The City Council of the City of Taylor met on December 10, 2009 at City Hall, 400 Porter St., Taylor, Texas. Mayor Hortenstine declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem Ella Pumphrey Jez	City Manager, Jim Dunaway
Council Member Christopher Gonzales	City Attorney, Ted Hejl
Council Member Donald Hill	City Clerk, Susan Brock
Council Member John McDonald	

INVOCATION
Chief Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
No citizens came forward to address the Council during this time.

CONSENT AGENDA

1. MINUTES FOR NOVEMBER 24, 2009.
2. CONCUR WITH PRELIMINARY FINANCIALS FOR OCTOBER, 2009.
   Council Member McDonald moved to approve the consent agenda as presented and Council Member Hill seconded the motion. VOTE: Five voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

3. CONSIDER INTRODUCING ORDINANCE 2009-33 EXTENDING THE BOUNDARIES OF THE CITY OF TAYLOR, TEXAS AND THE ANNEXATION OF TERRITORY CONSISTING OF 978.3 ACRES OF LAND LOCATED IN WILLIAMSON COUNTY, TEXAS BEING 383 ACRES SITUATED IN THE J. C. EAVES SURVEY, AND 595.3 ACRES SITUATED IN THE P. COURSEY SURVEY AND THE H. PACE SURVEY.
   Having cited the fact that two public hearings had already been held on this topic, Mayor Hortenstine asked Council if there was any further discussion. Hearing none, he asked Mr. Hejl to read the caption and introduce Ordinance 2009-33 for the record.

ORDINANCE 2009-33

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR AN ANNEXATION SERVICE PLAN AND THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR, TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY OF TAYLOR, TEXAS AND PROVIDING AN EFFECTIVE DATE.

(Mayor Pro Tem Jez recused herself prior to the next agenda item citing a conflict of interest as a property owner being considered for annexation.)

4. CONSIDER INTRODUCING ORDINANCE 2009-34 EXTENDING THE BOUNDARIES OF THE CITY OF TAYLOR, TEXAS AND THE ANNEXATION OF 1,412.9 ACRES OF LAND LOCATED IN WILLIAMSON COUNTY, TEXAS BEING 803.7 ACRES IN THE P. COURSEY SURVEY, THE H. T. AND B.R.R.CO. SURVEY, THE T.B. LEE SURVEY, AND THE G. M. REESE SURVEY AND 609.2 ACRES IN THE W.J.BAKER SURVEY AND THE J. PHARRASS SURVEY.
Mayor Hortenstine asked Council if there was any further discussion. Hearing none, he asked Mr. Hejl to read the caption and introduce Ordinance 2009-34 for the record.

ORDINANCE 2009-34

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR AN ANNEXATION SERVICE PLAN AND THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR, TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY OF TAYLOR, TEXAS AND PROVIDING AN EFFECTIVE DATE.

Mayor Hortenstine called for a brief recess for Council to relocate to the Council Chambers in order to continue the meeting where the projection equipment was available for the remaining agenda items. Mayor Pro Tem Jez rejoined the meeting in the Council Chambers.

5. CONSIDER INTRODUCING ORDINANCE 2009-36 AND ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION OF TERRITORY WITH FEWER THAN THREE VOTERS, DESCRIBED AS 1.934 ACRES SITUATED IN THE GEORGE E. REESE SURVEY, ABSTRACT NO. 533 LOCATED IN WILLIAMSON COUNTY, TEXAS, BY THE CITY OF TAYLOR TO ANNEX PROPERTY OWNED BY THE TAYLOR INDEPENDENT SCHOOL DISTRICT.
Mr. John Elsden, City Planner, presented a request from the Taylor Independent School District to voluntary annex a portion of property already in the city limits.

Mayor Hortenstine asked Council if there was any further discussion. Hearing none, he asked Mr. Hejl to read the caption and introduce Ordinance 2009-36 for the record.

ORDINANCE 2009-36

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE VOLUNTARY ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR,

TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

6. CONSIDER INFORMATIONAL REPORT FROM THE BRAZOS RIVER AUTHORITY (BRA).
Mr. David Collinsworth with the Brazos River Authority presented an update on recent activities related to the water treatment plant and future plans for improvements. He noted the issues addressed during the current drought, plans for the relocation of the intake on Lake Granger, and the possible future expansion of their customer base in eastern Williamson County.

7. CONSIDER REQUEST FOR RATE INCREASE FROM IESI, INC., SOLID WASTE MANAGEMENT SERVICE PROVIDER.
Mr. Danny Thomas, Director of Public Works, presented a request from IESI, Inc. to consider approving an increase in residential and commercial garbage rates. Mr. Jim Hare and Mr. Gerry Reiger were both present to respond to questions. Previously, IESI had approached Council in March with a request for a 30% increase. After much discussion, Council approved a 15% increase in March with the understanding that IESI would return in the fall to request the remaining additional 15% increase at that time. Council expressed their appreciation to the IESI staff for working to actually reduce their original request to reflect only a 7.7% increase in residential rates and a 9.8% increase in commercial services. Mr. Hare pointed out that while their fuel costs have leveled off and they have been able to make their operations more efficient there has been an increase in landfill fees from Waste Management, creating a need to pass this increase on to their customers.

Council Member Hill moved to approve the rate increase as presented (effective December 1), and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2009-35 REGARDING A REQUEST TO REZONE PROPERTY LOCATED AT 218 BURKETT STREET FROM LIGHT INDUSTRIAL (M-1) TO DOWNTOWN NEIGHBORHOOD (DN).
Mr. Elsden presented a request to conduct a Public Hearing and consider rezoning a property to allow an industrial/manufactured home. Mayor Hortenstine declared the Public Hearing open and property owner, Ms. Gayle Williams, was present and expressed her desire to live on this site. No other comments were heard.

Mayor Hortenstine closed the public hearing and asked Council if there was any further discussion. Hearing none, he asked Mr. Hejl to read the caption and introduce Ordinance 2009-35 for the record.

ORDINANCE 2009-35

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP ADOPTED BY ORDINANCE NO. 2001-17 BY THE CITY OF TAYLOR, TEXAS ON

APRIL 24, 2001, AS HERETOFORE AMENDED, BY CHANGING THE CLASSIFICATION OF PROPERTY DESCRIBED AS LOT 6, BLOCK 50, ORIGINAL TOWNSITE OF THE CITY OF TAYLOR, LOCATED AT 218 BURKETT STREET, FROM LIGHT INDUSTRIAL (M-1) TO DOWNTOWN NEIGHBORHOOD (DN).

9. CONSIDER APPROVING RESOLUTION R09-29 RECOGNIZING THE LEGACY EARLY COLLEGE HIGH SCHOOL PROGRAM.
   (This item was taken out of order and presented immediately after the Consent Agenda to accommodate the program participants.) Mayor Hortenstine asked Dr. McCarter to come forward and provide Council with information regarding the program. Details were provided regarding how the application process is conducted. It was noted that routinely more than 80% of the program enrollees accrue sixty four hours of credit and receive an Associate Degree before they receive their High School diploma.

   Council Member Hill moved to approve Resolution R09-29 and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

10. CONSIDER CONTRACT FOR WATER WITH THE CITY OF THRALL.
    Mayor Hortenstine asked Council to pass on this item and to bring it back at a later date.

11. CONSIDER APPROVING ECONOMIC DEVELOPMENT AGREEMENT WITH KG INDUSTRIES, LLC.
    Mr. Bob vanTil, Director of Community Development, presented a request to consider allowing Mr. Joe Fazio to provide an overview that documents the history of the company and its most recent production contracts. Although the agreement document was not completely finalized, a highlight of the agreement includes a fifty percent rebate on property tax for ten years. Additional details were still being considered at the time of the presentation.

    Citing the lack of a final document, Mayor Hortenstine thanked Mr. Fazio for his presentation and asked that Council pass on this item until a final agreement can be presented.

12. CONSIDER APPROVING STRATEGIC PLAN REGARDING ANIMAL CONTROL POLICIES.
    Chief Jeff Straub presented a request to consider approving a Strategic Plan regarding policies for the Animal Control Program. The plan outlines facility and program needs and introduces a look forward on how to achieve and maintain recommended practices.

    Mayor Pro Tem Jez moved to approve the Strategic Plan as presented and Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

13. CONSIDER INTRODUCING ORDINANCE 2009-38 AMENDING ANIMAL CONTROL POLICIES.
    Chief Straub presented a request to consider minor changes to the existing animal control ordinance to address changes outlined in the strategic plan previously submitted for approval. Changes include the addition of a Trap and Neuter Return Program for feral cats,

the deletion of specifying a maximum number of animals, and the clarification of livestock restrictions for cows and horses in residential areas.

Mayor Hortenstine asked Council if there was any further discussion. Hearing none, he asked Mr. Hejl to read the caption and introduce Ordinance 2009-38 for the record.

ORDINANCE NO. 2009-38

AN ORDINANCE AMENDING ANIMAL ORDINANCE NO. 2009-7 ADOPTED ON FEBRUARY 21, 2009 BY CHANGING SECTION 1, DEFINITIONS, SECTION 5, REGISTRATION, AND SECTION 20, LIVESTOCK

14. CONSIDER INTRODUCING ORDINANCE 2009-37 REGARDING ADOPTION OF THE CITY ENGINEERING MANUAL.
Mr. Elsden presented a request to consider adopting an engineering manual by way of introducing an ordinance. Mr. Casey Sledge, consulting city engineer, stated that this manual contains practices already in place and has been under development for a number of years. Council asked to have the manual reviewed by other municipal engineers and to continue the review prior to approving the ordinance.

Not hearing any further discussion, Mayor Hortenstine asked Mr. Hejl to read the caption and introduce Ordinance 2009-38 for the record.

ORDINANCE NO. 2009-37

AN ORDINANCE ADOPTING AN ENGINEERING MANUAL TO ESTABLISH MINIMUM STANDARDS AND CONSTRUCTION DETAILS FOR ALL PUBLIC FACILITY IMPROVEMENTS, WITH STANDARD DETAILS FOR EACH TYPE OF IMPROVEMENT.

15. CONSIDER PROPOSAL FROM SLEDGE ENGINEERING LLC, REGARDING IMPROVEMENT OF CEMETERY STREETS.
Mr. Dunaway presented a request from Sledge Engineering to provide engineering design services for cemetery street improvements. The proposed improvements are for the street at the main entrance gate that leads to the cemetery office and also the first east west street connecting this street to the one most recently improved. Funds would come from the Noble Trust monies.

Mayor Pro Tem Jez moved to approve the engineering proposal as presented for $8,900 with the total cost of the project not to exceed $100,000. Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

16. EXECUTIVE SESSION I. The Taylor City Council will hold a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551.071 of the Local Government Code, in order to meet with it's 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: Center Point, Inc.

17. EXECUTIVE SESSION II. The Taylor City Council will hold a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, in accordance with the authority contained in Section 551.087 to discuss or deliberate regarding commercial and/or financial information on a business prospect that the City of Taylor, Texas seeks to have locate, stay, or expand in or near the city of Taylor, Texas and with which the City of Taylor, Texas is conducting economic development negotiations and/or to deliberate the offer of financial or other incentives to the business prospect: Project Mash Enterprise Zone.

    Having indicated a need to retire into Executive Session, Council adjourned into closed session for agenda item number 16 only; there was not a need for a second executive session for economic development. Council members began their closed session at 8:00 p.m.

18. CONSIDER ACTION FROM EXECUTIVE SESSION I OR II.
    Council returned to open session at 9:00 p.m. and stated that no action was taken during the Executive Session. He then reconvened the meeting in open session and Council took no action on any item discussed during Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 9:00 p.m.

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Rod Hortenstine, Mayor

ATTEST:

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Susan Brock, City Clerk