

The City Council of the City of Taylor met on November 15, 2007 at City Hall, 400 Porter St., Taylor, Texas. Noting the absence of Council Member Jez, Mayor Bernabe Gonzales declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem Donald Hill
Council Member Rod Hortenstine
Council Member John McDonald

Frank Salvato, City Manager
Assistant City Manager, Jim Dunaway
City Attorney, Ted Hejl
City Clerk, Susan Brock

INVOCATION

Council Member Hortenstine led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward during this time.

CONSENT AGENDA

1. MINUTES FOR OCTOBER 16 AND OCTOBER 23, 2007.
2. CONCUR WITH FINANCIALS FOR SEPTEMBER, 2007
3. ORDINANCE 2007-31 REGARDING REQUEST BY THOMAS FOYT TO REZONE LOTS 4 7 5, BLOCK 18, CITY OF TAYLOR, ALSO KNOWN AS 311 AND 315 VANCE STREET, FROM MF2 (MULTIFAMILY 2 WITH R1 MANUFACTURED HOUSING OVERLAY) TO B3, CENTRAL BUSINESS.

Mayor Pro Tem 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:

4. CONSIDER INTRODUCING ORDINANCE 2007-32 AUTHORIZING THE ISSUANCE OF \$10,000,000 CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT; AUTHORIZING EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES.

Ms. Rosemarie Dennis, Director of Finances, presented a request to Council to consider introducing Ordinance 2007-32 regarding the issuance of \$10 million in Certificates of Obligation. Funds are to be used for water and wastewater improvements as well as park improvements. This item had been previously discussed at a meeting on October 23, 2007 when Council approved a resolution authorizing staff to proceed with the issuance. Mayor Gonzales opened the Public Hearing for public comment; hearing none, Mayor Gonzales declared the Public Hearing closed.

Mr. Hejl read the caption to the Ordinance and without further discussion, Mayor Gonzales

declared Ordinance 2007-32 officially introduced.

ORDINANCE NO. 2007-32

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,000,000 CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATE OF OBLIGATION, SERIES 2007; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; AUTHORIZING EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A LETTER OF INVESTMENT; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES

5. CONSIDER IESI PERFORMANCE.

Council Member McDonald addressed a recent problem in service provided by IESI, the contractor for City solid waste disposal services. Mr. Gerry Rieger, Division Manager for IESI, responded to Mr. McDonald's concerns. He stated that both regular drivers were absent on the day in question and corrective action has already been taken to help prevent these problems from recurring in the future. Council Member McDonald emphasized that his concern was for the citizens who ultimately hold the City responsible for ensuring that the service is provided as outlined in the contract. Mr. Adam Mathews, District Manager, stressed the importance of good customer service and that he wants the citizens to be proud of the service they receive from IESI. Mr. Royce Gray, Area Manager, reiterated that his company is committed to providing good service and appreciated the opportunity to address the Council. No formal action was taken on this item.

6. CONSIDER RESOLUTION R07-31 IN SUPPORT OF THE CHRISTMAS LIGHTS AT HERITAGE SQUARE.

Mayor Gonzales read a resolution in support of the Christmas lights at Heritage Square and asked Council to approve it prior to presenting it to the Taylor Area Business Woman's group. Mayor Pro Tem Hill moved to approve Resolution R07-31 and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed. Among those accepting the Resolution were Sharon Bland, her daughter, and Annette Maruska.

7. CONSIDER ANNUAL CONTRACT FOR HOTEL MOTEL TAX WITH TAYLOR CHAMBER OF COMMERCE.

Mr. Dunaway provided historical background information on this item and requested Council to consider approving the annual contract which had expired in October of this year. He stated that neither party had made any changes to the contract from the previous year and Mr. Jim Anastoos, President of the Taylor Chamber of Commerce, was present to respond to any questions.

Without further discussion Council Member Hortenstine moved to approve the contract as presented and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

8. CONSIDER ACCEPTING DONATION TO MOODY MUSEUM FROM FAMILY OF KATHRYN GRIFFITH.

Mr. Salvato stated that on October 26, 2007 the City received a check from Mr. Edward C. Griffith, Jr. in the amount of \$5,000 payable to the Moody Museum Board of Trustees. The check is on behalf of his grandmother, Kathryn G. Griffith, a founding member and former President of the Moody Museum Advisory Board. The donation must be formally accepted by Council in order to add it to the City budget. Mr. Salvato added that once accepted, the Moody Museum Advisory Board would like an opportunity to meet and discuss how they would like to see the funds applied and then bring a recommendation to Council for consideration.

Council Member McDonald moved to graciously accept the donation from the estate of Kathryn Griffith for the Moody Museum and Mayor Pro Tem Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

9. CONSIDER RESOLUTION R07-32 AND CAST VOTES FOR WILLIAMSON CENTRAL APPRAISAL DISTRICT (WCAD) BOARD OF DIRECTORS.

Mr. Salvato reminded Council that they had nominated Jesse Ancira, Jr. at the October 9, 2007, Council meeting. Mr. Ancira, Jr. is now included on the official ballot along with five other candidates. According to Section 6.03 of the Texas Property Code, each taxing unit must cast their vote by resolution and submit it to the Chief Appraiser before December 15, 23007.

Council Member McDonald moved to cast the 40 votes from the City of Taylor to Jesse Ancira, Jr. and Council Member Hortenstine seconded the motion. VOTE: Four voted AYE. Motion passed.

10. CONSIDER INTRODUCING ORDINANCE 2007-33 AMENDING FEE ORDINANCE BY ADDING FEES RELATED TO BUILDING INSPECTIONS AND CODE ENFORCEMENT.

Mr. Bob vanTil, Director of Community Development, presented a request to consider approving an amendment to the Fee Ordinance approved by Council on September 25, 2007. Multi-family and commercial building finish out system fees (plumbing, electrical, etc.) were accidentally dropped from the previous ordinance and not discovered until staff updated the fees in the Development Guides. In addition, the administrative fee issue for code enforcement has not been resolved and needs to be removed from the ordinance.

Mr. Hejl read the caption to the Ordinance and without further discussion, Mayor Gonzales declared Ordinance 2007-33 officially introduced.

ORDINANCE NO. 2007-33

AN ORDINANCE AMENDING ORDINANCE NO. 2007-26 ADOPTED
ON SEPTEMBER 25, 2007 BY CHANGING CERTAIN RATES AND
OTHER SERVICES PROVIDED BY THE CITY

11. CONSIDER REPORT ON FILTERING SOFTWARE FOR LIBRARY COMPUTERS.

At the request of Council at a previous meeting, Ms. Karen Ellis, Library Director, provided information gathered through a survey of similar community libraries and their policies on filtering software for internet use by the public. Council Member McDonald asked if there were any concerns from parents of citizens and Ms. Ellis responded that there were none. She outlined the current procedures used to ensure parents are informed, permission forms required,

and staff monitoring of use during normal hours of operation. Ms. Linda Kaderka came forward to express her concern that perhaps the public does not know about this policy. Ms. Ellis reminded Council and Ms. Kaderka that this subject was previously reported in the Taylor Daily Press and that all users under the age of 16 must have written parental permission to use the internet and that the parent must physically come into the Library to sign the permission form so that the policy can be fully explained at that time. Ms. Ellis reminded Council that the Library is continuing to operate under the previous Computer & Internet Policy, which specifies no filtering, until such time as a new policy is adopted.

No formal action was taken on this item and Ms. Ellis was instructed to bring the Policy back for review at the next meeting.

12. CONSIDER APPOINTMENTS TO LIBRARY BOARD.

Ms. Ellis presented a request to Council to approve the reappointments of Mr. John Kaatz and Ms. Trisha Randig to the Library Board. She stressed that these two members have been active participants through discussion and perfect attendance records.

Council Member Hortenstine moved to reappoint John Kaatz and Trisha Randig each for three year terms and Mayor Pro Tem Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

13. CONSIDER SETTING A DATE FOR PUBLIC HEARING REGARDING THE SUPER FREEPORT EXEMPTION AND INTRODUCING ORDINANCE 2007-34.

Mr. vanTil presented a review of the Super Freeport Exemption issue which refers to the exemption of property taxes on “goods in transit” that are in the City for less than 175 days. These goods will be exempt from property taxes as authorized by the voters back in 2001 as an amendment to the Texas Constitution beginning in 2008 unless the exemption is removed. The City must act to rescind the exemption before December 31 in order for the tax to go into effect.

In the 2006 certified tax roll, three companies in Taylor applied for the “regular” Freeport exemption. The taxable value of the exemption was approximately \$988,000. If the City decides to maintain the exemption, companies must choose one type of exemption or the other. In other words, they can not receive both. In the rules relating to the Super Freeport exemption, the exemption relates to goods in transit that are stored in warehouses not owned by the person who owns the goods in transit. There are few warehouses in Taylor and those that have benefited from the “regular” Freeport own the goods used in their manufacturing processes. In essence, maintaining the exemption may result in a “zero-sum” gain, or have little to no effect on the City.

Mr. van Til requested the Council call a public hearing for November 27, 2007 and introduce the ordinance at this meeting so that further information can be gathered and Council can continue the discussion at the next meeting prior to making a decision.

Council Member Hortenstine moved to set the date for a public hearing on November 27 and to introduce Ordinance 2007-34. Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

Mr. Hejl read the caption to Ordinance 2007-34 and Mayor Gonzales declared the Ordinance

officially introduced.

ORDINANCE NO. 2007-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR THE AD VALOREM TAXATION OF TANGIBLE PERSONAL PROPERTY IN TRANSIT OR "SUPER FREEPORT" GOODS PURSUANT TO SECTION 11.253 OF THE TEXAS TAX CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE IMMEDIATE EFFECT.

14. CAPITAL IMPROVEMENTS PROJECT UPDATE.

Mr. Casey Sledge presented an update on current projects. No formal action was taken on any item.

15. EXECUTIVE SESSIONS.

Mayor Gonzales adjourned into closed session at 7:47 p.m. to address the following items:

a) 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.

b) 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 551.087 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.

Mayor Gonzales called the meeting back to order and to resume in open session at 9:09 p.m. and announced that no action had been taken during the closed meetings.

16. CONSIDER ACTION ON EXECUTIVE SESSION.

Mayor Gonzales polled the Council for further discussion or action and there was none.

ADJOURN

With no further business, Mayor Gonzales adjourned the meeting at 9:09 p.m.

Bernabe Gonzales, Mayor

ATTEST:

Susan Brock, City Clerk

