

The City Council of the City of Taylor met on July 24, 2007 at City Hall, 400 Porter St., Taylor, Texas. Mayor Benito Gonzales declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem Donald Hill
Council Member Rod Hortenstine
Council Member Ella Jez
Council Member John McDonald

Frank Salvato, City Manager
Assistant City Manager, Jim 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 during this time.

CONSENT AGENDA

1. MINUTES FROM JULY 12, 2007.
2. ORDINANCE 2007-21 ATMOS FRANCHISE AGREEMENT.
3. ORDINANCE 2006-28 PRO RATA REIMBURSEMENT AGREEMENT FOR WASTEWATER LINE ON SH 95
4. CONSIDER FINANCIALS FOR JUNE, 2007.

Council Member McDonald requested the Minutes be removed from the Consent Agenda for corrections and Mayor Gonzales removed the Ordinance 2007-21 for ATMOS for additional comment. With these items removed for consideration, Mayor Pro Tem Hill moved to approve the remaining items on the consent agenda as presented and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

ORDINANCE 2006-28

PROVIDING A PRO RATA REIMBURSEMENT TO THE CITY FOR A WASTEWATER COLLECTION ("LINE") CONSTRUCTED UNDER A DEVELOPERS' AGREEMENT ("AGREEMENT") WITH STOREFRONT TAYLOR MARKETPLACE LLC, ("STOREFRONT"), AND WHATABURGER, INC. ("WHATABURGER"), REFERENCED AS "DEVELOPERS" WITHIN THIS ORDINANCE; PROVIDING A METHOD OF PRO RATA REIMBURSEMENT TO THE CITY FOR THE CONSTRUCTION CHARGES OF THE LINE CONSTRUCTED BY THE CITY WHICH COSTS ARE NOT PAID BY THE DEVELOPERS; PROVIDING A METHOD OF ENFORCING PAYMENT OF THE PRO RATA CHARGES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT AND CONFLICT

HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY SO THAT ANY PERSON, FIRM OR CORPORATION VIOLATING ANY OF THE PROVISIONS OR TERMS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE SUBJECTED TO A 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, AND FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS FIRE SAFETY, ZONING OR PUBLIC HEALTH OR SANITATION, WHICH SHALL BE PUNISHED BY A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND EACH AND EVERY DAY SUCH VIOLATION IS CONTINUED SHALL BE DEEMED TO CONSTITUTE A SEPARATE OFFENSE.

Council Member McDonald moved to approve the minutes with a correction to agenda item number 3 regarding the report from the Brazos River Authority. He stated that the second to last sentence in the paragraph should read: "Both Mr. Collinsworth, City Council, and City Staff expressed their appreciation to the City of Hutto for their assistance in helping the City of Taylor keep their water towers full by releasing water back to the City at the same cost Hutto paid for the water." Mayor Pro Tem Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

Regarding agenda item number 2, Mr. Randy Hartford with ATMOS was present to notify the Council of the most recent annual franchise payment of \$112,207.76 made through electronic transfer. He reminded Council that with the adoption of Ordinance 2007-21 and the new agreement, future payments will be made on a quarterly basis. Mayor Pro Tem Hill moved to adopt Ordinance 2002-21 and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

ORDINANCE NO. 2007-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS, GRANTING TO ATMOS ENERGY CORPORATION, A NON-EXCLUSIVE FRANCHISE TO USE PUBLIC RIGHTS-OF-WAY OF THE CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, AND OPERATING PIPELINES AND EQUIPMENT IN THE CITY OF TAYLOR, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF GAS; SETTING FORTH TERMS AND CONDITIONS TO GOVERN THE FRANCHISE; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

5. PROCLAMATION: NATIONAL NIGHT OUT, AUGUST 7, 2007.

Mayor Gonzales presented Chief Jeff Straub with a proclamation declaring August 7, 2007 as National Night Out in Taylor.

6. CONSIDER QUARTERLY REPORT AND 2008 BUDGET FOR TAYLOR CHAMBER OF COMMERCE.

Due to a schedule conflict Mayor Gonzales announced that Ms. Kuhl was unable to attend the Council meeting and would be bringing back this report at a future Council meeting.

7. CONSIDER ACCEPTING FUNDING FROM TEXAS DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SAFETY EDUCATION.

Chief Straub presented a request to Council to approve an award from the Texas Department of Transportation (TxDOT) received as a participant in the “Click it or Ticket” campaign. As the result of a random drawing by TxDOT the Police Department is eligible to receive an award of \$4,000 to be used towards the purchase of traffic safety equipment or training with no local match in funding from the City. Items under consideration for purchase with these funds include a laptop computer and projector for traffic safety presentations and a high definition camcorder and shared station for crash scenes.

Council Member Jez moved to accept the funding award from the Texas Department of Transportation and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONDUCT BUDGET WORKSHOP FOR FY 2007/2008.

Mr. Salvato led the Council through the development of the budget for fiscal year 2007/2008 with emphasis on the General Fund. Department Heads came forward to provide additional information regarding any new programs being considered for the next budget year. This item was for information and discussion and no action was taken by Council.

9. CONSIDER CHANGING COUNCIL MEETING DATES AND NEXT BUDGET WORKSHOP

Mr. Salvato presented an option to Council to consider changing a regular council meeting date in September in an effort to reduce the number of special meetings necessary during the budget and tax rate discussions. The State Comptroller’s office sets specific time lines and dates that must occur during this process and if not changed would result in the City Council meeting four times in September.

Council Member Hortenstine moved that the regularly scheduled meeting for September 13 be changed to September 6 and Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

ADJOURN

Without further business, Mayor Gonzales adjourned the meeting at 9:30 p.m.

ATTEST:

Bernabe Gonzales, Mayor

Susan Brock, City Clerk