The City Council of the City of Taylor met on June 23, 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	

INVOCATION
Mr. Danny Thomas led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
Mr. Wilbert Vorwek came forward to address the Council in opposition to the proposed Fireworks Ordinance 2009-14.

CONSENT AGENDA

1. MINUTES FOR JUNE 11, 2009.
2. ORDINANCE 2009-14, FIREWORKS PROHIBITED FROM WITHIN 5,000 FT OF CITY LIMITS.
3. CONCUR WITH FINANCIALS FOR MAY, 2009.
   Mayor Pro Tem Jez asked to remove Item no. 2 regarding the fireworks ordinance for additional discussion. Council Member Hill moved to approve the consent agenda items 1 and 3 as presented and Council member Gonzales seconded the motion. VOTE: Five voted Aye. Motion passed.

ORDINANCE 2009-14

AN ORDINANCE TO PROHIBIT THE STORAGE, SALE AND USE OF EXPLOSIVES AND FIREWORKS WITHIN THE CITY LIMITS OF TAYLOR, TEXAS, AND WITHIN 5,000 FEET OUTSIDE THE CITY LIMITS; DECLARING THE STORAGE, SALE AND USE OF FIREWORKS TO BE A NUISANCE AND PROVIDING FOR INJUNCTION RELIEF, EXCLUDING, HOWEVER, FROM THE PROVISIONS OF THIS ORDINANCE, THE USE OF FIREWORKS FOR AGRICULTURAL PURPOSES AS HEREINAFTER SET FORTH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF FIVE HUNDRED DOLLARS ($500.00) FOR EACH OFFENSE EXCEPT WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR ANY OFFENSE WHICH PENALTY SHALL BE THAT FIXED BY STATE LAW, AND FOR ANY OFFENSE WHICH IS A VIOLATION OF ANY PROVISION OF LAW THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND EACH AND EVERY DAY SAID VIOLATION IS CONTINUED SHALL CONSTITUTE A SEPARATE OFFENSE; AND PROVIDING FOR PUBLICATION.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. ORDINANCE 2009-14, FIREWORKS PROHIBITED FROM WITHIN 5000 FEET OF CITY LIMITS.
   Mr. Dunaway reported that Mr. Chester Brown, a fireworks vendor, had submitted a request to Council that, if approved, this Ordinance be effective after this July 4th due to a hardship in relocating the current buildings on such short notice. In addition, Mayor Pro Tem Jez asked to have signs located at each stand stating that a Taylor City Ordinance prohibits the sale, use, or storage, of fireworks within 5,000 ft of the city limits. Chief Watson expressed the ability to enforce the placing of the sign if it falls outside of the city limits and will look into the process further.

   Council Member Hill moved to approve Ordinance 2009-14 with an effective date of midnight July 4th. Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

4. CONSIDER APPROVING RESOLUTION R09-15 AFFIRMING SUPPORT OF AND ENCOURAGING CITIZENS OF TAYLOR TO PARTICIPATE IN THE 2010 CENSUS.
   Mr. Bob vanTil, Director of Community Development, presented a request to adopt a resolution in support of the 2010 Census program. Ms. Ivonne Simeon, a Census Specialist, provided a short presentation on the program and how the city can help support their efforts through community education.

   Council Member McDonald moved to approve Resolution R09-15 and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

5. CONSIDER REQUEST FROM POLICE DEPARTMENT TO USE DONATED FUNDS FOR NATIONAL NIGHT OUT ACTIVITIES.
   Chief Straub presented a request to consider allowing the Police Department to use funds donated and not part of the budget approved for FY 2008/2009 for the National Night program. He stated they have collected $2,130 to date and expect to collect more prior to the actual event on August 4, 2009.

   Mayor Pro Tem Jez moved to approve the use of donated funds for the National Night Out Program and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

6. CONSIDER APPROVING REAPPOINTMENT OF MARY CHAPA TO THE CIVIL SERVICE COMMISSION.
   Mr. Dunaway presented a request to formally approve his reappointment of Ms. Mary Chapa to the Civil Service Commission for a three year term.

   Council Member Hill moved to approve the reappointment of Mary Chapa to the Civil Service Commission and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

7. CONSIDER APPOINTMENTS TO PARKS AND RECREATION ADVISORY BOARD.
   Mr. Danny Thomas, Director of Public Works, presented a request to consider approving the Parks Board recommendations for reappointments and one new appointment. Board members for reappointment include Mr. Gary Brock, Mr. Duane Danek, and Ms. Alma Holiday. The Board also recommended that Mr. Gary Gola be appointed as a new member. Council Member Hill expressed a desire to consider allowing each Council Member to recommend two people to the Board in the future. Staff agreed to provide a historical review of appointments and to also consider changing the date and time of these meetings in order to have better attendance.

   Council Member McDonald moved to approve the Board recommendations for Parks and Recreation appointments and reappointments and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONSIDER CREATION OF A MUNICIPAL DRAINAGE UTILITY SYSTEM (MDUS).
   Mr. Dunaway presented a follow up to the discussion presented to Council last year regarding the creation of a Municipal Drainage Utility System (MDUS). Staff provided additional updated timelines for the process and council discussed the possibility of creating the system with or without establishing a fee. Mayor Pro Tem Jez encouraged better education for the community and council agreed to move forward with public meetings to provide information to the public and to receive input regarding the program before making a decision on how to proceed. Mr. Casey Sledge, consulting city engineer, will develop a list of draining projects by cost and priority prior to these meetings.

9. CONSIDER AMENDING THE CITY'S POLICY FOR NAMING CITY STREETS AND CITY FACILITIES.
   Mr. Dunaway presented a request to consider amending the process and policies related to the naming of city streets and city facilities. Council expressed concern for the lack of citizens on the committee and would like the opportunity to submit one name each plus retain the chairman of the Planning and Zoning Commission and one Council Member. Any decision on street or facility names would be postponed until the new committee has an opportunity to meet.

10. CONSIDER CREATION OF THE EAST WILLIAMSON COUNTY HIGHER EDUCATION CORPORATION.
    Mr. Dunaway presented a request to consider creating a corporation regarding the East Williamson Higher Education Center (EWCHEC) to serve as a vehicle through which future bond issues can be handled.

    Council Member McDonald moved to approve the creation of the East Williamson County Higher Education Corporation and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

11. 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.

12. EXECUTIVE SESSION II. The Taylor City Council will conduct a closed executive meeting under Section 551.071 of the Texas Government Code in order to meet with it's 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.

    (Council adjourned into Executive Session at 7:40 pm. Council Member McDonald recused himself from Executive Session II and the next agenda item.)

    Council returned to open session at 10:11 p.m. and announced that no action was taken during either Executive Session.

13. CONSIDER APPROVING SETTLEMENT AGREEMENT WITH ELECTRIC RELIABILITY COUNCIL OF TEXAS.
    Council Member Hill moved to approve the settlement agreement with ERCOT and Mayor Pro Tem Jez seconded the motion. VOTE: Four voted AYE. Motion passed.

14. CONSIDER ACTION FROM EXECUTIVE SESSION I OR II.
    No other action was taken on either Executive Session.

    ADJOURN

    With no further business; Mayor Hortenstine adjourned the meeting at 10:12 p.m.

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Rod Hortenstine, Mayor

ATTEST:

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Susan Brock, City Clerk