for an unexpired term through August 2009.

Mayor Fortner resigned his post serving on the Kaufman Economic Development Corporation. In the past two Councilmembers have served on the Board for representation. Currently, Councilmember Ratcliffe serves on the Board.

After discussion, Councilmember Altom moved and seconded by Mayor Pro-Tem Bounds to appoint Councilmember Gillenwater to the Kaufman Economic Development Corporation for an unexpired term through August 2009. Mayor Fortner called for a vote with all voting AYE, the motion carried. Councilmember Thomas was absent.

EXECUTIVE SESSION

The City Council went into Executive Session at 6:50 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
 - 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.

The City Council adjourned out of Executive Session at 7:15 p.m.

END OF EXECUTIVE SESSION

12. 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.

No action taken.

ANNOUNCEMENTS FROM CITY MANAGER.

City Manager Curtis Snow reminded the City Council of a Joint Meeting with Kaufman Independent School District (Tuesday, October 23rd)

City Manager Curtis Snow reminded the City Council of the TML Conference scheduled for November 6-9th, 2007. The City Council will meet Wednesday night for supper in Dallas.

REQUEST/COMMENTS FROM MEMBERS OF CITY COUNCIL.

Councilmember Ratcliffe asked if the City had hired a contractor to conduct drainage work on private property on Pricilla Lane. City Manager Curtis Snow informed the Council that the City had not contracted anyone to do drainage work.

Councilmember Ratcliffe asked if the contractors claimed a dirt pile on Pricilla Lane that was left over from a sewer line construction. City Manager Curtis Snow reported that the contractors had not claimed the dirt and the City would move it to another location.

Councilmember Altom inquired about the traffic on Highway 34 and Highway 175 during peek school hours. City Manager Curtis Snow responded that this would be discussed at the Joint Meeting with KISD. City Manager also reported that he will meet with TxDot on Wednesday regarding this issue. One suggestion would be for one police officer and one school police officer work the intersections for school traffic.

City Manager Curtis Snow informed the City Council that he had meet with TxDot to discuss the Highway 34 Alignment and acquisitions of property owners for the alignment. An environmental study should be complete in Austin in about 6 months and TxDot wants the City to go forward with right-of-way acquisitions.

City Manager Curtis Snow informed the City Council that a letter had been sent to TxDot requesting two crosswalks for the Courthouse square.

Mayor Fortner reported that he would like to rename Highway 243 by-pass to recognize and honor Dr. Hall. Dr. Hall was a family doctor in Kaufman for over 50 years and he contributed to this community and to the Kaufman hospital.

Mayor Pro-Tem Bounds read a letter of resignation effective October 15, 2007. Mr. Bounds reported that he and his wife would be moving to Spur Texas.

ADJOURNMENT.

There being no further business, Councilmember Council moved and seconded by Mayor Pro-Tem Bounds to adjourn the meeting at 7:35 p.m. Mayor Fortner called for a vote with all voting AYE, the motion carried.

**WILLIAM FORTNER
MAYOR**

ATTEST:

**JO ANN TALBOT
CITY SECRETARY**