The City Council of the City of Taylor met on October 8, 2009 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	City Manager, Jim Dunaway
Council Member Christopher Gonzales	City Attorney, Ted Hejl
Council Member Donald Hill	City Clerk, Susan Brock
Council Member John McDonald	

<u>INVOCATION</u>
Chief Straub led the group in prayer.

<u>PLEDGE OF ALLEGIANCE</u>

<u>CITIZENS COMMUNICATION</u>
No citizens came forward to address the Council.

<u>CONSENT AGENDA</u>

1. <u>MINUTES FOR SEPTEMBER 22 AND SEPTEMBER 29, 2009.</u>
2. <u>ORDINANCE 2009-31, REPEALING AGREEMENT WITH THE TVFD.</u>

ORDINANCE NO. 2009-31

REPEALING CHAPTER XXIV OF THE REVISED CIVIL AND CRIMINAL ORDINANCES OF THE CITY OF TAYLOR, TEXAS, DATED 1895, PROVIDING SUPPORT AND MAINTENANCE OF THE VOLUNTARY FIRE DEPARTMENT OF THE CITY OF TAYLOR; TERMINATING ALL SUPPORT AND MAINTENANCE OF THE TAYLOR VOLUNTARY FIRE DEPARTMENT; SEPARATING THE TAYLOR VOLUNTARY FIRE DEPARTMENT AS A FUNCTION OF THE CITY; ACKNOWLEDGING THE TAYLOR FIRE DEPARTMENT AS A SEPARATE NON PROFIT CORPORATE ENTITY NOT ASSOCIATED WITH THE CITY; ACKNOWLEDGING THE TAYLOR FIRE DEPARTMENT AS THE ONLY FIRE FIGHTING FORCE OF THE CITY OF TAYLOR; PROVIDING SEVERABILITY AND REPEALER CLAUSES.

Council Member Hill asked to have the Minutes from September 22 corrected under item number eleven. Council Member Hill moved to approve the consent agenda as presented with corrections and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted Aye. Motion passed.

<u>REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:</u>

3. <u>CONSIDER AWARDING BID FOR SAFE ROUTES TO SCHOOL PROJECT.</u>
Danny Thomas, Director Public Works, presented a request to consider awarding the bid for the Safe Routes to School project. Mr. Casey Sledge, consulting City Engineer, provided details to the bid and selection process. Council Member McDonald raised the issue of trying to use local vendors and was informed that due to it being funded by the Texas Department of Transportation and the fact that the desire to seek local vendors was not specified in the original bid specifications, only the lowest bid was an acceptable

choice for the award.

Mayor Pro Tem Jez moved to award the bid to Muniz in the amount of $352,302.20 which includes a 10 percent contingency and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

4. CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH MUNISERVICES FOR CONSULTING SERVICES REGARDING HOTEL/MOTEL OCCUPANCY TAX.

Ms. Rosemarie Dennis, Director of Finance, presented a request to consider approving an agreement for consultant services to audit city hotels regarding the collection of hotel/motel occupancy tax. Mr. Brian Gordon with MuniServices was present to respond to questions. Mr. Gordon outlined the services provided which include an initial analysis of the facilities, a field audit of at least one third of the properties each year and an educational program to help hotel operators on how the tax law applies to their services and how to insure their reporting is accurate.

Council Member McDonald moved to approve the agreement with MuniServices as presented and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

5. CONSIDER INTRODUCING ORDINANCE 2009-32 CREATING A MUNICIPAL DRAINAGE UTILITY SYSTEM.

Mr. Dunaway presented the ordinance for additional discussion and introduction. He stressed that this step is only to begin the process of creating the utility system and that no rates are to be set until Council has time to review projects and set priorities at a later date. Mr. Casey Sledge, consulting City Engineer, provided a brief timeline for the process and does not expect Council to be ready for a vote until early next year.

With no further discussion, Mayor Hortenstine asked Ms. Brock to read the caption to Ordinance 2009-32 and declared it introduced.

ORDINANCE 2009-32

AN ORDINANCE OF THE CITY OF TAYLOR ENTITLED “MUNICIPAL DRAINAGE UTILITY SYSTEM”; ESTABLISHING A MUNICIPAL DRAINAGE UTILITY SYSTEM; SETTING FORTH DEFINITIONS; ESTABLISHING AND CALCULATING DRAINAGE UTILITY CHARGES AND CATEGORIES AND MONTHLY DRAINAGE UTILITY FEES; ESTABLISHING THE BILLING AND PAYMENT OF DRAINAGE UTILITY FEES; PROVIDING FOR AN APPEAL AND HEARING PROCESS; PROVIDING PENALTIES AND REMEDIES FOR FAILURE TO PAY FEES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

6. CONSIDER RECEIVING INFORMATION REPORT FROM THE TAYLOR FAMILY YMCA.

Ms. Jennifer Bullock with the Taylor Family YMCA presented a report on the summer camp program at Murphy Park. Council thanked Ms. Bullock for her efforts and accepted the report for information.

7. CONTINUE DISCUSSION REGARDING AMENDING CEMETERY RULES AND REGULATIONS.
Mr. Danny Thomas, Director of Public Works, reopened the discussion regarding cemetery rules. Council expressed concern for those who are currently taking care of their properties and how best to address the issue of enforcing new rules on existing gravesites. The discussion led to the possibility of creating a policy that would be similar to code enforcement for properties that are not maintained. Contacting the lot owners and giving notice that if they do not maintain their lots the City would remove decorations and place in storage so that the lots can be properly maintained by city staff. Council also requested that staff research the possibility of reallocating the amounts from the cemetery funds to determine if we are getting the best use of those funds.

   After considerable discussion Mayor Pro Tem Jez moved to table this item and continue the discussion in a workshop to be scheduled at a later date. This motion died for a lack of a second. Council Member Hill moved to have city staff and the city manager bring back specific guidelines related to prohibiting decorative crushed stone on the gravesites as well as developing a program to notify owners when maintenance is needed on their lots. Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONSIDER ESTABLISHING FISCAL YEAR AND APPROVING HOTEL/MOTEL TAX AGREEMENT WITH TAYLOR CHAMBER OF COMMERCE.
Mr. Dunaway presented a revised agreement between the Taylor Chamber of Commerce and the City regarding hotel/motel occupancy tax. Mr. Rob Bauman, President of the Chamber, stated that his board was unable to make a commitment to changing their fiscal year until they get a ruling from the Internal Revenue Service.

   Council Member Hill moved to table this item until additional information can be provided regarding the new legislation for use of these funds and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

9. CONSIDER ESTABLISHING A POLICY REGARDING UNATTENDED CHILDREN AT THE TAYLOR PUBLIC LIBRARY.
Ms. Karen Ellis, Library Director, presented a request to consider adopting a policy that addresses the issue of unattended children in the library. Ms. Ellis described several instances when children have been left unattended for long periods of time and expressed concern for how to proceed if a parent or guardian would be needed and was not available on site.

   After much discussion, Council Member McDonald moved to approve the policy as presented and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

10. CONSIDER APPROVING A LEASE AGREEMENT WITH TAYLOR VOLUNTEER FIRE DEPARTMENT FOR FACILITY LOCATED ON VICTORIA STREET.
Chief Watson presented a request to consider a lease agreement with the Taylor Volunteer

Fire Department (TVFD) for use of the facility on Victoria Street. The lease would allow the TVFD to house three pieces of apparatus at the building.

Council Member McDonald moved to approve the lease agreement as presented and Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

11. CONSIDER INTRODUCING ORDINANCE 2009-30 AMENDING LOCAL RENEWAL PERIOD FOR ALCOHOLIC BEVERAGE PERMITS IN THE CITY.
    Ms. Brock presented at request to consider amending the current city ordinance to be consistent with state law regarding the issuance of alcohol permits within the city limits. The amendment would change the city permit renewal from annual to biennial.

    Mayor Hortenstine asked Ms. Brock to read the caption to Ordinance 2009-30 and declared the ordinance introduced.

    ORDINANCE 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.

12. CONSIDER APPROVING RESOLUTION R09-12 TO NOMINATE E CANDIDATES FOR THE BOARD OF DIRECTORS OF THE WILLIAMSON CENTRAL APPRAISAL DISTRICT.
    Mr. Dunaway presented a request to consider nominating a candidate to the Williamson Central Appraisal District Board of Directors. This request comes every two years and the taxing entities each have a specific number of votes to nominate a candidate. In the past, the City has made an effort to pool votes with other entities including the Taylor Independent School District and the City of Hutto.

    Mayor Pro Tem Jez moved to approve Resolution R09-12 and to nominate Deborah Hunt as a candidate to the Board of Directors of the WCAD. Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

13. CONSIDER APPROVING RESOLUTION R09-14 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF HUTTO REGARDING EXTRATERRITORIAL JURISDICTION.
    Mr. Dunaway presented a request for Council to consider an agreement with the City of Hutto regarding a voluntary acknowledgement of extraterritorial jurisdiction boundaries. The version currently under consideration is a revised copy of an agreement originally signed by the City of Hutto in June. During the discussion Council Member McDonald asked to have the proposed line of CR101 be extended as far south and north as possible and then further extended north or south beyond the road itself.

Mayor Pro Tem Jez moved to approve table this item and asked staff to make it a priority for a special meeting if necessary. Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:10 p.m.

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Rod Hortenstine, Mayor

ATTEST:

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Susan Brock, City Clerk