

The City Council of the City of Taylor met on October 27, 2009, at City Hall, 400 Porter St., Taylor, Texas. Noting the absence of Council Member John McDonald, 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 Christopher Gonzales
Council Member Donald Hill

City Manager, Jim D. 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 to address the Council. However, Mayor Hortenstine welcomed a government class from Temple College at Taylor (TCAT) who was attending the meeting as part of an assignment.

CONSENT AGENDA

1. MINUTES FOR OCTOBER 8 AND OCTOBER 13, 2009.
2. ORDINANCE 2009-30, AMENDING LOCAL RENEWAL PERIOD FOR ALCOHOLIC BEVERAGE PERMITS IN THE CITY.

ORDINANCE NO. 2009-30

AN ORDINANCE AUTHORIZING THE COLLECTION OF LOCAL FEES AUTHORIZED BY THE TEXAS ALCOHOL BEVERAGE CODE AS NOW WRITTEN OR AS HEREINAFTER AMENDED ("CODE") FOR A LICENSE OR PERMIT AUTHORIZED BY THE CODE; THE LOCAL FEE WILL BE COLLECTED ON THE SAME DATE THE PERMIT OR LICENSE IS ISSUED OR RENEWED BY THE STATE AND AS OTHERWISE PERMITTED BY THE STATE; THE LOCAL FEE COLLECTED WILL BE IN THE AMOUNT AUTHORIZED BY THE CODE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A FINE.

Council Member Hill moved to approve the revised minutes and consent agenda as presented and Mayor Pro Tem Jez seconded the motion. VOTE: Four voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

3. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2009-21 AMENDING THE ZONING ORDINANCE FOR REAR YARD SETBACK REQUIREMENTS FOR ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS.
Mr. John Elsdén, City Planner, presented a request to consider amending the city zoning ordinance to address a specific issue that has occurred regarding accessory structures in the KB Summerfield residential development. Mr. Elsdén indicated that the Planning and Zoning Commission recommended the ordinance be amended to reflect a change that the current ten foot setback required be reduced to a five foot setback for properties that are

7,000 square feet or less in residential areas. Council comments included a need for developers to be made aware of city ordinances and for the home owners association to insure owners are informed of such restrictions prior to their taking ownership of their property. After much discussion, Mayor Hortenstine declared the public hearing open; hearing no comments, he announced the hearing was closed and stated that Ordinance 2009-21 would not be introduced.

4. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2009-23 AMENDING THE ZONING ORDINANCE TO INCLUDE INSTITUTIONAL AND PARK ZONING DESIGNATIONS.

Mr. Bob vanTil, Director of Community Development, presented a request to consider amending the zoning ordinance by adding two new zoning districts. The Future Land Use Plan includes categories for “institutional” and “park” and by adding these categories it allows for more specific zoning of these specific uses than what currently exists in the zoning ordinance. It would also allow for different sign requirements for these properties other than those in existence for residential or commercial zoning which is now the case. This change could potentially benefit the future Taylor High School and East Williamson County Higher Education Center developments.

Mayor Hortenstine declared the public hearing open; Mr. Steve Shorts, Director of the Taylor Housing Authority, requested clarification of the parks zoning and how it would relate to the existing playgrounds and parks at the housing authority properties. He was assured that these facilities would not be affected by this change since those playgrounds are not primarily public but are primarily used by the housing authority residents. Hearing no additional comments, Mayor Hortenstine announced the hearing was closed and asked Mr. Hejl to read the caption and officially introduce Ordinance 2009-23.

ORDINANCE NO. 2009-23

AN ORDINANCE FOR THE CITY OF TAYLOR, TEXAS, AMENDING ZONING ORDINANCE NO. 2001-17 ADOPTED MAY 2001, AS AMENDED BY ORDINANCES 2002-18, 2002-42, 2003-36, 2004-25, 2006-35, 2007-14, 2008-02, 2008-09, 2008-22 AND 2009-02 BY AMENDING CHAPTER 2, SECTION 2.161, OF THE ZONING ORDINANCE AS AMENDED AND AS CODIFIED IN THE TAYLOR CITY CODE, BY CREATING A PARK DISTRICT AND INSTITUTIONAL DISTRICT; BY AMENDING SECTION 3, TABLE 3; AND, BY AMENDING SECTION 11, DEFINITIONS; REQUIRING NOTICE FOR PUBLIC HEARINGS REQUIRED UNDER THE ZONING CODE TO COMPLY WITH THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED FROM TIME TO TIME; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE.

5. CONSIDER RESOLUTION R09-24 REQUESTING TEXAS DEPARTMENT OF TRANSPORTATION RELEASE MAINTENANCE OF U. S. HIGHWAY 79 TO THE CITY.

Mr. Dunaway presented a request from the Texas Department of Transportation (TxDOT) to formally release the state from continued maintenance of Second Street/US Hwy 79. This

process allows Williamson County to proceed with the rebuilding of the road and for the City to take over maintenance when completed.

Mayor Pro Tem Jez moved to approve Resolution R09-24 as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

6. CONSIDER AUTHORIZING CITY MANAGER TO ENTER INTO A CONTRACT WITH THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR THE NEIGHBORHOOD STABILIZATION PROGRAM.

Mr. vanTil presented a request to consider entering into a contract to participate in the Neighborhood Stabilization Program, a federally funded Housing and Urban Development (HUD) program. Under the guidelines of this program the city receives \$502,000 in grant funds to rehabilitate or demolish a limited number of qualified properties.

Mayor Pro Tem Jez moved to authorize the contract as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

7. CONSIDER AUTHORIZING CITY MANAGER TO ENTER INTO A CONTRACT WITH LANGFORD COMMUNITY MANAGEMENT SERVICES TO ADMINISTER THE NEIGHBORHOOD STABILIZATION PROGRAM.

Due to some unresolved issues, Mayor Hortenstine asked Council to pass on this item.

8. CONSIDER APPROVING RESOLUTION R09-25 REGARDING INTENT TO APPLY FOR AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG).

Ms. Lisa Thompson, Building Services, presented a request to apply for a federally funded grant program regarding energy efficiency and conservation. The city has already conducted a SECO facility survey of our needs and will be able to apply the \$50,000 in grant funds to help facilitate these needed improvements.

Council Member Hill moved to approve Resolution R09-25 and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

9. CONSIDER AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH WILLIAMSON COUNTY GRAIN CO. FOR LEASE OF THREE LOTS ON THREADGILL STREET.

Mr. vanTil presented a request to consider entering into a lease agreement with the Williamson County Grain Company for land near Fannie Mae Robinson Park. The land will be used to expand and improve parking near the park and provide alternate parking on the slopes above the ball field.

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

10. CONSIDER ACCEPTING PUBLIC IMPROVEMENTS FOR ENERGY RELIABILITY COUNCIL OF TEXAS (ERCOT) TAYLOR CONTROL CENTER PROJECT.

Mr. Thomas presented a request to consider formally accepting the public improvements for the most recent ERCOT construction project. These improvements include three gate valves and one fire hydrant that will now become part of the city infrastructure once accepted.

Mayor Pro Tem Jez moved to accept the public improvements as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

11. CONSIDER REAPPOINTMENTS TO AIRPORT ADVISORY BOARD.

Mr. Thomas presented at request to consider reappointing two members to the Airport Advisory Board whose terms have expired. Both Mr. Brundage and Mr. Dabbs have indicated a desire to continue to serve and their reappointments have been recommended by the other board members.

Mayor Pro Tem Jez moved to reappoint Mr. Bert Brundage and Mr. Dayton Dabbs to the Airport Advisory Board and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

12. 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.

This item was not needed and passed on this agenda.

13. EXECUTIVE SESSION II. The Taylor City Council will hold a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551.071 of the Local 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.

Council adjourned into closed session at 6:50 p.m.

14. CONSIDER ACTION FROM EXECUTIVE SESSION.

Council returned to open session at 7:49 p.m. and stated that no other action was taken during Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 7:49 p.m.

Rod Hortenstine, Mayor

ATTEST:

Susan Brock, City Clerk