The City Council of the City of Taylor met on June 12, 2008, at City Hall, 400 Porter St., Taylor, Texas. In the absence of Mayor Hortenstine, Mayor Pro Tem Ella Jez declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Council Member Bernabe Gonzales	Frank Salvato, City Manager
Council Member Donald Hill	Assistant City Manager, Jim Dunaway
Council Member John McDonald	City Attorney, Ted Hejl
	City Clerk, Susan Brock

INVOCATION
Mr. Danny Thomas led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
No citizens came forward.

CONSENT AGENDA

1. MINUTES FOR MAY 27, 2008.
2. ORDINANCE 2008-16 AMENDING FEE ORDINANCE (POOL FEES; CEMETERY SERVICES)

ORDINANCE 2008-16

AN ORDINANCE AMENDING ORDINANCE NO. 2007-26 ADOPTED ON SEPTEMBER 25, 2007 BY CHANGING CERTAIN RATES AND OTHER SERVICES PROVIDED BY THE CITY

3. RESOLUTION R08-9, AUTHORIZING BANK AND INVESTMENT SIGNATORIES
Council Member Hill moved to approve the Consent Agenda as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

4. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2008-9 TO AMEND THE ZONING ORDINANCE TO REQUIRE PUBLIC NOTICES BE CONSISTENT WITH TEXAS LOCAL GOVERNMENT CODE.
Mr. John Elsden, City Planner, presented a request to amend the Zoning Ordinance regarding public notice requirements to be more consistent with the State requirements. Mayor Pro Tem Jez called the Public Hearing open; hearing no public comment, the hearing was closed and Mayor Pro Tem Jez asked Mr. Hejl to read the caption to Ordinance 2008-9, declaring it officially introduced.

ORDINANCE NO. 2008-09

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2001-17 ADOPTED BY THE CITY OF TAYLOR, TEXAS ON APRIL 24, 2001 AS HERETOFORE AMENDED, BY AMENDING CHAPTER 8, SECTION 8.1.3, BY REQUIRING NOTICE FOR PUBLIC HEARING REQUIREMENTS TO BE CONSISTENT WITH THE TEXAS LOCAL GOVERNMENT CODE.

5. <u>CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2008-19 TO REZONE PROPERTY OWNED BY B. K. PARYANI REPRESENTING PACIFICA INVESTMENTS, INC. LOCATED AT 406 STURGIS ST. ALSO KNOWN AS LOT 3, BLOCK 104, CITY OF TAYLOR, 0.12 ACRES FROM SINGLE FAMILY RESIDENTIAL (R1), TO DUPLEX (D).</u>
Mr. Elsden presented a request to conduct a Public Hearing regarding a zoning request for property located at 406 Sturgis. He reported that the Planning and Zoning Commission recommended approval of the rezoning of this property from single family residential (R1) to Duplex (D) to conform with the Future Land Use guidelines for the Downtown area which makes it possible to provide infill (new) housing in an older area of the City where other duplexes already exist.

ORDINANCE NO. 2008-19

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 LOT 3 BLOCK 104, CITY OF TAYLOR, LOCATED AT 406 STURGIS STREET, 0.12 ACRES, FROM SINGLE FAMILY (R-1) TO DUPLEX (D).

Mayor Pro Tem Jez declared the Public Hearing open; Mr. Paryani was present and expressed his appreciation to Council for their consideration and his desire to provide affordable housing in an older part of town. Hearing no additional comments, Mayor Pro Tem Jez closed the Public Hearing and Mr. Hejl read the caption to Ordinance 2008-19 as it was introduced.

6. <u>CONSIDER CONSTRUCTION MANAGER AGENT CONTRACT WITH GALLAGHER CONSTRUCTION COMPANY FOR THE EAST WILLIAMSON COUNTY REGIONAL PARK SPORTS COMPLEX.</u>
Mr. Salvato presented a request to consider a contract with Gallagher Construction Company to oversee the project for the East Williamson County Regional Park (EWCRP). A Construction Manager Agent (CMA) provides oversight of the project and potential cost savings. Mr. Casey Sledge, consulting City Engineer, explained that an advantage of this type of contract is that the CMA is responsible for preparing the bids and working directly with the subcontractors and coordinating their schedules within the overall project.

Council Member McDonald moved to approve the contract with Gallagher Construction not to exceed $457,000 from the 2007 C.O.’s and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

7. CONSIDER DEVELOPER AGREEMENT TO PARTICIPATE WITH DAVID CERSONSKY REPRESENTING MUSTANG CREEK DIALYSIS CENTER TO OVERSIZE A WASTEWATER LINE ON PROPERTY LOCATED ON NORTH SIDE OF WEST U. S. HIGHWAY 79.
   Ms. Elsden presented a request to consider a developer agreement with David Cersonsky to oversize a wastewater line for the Mustang Creek Dialysis Center. Council had previously approved staff to move forward with this project and bring back a formal agreement.

   Council Member Hill moved to approve the developer agreement as presented and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

8. CONSIDER REQUEST FROM TAYLOR GIRL SCOUTS TO WAIVE OR REIMBURSE FEES TO USE MURPHY PARK PAVILION FOR SUMMER DAY CAMP.
   Mr. Dunaway presented a request from the Texas Skies Service Unit of the Taylor Girl Scouts for assistance with the rental fee for the Murphy Park Pavilion for their summer day camp. Ms. Vicki Byrd, Day Camp Director, reported to Council that due to a loss in United Way funding it has become increasingly difficult to secure full funding for many of their programs. A number of day camp members addressed the Council to express their appreciation for use of the park facilities. The Unit has paid the full $1400 fee for the past five years and was requesting Council to consider a one-time reduction in fees for their camp this year.

   Council Member McDonald moved to approve a one time 50% reimbursement of the $1400 rental fee ($700.00) and requested staff to investigate the development of a fee policy for non-profit groups. Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

9 CONSIDER REQUEST FROM THE TAYLOR LIBRARY FOUNDATION TO WAIVE THE ALCOHOL PROHIBITION AT THE TAYLOR PUBLIC LIBRARY FOR A FALL GALA EVENT.
   Mr. Dunaway presented a request from the Taylor Library Foundation to be allowed to have wine at a fund raising Gala event later this year. The success of last years Gala has encouraged them to make it an annual event. However, the current policy prohibits alcohol on Library property except with Council permission.

   Council Member Gonzales moved to approve the request as presented and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

10 CONSIDER REQUEST FOR CITY SUPPORT OF JULY 4TH EVENT DOWNTON.
   Mr. Thomas presented a request from the Main Street Program to allow city staff to provide support for a July 4th Downtown event. The Murphy Park Neighborhood Association has sponsored a bicycle and small battery operated vehicle parade in Murphy Park in the past and would like to see the celebration expanded in the community. Plans are underway with the Taylor Fire Fighters Association, Taylor Area Businesswomen, Taylor Artist Guild, Taylor Merchants Association and the Lions Club to stage a parade and other activities in and around Heritage Square. The Taylor Police and Public Works Departments would provide traffic control and street closures.

   Council Member Hill moved to approve the request for support and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion Passed.

11 CONSIDER INTRODUCING ORDINANCE 2008-18 ESTABLISHING SPEED LIMITS ON HIGHWAY 95/MAIN STREET.

Mr. Thomas presented a request from the Texas Department of Transportation (TxDOT) to accept the recommendations of the Traffic Engineering Office to make adjustments within the existing speed zones on Highway 95/Main Street. Mr. Scott Cunningham, Traffic Engineer with TxDOT, presented the results of a recent traffic study conducted by his department and a map of the proposed changes. After much discussion, Council agreed to introduce the Ordinance but requested additional details and consideration to make some changes to the proposed map.

Mayor Pro Tem Jez asked Mr. Hejl to read the caption of Ordinance 2008-18 and declared it introduced.

ORDINANCE NO. 2008-18

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON SH 95 IN THE CITY LIMITS OF THE CITY OF TAYLOR DEFINING SPEEDING AND FIXING A PENALTY THEREFORE; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS, HEREUNDER; WITH A SAVING CLAUSE REPEALING CONFLICTING LAWS AND DECLARING AN EMERGENCY.

12 CONSIDER ACCEPTING PETITION FROM TEMPLE COLLEGE AT TAYLOR FOUNDATION AND INTRODUCING ORDINANCE 2008-17 TO ANNEX TERRITORY WITH FEWER THAN THREE VOTERS, DESCRIBED AS 16.4 ACRES OF LAND SITUATED IN THE REESE, G. M. SURVEY, AW0533, AND LOCATED IN WILLIAMSON COUNTY, TEXAS FOR CONSTRUCTION OF EWCHEC.

Mr. Elsden presented a request to accept a written a petition and to introduce an ordinance that would annex property for the East Williamson County Higher Education Center (EWCHEC). The request includes a tract of land not currently in the city limits and consisting of 16.4 acres and owned by the Temple College at Taylor Foundation.

With no further discussion Council Member Gonzales moved to accept the petition and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed. Mayor Pro Tem Jez asked Mr. Hejl to read the caption and declared Ordinance 2008-17 introduced.

ORDINANCE NO. 2008-17

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 FILING OF THIS ORDINANCE WITH THE WILLIAMSON COUNTY CLERK; AND PROVIDING AN EFFECTIVE DATE.

(Council Member Hill recused himself from the discussion regarding Agenda Item no. 13 because his wife is a member of the WBCO Board of Directors.)

13 <u>CONSIDER REQUEST FROM WILLIAMSON BURNET COUNTY OPPORTUNITIES, INC. (WBCO) FOR ADDITIONAL FUNDING FOR FY 2007/2008.</u>
Ms. Rosemarie Dennis, Finance Director, presented a request from the Williamson Burnet County Opportunities (WBCO) for an additional one-time contribution of $2000 to upgrade the stove hood and fire suppression system at the new location for the Senior Activity Center. Ms. Paula Goodson and Mr. Andrew Shell with WBCO were present to respond to questions. Ms. Dennis informed Council that the Williamson County Activity Center notified the City that they would no longer need funding from the City and the $5000 already budgeted for their needs could be used for other programs.

Council Member McDonald moved to approve the request for $2000 with funds to come from the previously dedicated funds to the Activity Center and Council Member Gonzales seconded the motion. VOTE: Three voted AYE. Motion passed.

(Council Member Hill rejoined the meeting.)

14 <u>CONSIDER MUNICIPAL DRAINAGE UTILITY SYSTEM (MDUS) IMPLEMENTATION SCHEDULE.</u>
Mr. Dunaway presented a request to approve a schedule for implementing fees for the Municipal Drainage Utility System (MDUS) previously approved by Council. Staff would like to have the fees in place by January 1, 2009.

Council Member McDonald moved to approve the schedule as presented and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

15 <u>CONSIDER RESOLUTION R08-10 IN SUPPORT OF MAIN STREET PROGRAM.</u>
Mr. Dunaway presented a request to consider a Resolution in support of the Texas Main Street Program Preserve American Grant application. The City was recognized in 2004 as a Preserve America City and the state program is requesting a resolution of support from designated cities. Grant proceeds would be used to fund a series of educational seminars on preservation topics.

Council Member Hill moved to approve Resolution R08-10 in support of the Main Street Program and Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

16 <u>CONSIDER REQUEST TO RESCHEDULE JULY 10TH COUNCIL MEETING TO JULY 8TH.</u>
Mr. Salvato presented a request to consider moving the regular July 10th Council meeting to July 8th in order for him to attend the meeting. Council Member Gonzales moved to reschedule the July 10th meeting to July 8th and Council Member Hill seconded the motion. VOTE: Four voted AYE. Motion passed.

17 EXECUTIVE SESSION. 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.

18 CONSIDER ACTION ON EXECUTIVE SESSION.
Council met in Executive Sessions consecutively and made one motion when reconvened into open meeting.

(Council Member McDonald recused himself prior to the next Executive Session.)

19 EXECUTIVE SESSION. 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 f the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the Stat Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.

Mayor Pro Tem Jez adjourned the meeting into Executive Session at 8:07 p.m.

20 CONSIDER ACTION FROM EXECUTIVE SESSION.
Mayor Pro Tem Jez reconvened the meeting into Open Session at 9:21 p.m. and stated that no action was taken during either Executive Session.

ADJOURN

With no further business; Mayor Pro Tem Jez adjourned the meeting at 9:22 p.m.

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Ella Jez, Mayor Pro Tem

ATTEST:

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Susan Brock, City Clerk