

City of Taylor
Regular City Council Meeting
Taylor City Hall, Council Chambers, 400 Porter Street
August 22, 2019 at 6:00 p.m.

Mayor Brandt Rydell declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro-Tem Dwayne Ariola
Council Member Robert Garcia
Council Member Mitch Drummond
Council Member Gerald Anderson

Brian LaBorde, City Manager
Mark Schroeder, Assistant City Attorney
Dianna Barker, City Clerk

INVOCATION – Travis Summerlin gave the invocation.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. **Proclamation naming September as National Library Card Sign-up Month.**
Councilmember Anderson read the proclamation and presented it to Karen Ellis, Library Director, and members of her staff.

BOARDS & COMMISSION PRESENTATION

2. **Update from the Tree Advisory Board.**
Brian Lawrence, Chairman of the Tree Advisory Board, gave a presentation listing their goals, recent activities, to include choosing Taylor Regional Park for the 2019 tree planting site, set for November 9th, and their future plans for starting a tree awareness campaign and volunteer outreach program.

Motion was made by Councilmember Garcia to receive the Tree Advisory Board presentation as presented. Motion was made by Councilmember Drummond. Motion carried unanimously.

CITIZENS COMMUNICATION

Matt Baran, 1217 W. 7th Street - spoke in favor of Ordinance increasing the over 65 property tax exemption to \$25,000.00. Mr. Baran also requested City Council do a better job in accomplishing what they are trying to do and wants the conflict of interest issue cleared up as soon as possible.

Suzanne Bice, 840 W. 6th Street – would like to see more staffing budgeted in the new budget for animal shelter. Ms. Bice asked when residents would be informed on the tethering ordinance that will become effective October 1st, and is concerned about cat-tainer funds.

CONSENT AGENDA

3. **Approve minutes from August 8, 2019.**
4. **Consider Ordinance 2019-21 increasing the over 65 property tax exemption.**
5. **Consider Ordinance 2019-25 amending the FY2018-2019 Budget.**
6. **Consider approving purchase of one Police Chevrolet Tahoe patrol unit.**

Motion was made by Councilmember Garcia to approve the consent agenda items as presented. Motion was seconded by Mayor Pro-Tem Ariola. Motion carried unanimously.

Mayor Rydell moved agenda item #11 up on the agenda to accommodate many citizens present interested in that issue.

11. Receive update on Conflict of Interest.

Councilmember Garcia read a statement requesting item #11 be conducted as a public hearing in open session and objects to any consideration of conducting this business in executive session.

Mayor Rydell stated the Council has the option to discuss this item in executive session, or in open session, or postpone to a later date. Mayor Rydell asked for a motion to go in to executive session. No motion was made. Item was discussed in open session.

Ross Fisher, Special Council to City – retained by City of Taylor to determine if the city ethics ordinance has been violated regarding 2 areas of concern regarding Councilmember Garcia associated with G21 Car Show and SRE Promotions. Mr. Fisher has been dealing with Councilmember Garcia's attorney.

Regarding G21, issue is whether or not Councilmember Garcia's promotion of the city's car show or sponsorship by G21, violated any provisions of the ethics ordinance. He determined G21 is a personal brand of Councilmember Garcia with no legal distinction as a separate entity. Any funds raised during a car show sponsored or related to G21 have been paid out to non-profit organizations and not to Councilmember Garcia. Mr. Fisher stated there is no provision of the ethics ordinance that has been violated by Councilmember Garcia's conduct regarding G21 and his recommendation is to refrain from alleging an ethics violation by Councilmember Garcia for his car promotion.

Mr. Fisher recommended the City consider updating their social media policy.

Regarding SRE Promotions, the question was raised on whether Councilmember Garcia had a special or financial interest in SRE Promotions which is the company the Main Street Car Show Board had contracted with to gather sponsorships for the car show. Councilmember Garcia had a partial ownership in SRE Promotions up to early 2018 when he relinquished his ownership in the company. Mr. Fisher stated there is insufficient evidence to show that a contract in which Councilmember Garcia had a vested interest in came before the city or that he was promoting a contract with his own business due to him relinquishing his ownership in that business the previous year.

Mr. Fisher recommended the Council consider if the city would benefit from filing simple annual Financial Disclosure Statements, and consider updating the ethics ordinance.

Mr. Fisher also felt it would be beneficial to have some sort of burden of proof to avoid future hearings.

Mayor Rydell allowed citizens to address Council.

Herbert Brinkmeyer, 705 Gravel Pit Rd – Considers present accusations on Councilmember Garcia's involvement as spurless accusations from the dais; explained a procedure to follow if there's suspected misconduct of Council members.

Patrice Dempsey, 4106 Bid Bend Trail – Confused on what Councilmember Garcia is accused of, concerned about how much money has been spent on resolving this issue, and wants Council to discuss these issues in public forum. Ms. Bice requested Mayor Pro-Tem Ariola apologize to Councilmember Garcia and citizens for mismanagement of tax dollars and trust.

Mayor Pro-Tem Ariola stated he is not accusing Main Street Car Show committee of any wrongdoing, feels anything G21 was involved in with the City should have been disclosed to the entire Council. Mayor Pro-Tem Ariola feels Councilmember Garcia is benefiting from being heavily involved in the car show by getting free contacts for his car show interest because contact information for G21 is connected with city event.

Councilmember Garcia – recapped previous requests made at previous council meetings regarding conflicts of interest. Councilmember Garcia stated he has nothing to hide and has released all his city and personal communication accounts to the city for review. Councilmember Garcia requested the Councilmember who started all of this repay tax payer money spent on resolving this issue.

Mayor Rydell read 4 recommendations from Mr. Fisher, 1) refrain from initiating alleged ethical violations against Councilmember Garcia regarding G21 Car Show, 2) refrain from initiating alleged ethical violations against Councilmember Garcia regarding SRE Promotions, 3) consider changes to the financial disclosure requirements and procedural aspects of the ethics ordinance, and 4) consider updating the city's social media policy. Staff will look into the last two items and bring back for future consideration at a later date.

Motion was made by Mayor Pro-Tem Ariola to approve the Conflict of Interest update as presented. Motion was seconded by Councilmember Garcia. Motion carried unanimously.

Council took a break at 7:35pm.

Reconvened at 7:45pm.

PUBLIC HEARING/ORDINANCES

7. Consider introducing Ordinance 2019-22, adopting the annual budget for FY 2019/2020.

Brian LaBorde made a brief presentation on the FY2018-2019 year in review and accomplishments, the FY2019-2020 goals and objectives, and highlights of the new budget. Williamson County Tax office made an error in the calculation of the tax rate. As a result, the effective and rollback rates are slightly lower than originally presented on August 8th. The original effective rate was \$0.742109, the corrected rate is \$0.741841. The original rollback rate was \$0.809469, the corrected rate is \$0.809215. The proposed budget is unaffected by this change.

The Assistant City Attorney read the caption of the ordinance.

ORDINANCE NO. 2019-22

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF TAYLOR, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020.

No action was taken.

8. Conduct Public Hearing regarding fixing and levying ad valorem tax rate for tax year 2019/2020.

Jeff Wood, Finance Director - the proposed FY2019-20 budget includes a tax rate of \$0.809215 per \$100 valuation. This tax rate is higher than the effective tax rate and will produce more revenue in the budget. Tonight is the first of two public hearings. The second public hearing is scheduled for September 5th. Mr. Wood gave a brief presentation on the tax rate process.

Mayor Rydell opened the public hearing at 8:05pm. With no one appearing, the public hearing was closed at 8:05pm.

Mayor Rydell stated that the adoption of the tax rate will be voted on September 12, 2019, at 6:00 pm and the meeting will be held at 400 Porter Street, Taylor, Texas, in the City Council Chambers.

No action was taken.

9. Consider introducing Ordinance 2019-23, fixing and levying ad valorem tax rate for tax year 2019/2020.

Jeff Wood, Finance Director - Two public hearings have been scheduled to allow comments from citizens. Tonight the first public hearing was held under the previous agenda item, and September 5, 2019 is the second scheduled hearing.

The Assistant City Attorney read the caption of the ordinance.

ORDINANCE NO. 2019-23

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 2019-20.

No action was taken.

10. Conduct the Public Hearing on a request to change the current zoning for a parcel of land, consisting of approximately 58.31 acres, addressed as 530 FM 973, located across from Taylor High School, from Single-Family Residential Zoning District (R-1) to Local Commercial Zoning District (B-1) and Single-Family Zoning District with a Residential Planned Development Overlay (R-1/RPD).

Tom Yantis, Development Services Director - request is to layout and develop the subject property for 230 to 239 lots of various sizes, comprised of single-family detached, twin homes, duplexes and townhomes and to provide approximately 10 acres of local commercial zoning. A portion of the subject property is currently outside the city limits. The property owner has petitioned the City Council for annexation of that portion of the property. The rezoning ordinance is not being introduced with this agenda item, but will be introduced at the same meeting as the annexation ordinance. The Planning and Zoning Commission unanimously recommended approval of the request to rezone the subject property from R-1 to B-1 for approximately 10 acres along the frontage of FM 973 and R-1/RPD for the remaining acreage of approximately 40 acres.

Mayor Rydell opened the public hearing at 8:17pm. With no one appearing, the public hearing was closed at 8:17pm.

No action was taken.

REGULAR AGENDA; REVIEW/DISCUSS AND CONSIDER ACTION

Item #11 was moved up on the agenda.

Mayor Rydell read the executive session meeting announcement and adjourned into executive session at 8:18p.m.

Executive Session I. 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.

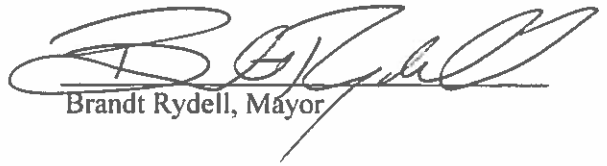
- a. Heritage Square
- b. Windy Ridge

The Council reconvened into regular session at 8:45p.m.

No action taken.

ADJOURN

With no further action Mayor Rydell declared the meeting adjourned at 8:45p.m.


Brandt Rydell, Mayor

ATTEST: .

Dianna Barker, City Clerk

