

The City Council of the City of Taylor met on November 23, 2010, at City Hall, 400 Porter St., Taylor, Texas. In the absence of Mayor Hortenstine, 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
Council Member Don Hill
Council Member Chris Osborn

Jim Dunaway, City Manager
Jeff Straub, Assistant City Manager
Ted Hejl, City Attorney
Susan Brock, City Clerk

INVOCATION

Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

1. ACKNOWLEDGE DEVELOPMENT AGREEMENTS AS PREVIOUSLY EXECUTED BY THE CITY MANAGER.

John Elsdon presented a brief review of the number of development agreements and displayed a map of where they are located. Mr. Dunaway stated that some of these same land owners have also signed a voluntary agreement with the City of Hutto and that there could be some legal issues as to which agreement is valid.

Council Member Osborn moved to acknowledge the development agreements as executed by the City Manager and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

2. CONSIDER INTRODUCING ORDINANCE 2010-45 REGARDING ANNEXATION OF PROPERTIES NORTHWEST OF TAYLOR IN THE VICINITY OF CR 101 AND THE FUTURE CHANDLER ROAD RIGHT OF WAY.

John Elsdon, City Planner, presented a request to consider introducing the ordinance regarding the annexation of property on the northwest side of town. Mr. Dunaway reviewed the services as outlined in the plan accompanying the annexation documents and reminded those present that in addition to the City services all residents will now also have those services provided with the most recent agreement signed with the Williamson County Emergency Services District Number 3.

Hearing no additional comments, Mayor Pro Tem McDonald asked Mr. Hejl to introduce the ordinance.

ORDINANCE NO. 2010-45

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR AN ANNEXATION SERVICE PLAN AND THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR, TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING

FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT;
PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF
THE CITY OF TAYLOR, TEXAS AND PROVIDING AN EFFECTIVE
DATE.

ADJOURN

With no further business; Mayor Pro Tem McDonald adjourned the meeting at 6:15 p.m.

John McDonald, Mayor Pro Tem

ATTEST:

Susan Brock, City Clerk

The City Council of the City of Taylor met on November 23, 2010, at City Hall, 400 Porter St., Taylor, Texas. In the absence of Mayor Hortenstine, Mayor Pro Tem McDonald declared a quorum and called the second meeting to order at 6:30 p.m. with the following present:

Council Member Chris Gonzales
Council Member Don Hill
Council Member Chris Osborn

Jim Dunaway, City Manager
Jeff Straub, Assistant City Manager
Ted Hejl, City Attorney
Susan Brock, City Clerk

CITIZENS COMMUNICATION

None.

CONSENT AGENDA

1. MINUTES FOR NOVEMBER 4 21, 2010.
2. APPROVE ORDINANCE 2010-43 REGARDING A REQUEST FOR A SPECIFIC USE PERMIT TO OPERATE AN OUTDOOR FLEA MARKET ON PROPERTY LOCATED AT 1202 WELCH STREET.

ORDINANCE NO. 2010-43

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT ALLOWING AN OUTDOOR FLEA MARKET ON PROPERTY LOCATED AT 1202 WELCH STREET; AND PROVIDING A SAVINGS CLAUSE

3. AMEND PERSONNEL POLICY TO COINCIDE WITH COUNCIL RELATIONS POLICY.
4. APPROVE ORDINANCE 2010-45 REGARDING ANNEXATION OF PROPERTIES NORTHWEST OF TAYLOR IN THE VICINITY OF CR 101 AND THE FUTURE CHANDLER ROAD RIGHT OF WAY.

ORDINANCE NO. 2010-45

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR AN ANNEXATION SERVICE PLAN AND THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR, TEXAS TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY OF TAYLOR, TEXAS AND PROVIDING AN EFFECTIVE DATE.

5. CONSIDER PRELIMINARY FINANCIALS FOR SEPTEMBER, 2010.

Council Member Osborn requested item number 2 be removed for further discussion. Council Member Hill moved to approve the remaining items on the consent agenda as presented and Council Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. APPROVE ORDINANCE 2010-43 REGARDING A REQUEST FOR A SPECIFIC USE PERMIT TO OPERATE AN OUTDOOR FLEA MARKET ON PROPERTY LOCATED AT 1202 WELCH STREET.

ORDINANCE NO. 2010-43

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT ALLOWING AN OUTDOOR FLEA MARKET ON PROPERTY LOCATED AT 1202 WELCH STREET; AND PROVIDING A SAVINGS CLAUSE

Council Member Osborn expressed concern regarding the potential for such a facility to become a haven for stolen property. He suggested that the Specific Use Permit may need to include stipulations related to security on site and routine police inspections. Mr. Straub assured him that police have the ability to conduct inspections on the property at any time. Mr. Andreas Leal expressed his concern that placing such additional restrictions would be unreasonable.

Council Member Osborn moved to table this item until the permit could be amended. There was no second to the motion and the motion died. Council Member Hill moved to approve the Ordinance and Specific Use Permit as presented and recommended that police conduct inspections as needed. Council Member Gonzales seconded the motion. VOTE: Three voted AYE. One vote NO (Council Member Osborn). Motion passed.

6. CONSIDER ACCEPTING DONATION FROM LOUIS K. NED TRUST TO THE TAYLOR PUBLIC LIBRARY AND THE MOODY (HOUSE) MUSEUM.

Mr. Dunaway requested formal acceptance of the recent monetary donations to both the Library and the Moody Museum. The Louis K. Ned Estate distributed checks in the amount of \$346,199.47 to the Library and \$287,098.04 to the Museum at a reception held at the Museum on November 16, 2010.

Council Member Osborn moved to accept the donations and to send a letter of appreciation to the family; Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

7. CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH RIMROCK CONSULTING AND SLEDGE ENGINEERING TO UPDATE THE CITY'S WATER AND WASTEWATER IMPACT FEES.

Bob vanTil, Director, Community Development, presented a request to consider a contract with Sledge Engineering for engineering services and a contract with Rimrock for fee calculation services to update the city impact fees. The last update was completed in 2006 and is in need of updating as a result of recently completed water and waste water projects. The cost of the project will be funded from the water and waste water impact fee fund account. It was also noted that a water rate study is also due to be updated in the very near future.

Council Member Osborn moved to authorize the contract with Rimrock for \$18,550 and Sledge Engineering contract for \$8,400 as presented. Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

8. CONSIDER ACCEPTING QUARTERLY REPORT FROM THE TAYLOR CHAMBER OF COMMERCE.

Mr. Thomas Martinez, president of the Taylor Chamber of Commerce, presented a report of activities and expenditures since his last report in May, 2010. Council commended Mr. Martinez on providing a thorough and complete account of the chamber activities and expressed their appreciation for his presentation.

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

9. CONSIDER INTRODUCING ORDINANCE 2010-48 AMENDING THE FEE ORDINANCE FOR CITY SERVICES RELATED TO PARK AND CEMETERY FEES.

Ms. Rosemarie Dennis, Finance Director, presented a request to consider amending the current Fee Schedule to accommodate two proposed changes. One change would include the option of allowing the city to sell temporary markers for gravesites until the actual permanent headstone is placed at the site. The second change would allow the city to collect 10 percent of the gate fees charged by teams using the Taylor Regional Park and Sports Complex.

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

ORDINANCE NO. 2010-48

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

10. CONSIDER INTRODUCING ORDINANCE 2010-50 ESTABLISHING A COURT OF RECORD.

Mr. Straub presented a request to introduce an ordinance establishing a court of record. As a result of some discussion with Judge Pick regarding the enforcement of civil orders such as substandard buildings, junk vehicles, and dangerous dogs, it is recommended that the city establish a court of record and grant the court this civil jurisdiction. Judge Pick addressed Council regarding his concerns and expressed his desire to move forward with this action.

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

ORDINANCE NO. 2010-50

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, ESTABLISHING AND CREATING A MUNICIPAL COURT OF RECORD TO BE KNOWN AS "THE MUNICIPAL COURT OF RECORD IN THE CITY OF TAYLOR"; PROVIDING FOR THE JURISDICTION OF THE MUNICIPAL COURT OF RECORD; PROVIDING FOR THE APPOINTMENT AND QUALIFICATIONS OF THE MUNICIPAL JUDGE AND ALTERNATE MUNICIPAL JUDGES;

PROVIDING FOR THE DUTIES OF THE MUNICIPAL COURT CLERK;
PROVIDING FOR THE RECORDING OF PROCEEDINGS AND FOR
APPEALS FROM THE MUNICIPAL COURT OF RECORD; PROVIDING FOR
COURT COSTS; PROVIDING A REPEALING CLAUSE; PROVIDING A
SAVINGS CLAUSE.

11. EXECUTIVE SESSION. 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 Luna
 - Project Delta II
12. EXECUTIVE SESSION II. 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.
 - Ethics Ordinance, Council Relations Policy, City Charter, and possible City Charter Amendment
13. CONSIDER ACTION ON EITHER EXECUTIVE SESSION.
Mayor Pro Tem McDonald resumed the open meeting at 9:54 p.m. and stated that there was no action taken on any issue during the Executive Session and there were no motions made to take action during the open session.

ADJOURN

With no further business; Mayor Pro Tem McDonald adjourned the meeting at 9:56 p.m.

John McDonald, Mayor Pro Tem

ATTEST:

Susan Brock, City Clerk