The City Council of the City of Taylor met on March 12, 2009 at City Hall, 400 Porter St., Taylor, Texas. With the absence of Council Member Don Hill, 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 Bernabe Gonzales	City Attorney, Ted Hejl
Council Member John McDonald	City Clerk, Susan Brock

INVOCATION
Chief Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
Mr. Fred Switzer invited Council and members of the community to join in the grand opening event of the Taylor Resource Center on Tuesday, March 17, 2009. The Center is on the ground floor of the former Taylor Middle School building located at the corner of Ninth and Hackberry Streets and houses the Switzer Senior Center, Shepherd's Heart Food Pantry, Meals on Wheels and the TISD Clothes Closet.

CONSENT AGENDA

1. MINUTES FOR FEBRUARY 12, FEBRUARY 20, FEBRUARY 24, AND MARCH 3, 2009.
   Mayor Pro Tem Jez moved to approve the consent agenda as presented and Council Member McDonald seconded the motion. VOTE: Four voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. CONTINUE PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2009-4 FOR FEE IN LIEU OF SIDEWALK CONSTRUCTION.
   Bob vanTil, Director of Community Development, asked that the Public Hearing on February 12, 2009 be continued to this meeting so that additional information could be gathered and presented. The Ordinance includes a proposal to consider allowing the payment of a fee in lieu of constructing a sidewalk to property owners or builders during new construction or remodeling when a building is renovated by 25% or more.

   Mayor Hortenstine opened the Public Hearing. Hearing no public comment he expressed his concern that such an ordinance would actually encourage a request for a variance rather than the building of sidewalks as required with the existing policy.

   Council Member McDonald asked for clarification on the 25% figure for renovation and how it relates to the footprint of the existing building. Additional discussion led to the conclusion that under the current policy, property owners may apply to the City to pay a fee instead of building a sidewalk. It was recommended that this be an administrative decision rather than an ordinance and the fee be included in the Fee Ordinance. With no further comment, he declared the Public Hearing closed and the Ordinance was not introduced.

3. CONSIDER APPROVING RESOLUTION R09-8 IN SUPPORT OF SPECIAL LEGISLATION FOR FINANCING THE EAST WILLIAMSON COUNTY HIGHER EDUCATION CENTER (EWCHEC).

   Mr. Dunaway presented a resolution in support of Special Legislation regarding funding for the East Williamson County Higher Education Center (EWCHEC). The proposed legislation would remove constraints that currently prohibit the commitment of certain governing boards and financial partners. It would also provide a funding mechanism, including the issuance of bonds, notes, or other obligations, for facilities and equipment for EWCHEC as a Multi-Institutional Teaching Center (MITC).

   Council Member McDonald moved to approve Resolution R09-8 in support of EWCHEC legislation and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

4. CONSIDER REQUEST FROM IESI TO INCREASE FEES AND CONSIDER A CURBSIDE RECYCLING PROGRAM.

   Mr. Dunaway presented a request from IESI for an extension of their contract, an increase in fees, and the possibility of a curbside recycling program at a predetermined rate. Adam Mathews and Gerry Rieger with IESI were present to respond to questions. Discussion regarding the recycling program focused around the cost to provide the service and the effect it would have on residents. Council asked IESI staff to bring back a proposal for a subscriber based recycling program where only individuals wishing to use the service would be charged the additional fee.

   Ms. Laurie Osborne and Chris Osborne addressed the Council regarding the importance of recycling and encouraged Council to consider offering the program to citizens as well as to increase local efforts toward offering more opportunities to recycle within the community.

   Mr. Rieger responded to questions regarding the brush pickup service and stated that his staff will continue to work with the City on clarifying the wording in the contract.

   Council Member McDonald moved to extend the contract for one year and approve a 15% rate increase on services effective immediately and revisit the consideration of an additional 15% increase in six months. Mayor Pro Tem Jez seconded the motion. VOTE: Four voted AYE. Motion passed.

5. CONSIDER INTRODUCING ORDINANCE 2009-11 AMENDING THE FEE ORDINANCE TO INCLUDE A FEE IN LIEU OF SIDEWALKS AND SOLID WASTE SERVICES FEES.

   Based on previous actions at this meeting Mr. Dunaway requested council pass on this item.

6. CONSIDER APPROVING FINAL ACCEPTANCE OF AND FINAL PAYMENT FOR CAPITAL IMPROVEMENTS TO THE MUSTANG CREEK (DAVITA) DIALYSIS CENTER.

   Mr. Dunaway presented a request to consider approving final payment to Mr. David Cersonsky for the wastewater line improvements as part of the Mustang Creek Dialysis Center project. Staff reported that the project is now complete and Council had previously approved a 50% payment in January.

Mayor Pro Tem Jez moved to approve a final payment not to exceed $154,600 contingent on verification of fees and the completion of two engineering items. Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

7. CONSIDER APPROVING RESOLUTION R09-7 REQUESTING TEMPORARY STREET CLOSURES FOR MAIN STREET.

   Ms. Jean Johnson, Director of the Main Street Program, presented a request for Council to approve a resolution allowing the temporary closing of selected streets in the downtown district for city sponsored events in 2009. The planned events include Bloomin' Fest and Spooktacular and this resolution also allows for the closing of any unplanned event that may arise with the approval of the City Manager, Police Chief, and Fire Chief.

   Council Member McDonald moved to approve Resolution R09-7 and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

8. CONSIDER APPROVING FUNDING FOR SECURITY MEASURES AT THE TAYLOR CITY CEMETERY.

   Mr. Danny Thomas, Director of Public Works, brought back an item previously considered by Council with a request for additional information. Quotes for fencing the perimeter of the cemetery and rebuilding the brick entry columns were received from two vendors and provided for Council review.

   Council Member McDonald moved to approve the bid from Empire Fence not to exceed $38,883 with funds to come from Cemetery Reserves and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

9. CONSIDER INTRODUCING ORDINANCE 2009-8 AMENDING THE LANDSCAPE ORDINANCE FOR BUSINESS PARK ZONING DISTRICTS.

   Mr. John Elsden, City Planner, presented a request to introduce an ordinance that would amend the existing Landscape Ordinance with regards to the new Business Park Zoning previously approved by Council. The amendment addresses the requirement for trees in parking lots and the percentage of landscaping required for property under development in the new district.

   Mayor Hortenstine asked Mr. Hejl to read the caption and introduced Ordinance 2009-8.

   ORDINANCE 2009-8

   AN ORDINANCE AMENDING THE LANDSCAPE ORDINANCE 2001-13 ADOPTED ON APRIL 24, 2001, AS AMENDED, BY AMENDING TABLE 4.1, REQUIRED LANDSCAPING, AND AMENDING SECTION 7, PARKING LOTS.

10. CONSIDER APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD.

   Mr. Thomas presented a request from the Parks and Recreation Board to reappoint Michael Brueckner to the Parks and Recreation Advisory Board for a three year to expire in January, 2012. Mr. Brueckner was appointed in May, 2008 to fill an unexpired term and has expressed an interest in being reappointed. The Parks and Recreation Board recommends Mr. Brueckner be reappointed.

Mayor Pro Tem Jez moved to reappoint Michael Brueckner for a three year term and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

11. <u>CONSIDER INTERLOCAL AGREEMENT WITH BASTROP COUNTY TO DONATE EMERGENCY SIRENS FOR USE IN EMERGENCY MANAGEMENT SERVICES IN BASTROP COUNTY, TEXAS.</u>
    Mr. Dunaway presented a request from Bastrop County to acquire the two emergency sirens no longer in use in the City of Taylor. Bastrop County Commissioner Lee Dildy said these could be helpful in the remote areas in the county including the Lost Pines Boy Scout Camp. The City no longer relies on the siren system and has contracted with Connect-CTY to broadcast emergency or public information to citizens by multiple methods including phone, email, or fax as indicated by the subscriber.

    Council Member McDonald moved to approve the agreement as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

12. <u>CONSIDER ACCEPTING THE SEMI ANNUAL IMPACT FEE REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE FOR JULY 1, 2008 THROUGH DECEMBER 31, 2008.</u>
    Mr. Elsden presented the regular report from the Impact Fee Advisory Committee for the period of July 1-December 31, 2008. The report indicated an increase of 9% in fees collected as compared to the earlier period of January 1-June 30, 2008. The current balance for all impact fees collected is $319,027.93.

    Mayor Pro Tem Jez moved to accept the report as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

13. <u>CONSIDER ACCEPTING THE COMPREHENSIVE PLAN IMPLEMENTATION (CPI) STATUS REPORT FOR FEBRUARY, 2009.</u>
    Mr. Elsden presented the first annual report from the Comprehensive Plan Implementation (CPI) Committee. The report indicates that only three of the 128 Implementation Actions listed in the plan have not yet been addressed and twenty four have been completed. The remaining Actions are either pending or slated to be addressed in the near future.

    Council Member McDonald moved to accept the CPI report as presented and Mayor Pro Tem Jez seconded the motion. VOTE: Four voted AYE. Motion passed.

14. <u>EXECUTIVE SESSION</u>. The Taylor City Council will conduct a closed executive meeting under Section 551.071 of the Texas 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.

    Council adjourned into executive session at 7:50 pm.

15. CONSIDER ACTION FROM EXECUTIVE SESSION.
    Mayor Hortenstine reconvened the meeting in open session and announced no action was taken during executive session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:08 p.m.

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Rod Hortenstine, Mayor

ATTEST:

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Susan Brock, City Clerk