

City of Taylor
Regular City Council Meeting
Taylor City Hall, Council Chambers, 400 Porter Street
April 13, 2023 at 6:00 p.m.

Mayor Rydell declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro-Tem Gerald Anderson
Council Member Robert Garcia
Council Member Mitch Drummond
Council Member Dwayne Ariola
Mayor Brandt Rydell

Brian LaBorde, City Manager
Jeff Jenkins, Deputy City Manager
Tom Yantis, Assistant City Manager
Mark Schroeder, Assistant City Attorney
Dianna McLean, City Clerk

INVOCATION / MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/RECOGNITIONS

1. **Child Abuse Prevention and Awareness Month.**
Mayor Pro-Tem Anderson read the proclamation and presented it to Tori Algieri with Wilco Children's Advocacy Center.
2. **National Public Safety Telecommunicators Week proclamation.**
Councilmember Ariola read the proclamation and presented it to Chief Fluck and members of his staff.

CITIZENS COMMUNICATION

Terry Burris, 1105 Fowzer – submitted several notice of maladministration forms.
Rick Von Pfeil – suggested a lid policy for dumpsters due to trash blowing around. Also suggested the city provide dumpsters for large items.
Sheena Pin, W. 7th St. – concerned about neighbors burning and smoke filling her house. Feels FD is not enforcing city ordinance.
Tom Mowdy, 1805 Covey Ave – believes the Taylor Housing Authority is a division of the City.

CONSENT AGENDA

3. **Approve minutes from the March 23, 2023 regular City Council meeting and the March 27, 2023 special called Taylor Housing Authority Board joint meeting.**
4. **Concur with preliminary financials for February 2023.**
5. **Consider Ordinance 2023-15 regarding PZ-2023-1629 a request to amend the Future Land Use Map to redesignate a portion of the property from Market Center: Community to Employment Center: Community on property described as 39.85 acres of land generally located at 1103 Carlos G. Parker Blvd.**
6. **Consider Ordinance 2023-16 regarding PZ-2022-1560 a request to change the zoning designation from the zoning designation from Local Business (B-1), Multi-Family Residential (MF-2), and Parks (P) to Multi-Family Residential with a Planned Development Overlay (MF-1/RPD) on property described as approximately 1.40 acres of land generally located along Murphy Street.**
7. **Consider acceptance of subdivision infrastructure for the Castlewood Subdivision Phase 2 & 3.**
8. **Consider acceptance of subdivision infrastructure for the RCR-Taylor Logistics Park**

9. **Consider Resolution R23-12 authorizing proceeding with issuance of certificates of obligation to the Texas Water Development Board and further directing the publication of notice of intention to issue City of Taylor, Texas Combination Tax and Surplus Revenue Certificates of Obligation, series 2023.**

Motion was made by Councilmember Garcia to approve the consent agenda items as presented.

Motion was seconded by Mayor Pro-Tem Anderson. Motion carried unanimously.

PUBLIC HEARING/ORDINANCES

10. **Consider introducing Ordinance 2023-13 adopting updated water and wastewater impact fees.**

Tom Yantis, Assistant City Manager - Ordinance will adopt new water and wastewater impact fees as discussed at a public hearing on February 23rd.

The City Attorney read the caption of the Ordinance.

ORDINANCE NO. 2023-13

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, AMENDING ORDINANCE NO. 2001-53, AMENDING ORDINANCE NO. 2006-7, AND AMENDING CHAPTER 29, ARTICLE VI. OF THE TAYLOR CITY CODE BY UPDATING IMPACT FEES FOR WATER AND WASTEWATER UTILITIES; PROVIDING FOR COLLECTION OF IMPACT FEES; ESTABLISHING ACCOUNTS AND RECORDS OF IMPACT FEES COLLECTED; PROVIDING FOR USE OF PROCEEDS FROM IMPACT FEE ACCOUNTS; PROVIDING FOR AN ADVISORY COMMITTEE; PROVIDING FOR EXEMPTIONS FROM THIS ORDINANCE; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY CLAUSE FOR VIOLATIONS OF THIS ORDINANCE.

First reading. No action was taken.

11. **Consider introducing Ordinance 2023-14, adoption of city event policy.**

Brian LaBorde, City Manager - The proposed ordinance will evaluate applications for events for crowd gatherings of 500 or more, ROW usage or vendors used for the sale of goods or services, based on preserving the health, safety and general welfare of the community, economic prosperity actualized for local businesses and the economy, and fiscal impacts on the municipality imposing undue hardships on city funds and/or resources.

Citizen communications:

Angelica Salazar, 1813 Davis St. – feels the policy discriminates against God.

Pam Harper, 3307 Crystal Circle – regarding the Christmas parade, feels Christians are being discriminated against.

Jackie Krueger, 2704 Kelly Dr. – gave a history and interpretation of the phrase “separation of church and state”.

Jonathan Saenz, 1005 Congress #830 – is in opposition to event policy as written. Feels the ordinance goes against state law and is unconstitutional.

Alex Allrich, 1011 Porter St. – commended Council on cleaning up the language in this policy and does not feel the city is discriminating against Christians.

The City Attorney read the caption of the Ordinance.

ORDINANCE NO. 2023-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, REPEALING CHAPTER 25, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF TAYLOR ENTITLED “PARADES”; AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF TAYLOR ENTITLED “LICENSES, PERMITS, AND BUSINESS REGULATIONS” TO INCLUDE REGULATIONS FOR PARADES AND OTHER SPECIAL EVENTS; AMENDING SECTION 24-3 “SIGNS” TO EXEMPT CERTAIN SIGNS FOR CITY ADOPTED SPECIAL EVENTS; INCLUDING A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

First reading. No action was taken.

12. Consider introducing Ordinance 2023-17, Assignment Pay.

LaShon Gros, Human Resources Director – This ordinance is requesting a change to the lateral hire provision in the previous approved ordinance. Staff recommended the current provision that states “Officers shall remain in that designated seniority step on the Step Plan Pay Scale until the officer attains the equivalent seniority as a full-time paid police officer with the City of Taylor Police Department” be removed to assist in the hiring of experienced officers.

The City Attorney read the caption of the Ordinance.

ORDINANCE NO. 2023-17

AN ORDINANCE CREATING “ASSIGNMENT PAY” FOR CERTAIN ASSIGNMENTS WITHIN THE FIRE AND POLICE DEPARTMENTS; “SENIORITY PAY” IN THE POLICE DEPARTMENT; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

First reading. No action was taken.

13. Consider introducing Ordinance 2023-18, amending the FY2023 budget.

Jeff Wood, Chief Financial Officer - The purpose of this budget amendment is to have the budget reflect actual financial activity including changes in the budget related to unbudgeted expenditures and revenues.

The City Attorney read the caption of the Ordinance.

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS AMENDING ORDINANCE NO. 2023-06 ADOPTED ON FEBRUARY 9, 2023, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AND OTHER CITY FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING EXPENSES AND CAPITAL OUTLAY AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY.

First reading. No action was taken.

14. Consider Introducing Ordinance 2023-19 Amending Fees for City Services for Fiscal Year 2023.

Jeff Wood, Chief Financial Officer - In order to ensure that ordinances do not conflict and to reduce duplicate ordinance amendments, the fee schedule has been updated to reference any separate ordinances that establish fees. This includes Water and wastewater impact fees, Roadway impact fees, and Industrial pretreatment fees.

The City Attorney read the caption of the Ordinance.

ORDINANCE NO. 2023-19

AN ORDINANCE AMENDING ORDINANCE NO. 2023-05 ADOPTED ON FEBRUARY 9, 2023 BY CHANGING CERTAIN RATES AND OTHER SERVICES PROVIDED BY THE CITY.

First reading. No action was taken.

REGULAR AGENDA; REVIEW/DISCUSS AND CONSIDER ACTION

15. Consider approving award for the Request for Qualifications (RFQ) for programing, planning, design, and construction administration for the new City Hall/Justice Center and authorize City Manager to negotiate a contract with selected firm.

Jeff Jenkins, Deputy City Manager - To address the need for new space and upgrading facilities, an RFQ was issued to select a firm to assist with programming, planning, design, and construction of a new City Hall/Justice Center, which would provide for a base of operations for Municipal Court, Police and City Hall Departments. Fourteen firms submitted for the RFQ. The review committee recommends Randall Scott Architects due to many years of experience building this type of facility, good references, great examples from other projects, and provided information that would make the building unique to Taylor. Randall Scott Architects representatives were available for questions.

Motion was made by Councilmember Ariola to award the RFQ to Randall Scott Architects Inc. and authorize the City Manager to negotiate an agreement. Motion was seconded by Mayor Pro-Tem Anderson. Motion carried unanimously.

16. Consider Second Amendment to Chapter 380 Economic Development Agreement with Lone Star Circle of Care and authorize City Manager to execute the agreement.

Councilmember Drummond recused himself from item 16 and 17, filed a Conflict of Interest with the City Clerk, and left the dais.

Jeff Jenkins, Deputy City Manager - The City of Taylor and Lone Star Circle of Care (LSCC) signed a 380 agreement in March 2020. In the agreement, the City conveyed the West End Building and some land off Doak Street for a community garden to Lonestar Circle of Care. In exchange, Lone Star Circle of Care agreed to revitalize the building and to execute Project Headwaters. LSCC has asked to amend Attachment A of the agreement by removing the milestone of the creation and completion of a community garden and to give back the land to the city that was to be the community garden, siting that the cost to do this overall project has made it cost prohibitive to complete the garden portion of the project.

Motion was made by Councilmember Garcia to approve the Second Amendment to Chapter 380 Development Agreement with Lone Star Circle of Care and authorize the City Manager to execute the agreement. Motion was seconded by Councilmember Ariola. Motion carried unanimously.

17. Consider approving Resolution R23-11 accepting the conveyance of real property from Lone Star Circle of Care.

Jeff Jenkins, Deputy City Manager – Now that LSCC is not moving forward with the Garden lots, LSCC will reconvey to the city the Garden Lots and release the utility easement to the property. This resolution will accept conveyance of the property from Lone Star Circle of Care, execute a Special Warranty Deed, and release a Deed of Trust for the easement.

Motion was made by Councilmember Garcia to approve Resolution R23-11 as presented. Motion was seconded by Mayor Pro-Tem Anderson. Motion carried unanimously.

Councilmember Drummond returned to the dais.

18. Appointments, reappointments, and/or replacements to Taylor Economic Development Corporation Board (TEDC).

Dianna McLean, City Clerk - There are two seats on the TEDC whose terms expired in February 2023. One member has not met attendance requirements.

Motion was made by Councilmember Garcia to reappoint Joe Burgess and Kelly Cmerek to the TEDC Board. Motion was seconded by Mayor Pro-Tem Anderson. Motion carried unanimously.

Sam Dowdy has not met attendance requirements.

Mayor Pro-Tem Anderson nominated Rachael Westerman to fill Mr. Dowdy's seat.

Councilmember Ariola nominated Gary Gola.

Mayor Rydell closed the nominations and called for a vote to replace Mr. Dowdy with Gary Gola. Motion failed 1 to 4 with Councilmember Drummond, Mayor Rydell, Mayor Pro-Tem Anderson, and Councilmember Garcia opposing.

Mayor Rydell called for a vote to replace Mr. Dowdy with Rachael Westerman.

Motion carried 4 to 1 with Councilmember Ariola opposing.

TEDC (Taylor Economic Development Corp)

Current Member	Reason for Appointment	Willing to be re-appointed	Met Attendance Requirement?	New Member
Joe Burgess	Term Expiring	Yes	Yes	Joe Burgess
Kelly Cmerek	Term Expiring	Yes	Yes	Kelly Cmerek
Sam Dowdy			No	Rachael Westerman

Mayor Rydell read the Executive Session items and adjourned into closed session at 7:49pm.

Executive Session I. The Taylor City Council will conduct a closed executive meeting under Section 551.071 (Consultation with City Attorney) and Section 551.072 (Real Property) of the Texas Government Code in order to meet with its City Attorney on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.

- a) Petition regarding MUD #47
- b) Donna Channel project

19. Reconvene into Open Session and take any action.

Mayor Rydell reconvened into open session at 8:29pm.

ADJOURN

With no further business Mayor Rydell declared the meeting adjourned at 8:29p.m.


Brandt Rydell, Mayor

ATTEST:


Dianna McLean, City Clerk