

The City Council of the City of Taylor met on June 10, 2010 at City Hall, 400 Porter St., Taylor, Texas. Mayor Hortenstine declared a quorum, noting Don Hill's absence, and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem John McDonald
Council Member Chris Gonzales
Council Member Chris Osborn

City Manager, Jim Dunaway
Interim Assistant City Manager, Jeff Straub
City Attorney, Ted Hejl
City Clerk, Susan Brock

INVOCATION

Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward during this time.

CONSENT AGENDA

1. MINUTES FOR MAY 19 AND MAY 25, 2010.
2. APPROVE ORDINANCE 2010-23 REPEALING ORDINANCE ON TRAFFIC STUDIES

ORDINANCE NO. 2010-23

AN ORDINANCE REPEALING ORDINANCE 2001-51 ESTABLISHING THE REQUIREMENTS FOR A TRAFFIC IMPACT ANALYSIS.

3. APPROVE ORDINANCE 2010-24 BACHMAYER RELEASE FROM TAYLOR ETJ.

ORDINANCE NO. 2010-24

AN ORDINANCE REDUCING THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS BY 29.3 ACRES, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42.022 OF THE TEXAS LOCAL GOVERNMENT CODE THROUGH A REQUEST OF THE OWNER THAT THE OWNER'S PROPERTY BE EXCLUDED FROM THE CITY OF TAYLOR, TEXAS, EXTRATERRITORIAL JURISDICTION; AND HAVING A SAVINGS CLAUSE.

Mayor Pro Tem McDonald 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. CONSIDER REVISED AGREEMENT WITH TAYLOR CHAMBER OF COMMERCE.
Ms. Rosemarie Dennis, Director of Finance, presented a request to consider approving a revised version of the annual agreement with the Chamber regarding the distribution of hotel occupancy tax revenue received by the city. Council had requested staff amend the agreement to exclude the portion of revenues generated as a result of events held at the

Taylor Regional Park and Sports Complex (TRPSC) from the total amount of hotel/motel tax funds allocated to the Chamber through the agreement. Additional language was added to clarify that reports will be both written and oral when presented to Council. Mayor Pro Tem McDonald requested that the section on reporting and conducting surveys be more specific in how facilities report their activities as related to the TRPSC so that revenues can be better tracked by specific events.

Council Member Gonzales moved to approve the agreement with revisions and Mayor Pro Tem McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

5. CONSIDER AWARD FOR DEPOSITORY CONTRACT SERVICES

Ms. Dennis presented a request to award a depository service contract to Citizen's National Bank (of Taylor). Ms. Dennis reported that three responses were received and that Citizen's was the only bank offering to provide the services required with no service fees. She reminded Council that Citizen's has provided excellent service over the course of the current five year contract and would like to continue to work with this firm based on performance and the lack of service fees.

Mayor Pro Tem McDonald moved to award the depository contract to Citizen's National Bank (of Taylor) and Council Member Osborn seconded the motion. VOTE: Four voted AYE. Motion passed.

6. CONSIDER INTRODUCING ORDINANCE 2010-12 REVISING LANDSCAPE ORDINANCE TO PROHIBIT INVASIVE PLANTS FOR NEW CONSTRUCTION OF COMMERCIAL AND MULTI FAMILY DEVELOPMENT.

Mr. John Elsdon, City Planner, submitted a request to consider introducing an ordinance that would prohibit a list of plants determined as invasive by the Texas Parks and Wildlife on any future commercial or multi-family developments. Mayor Hortenstine expressed his concern for adding any new regulations to future commercial development and would prefer to see it only applied to park land. Council Member Osborn stated that he did not think this regulation would place any substantial burden on property owners. Staff pointed out that this ordinance also removes the appeal process and prevents anyone from requesting a variance.

Noting these comments and concerns, Mayor Pro Tem McDonald moved to introduce the Ordinance as presented and Council Member Osborn seconded the motion. (No vote was taken.) Mayor Hortenstine asked Mr. Hejl to read the caption to Ordinance 2010-12 and declared it officially introduced.

ORDINANCE NO. 2010-12

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, CREATING LANDSCAPE REQUIREMENTS AND STANDARDS; PRESERVATION, PROTECTION AND PLANTING OF TREES; PROHIBITING INVASIVE PLANTS; ESTABLISHING PERMIT REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF 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, OR FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS PUBLIC HEALTH OR SANITATION WHICH SHALL BE

PUNISHED BY PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR PUBLICATION; AND PROVIDING EFFECTIVE DATE.

7. CONSIDER INTRODUCING ORDINANCE 2010-19 AMENDING THE PEDDLER'S ORDINANCE.

Chief Jeff Straub presented a request to amend the current ordinance related to peddler's to reflect more specific language regarding the posting of a "No Solicitors" sign on private property. Council Member Osborn expressed concern for the possibility that this may violate first amendment rights and he would prefer not to infringe on a person's right to express his political or religious freedoms. Chief Straub emphasized that no one's rights were being restricted and that this would merely allow a property owner to prohibit anyone from approaching his private property when a "No Solicitor" sign was posted.

With plans to bring this ordinance back after further review Mayor Hortenstine tabled this item.

8. CONSIDER AUTHORIZING STAFF TO INITIATE ANNEXATION PROCEEDINGS FOR PROPERTIES NORTHWEST OF TAYLOR ON THE EAST SIDE OF CR 101 AND EAST OF TAYLOR, ON THE WEST AND EAST SIDE OF FM 619.

Mr. Elsdon presented a request to Council to consider beginning the process to annex properties currently outside of the city limits on both the west and east sides of the city. Mayor Hortenstine emphasized that the properties to the west are eligible for exemption with an agricultural development agreement. He stated that the urgency to annex this area is primarily based on our ability to extend our city limits to include a portion of the new extension of Chandler Road allowing us to control future zoning and development issues. The properties on the east side are being considered for annexation to clarify our public safety boundaries and to include the roads within our city limits.

Council Member Osborn moved to authorize staff to move forward with an annexation plan as presented and Mayor Pro Tem McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

9. 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.

- East Williamson County Higher Education Center
- Project Geo-Algae

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 Act.

- Contract agreements for Taylor Regional Park and Sports Complex
- City of Pflugerville extraterritorial jurisdiction boundaries

Mayor Hortenstine adjourned into both closed sessions simultaneously at 6:53 p.m.

10. CONSIDER ACTION FROM EXECUTIVE SESSION.

Mayor Hortenstine resumed the open meeting at 8:46 p.m. and stated that there was no action taken on any issue during either of the Executive Sessions and there were no motions made to take action during the open session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:46 p.m.

Rod Hortenstine, Mayor

ATTEST:

Susan Brock, City Clerk