The City Council of the City of Taylor met on March 10, 2011, at City Hall, 400 Porter St., Taylor, Texas. Mayor Pro Tem McDonald declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Council Member Chris Gonzales	Jim D. Dunaway, City Manager
Council Member Donald Hill	Jeff Straub, Asst. City Manager
Council Member Chris Osborn	Ted Hejl, City Attorney
	Susan Brock, City Clerk

INVOCATION
Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
No one came forward during this time.

CONSENT AGENDA

1. MINUTES FOR FEBRUARY 22, 2011.
2. AUTHORIZE CITY MANAGER TO EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT WITH ROUNDTABLE RECYCLING AND ROUNDTABLE REAL ESTATE (WILCO RECYCLING)
3. CONSIDER ACCEPTING MARCH 2011 COMPREHENSIVE IMPLEMENTATION PLAN REPORT.
   Council Member Osborn moved to approve the consent agenda as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

4. CONSIDER APPROVING A FRANCHISE FEE ON ATMOS ENERGY CORPORATION FRANCHISE FEES.
   Danny Thomas, Director of Public Works, brought back a request from ATMOS regarding the levying of a franchise fee on the franchise fees collected. This item was tabled at the February 22nd council meeting. Mr. Thomas presented an overview of the issue and options the city has regarding the collection of franchise fees on the franchise fee amount collected on a customer utility bill. He reported that agreeing to the franchise fee would increase customer bills and that the majority of other cities in our area are choosing to not take this action.

   Council agreed to not take any action on this item resulting in no additional increase to customers at this time.

5. CONSIDERATION AND ACTION REGARDING "RESOLUTION R11-7 CALLING A BOND ELECTION TO BE HELD ON MAY 14, 2011 FOR THE PURPOSE OF CONSIDERATION OF A BOND PROPOSITION FOR $8

MILLION TAX BONDS FOR CITY STREET AND ROAD PROJECTS; AND FOR $3.5 MILLION TAX BONDS FOR THE OLD CITY HALL; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION.

At the request of Council at the February 22, 2011 meeting Mr. Dunaway presented a combined resolution calling a bond election May 14, 2011 for $8 million in tax bonds for city street and road projects and $3.5 million in tax bonds for the old city hall.

Citizens speaking on this issue include Joe Naizer, 701 Sloan Street; Claire Maxwell, 1001 Fowzer, and David Wolbrueck, 1210 Melbourne Lane, Round Rock. All expressed their concern for not having a specific plan in place regarding the future of the old city hall while asking voters to consider funding based on an increase in property taxes. Mr. Naizer pointed out that the comment period regarding the downtown plan is still ongoing and it may be premature to ask voters to make a decision without having these results which could affect the disposition of the old city hall. Mr. Calvin Jayroe, 103 W. 4th Street, expressed his concern for a lack of information regarding these options for both roads and city hall prior to any public vote.

Mr. Casey Sledge, consulting city engineer, provided a brief overview of the types and cost of different road rehabilitation options. Council Members Gonzales and Hill expressed the need to continue to seek alternative funding options and to develop a plan for both of these projects. Mr. Bart Fowler, bond counsel, responded to questions regarding the possible wording for the city hall proposal and agreed to research the issue further with the Attorney General office.

With no further discussion Council Member Osborn moved to approve Resolution R11-7 removing the word "demolish" in the old city hall proposition. There was no second to the motion and the motion failed.

6. CONSIDER APPROVING A CONTRACT AGREEMENT WITH MUNISERVICES TO EXPAND SERVICES TO INCLUDE SALES TAX ANALYSIS.

   Ms. Rosemarie Dennis, Finance Director, presented a request to consider approving a contract to hire a firm to analyze sales tax allocation within the city. Mr. Brian Gordon with MuniServices presented a brief overview of the services included in the agreement and responded to questions regarding the information to be reported to Council.

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

7. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCES 2011-13 AMENDING THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE AND INTRODUCING ORDINANCE

2011-4 AMENDING THE ZONING ORDINANCE REGARDING FENCE AND SCREENING DEVICE REGULATIONS.

John Elsden, City Planner, presented a request to consider introducing two ordinances regarding how the city addresses fence permits and screening devices.

Mayor Pro Tem McDonald declared the Public Hearing open and Mr. Joe Naizer, 701 Sloan, came forward to ask for a definition of the word "maintenance" as it appears in the ordinance related to fencing. At the request of Council, Mr. Elsden agreed to bring back a revised ordinance with maintenance defined. Hearing no additional comments, the hearing was closed. Without further discussion, Mayor Pro Tem McDonald asked Mr. Hejl to formally introduce the Ordinances.

ORDINANCE 2011-13

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, AMENDING ORDINANCE 2006-16 ADOPTING VARIOUS CODES INCLUDING THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE; DELETING A PERMIT REQUIREMENT FOR ALL FENCES WITHIN THE CITY OF TAYLOR EXCEPT FOR ANY FENCE LOCATED WITHIN A RIGHT OF WAY OR EASEMENT WHICH SHALL REQUIRE A PERMIT PRIOR TO CONSTRUCTION; AMENDING THE REQUIREMENTS IN THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE AS SET FORTH IN ORDINANCE 2006-16 BY DELETING A PERMIT REQUIREMENT FOR FENCES EXCEPT WHEN CONSTRUCTED IN A RIGHT OF WAY OR EASEMENT; HAVING A SAVINGS CLAUS.

ORDINANCE 2011-4

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, AMENDING ORDINANCE 2001-17, THE TAYLOR ZONING ORDINANCE, BY AMENDING SECTIONS 3.5.2, RESIDENTIAL ACCESSORY USES, AND 3.5.3, COMMERCIAL ACCESSORY USES, AND SECTION 11.1, TERMS DEFINED, IN ORDINANCE 2001-17 TO ALLOW SCREENING DEVICES TO BE ERECTED ON THE FRONT, SIDE OR REAR YARD OR ALONG ANY PROPERTY LINE; AND PROVIDING A SAVINGS CLAUSE.

8. CONSIDER ACCEPTING ANNUAL RACIAL PROFILING REPORT FOR 2010.

Assistant Chief of Police Dan Ramsey presented the 2010 Annual Racial Profiling report as required by state law. He noted no complaints of racial profiling and no specific indicators within the report.

Council Member Hill moved to accept the Annual Racial Profiling Report for 2010 as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

9. CONSIDER TEMPORARY DELETING A SERGEANT'S POSITION IN THE POLICE DEPARTMENT.

Chief Straub presented a request that council consider temporarily deleting a police department position. After a recent testing session there were no successful candidates for the position of sergeant. Civil Service requires a vacant position be filled within ninety days and if the position is filled from within by promotion, back pay would be due to that individual. The temporary status allows him to bring the sergeant position back if desired at some point in the future.

Council Member Hill moved to temporarily delete the sergeant's position in the police department as requested and Council Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

10. CONSIDER AUTHORIZING STAFF TO INITIATE AND CONSTRUCT MALLARD LANE DRAINAGE PROJECT.
Mr. Thomas presented a request to consider authorizing the construction of drainage improvements on Mallard Lane. The project design is complete and the deteriorating condition of the existing culverts requires action as soon as possible. Staff believes this project will be eligible for reimbursement from future debt issuance related to drainage projects.

Council Member Gonzales moved to authorize staff to begin the Mallard Lane drainage project as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

11. CONSIDER APPOINTMENTS TO THE COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE.
Mr. Elsden presented a request to consider appointing new members and to consider reappointing those members who have expressed an interest in continuing to serve on this committee. Council Member Osborn moved to table this item and requested additional time to review possible appointees and asked to have this time brought back for further consideration at the March 24th council meeting. Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

12. CONSIDER APPROVING RESOLUTION R11-8 REGARDING A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR WATER SYSTEM IMPROVEMENTS.
Bob vanTil, Director of Community Development, presented a request to consider approving a resolution to apply for a Community Development Block Grant (CDBG). The grant would be used to fund a project to replace failed water lines and requires two bores under the Union Pacific Railroad lines on Walnut and Royal Streets. This grant would not require a matching amount from the city.

Council Member Osborn moved to approve Resolution R11-8 as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

13. CONSIDER APPROVING RESOLUTION R11-9 REGARDING AN APPLICATION TO THE CDBG FOR THE NEIGHBORHOOD CENTER.

Mr. vanTil presented a request to consider another resolution for a CDBG project that would allow improvements to the former Neighborhood Center located at the corner of Ferguson and 4th Street. This application would be submitted with the United Seniors of Taylor serving as a partner of this project and could make the building available for neighborhood activities and also as a meeting space.

Council Member Gonzales moved to approve Resolution R11-9 as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

14. CONSIDER INTRODUCING ORDINANCE 2011-11 ASSIGNING VOTING DISTRICTS TO THE RECENTLY ANNEXED TERRITORIES.
Ms. Brock presented a request to consider an ordinance assigning newly annexed residents to appropriate voting districts prior to the May, 2011 election. Working with the U. S. Department of Justice the new residents were placed in districts contiguous with their residential location until the redistricting process is complete and new boundaries are drawn.

Without further discussion, Mayor Pro Tem McDonald asked Mr. Hejl to introduce the Ordinance.

ORDINANCE NO. 2011-11

AN ORDINANCE ASSIGNING ANNEXED TERRITORY TO THE CITY OF TAYLOR, TEXAS, WHICH PROPERTY IS DESCRIBED IN ORDINANCE 2010-30, ADOPTED SEPTEMBER 30, 2010, ORDINANCE 2010-45, ADOPTED NOVEMBER 23, 2010, ORDINANCE 2009-33, ADOPTED DECEMBER 17, 2009, AND ORDINANCE 2009-34, ADOPTED DECEMBER 17, 2009, TO THE VOTING DISTRICTS AFFECTED BY THE ANNEXATIONS; AND PROVIDING A SAVINGS CLAUSE.

(Council adjourned into closed session at 8:20 p.m.)

15. EXECUTIVE SESSION I. The Taylor City Council will conduct a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, and 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 deliberate the offer of financial or other incentives to the business prospect.
    - Project Storefront
    - Project Horn

16. EXECUTIVE SESSION II. The Taylor City Council will conduct 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 551.072 in order to deliberate regarding acquisition of real property.

• Properties related to the 2nd Street reconstruction project

17. CONSIDER ACTION FROM EITHER EXECUTIVE SESSION.

Mayor Pro Tem McDonald resumed the open meeting at 9:13 p.m. and stated that there was no action taken on any issue during either of the Executive Sessions.

ADJOURN

With no further business or action Mayor Pro Tem McDonald adjourned the meeting at 9:13 p.m.

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John McDonald, Mayor Pro Tem

ATTEST:

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Susan Brock, City Clerk