The City Council of the City of Taylor met on January 14, 2010, 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 D. Dunaway
Council Member Christopher Gonzales	City Attorney, Ted Hejl
Council Member Donald Hill	City Clerk, Susan Brock
Council Member John McDonald	

INVOCATION

Reverend Watson led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

Mr. Dunaway presented an award to Rosemarie Dennis, Finance Director and Alice Benjiman, Accountant, from the Government Finance Officers Association for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for fiscal year ending September 30, 2008.

CONSENT AGENDA

1. MINUTES FOR DECEMBER 17, 2009.
2. ORDINANCE 2009-38 AMENDING THE ANIMAL CONTROL ORDINANCE.

ORDINANCE NO. 2009-38

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, AMENDING ORDINANCE 2009-7, THE TAYLOR ANIMAL CONTROL ORDINANCE, BY AMENDING SECTION 1, DEFINITIONS BY ADDING TO THE DEFINITION OF RUNNING AT LARGE; DELETING SECTION 5. F; BY AMENDING SECTION 20 ALLOWING LIVESTOCK IN ZONING DISTRICTS RURAL/AGRICULTURAL (R-A); PROVIDING A SAVINGS CLAUSE.

3. CONSIDER APPROVING ANNUAL REPORT FROM THE TAYLOR TAX INCREMENT FINANCE DISTRICT 1.
4. CONCUR WITH PRELIMINARY FINANCIALS FOR NOVEMBER, 2009.

Mayor Pro Tem Jez asked to remove item number two from the consent agenda for further discussion. Council Member Hill moved to approve the remainder of the consent agenda (items 1, 3, and 4) as presented and Council Member McDonald seconded the motion. VOTE: Five voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. ORDINANCE 2009-38 AMENDING THE ANIMAL CONTROL ORDINANCE.

Mayor Pro Tem Jez stated a concern for the section in the ordinance that deals with eliminating a maximum number of animals by a person. Chief Straub provided clarification on the changes and stated that these concerns were already addressed with other nuisance ordinances. Without further discussion, Mayor Pro Tem Jez moved to approve Ordinance 2009-38 as presented and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

5. PROCLAMATION: MARTIN LUTHER KING, JR. DAY, JANUARY 18, 2010.
Reverend Watson and Royal Hawthorn accepted the proclamation presented by Mayor Hortenstine.

6. CONDUCT PUBLIC HEARING REGARDING THE ESTABLISHMENT OF A MUNICIPAL DRAINAGE UTILITY SYSTEM (MDUS).
Mr. Dunaway asked Council to conduct a public hearing on the establishment of a MDUS. He restated the fact that this was only the establishment of the utility system and that fees and project prioritization would be discussed at a later time.

Mayor Hortenstine declared the Public Hearing open and the following persons addressed Council: Mr. Bob Snodgrass, a member of the Cotton Grower's Association and an employee of Taylor Compress, questioned whether or not city staff had thoroughly investigated other funding options for these projects. Mr. Dunaway responded that numerous grants have been successfully awarded for many of our drainage projects and some of the federal funds he mentioned are not intended for municipal projects. Mr. Joe Mueck, Williamson County Grain, expressed his concern for the burden this fee would place on businesses that will be levied a rate per square foot of impervious cover. Resident Ms. Debbie Cepak would like to see more discussion prior to any vote being taken by the Council. Mr. Glenn Polasek, 301 Davis, was concerned about the second street drainage being diverted to properties in south Taylor and the need for an environmental study. He noted that the interceptor recently installed has already begun eroding and is in need of attention. Mr. Dunaway responded to the drainage issue by stating that eleven easements have been obtained to assist in the second street drainage project and that staff would be instructed to inspect the condition of the interceptor.

Mr. Jason Ford, President, Taylor Economic Development Corporation (TEDC) wanted an opportunity to relay concerns from local manufacturers who recognize the need for drainage projects but are concerned about the funding mechanism. He personally supports the creation of the MDUS and urged Council to make every effort to keep the fee competitive with other cities so that Taylor can continue to offer an attractive cost of doing business for existing and new businesses.

Hearing no further public comment, the hearing was closed and Mayor Hortenstine moved to the next item on the agenda.

7. CONSIDER APPROVING ORDINANCE 2009-32 CREATING A MUNICIPAL DRAINAGE UTILITY SYSTEM.
Mr. Dunaway presented a request to approve the Ordinance creating the MDUS that was introduced at a previous Council meeting on October 8, 2009. He reminded Council that this ordinance does not include any exemptions other than the state mandated ones and also does not include a fee schedule at this time. Council expressed an interest in conducting a workshop at some later date to further discuss prioritizing the drainage projects both matters at a future date.

Council Member Gonzales moved to approve Ordinance 2009-32 as presented and Council

Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2010-1 TO REZONE PROPERTY OWNED BY D&R ASSOCIATES, INC. LOCATED IN THE VICINITY OF 500 AND 512 W. SECOND STREET ALSO KNOWN AS LOTS 1 AND 2 AND A PART OF LOT 3(s/PT) AND LOTS 9-10 (e/PTS), BLOCK 61, CITY OF TAYLOR, FROM LOCAL BUSINESS (B-1) TO GENERAL BUSINESS (B-2)
John Elsden, City Planner, presented a request to rezone property on Second Street to accommodate a proposed business. Concerns were raised regarding potential adverse effects of the future expansion of Second Street, the need for adequate parking, and future use of the alley.

Mayor Hortenstine declared the public hearing open. Mr. Ray Shaw, representing the property owner D & R, addressed the Council's concerns and determined that only one of the properties was in need of the zoning change. Hearing no additional public comments, Mayor Hortenstine closed the public hearing and asked Mr. Hejl to formally introduce the ordinance as presented with a request to limit the final ordinance to a single property, 500 Second Street.

ORDINANCE NO. 2010-1

AN ORDINANCE CHANGING THE ZONING OF LOTS 1 AND 2 AND THE SOUTH ONE HALF OF LOT 3, AND THE EAST PORTIONS OF LOTS 9 AND 10 IN BLOCK 61 OF THE CITY OF TAYLOR, LOCATED AT 500 AND 512 WEST SECOND STREET MORE FULLY DESCRIBED HEREIN FROM LOCAL BUSINESS (B-1) TO GENERAL BUSINESS (B-2); AMENDING THE OFFICIAL ZONING MAP TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

9. CONSIDER EXTENDING CONTRACT WITH IESI, INC. FOR ONE YEAR FOR SOLID WASTE COLLECTION SERVICES.
Danny Thomas, Director of Public Works, presented a request from IESI to extend their contract for one additional year, to expire January 31, 2012. Mayor Pro Tem Jez presented some concerns regarding the actual length of the current contract, noting that the original agreement was signed in 2002. She also expressed a need to continue to look at recycling options and to make every effort to continue to provide quality service at the lowest possible price. Mr. Jim Hare, IESI District Manager, agreed to look further into the recycling options and assured Council that they continually survey other service provider's rates and make every effort to keep costs down.

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

10. CONSIDER ACCEPTING OWNERSHIP OF ROAD RIGHT OF WAY FROM FM 397 TO THE WILLIAMSON COUNTY EVENTS CENTER.
Mr. Thomas presented a request to formally accept the ownership of the road right of way to the street adjacent to the Taylor Regional Park and Sports Complex. The right of way was donated by the County and is now the responsibility of the city to maintain the property which includes 1.387 acres at the entrance to the park.

Council Member McDonald moved to accept ownership of the road as presented and Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

11. <u>CONSIDER ACCEPTING PUBLIC IMPROVEMENTS FOR SOUTH EDMOND STREET PAVING AND DRAINAGE IMPROVEMENT PROJECT.</u>
Ms. Rosemarie Dennis, Finance Director, presented a request to formally accept the public improvements made to South Edmond Street by the Taylor Economic Development Corporation (TEDC). The street was paved and drainage was added in 2002 and needs to be added to the city's assets.

Council Member Hill moved to accept the public improvements as presented and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

12. <u>CONSIDER AMENDING CONCESSION FEES FOR THE TAYLOR REGIONAL PARK AND SPORTS COMPLEX.</u>
Mike Devito, Parks and Recreation Superintendent, presented a request to consider reducing the current concession fees. He suggested lowering the city fee on concession stand gross sales and vendor gross sales from 15% to 10% to remain competitive with other similar sports complex facilities. Council Member Hill made a request that Mr. Devito expand his survey to include facilities statewide, not just in the immediate area.

Council Member McDonald moved to amend the concession fees as presented and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

13. <u>CONSIDER INTRODUCING ORDINANCE 2010-2 AMENDING FEE ORDINANCE TO INCLUDE A CHANGE TO PARK CONCESSION FEES AND SOLID WASTE FEES.</u>
In an effort to keep the city fee ordinance current, Ms. Dennis presented a request to revise the current fee ordinance due to the previous council decisions on park concession fees and an increase in the garbage rates. Hearing no discussion, Mayor Hortenstine asked Mr. Hejl to formally introducing the ordinance as presented.

ORDINANCE NO. 2010-2

AN ORDINANCE AMENDING ORDINANCE NO. 2009-29 ADOPTED ON SEPTEMBER 22, 2009 BY CHANGING CERTAIN RATES AND OTHER SERVICES PROVIDED BY THE CITY; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING A SEVERANCE CLAUSE.

14. <u>CONDUCT PUBLIC HEARING AND CONSIDER APPROVING RESOLUTION R10-1 AUTHORIZING A SMALL COMMUNITY GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT.</u>
Bob vanTil, Community Development Director, presented a request to consider an application to the Texas Parks and Wildlife Department for a grant to enhance the entrance to the Taylor Regional Park and Sports Complex. Questions arose as to why a new application was being submitted instead of resubmitting the previous grant for Robinson Park.

Mayor Hortenstine declared the Public Hearing open; but asked staff to bring back the original grant request for Robinson Park at the next meeting to compare them side by side prior to making a decision on which application to submit for funding.

15. CONSIDER APPOINTING A CHAIR TO THE TAX INCREMENT FINANCING (TIF) DISTRICT 1 ADVISORY BOARD.
Mr. vanTil presented a request to consider appointing a chair to the Tax Increment Financing (TIF) Board for District 1. Since the district covers the Main Street area, his recommendation is to appoint Jan Konarik, current Chair of the Main Street Advisory Board, to also chair the TIF Board.

Mayor Pro Tem Jez moved to appoint Ms. Jan Konarik as the Chair to the TIF District 1 Advisory Board and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

16. CONSIDER REIMBURSEMENT TO WILLIAMSON COUNTY FOR RELOCATION OF WATERLINE ON U.S. HWY 79 EAST.
Mr. Thomas presented a request to approve $41,146.50 to reimburse Williamson County for the relocation of a waterline on U. S. Highway 79 east during the construction phase of their road expansion project.

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

17. EXECUTIVE SESSION. 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.

Mayor Hortenstine adjourned Council to Executive Session at 7:56 p.m. to discuss Project Alamo and Project Highland.

18. CONSIDER ACTION FROM EXECUTIVE SESSION.
Council returned to open session at 8:25 p.m. and Mayor Hortenstine stated that no action was taken during the Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:25 p.m.

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Rod Hortenstine, Mayor

ATTEST:

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Susan Brock, City Clerk