The City Council of the City of Taylor met on December 16, 2008 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
Council Member Bernabe Gonzales
Council Member Don Hill
Council Member John McDonald

Interim 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.

CONSENT AGENDA

1. MINUTES FOR NOVEMBER 13, 2008 JOINT MEETING WITH THE TEDC, AND NOVEMBER 25, 2008.
2. CONSIDER WITH PRELIMINARY FINANCIALS FOR OCTOBER, 2008.
   Council Member Hill moved to approve the consent agenda as presented and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

3. PROCLAMATION: RECOGNIZING TAYLOR FIRE DEPARTMENT FIRST RESPONDER AWARD.
   Mayor Hortenstine presented a proclamation recognizing the Taylor Fire Department as the recipients of the 2008 First Responder Award for the entire state. Chief Watson and Lt. Woods were present to receive the award.

4. CONSIDER AND TAKE ACTION WITH RESPECT TO ORDINANCE 2008-43 AUTHORIZING THE ISSUANCE OF $10,000,000 CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES.
   Ms. Dennis provided information regarding the projects in need of funding through certificates of obligation and reported that Mr. Bart Fowler, our bond counsel, has found interest rates to be relatively low at 4.6% or lower and recommends that Council move forward with their intent to secure funding at this time. The request for funding will be limited to $10 million dollars and will be focused on improvements to East Williamson County Regional Park, water and wastewater for the East Williamson County Higher Education Center, and other water and drainage projects within the City.

Council Member McDonald moved to approve Ordinance 2008-43 on first reading and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

ORDINANCE NO. 2008-43

ORDINANCE AUTHORIZING THE ISSUANCE OF $10,000,000 CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES

5. CONSIDER AWARDING BID FOR CERTIFICATES OF OBLIGATION, SERIES 2008.
Ms. Dennis presented a request to Council to consider awarding the bid for the Certificates of Obligation based on the bids received by Specialized Public Finance, Inc. (SPFI). Ten firms responded to the call for bids and interest rates ranged from Southwest Securities, Inc. at 4.702999% to 5.143259% from Sterne, Agee & Leach, Inc. Ms. Jennifer Douglas with SPFI stated that they were very pleased with the rates and number of participants and that the excellent response is a reflection on the reputation of the City and its record of financial stability.

Council Member McDonald moved to award the bid to Southwest Securities, Inc. at a 4.702999% rate and all Council Members seconded the motion as a show of unanimous support for the issue. VOTE: Five voted AYE. Motion passed.

6. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2008-42 REGARDING A REQUEST BY JOHAN BORGE TO REZONE PROPERTY LOCATED AT 410 OLD THORNDALE, ALSO KNOWN AS 0.32 ACRES OF LAND OUT OF THE P. COURSEY SURVEY, ABSTRACT NO. 131, CITY OF TAYLOR, FROM SINGLE FAMILY R-1 TO MULTI-FAMILY MF-1.
Mr. Bob vanTil, Director of Community Development, presented information regarding a rezoning request from Mr. Johan Borge. Mr. van Til stated that the request for rezoning will bring the property into agreement with the Future Land Use Plan and that the Planning and Zoning Commission recommended approval of the request. Mayor Hortenstine declared the Public Hearing open; Mr. Borge was present to respond to any questions and thanked the Council for their consideration of his request. Hearing no further comments Mayor Hortenstine closed the hearing and asked Mr. Hejl to read the caption and introduced Ordinance 2008.42.

ORDINANCE NO. 2008-42

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP ADOPTED BY ORDINANCE NO. 2001-17 BY THE CITY OF TAYLOR, TEXAS ON APRIL 24, 2001 AS HERETOFORE AMENDED, BY CHANGING THE CLASSIFICATION OF PROPERTY DESCRIBED AS 0.32 ACRES OF LAND OUT OF THE P. COURSEY SURVEY, ABSTRACT NO. 131, CITY OF TAYLOR, FROM SINGLE FAMILY (R-1) TO MULTI-FAMILY (MF-1)

7. CONSIDER ESTABLISHING A POLICY FOR RENTAL OF CITY FACILITIES TO NON-PROFIT AGENCIES OR GROUPS.

   Mr. Dunaway presented a brief overview of the most recent requests from non-profit organizations to waive rental fees for park facilities. Representatives from Habitat for Humanity, the YMCA of Greater Williamson County, and Ed Komandosky asked that Council consider either a reduction or elimination of rental fees for non-profit organizations or fund raising events. Mr. Komandosky believes that the facility was built by volunteer organizations and that the City should consider a policy that would take that into consideration. Mr. Trey Keith representing the Taylor Jaycees and as a member of the Parks and Recreation Board told Council that the Parks Board is currently discussing "joint use agreements" for various organizations to use the parks and they should have a recommendation to Council after their next meeting in January.

   Council Member Hill suggested that this issue be addressed by a committee and brought back to Council for consideration at a later date. Mayor Hortenstine would provide names to staff regarding the committee appointments. No further action was taken on this item.

8. CONSIDER INTRODUCING ORDINANCE 2008-39 AS A RESULT OF COMMITTEE RECOMMENDATION TO AMEND ANIMAL ORDINANCE 2008-21 WITH REGARDS TO KEEPING CHICKENS IN THE CITY LIMITS.

   Chief Jeff Straub presented a request to consider introducing an ordinance that would amend the current Animal Control Ordinance 2008-39 with respect to chickens. He reported that the committee met in October to consider specific issues under review including the maximum number of animals, the prohibition of roosters, and any property distance requirements. In addition to committee members who were present, Mr. Glenn Simpson of 1900 Old Coupland Road requested consideration for those property owners who may live in the city limits and also qualify for agricultural exemption. After the committee recommendations were presented council continued to discuss the issues and no consensus was reached. Mayor Hortenstine asked the work committee to meet once more and bring back a revised version for further consideration.

9. CONSIDER INTRODUCING ORDINANCE 2008-40 REGULATING PARKING ON GRASS IN CITY PARKS.

   Mr. van Til presented a request to introduce an ordinance regulating parking in city parks. This issue was previously presented in a format that combined parking with noise and Council asked that the two issues be brought back separately. It was pointed out that in this version there was no exemption for city maintenance vehicles, golf cart type vehicles, vehicles on hike and bike trails, and parking for the football games at the corner of Davis and West Lake Drive. Additional signage was also mentioned.

   Mayor Hortenstine asked staff to amend the ordinance to include an exemption for city vehicles and to address the other issues mentioned. Mr. Hejl read the caption and declared Ordinance 2008-40 introduced with instructions to staff to bring back the amended version at the next meeting.

ORDINANCE 2008-40

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, RESTRICTING PARKING TO DESIGNATED PARKING AREAS ONLY; PROHIBITING THE OPERATION OR USE OF ANY MOTORIZED VEHICLE WITHIN A PARK EXCEPT ON PUBLIC ROADS USED FOR MOTORIZED VEHICLES; PROVIDING A PUBLICATION CLAUSE; PROVIDING A REPEALING CLAUSE; 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.

10. CONSIDER DEFINING RESIDENCY REQUIREMENTS FOR CITY BOARDS THAT INCLUDE PARKS AND RECREATION, PLANNING AND ZONING, ZONING BOARD OF ADJUSTMENTS, AND THE BUILDING AND STANDARDS COMMISSION.
Mr. Dunaway presented a request to consider better defining the "residency" requirement for selected boards and/or commissions. The current board application requires members to be "voting residents" of the City of Taylor and questions have been raised as to what happens when the voting registration is not current and no other proof of residency is required. Staff suggested that the application be amended to include a statement that "I live and reside in the city limits of Taylor." The residency requirement only applies to the Planning and Zoning Board, Zoning Board of Adjustments, Parks and Recreation Advisory Board, and the Building and Standards Commission. Mr. Borge asked that Council consider including non-residents on these boards to allow input from outside sources.

Council Member Jez moved to make the proposed changes to the application as presented and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion Passed.

11. CONSIDER APPROVING RESOLUTION R08-16 ESTABLISHING A POLICY TO NAME STREETS WITHIN CITY LIMITS.
Mr. van Til presented a resolution to establish a policy and process for naming and renaming public streets in the city limits of Taylor. While including guidelines and recommendations no details on the creation of the committee were provided.

Mayor Hortenstine asked staff to bring back an amended resolution containing details on the makeup of the committee. No further action was taken on this item.

12. CONSIDER SUBMITTING AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR A SMALL COMMUNITIES GRANT.
Mr. van Til presented a request permission to proceed with submitting an application to the Texas Parks and Wildlife Department for improvements to Fannie Robinson Park. Ms. Judy

Langford was present to respond to questions. The proposed grant includes a local match of up to $100,000 and could be used for a splash/spray pad, landscaping and a horseshoe and/or washer pitching pit. Ms. Langford explained the proposed timeline for the application and when funds would be needed if the grant award was successful.

Council agreed to move forward with the application process and Mayor Hortenstine asked Mr. van Til to bring back a resolution in support of the grant application at the January 8, 2009 council meeting.

13. CONSIDER SETTING A DATE TO REVIEW AND CONSIDER BIDS FOR THE EAST WILLIAMSON COUNTY REGIONAL PARK.
Mr. Dunaway presented a request for Council to consider setting a date to meet and review the bids received for the East Williamson County Regional Park. Bids will be opened on December 17 and Mr. Casey Sledge, consulting City Engineer, is proposing a special meeting for council to spend time on analyzing the awards.

After much discussion of schedules Council agreed to meet on January 6, 2009 at 6:00 pm to review the bids and possibly consider taking action.

14. 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.

15. EXECUTIVE SESSION II. The Taylor City Council will conduct 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 551.072 in order to deliberate regarding acquisition of real property.

(Mayor Hortenstine passed on Executive Session II since their was no information for discussion available.)

16. EXECUTIVE SESSION III.
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.

Mayor Hortenstine adjourned Council into closed session at 7:45 pm.

17. CONSIDER ACTION FROM EXECUTIVE SESSION I, II, or III.
Mayor Hortenstine reconvened Council into open session at 9:38 p.m. and stated that no action was taken on any mater discussed in any Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 9:38 p.m.

_____
Rod Hortenstine, Mayor

ATTEST:

_____
Susan Brock, City Clerk