

The City Council of the City of Taylor met on November 25, 2008, at City Hall, 400 Porter St., Taylor, Texas. Noting Council Member Gonzales's absence, 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
Council Member Don Hill
Council Member John McDonald

Interim City Manager, Jim Dunaway
City Attorney, Ted Hejl
City Clerk, Susan Brock

INVOCATION

Chief Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward.

CONSENT AGENDA

1. MINUTES FOR NOVEMBER 10, 2008, AND NOVEMBER 13, 2008.
2. ORDINANCE 2008-38 PROHIBITING ENGINE BRAKING IN CITY LIMITS.

ORDINANCE 2008-38

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROHIBITING ENGINE BRAKING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, OR FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH WHICH SHALL BE PUNISHED BY PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING SEVERABILITY, REPEALER, AND PUBLICATION CLAUSES.

Council Member Hill 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:

3. PROCLAMATION: IN RECOGNITION OF 60TH ANNIVERSARY OF FLOYDCO IN TAYLOR.

Mayor Hortenstine presented a proclamation to founding family members Mr. Floyd Zuehlke, Sr. and his son of FloydCo on their sixtieth anniversary as a business in Taylor.

4. PROCLAMATION: IN RECOGNITION OF TAYLOR AREA BUSINESS WOMEN'S CONTRIBUTIONS TO A CELEBRATION OF LIGHTS ON MAIN STREET.

Mayor Hortenstine presented a proclamation recognizing the Taylor Area Business Women and their efforts to provide funding and community support for the Christmas lights on Main Street.

5. CONSIDER TERMINATING AGREEMENT WITH FIRST SOUTHWEST FOR FINANCIAL AND DISCLOSURE SERVICES.

Ms. Rosemarie Dennis, Director of Finance, presented a request to Council to consider terminating our current contract with First Southwest for financial and disclosure services due to a recent merger and change in personnel. Our previous advisors have formed a new partnership, Specialized Public Finance, Inc. and are seeking to continue our relationship with them in their new firm. Council Member Hill noted that the proven performance of our advisors while with First Southwest is what made that relationship so unique and not necessarily the firm itself.

Council Member Hill moved to terminate the agreement with First Southwest for financial and disclosure services and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

6. CONSIDER ENTERING INTO AN AGREEMENT WITH SPECIALIZED PUBLIC FINANCING, INC. FOR FINANCIAL AND DISCLOSURE SERVICES.

With the previous termination of the agreement with First Southwest, Ms. Dennis presented a request to move these services to the newly formed Specialized Public Financing, Incorporated firm. Ms. Jennifer Douglas and Mr. Dan Wegmiller were present to thank the Council for their confidence in their ability to provide these services and cited their long history of working with the City of Taylor.

Council Member McDonald moved to approve a three year agreement with Specialized Public Financing, Inc. and Mayor Pro Tem Jez seconded the motion. VOTE: Four voted AYE. Motion passed.

7. CONSIDER INTRODUCING ORDINANCE 2008-40 CHANGING PARK HOURS AND REGULATING PARKING ON GRASS IN CITY PARKS.

Mr. Bob vanTil, Director of Community Development, presented a request to consider introducing an ordinance regarding regulations for the city parks. The ordinance includes amending the hours the parks are open and parking on the grass. It was pointed out that the issue of hours and noise was not addressed by the Parks and Recreation Board and Council would like the board to have an opportunity to review this information prior to it being included in an ordinance. Council Member McDonald asked if the parking issue could be separated from the hours and brought back before the next Parks meeting in January.

With no further discussion, Mayor Hortenstine asked Mr. Hejl to bring back the ordinance with the focus on regulating parking on the grass in city parks at which time it may be considered for further discussion and possible introduction. No further action was taken and Ordinance 2008-40 was not introduced as written.

ORDINANCE 2008-40

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, ESTABLISHING TIMES PARKS WITHIN THE CITY WILL BE OPEN AND ACCESSIBLE FOR PUBLIC USE AND ESTABLISHING TIMES PARKS WILL BE CLOSED AND NOT USED, ACCESSED, OR ENTERED BY THE PUBLIC;

REQUIRING THAT NO PERSONS SHALL ACCESS, USE OR ENTER PARKS DURING THE TIMES PARKS ARE CLOSED; RESTRICTING PARKING TO DESIGNATED PARKING AREAS ONLY; PROHIBITING THE OPERATION OR USE OF ANY MOTORIZED VEHICLE WITHIN A PARK EXCEPT ON PUBLIC ROADS USED FOR MOTORIZED VEHICLES; PROVIDING A PUBLICATION CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY SO THAT ANY PERSON, FIRM OR CORPORATION VIOLATING ANY OF THE PROVISIONS OR TERMS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE SUBJECT TO A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, AND FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS FIRE SAFETY, ZONING OR PUBLIC HEALTH OR SANITATION, WHICH SHALL BE PUNISHED BY A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND EACH AND EVERY DAY SUCH VIOLATION IS CONTINUED SHALL BE DEEMED TO CONSTITUTE A SEPARATE OFFENSE.

8. CONSIDER AUTHORIZING CONTRACT WITH DATAPROSE FOR UTILITY BILLING AND PRINTING SERVICES.

Ms. Dennis presented a request to consider entering into a contract with DataProse to print the utility bills. The current vendor has been operating without a contract and on a month to month basis. The proposal from DataProse includes a savings of 3 cents per bill, secure data transfer, system compatibility, and additional tracking capabilities not currently available with the current vendor.

Council Member McDonald moved to approve the three year contract with DataProse as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

9. CONSIDER ADDITIONAL DATES FOR PUBLIC HEARINGS REGARDING LOCATION OF SIDEWALKS TO BE CONSTRUCTED UNDER THE SAFE ROUTES TO SCHOOLS PROGRAM.

Mr. Dunaway reminded Council that staff was asked to evaluate the response from the public regarding the first public hearing and to determine if there was a need for a second public hearing. It appeared that the majority of the people who attended the first public hearing were not families with children attending any of the local schools. In an effort to attract more families with children, Council agreed to conduct another hearing and target the parents in the area where the sidewalks are being proposed.

Mayor Pro Tem Jez moved to have the next public hearing on the Safe Routes to School program either December 15 or December 17 at 7 pm at perhaps a different school than the first. Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

10. CONSIDER APPROVING A LETTER OF CONGRATULATIONS TO RECENTLY ELECTED OFFICIALS.

Mr. Dunaway informed Council that according to the Attorney General, all letters or documents signed by Council as a group must be agreed upon by vote in an open meeting.

Council Member Hill moved to approve the letter and Mayor Pro Tem Jez seconded the motion. VOTE: Four voted AYE. Motion passed.

11. RECEIVE PRESENTATION ON THE POSSIBLE CREATION OF THE TAYLOR COMMUNITY DEVELOPMENT CORPORATION.

Mr. vanTil presented an introduction to the possibility of the creation of a Community Development Corporation. One of the purposes of such an organization could be to seek funding for community projects not covered by any other program including neighborhood preservation, or downtown redevelopment. He outlined steps to be taken in the event the Council wants to move forward with this program. No action was taken on this item.

12. EXECUTIVE SESSION.

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.

Mayor Hortenstine adjourned Council into closed session at 7:25 pm.

13. CONSIDER ACTION FROM EXECUTIVE SESSION.

Mayor Hortenstine reconvened Council into open session at 8:03 p.m. and stated that no action was taken on any mater discussed in Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:03 p.m.

Rod Hortenstine, Mayor

ATTEST:

Susan Brock, City Clerk