The City Council of the City of Taylor met on September 9, 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 6:10 p.m. with the following present:

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

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

INVOCATION
Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
No citizens came forward during this time.

CONSENT AGENDA

1. MINUTES FOR AUGUST 24, 2010.
2. APPROVE ORDINANCE 2010-30, ANNEXATION OF PROPERTIES FOR 2010

ORDINANCE NO. 2010-30

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.

3. AUTHORIZE CITY MANAGER TO SIGN DEVELOPMENT AGREEMENTS FOR PROPERTIES WITH AGRICULTURAL EXEMPTIONS AS DESCRIBED IN ORDINANCE 2010-30.
4. APPROVE ORDINANCE 2010-35 REGARDING ASSIGNMENT PAY FOR POLICE AND FIRE DEPARTMENTS.

ORDINANCE NO. 2010-35

AN ORDINANCE CREATING “ASSIGNMENT PAY” FOR CERTAIN ASSIGNMENTS WITHIN THE FIRE AND POLICE DEPARTMENTS; SENIORITY PAY” IN THE POLICE DEPARTMENT; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE AND AN EXPIRATION DATE FOR THIS ORDINANCE

Council Member Gonzales moved to approve the consent agenda as presented and Council

Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

5. PROCLAMATION: RECOGNIZING SEPTEMBER AS LIBRARY CARD SIGN UP MONTH.
   Karen Ellis, Library Director, John Kaatz, Library Board, and Barbara Leschber, Library Foundation, accepted a proclamation from Mayor Pro Tem McDonald designating September as Library Card Sign Up Month in the City of Taylor.

6. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2010-32 TO REZONE PROPERTY IN THE VICINITY OF 3406 WEST SECOND STREET FROM B-1 LOCAL BUSINESS TO BP-2 BUSINESS PARK 2, PROPERTY OWNER IS SAM DOWDY SR.
   Mr. John Elsden, City Planner, presented a request to consider rezoning of property located on Second Street and owned by Mr. Sam Dowdy. Mr. Dan Dowdy was present to respond to Council on behalf of his father. He explained that the request for a zoning change from B1 to B2 would allow more types of uses and make the property more viable to sell. The zoning would apply to the entire tract of land, not just the existing building site.

   Mayor Pro Tem McDonald declared the public hearing open; hearing no comments he closed the hearing and asked Mr. Hejl to introduce the ordinance.

   ORDINANCE 2010-32

   AN ORDINANCE CHANGING THE ZONING OF AMANDA'S COMMERCIAL SUBDIVISION, GENERALLY LOCATED AT 3406 WEST SECOND STREET, WILLIAMSON COUNTY TEXAS, FROM LOCAL BUSINESS B-1 AND RURAL AGRICULTURE R/A TO BUSINESS PARK 2, BP-2, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

7. CONSIDER INTRODUCING ORDINANCE 2010-41 AMENDING THE FEE SCHEDULE FOR CITY SERVICES.
   Ms. Rosemarie Dennis, Director of Finance, presented a request to amend the fee schedule. Changes reflected an increase in fees for community development, facility rentals, utilities, and airport hangar rental. Staff clarified the airport hangar fees are based on the annual Consumer Price Index and remain in line with other neighboring municipal airports.

   Hearing no further discussion or comment Mayor Pro Tem McDonald asked Mr. Hejl to introduce the ordinance.

   ORDINANCE NO. 2010-41

   AN ORDINANCE AMENDING ORDINANCE NO. 2009-29 ADOPTED ON SEPTEMBER 22, 2009 BY CHANGING CERTAIN RATES AND OTHER SERVICES PROVIDED BY THE CITY

8. <u>CONDUCT PUBLIC HEARING ON FY 2010-2011 BUDGET.</u>
Ms. Dennis asked Mayor Pro Tem to open the Public Hearing on the proposed budget. Mr. Bobby Inman of 1206 Southwood Hills stated his concerns regarding a recent property zoning case, and the need to reconsider the municipal drainage utility system (MDUS) rate in order to get the most critical drainage issues addressed. Hearing no additional comments, the hearing was closed.

9. <u>CONSIDER ADOPTING ORDINANCE 2010-33 FOR THE 2010-2011 ANNUAL BUDGET EXCLUDING 'CONTRIBUTIONS TO CIVIC PROGRAMS.'</u>
Ms. Dennis presented a request to consider adopting the budget excluding the contributions to civic programs so that Council Member Hill could participate in the discussion as well as the vote. Council Member Osborn had questions regarding the possibility of using a portion of the funds currently in the Permanent Cemetery Fund to supplement the proposed budget. Mr. Hejl stated his belief that these funds including the interest and dividends cannot be diverted to any other use than as outlined in the ordinance establishing the fund and agreed to research this issue further.

Hearing no other comments or discussion on this item, Council Member Hill moved to approve Ordinance 2010-33 as presented and Council Member Gonzales seconded the motion. VOTE: Three voted AYE; One voted NAY (Osborn). Motion passed.

ORDINANCE NO. 2010-33

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF TAYLOR, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011.

(Council member Hill recused himself from the next item due to a conflict as an employee of CARTS, one of the organizations under consideration for funding.)

10. <u>CONSIDER APPROVING CONTRIBUTIONS TO CIVIC PROGRAMS INCLUDED IN ORDINANCE 2010-33 FOR THE 2010/2011 ANNUAL BUDGET.</u>
Ms. Dennis presented a list of civic programs included in the proposed budget. Council had no questions or comments on the contributions and Council Member Osborn moved to approve the Contributions as presented. Council Member Gonzales seconded the motion. VOTE: Three voted AYE. Motion passed.

(Council Member Hill rejoined the meeting.)

11. <u>CONSIDER ADOPTING ORDINANCE 2010-34 FIXING AND LEVYING AD VALOREM TAX FOR THE 2010/2011 TAX YEAR AND TAKE A RECORD VOTE.</u>
Ms. Dennis and Mr. Dunaway reminded Council that the proposed rate of 0.813893 is the rate needed to generate enough revenue to operate at the same level as the current year. Continuing to express his concern over the possible use of funds in the Permanent Cemetery Fund, Council Member Osborn urged staff to continue to look for ways to keep the tax at the current rate.

Hearing no additional comments, Council Member Gonzales moved to adopt Ordinance 2010-34 fixing the ad valorem tax rate at 0.813893 for the 2010/2011 fiscal year and Council

Member Hill seconded the motion. Mayor Pro Tem McDonald called for a record vote: Council Member Osborn: NAY; Council Member Gonzales: AYE; Council Member Hill: AYE, and Mayor Pro Tem McDonald: AYE. VOTE: Three voted AYE; One voted NAY. Motion passed.

ORDINANCE NO. 2010-34

AN ORDINANCE LEVYING TAXES FOR THE MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF TAYLOR, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE FISCAL YEAR 2010/11.

12. CONSIDER INTRODUCING ORDINANCE 2010-40 AMENDING THE 2009/2010 FISCAL YEAR BUDGET.
Ms. Dennis presented a detailed list of accounts realigned due to changes in revenues and expenses throughout the year. Without further discussion, Mayor Pro Tem McDonald asked Mr. Hejl to introduce the Ordinance.

ORDINANCE 2010-40

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS AMENDING ORDINANCE NO. 2009-25 ADOPTED ON SEPTEMBER 3, 2009, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING EXPENSES AND CAPITAL OUTLAY AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY.

13. CONSIDER AUTHORIZING STAFF TO INITIATE ANNEXATION PROCEEDINGS FOR PROPERTIES NORTHWEST OF TAYLOR IN THE VICINITY OF CR 101 AND TAYLOR CITY LIMITS.
Mr. Elsden presented a proposal to initiate annexation proceedings as instructed by council at the previous meeting. The proposed area includes properties on the northwest side of the city in the area near County Road 101 and the Chandler Road extension. Mr. Elsden presented six different sections to be considered that could be combined to a total not to exceed the remaining 872 acres allowed for the year. Taking into account various logistics and characteristics of the various properties, Council Member Osborn moved to authorize staff to initiate annexation for sections E (164 acres) and F (622 acres) as presented and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

14. CONSIDER APPROVING ORDINANCE 2010-38 ADOPTING ECONOMIC DEVELOPMENT INCENTIVES .
Mr. Bob vanTil, Director of Community Development, presented a request to consider adopting an ordinance to renew the current economic development incentives already in place. At a previous meeting, Council Member Osborn asked staff to increase the percentage of rebate on Type III projects in the Downtown area to raise the incentive to anyone interested in opening a business in this area. He also asked staff to consider removing the option of offering an abatement and to limit that type of incentive to only the form of a rebate. Council Member Hill emphasized the importance of having both options available in order to have the most options when negotiating with new prospects. Council

has the final approval for all negotiations and can make the decision on abatement versus rebate at the time when a proposal is presented.

With no further discussion, Council Member Hill moved to approve the ordinance as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

ORDINANCE 2010-38

AN ORDINANCE REPEALING ORDINANCE 2006-24; ADOPTING ECONOMIC DEVELOPMENT INCENTIVE POLICIES; PERMITTING TAX ABATEMENT AGREEMENTS FOR THE CITY OF TAYLOR; PROVIDING A SAVINGS CLAUSE; AND PROVIDING A REPEAL CLAUSE.

15. CONSIDER APPROVING COMPREHENSIVE PLAN IMPLEMENTATION REPORT.
Mr. Elsden presented a status report from the Comprehensive Plan Implementation Committee for the period ending in September, 2010. He reported progress on most items and ongoing activities that continue to be addressed.

With no discussion, Council Member Hill moved to approve the report as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

16. CONSIDER SELECTING CANDIDATES FOR THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES.
Mr. Dunaway presented a list of candidates seeking election to the Intergovernmental Risk Pool Board of Trustees. He provided comments on candidates in each place and provided Council with a recommendation.

Council Member Hill moved to cast their votes for Mary Gauer, Place 6, Lawanna Williams, Place 7, Larry Melton, Place 8, and Andres Garza, Place 9. Council Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

ADJOURN

With no further business; Mayor Pro Tem McDonald adjourned the meeting at 7:26 p.m.

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John McDonald, Mayor Pro Tem

ATTEST:

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Susan Brock, City Clerk