

**MINUTES OF THE
CITY COUNCIL WORK SESSION
AND SPECIAL CITY COUNCIL MEETING
TUESDAY, MAY 2, 2006 — 6:00 P.M.
CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS**

CITY COUNCILMEMBERS

MAYOR	PAULA BACON
MAYOR PRO-TEM	PAULA HAGLER WAMPLER
COUNCILMEMBER	GIL ALTOM JR.
COUNCILMEMBER	LONNIE BOUNDS
COUNCILMEMBER	FLOYD CHOYCE
COUNCILMEMBER	STANLEY HOLMES
COUNCILMEMBER	JANICE MURRELL

INVOCATION: Chief of Police James M. Smith

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER: Mayor Bacon called the Meeting to order at 6:04 p.m. Councilmembers present were Mayor Bacon, Mayor Pro-Tem Wampler, Councilmember Altom Jr., Councilmember Bounds, Councilmember Choyce, Councilmember Holmes and Councilmember Murrell. Mayor Bacon declared a quorum present. Also present were City Manager Curtis Snow, City Secretary Jo Ann Talbot, Director of Development of Services Terry Capehart and Chief of Police James M. Smith.

NOTE: A Work Session is used to explore matters of interest to one or more City Council Members or the City Manager for the purpose of giving staff direction into whether or not such matters should be placed on a future regular or special meeting of the Council for citizens' input, City Council deliberation and formal City action. At a work session, the City Council generally receives informal and preliminary reports and information from City staff, officials, members of City committees, and the individual or organization proposing council action, if invited by City Council or City Manager to participate in the session. Participation by individuals and members of organizations invited to speak ceases when the Mayor announces the session is being closed to public input. Although Work Sessions are public meetings, and citizens have a legal right to attend, they are not public hearings, so citizens are not allowed to participate in the session unless invited to do so by the Mayor. Any citizen may supply to the City Council, prior to the beginning of the session, a written report regarding the citizen's opinion on the matter being explored. Should the Council direct the matter be placed on a regular meeting agenda, the staff will generally prepare a final report defining the proposed action, which will be made available to all citizens prior to the regular meeting at which citizen input is sought. The purpose of this

procedure is to allow citizens attending the regular meeting the opportunity to hear the views of their fellow citizens without having to attend two meetings.

1. Receive a report, hold a discussion, and give Staff direction regarding a request from Zita Herrera regarding a Site Plan for a new office/restaurant/retail complex, being a 24,150 square foot tract of land described as a part of Block 39, Original Town of Kaufman Addition, located at 300 E. Cherry Street, City of Kaufman, Kaufman County, Texas. Case No.S-01-06. (P&Z Approval 4-0) (Tabled 4-17-06)

Development of Service Director Terry Capehart informed the Council that revisions had been made to the Site Plan. The revised Site Plan identified the trees that were to remain on the property, the location of the dumpster, and the number of parking spaces required for the Site Plan. There are 33 parking spaces. There will be five (5) office spaces, one (1) warehouse, and one (1) restaurant. The required parking spaces for the complex are thirty-two (32). The complex meets the minimum parking requirement. Two (2) complexes were for retail, but the property owners decided to change them to office space units. Four (4) trees will remain on the property. The other trees that are removed in the landscaped area will have to be replaced with other type trees.

Ms. Carolyn Long, 401 West 4th Street, Kaufman, spoke in behalf of the property owner, Zita Herrera. Ms. Long reported that the owners wanted to leave the units for office space. The Mayor reported that if they wanted to have one (1) retail space that they would have adequate parking space.

Development of Services Director Terry Capehart reported on the building code issues and the allowed uses for retail and office space.

2. Receive a report, hold a discussion, and give Staff direction regarding proposed final revisions to Sections 1-11 of the Zoning Ordinance O-14-99 as recommended by the Zoning Ordinance/Comprehensive Plan Steering Committee and the Planning and Zoning Commission.

Mayor Bacon reported that the Council would go through Sections 1-11 of the revisions of the Zoning Ordinance to discuss and recommend changes.

Councilmember Murrell questioned Section 5 first paragraph regarding: Parks and Recreation projects are exempt from the Development Standards except in that which relates to public safety, health and welfare. Mr. Capehart explained that this would apply to masonry walls, height of fences, etc. Councilmember Murrell said that there are complaints about

the rock parking lot at the Sports Complex and she wanted the requirements spelled out in the Ordinance. City Manager Curtis Snow reported that the City could adopt a code within the Zoning Ordinance "Design Development Standards for Parks or National Parks Construction Standards". Staff would look into amending Section 5 by incorporating Park Standards.

Mayor Bacon asked that Section 6, 6.2 to add the words "specifically Section 9.04 of" before the words of "the City Charter". The last sentence of Section 6.2 would read, "forth in Section 10 of this Ordinance, specifically Section 9.04 of the City Charter, and all other applicable State laws.

Mayor Bacon asked to discuss Section 8.2 C regarding the terms of the Planning and Zoning Commission. She suggested that the Planning and Zoning Commission hold two (2) year terms, as the same of the City Council. Each Councilperson could appoint a member to the Planning and Zoning Commission. Discussion was held that the City does not have District, unlike other Cities. City Manager Curtis Snow recommended the terms remain three (3) year terms for continuity and the continued communication and education of serving on the Planning and Zoning Commission.

Section 8.3 A 1 was discussed and recommended to change the word "minimum" to "affirmative" in the last sentence.

Section 8.3 A 3 Conflict of Interest was discussed and recommended to change the words in the second and third sentence as follows: "Commission's agenda, he/she shall remove himself/herself from the room before the agenda item is open prior to discussing and voting on the item for which a conflict exists."

Section 9.6 Variances: C Conditions Required for Sign Variances was discussed at length. Staff recommended that this Section be revised and not to separate the Sign Variances from other requirements for variances. Section 9.6 C will be deleted and revised by Staff.

Mayor Bacon recommended that Section 10.3 Applications: C be published on the City's website in regards to the Planning and Zoning which states "Applicants are strongly encouraged to request a pre-submittal meeting with staff prior to making commitments to acquire land or engaging professional services to discuss the merits of the proposed zoning change, proposed uses, ordinance requirements, availability of utilities and other services, submittal requirements, scheduling of public hearings, platting and site plan requirements, fees, etc."

Section 10.4 A and B Public Hearing and Notices: Mr. Capehart informed the Council that 10.4 A is for Public Hearings for text changes. A notification is required by official newspaper of the City. Section 10.4 B requires notification to the property owners within 300 feet of a zoning change and published in the official newspaper.

Councilmember Murrell asked if the City had a Certificate of Occupancy. Mr. Capehart reported that the City does not have a true Certificate of Occupancy, but a Life Safety Inspection is conducted by the Fire Chief for change in ownership or occupant of any existing building or structure used for nonresidential or residential purposes. No utilities are released until the inspection is completed. Section 11 has been revised to accurately reflect the language of the Life Safety Ordinances and International Building Codes as adopted.

3. Receive a report and hold a discussion regarding Kaufman 20/20 Vision Community Meeting scheduled for Thursday, May 11, 2006 at 7:00 p.m.

City Manager Curtis Snow informed the Council that the Kaufman 20/20 Vision Community Meeting would be held at the Kaufman High School Cafetorium, Thursday, May 11, 2006 at 7:00 p.m. He reported that Executive Chairman Jerry Boze will give the Welcome and Introduction, Mayor Bacon will discuss why a vision, Betty Hendrickson will tell what is visioning, Curtis Snow will tell how we will vision. We will have a power point presentation and serve cookies and drinks.

Mayor Bacon asked if the Council had any thoughts on the Kaufman 20/20 Vision to please contact her to let her know.

ADJOURN WORK SESSION

Mayor Pro-Tem Wampler moved and seconded by Councilmember Holmes to adjourn the meeting at 7:50 p.m. The Mayor called for a vote with all voting AYE, the motion carried.

SPECIAL CITY COUNCIL MEETING

CALL MEETING TO ORDER: Mayor Bacon called the meeting to order at 7:50 p.m. Councilmembers present were Mayor Bacon, Mayor Pro-Tem Wampler, Councilmember Altom Jr., Councilmember Bounds, Councilmember Choyce, Councilmember Holmes and Councilmember Murrell. Mayor Bacon declared a quorum present. Also present were City Manager Curtis Snow, City Secretary Jo Ann Talbot, Director of Development of Services Terry Capehart and Chief of Police James M. Smith.

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 Citizens Comments were made.

1. Consider a request from Zita Herrera regarding a Site Plan for a new office/restaurant/retail complex, being a 24,150 square feet tract of land described as a part of Block 39, Original Town of Kaufman Addition, located at 300 E. Cherry Street, City of Kaufman, Kaufman County, Texas. Case No.S-01-06. (P&Z Approval 4-0)

Councilmember Murrell moved and seconded by Councilmember Choyce to approve a request from Zita Herrera regarding a Site Plan for a new office/restaurant/retail complex, being a 24,150 square feet tract of land described as a part of Block 39, Original Town of Kaufman Addition, located at 300 E. Cherry Street, City of Kaufman, Kaufman County, Texas. Case No.S-01-06. Mayor Bacon called for a vote. Councilmember Bounds, Councilmember Murrell, Councilmember Altom, Mayor Bacon, Councilmember Choyce and Councilmember Holmes voted AYE. Mayor Pro-Tem Wampler voted NAY. The motion carried to approve the Site Plan.

ANNOUNCEMENTS FROM CITY MANAGER.

City Manager Curtis Snow reported on property located at 100 W. Mulberry, known as the old Janicek Building. He said the roof had collapsed due to holes in the roof from rain. The inside parafait brick wall had collapsed on the adjoining building. The property owners contacted their engineers and were currently assessing the building. The engineer feels there is no immediate danger. They have drilled wholes in the concrete foundation to determine the stability of installing concrete columns to stabilize the walls. Once that is determined, it will be determined whether to demolish the building or install concrete columns to stabilize the walls and then install metal beams. After the beams are installed, a new roof will be installed. There is no start date at this time. The black mold will be removed. There is still a concern if storms continue, especially if high winds are involved. City Staff is still working on a start date on stabilization of the building.

REQUEST/COMMENTS FROM MEMBERS OF CITY COUNCIL.

No Comments were made by the City Council.

ADJOURNMENT.

Mayor Pro-Tem Wampler moved and seconded by Councilmember Bounds to adjourn the meeting at 8:01 p.m. The Mayor called for a vote with all voting AYE, the motion carried.

PAULA BACON, MAYOR

ATTEST:

JO ANN TALBOT, CITY SECRETARY