The City Council of the City of Taylor met on February 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

Reverend Anthony Watson led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward during this time.

CONSENT AGENDA

1. MINUTES FOR JANUARY 25, 2011.
2. APPROVE ORDINANCE 2011-1 FEE ORDINANCE AMENDMENT.

ORDINANCE 2011-1

AN ORDINANCE AMENDING ORDINANCE NO. 2010-41 ADOPTED ON SEPTEMBER 28, 2010 BY CHANGING CERTAIN RATES AND OTHER SERVICES PROVIDED BY THE CITY.

3. APPROVE ORDINANCE 2011-3 REZONE PROPERTY LOCATED AT 1551 CR394 AND CONSIDER A SUP FOR RECYCLING CENTER.

ORDINANCE 2011-3

AN ORDINANCE CHANGING THE ZONING OF WILCO RECYCLING FACILITY SUBDIVISION, GENERALLY LOCATED AT 1551 CR 394, WILLIAMSON COUNTY TEXAS, FROM SINGLE FAMILY, R-1, TO GENERAL BUSINESS, B-2, AND APPROVING A SPECIFIC USE PERMIT FOR A RECYCLING CENTER IN THE B-2 DISTRICT; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

4. APPROVE ORDINANCE 2011-5 ESTABLISHING SCHOOL ZONES ON CITY OWNED STREETS.

ORDINANCE NO. 2011-5

ORDINANCE ESTABLISHING SCHOOL ZONES WITHIN THE CITY OF TAYLOR, TEXAS, AT LOCATIONS SET FORTH HEREIN, ESTABLISHING REDUCED SPEED LIMITS WITHIN THE ESTABLISHED SCHOOL ZONES DURING THE HOURS SET FORTH HEREIN OR WHEN DESIGNATED BY A FLASHING SIGN; PROVIDING FOR A FINE OR PENALTY OF THIS ORDINANCE AS A MISDEMEANOR SUBJECT TO A FINE NOT TO EXCEED

$500.00 FOR EACH OFFENSE, EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, IN WHICH EVENT THE PENALTY SHALL BE FIXED BY STATE LAW AND IF DEEMED A VIOLATION OF ANY PROVISION THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, THE PENALTY SHALL NOT EXCEED THE SUM OF $2,000.00 FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION.

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

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

5. PROCLAMATION; RECOGNIZE FEBRUARY AS BLACK HISTORY MONTH.
Ms. Nettie Robertson accepted a proclamation from Mayor Pro Tem McDonald declaring February as Black History Month in the City of Taylor.

6. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2011-6 FOR A REQUEST TO REZONE THE CHURCH OF CHRIST PROPERTY LOCATED AT 2702 NORTH MAIN STREET FROM R-1 SINGLE FAMILY TO I-INSTITUTIONAL.
John Elsden, City Planner, presented a request to consider introducing an ordinance granting a rezoning of the church property located at 2702 N. Main Street. Mr. Frankie Hejl representing the church provided council with copies of the deed of trust and a graphic depicting the proposed sign. He explained that the change in zoning was necessary to allow the addition of a new sign on property that is currently zoned residential. Such signs are prohibited in residential zones.

Mayor Pro Tem McDonald declared the Public Hearing open; hearing no additional comments, the hearing was closed and Mr. Hejl introduced the ordinance as presented.

ORDINANCE 2011-6

AN ORDINANCE CHANGING THE ZONING OF THE CHURCH OF CHRIST FACILITY, GENERALLY LOCATED AT 2702 NORTH MAIN STREET, WILLIAMSON COUNTY TEXAS, FROM SINGLE FAMILY, R-1, TO INSTITUTIONAL, I, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

7. CONSIDER INTRODUCING ORDINANCE 2011-8 TO OPEN THE THIRTY DAY PUBLIC COMMENT PERIOD FOR RENAMING RECENTLY ANNEXED STREETS WITHIN THE CITY OF TAYLOR AND SET MARCH 10, 2011 AS THE PUBLIC HEARING DATE.
Mr. Elsden presented a request to consider initiating the thirty day comment

period for renaming streets recently annexed into the city limits. The Ordinance also sets the public hearing date for March 10 at which time Council may act on recommendations or comments received from staff and the public.

Hearing no additional comments, Mayor Pro Tem McDonald asked Mr. Hejl introduced the ordinance as presented.

ORDINANCE 2011-8

AN ORDINANCE PROVIDING FOR THE RENAMING OF CERTAIN STREETS ANNEXED DURING 2010; PROVIDING FOR A PUBLIC HEARING; PROVIDING A REPEALING CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE

8. <u>CONSIDER APPROVING A PROPOSAL FROM THE LIBRARY ADVISORY BOARD REGARDING THE USE OF FUNDS FROM THE LOUIS K. NED ESTATE.</u>
Karen Ellis, Library Director, presented a request to consider approving the use of funds from the Louis K. Ned Estate for specific library purchases including new public use computers, additional staff computers, and collection materials. Council Member Osborn expressed his concern for the high cost of the equipment being recommended and thought it might be obtained at a lower cost. Ms. Ellis stated that the amount listed was a result of using the state purchasing cooperative and was the best price found.

Council Member Gonzales moved to approve the request as presented and Council member Hill seconded the motion. VOTE: Three voted AYE; One voted NAY (Osborn). Motion passed.

9. <u>CONSIDER APPOINTING A CHAIR TO THE TAX INCREMENT FUND DISTRICT 1 ADVISORY BOARD.</u>
Bob Van Til, Director of Community Development, presented a request for Council to appoint Carol Bachmeyer, current Main Street Advisory Board Chair, to serve as the chair for the Tax Increment Fund District 1 Board.

Council Member Hill moved to approve the appointment of Carol Bachmeyer as the Chair of the TIF District 1 Advisory Board and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

10. <u>CONSIDER APPOINTMENTS TO THE TAYLOR ECONOMIC DEVELOPMENT CORPORATION BOARD.</u>
At the request of Council Mr. Dunaway was instructed to bring back a recommendation from a narrowed down list of applicants presented at the previous meeting. Based on these results Mr. Dunaway recommended Cordell Bennigson and Kelly Cmerek be appointed for three year terms. Council commented on how fortunate they were to receive a good response from so m any applicants with such outstanding qualifications. Applicants not selected will also be considered next year if they would like to have their application kept on file with the City Clerk.

Council Member Hill moved to approve the appointments of Cordell Bennigson and Kelly Cmerek to three year terms on the TEDC Board of directors and Council Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

11. <u>CONSIDER INTRODUCING ORDINANCE 2011-7 TO AMEND ORDINANCE 97-2 TO ALLOW ECCENTRIX TO INSTALL A 120 FOOT TOWER ON ITS PROPERTY AT 1331 ½ WEST SECOND STREET.</u>
Mr. Elsden presented a request to amend the current ordinance regarding the regulation of wireless communication towers. The recommended changes would allow Eccentrix to construct a tower on property located at 1331 ½ West Second Street without distance requirements. Council Member McDonald discussed the possibility of granting a variance for this specific use rather than amending an entire ordinance. Mr. vanTil stated that the current ordinance does not allow a variance. Council discussion included a request to approve the request as presented for this specific use and to bring back an amended ordinance at a later date.

Hearing no additional comments, Council member Osborn moved to allow Eccentrix to install a wireless communication tower on the site as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed. The Ordinance was not introduced.

ORDINANCE NO. 2011-7

AN ORDINANCE AMENDING ORDINANCE 97-2 WHICH ORDINANCE PROVIDES THE REGULATIONS AND STANDARDS FOR THE SITING OF WIRELESS COMMUNICATION FACILITIES, ANTENNAS AND TOWERS; BY AMENDING SECTION 6 WHICH AMENDMENT ELIMINATES ALL DISTANCE AND SETBACK REQUIREMENTS OF ALL TOWERS USED IN WIRELESS COMMUNICATION FACILITIES FROM RESIDENTIAL STRUCTURES AND RESIDENTIALLY ZONED PROPERTIES; BY AMENDING SECTION 1-DEFINITIONS REGARDING THE DEFINITION OF A RESIDENTIAL ZONED PROPERTY; BY AMENDING SECTION 3- B, LOCATIONS AND LIMITATION FOR WIRELESS COMMUNICATIONS FACILITIES WITHOUT SPECIAL USE PERMITS; BY AMENDING SECTION 4 B. LOCATIONS AND LIMITATIONS FOR WIRELESS COMMUNICATIONS FACILITIES TOWERS WITH A SPECIAL USE PERMIT; BY AMENDING SECTION 10 1.a, 5 – SITE DEVELOPMENT STANDARDS AND SUBMITTAL REQUIREMENTS; PROVIDING FOR A FINE OR PENALTY OF THIS ORDINANCE AS A MISDEMEANOR SUBJECT TO A FINE NOT TO EXCEED $500.00 FOR EACH OFFENSE, EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, IN WHICH EVENT THE PENALTY SHALL BE FIXED BY STATE LAW AND IF DEEMED A VIOLATION OF ANY PROVISION THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, THE PENALTY SHALL NOT EXCEED THE SUM OF

$2,000.00 FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION.

12. CONSIDER APPROVING RESOLUTION R11-3 CALLING AN ELECTION FOR THE PURPOSE OF ELECTING ONE COUNCIL MEMBER AT LARGE ON MAY 14, 2011, DESIGNATING POLLING PLACES AND PROVIDING NOTICE OF THE ELECTION. (Considere el aprobar de la resolución R11-3 que llama para una elección con el proposito de eligir uno como miembro del ayuntamiento municipal de tal ciudad el 14 de mayo de 2011, designando los lugares de votacion y contemplando la notificacion de dicha eleccion.)

Ms Brock presented a request to consider approving a resolution calling an election on May 14, 2011 to elect one at large council member. Polling places on election day have been designated as City Hall for District 1, the WBCO center for District 2, Taylor High School for District 3, and Northside Elementary for District 4. Council Member Gonzales moved to approve Resolution R11-3 as presented and Council Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

13. CONSIDER AWARDING CONTRACT FOR REDISTRICTING SERVICES BASED ON 2010 CENSUS RESULTS.

Ms. Brock presented a request to consider selecting a firm to perform redistricting services once 2010 census data is released within the next few months. Three proposals were presented for consideration and rated on their qualifications, technical capabilities, performance history, references, scope of services and costs.

Council Member Osborn moved to award the contract to Bickerstaff, Heath, Delgado, and Acosta with an amount not to exceed $15,000 and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

(Council adjourned into closed session at 7:04 p.m.)

14. EXECUTIVE SESSION I. The Taylor City Council will conduct a closed executive meeting under Section 551.071 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.
    - **Legal** issues associated with November 23, 2010 City of Taylor Annexation

15. 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, 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 Stream
- Project Drill
- Project Charter

18. <u>CONSIDER ACTION FROM EITHER EXECUTIVE SESSION.</u>

Mayor Pro Tem McDonald resumed the open meeting at 9:08 p.m. and stated that there was no action taken on any issue during either of the Executive Sessions.

<u>ADJOURN</u>

With no further business; Mayor Pro Tem McDonald adjourned the meeting at 9:08 p.m.

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John McDonald, Mayor Pro Tem

ATTEST:

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Susan Brock, City Clerk