

The City Council of the City of Taylor met on November 13, 2008 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
Council Member Bernabe Gonzales
Council Member Don Hill
Council Member John McDonald

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

INVOCATION

Danny Thomas led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward.

CONSENT AGENDA

1. MINUTES FOR OCTOBER 21, 2008, OCTOBER 23, 2008, AND NOVEMBER 4, 2008.
2. ORDINANCE 2008-37 CROSSWALKS ON HIGHWAY 95 BETWEEN MALLARD AND T. H. JOHNSON.

ORDINANCE 2008-37

AN ORDINANCE REQUIRING ALL PEDESTRIANS TO USE THE TEXAS DEPARTMENT OF TRANSPORTATION CROSSING INSTALLED AT THE INTERSECTION OF HIGHWAY 95 AND MALLARD LANE IN TAYLOR, TEXAS, FOR CROSSING HIGHWAY 95 IN THE 3000 TO 3200 BLOCKS OF HIGHWAY 95; PROVIDING FOR A FINE OR PENALTY OF THIS ORDINANCE AS A MISDEMEANOR 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 PROVISIONAL LAW THAT GOVERNS FIRE SAFETY, ZONING. OR PUBLIC HEALTH AND SANITATION, THE PENALTY SHALL NOT EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; HAVING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION.

3. CONSIDER PRELIMINARY FINANCIALS FOR SEPTEMBER, 2008.
Mayor Pro Tem Jez moved to approve the consent agenda as presented and Council Member McDonald seconded the motion. VOTE: Five voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

4. CONSIDER REAPPOINTMENT OF PAMELA SANFORD TO THE WILLIAMSON COUNTY BOARD OF HEALTH.
This item was delayed until Ms. Sanford arrived at the meeting at which time Mayor Hortenstine commended her on her service and willingness to continue to serve.

Mayor Pro Tem Jez moved to appoint Ms. Sanford to the Williamson County Board of Health and Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

5. CONSIDER ACTION WITH RESPECT TO RESOLUTION R08-15 AUTHORIZING PROCEEDING WITH ISSUANCE OF CERTIFICATES OF OBLIGATIONS AND FURTHER DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008.

Ms. Dennis provided background information regarding the projects in need of funding through certificates of obligation and reported that Mr. Bart Fowler, our bond counsel, has found interest rates to be relatively low at 4.6% or lower and recommends that Council move forward with their intent to secure funding at this time. The request for funding will be limited to \$10 million dollars and will be focused on improvements to East Williamson County Regional Park, water and wastewater for the East Williamson County Higher Education Center, and other water and drainage projects within the City.

Council Member McDonald moved to approve Resolution R08-15 and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

6. CONSIDER FINAL PROJECT AND FINANCING PLAN FOR THE TAYLOR TAX INCREMENT FINANCING (TIF) DISTRICT NUMBER 1.

Mr. Bob VanTil, Director of Community Development, presented a request to Council to consider approving the final version of the Financing Plan for the TIF District Number 1. Mr. VanTil provided a historical review of the project from its creation in 2005 and what has taken place since that time including board appointments from the partnering organizations.

Council Member Hill moved to approve the final project and financing plan for the TIF District 1 and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

7. CONSIDER MEMORANDUM OF UNDERSTANDING WITH KEEP TAYLOR BEAUTIFUL TO USE CITY PROPERTY ON THE CORNER OF SOUTH DOAK AND WEST RIO GRANDE STREETS FOR A COMMUNITY GARDEN.

Mr. VanTil presented a request from Keep Taylor Beautiful to enter into an agreement to use city property for a community garden. Ms. Marge Tripp, Coordinator for the East Williamson County Interagency Support Council (EWCISC), and a representative from the TISD Duck University were present to provide support for the project. The proposed project is a partnership between the EWCISC, TISD Duck University, Keep Taylor Beautiful, Habitat for Humanity, and the Williamson County and Cities Health District. Ms. Tripp stated that the current Community Garden at West 7th and Davis Streets is at capacity with a waiting list for new gardeners. She reported that much of the garden produce from the project goes to the local food pantry.

Council Member Hill moved to approve the Memorandum of Understanding with Keep Taylor Beautiful as presented and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONSIDER SETTING DATES FOR PUBLIC HEARINGS ON THE LOCATION OF SIDEWALKS CONSTRUCTED UNDER THE SAFE ROUTES TO SCHOOLS PROGRAM.

Mr. Danny Thomas, Director of Public Works, presented a brief overview of the project and Mr. Casey Sledge was present to respond to questions. Council expressed concern in providing adequate notice to residents and property owners in the immediate area to be affected by the project. Staff agreed to use multiple methods for notification including door hangars, public notices, the CONNECT-CTY phone notification system, and letters by mail.

Mayor Pro Tem Jez moved to set the first Public Hearing on Safe Routes to School sidewalks for November 24 at 6:00 pm at Pasemann Elementary School and to place an item on the November 25 Council agenda to consider future public hearings if needed. Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

9. CONSIDER INTRODUCING ORDINANCE 2008-38 PROHIBITING ENGINE BRAKING WITHIN THE CITY LIMITS.

Chief Jeff Straub presented a request to consider an ordinance that would prohibit vehicles, mainly large eighteen wheeled trucks, from using engine brakes, or downshifting, to reduce speed within the City limits. This practice by truck driver's results in noise issues that affect the quality of life of residents and is prohibited in many other cities our size.

With no further discussion, Mayor Hortenstine asked Mr. Hejl to read the caption and declared Ordinance 2008-38 introduced.

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.

10. EXECUTIVE SESSION I. 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.
11. 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, in accordance with the authority contained in Section 551.072 in order to deliberate regarding acquisition of real property.

(Mayor Hortenstine passed on Executive Session II since there was no information for discussion available.)

12. EXECUTIVE SESSION III.

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 6:37 pm.

13. CONSIDER ACTION FROM EXECUTIVE SESSION I, II, or III.

Mayor Hortenstine reconvened Council into open session at 8:55 p.m. and stated that no action was taken on any matter discussed in any Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:56 p.m.

Rod Hortenstine, Mayor

ATTEST:

Susan Brock, City Clerk