The City Council of the City of Taylor met on May 27, 2008 at City Hall, 400 Porter St., Taylor, Texas. Mayor Bernabe Gonzales declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

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| Mayor Pro Tem Donald Hill | Frank Salvato, City Manager |
| Council Member Rod Hortenstine | Assistant City Manager, Jim Dunaway |
| Council Member Ella Jez | City Attorney, Ted Hejl |
| Council Member John McDonald | City Clerk, Susan Brock |

INVOCATION
Chief Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION
No citizens came forward.

CONSENT AGENDA

1. MINUTES FOR MAY 8, 2008 AND MAY 15, 2008.
2. CONCUR WITH FINANCIALS FOR APRIL, 2008.
3. ORDINANCE 2008-15 INCREASE ATMOS FRANCHISE FEE

ORDINANCE 2008-15

AN ORDINANCE AMENDING THE EXISTING GAS FRANCHISE BETWEEN THE CITY AND ATMOS ENERGY CORPORATION TO PROVIDE FOR A DIFFERENT CONSIDERATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY ATMOS ENERGY CORPORATION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Mayor Gonzales asked to remove the Minutes from May 8 from the Consent agenda for discussion. Mayor Pro Tem Hill moved to approve the Consent Agenda as presented (with the May 8, 2008 minutes removed) and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

1. MINUTES FOR MAY 8, 2008
Ms. Brock requested a clarification on agenda item number 4 to read" Under this proposal the County would move forward without funding from the Texas Department of Transportation (TxDOT) and rebuild 2nd Street from the western outer loop eastward to Main Street (Highway 95) as four lanes with a sidewalk and turn lanes at Sloan and Howard." Council Member McDonald requested a clarification of the numbers regarding the estimate for maintenance as

"between $1 million and $1.5 million over a twenty year period." He also requested a change on item number 8 to correct the amount of annual revenue from the franchise to be "between $28,000 and $29,000." Council Member McDonald moved to approve the minutes for May 8, 2008 with these corrections as cited and Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

4. <u>ADMINISTER OATH OF OFFICE TO COUNCIL MEMBER AT LARGE, RODNEY HORTENSTINE.</u>
   Ms Susan Brock, City Clerk, administered the Oath of Office to Rodney Hortenstine having been declared elected unopposed for the May 10, 2008 election.

*(As a property owner in the area under discussion, Council Member Jez asked to be recused for the following item.)*

5. <u>CONSIDER WORK AUTHORIZATION NO. 3 WITH KSA ENGINEERS FOR THE DESIGN OF WASTE AND WASTEWATER FACILITIES TO THE EAST WILLIAMSON COUNTY HIGHER EDUCATION CENTER (EWCHEC) AND FOR PLAN REVIEW FOR THE EWCHEC CAMPUS.</u>
   Mr. Jim Dunaway presented a request to authorize KSA Engineering to provide design services and to oversee the construction of the off-site water and wastewater facilities for the site of the East Williamson County Higher Education Center (EWCHEC). They will also provide plan review of the first phase of the EWCHEC facility. KSA was selected based on past experience with the City.

   Mayor Pro Tem Hill moved to approve Work Authorization No. 3 with KSA Engineers for the EWCHEC project as presented and not to exceed $61,000. Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

*(Council Member Jez rejoined the Council.)*

6. <u>CONSIDER REQUEST FROM BLACKSHEAR/O. L. PRICE EX-STUDENT ASSOCIATION TO RESERVE ROBINSON PARK ON JUNE 13-15, 2008.</u>
   Mr. Dunaway presented a request on behalf of Ms. Jennifer Harris to reserve the facilities at (Fannie) Robinson Park for June 13-June 15 for the Blackshear/O.L.Price Ex-Student Association's 13th Bi-Annual School Reunion. This includes a request to extend park curfew hours and permission to block the Walnut, Threadgill, and Frank Street entrances to traffic in order to better manage entry into the Park areas during the event. Ms. Harris inquired about using the city owned stage for the event but was not able to commit to the $500 fee for set up at this time. Staff recommends only using the stage for City sponsored events. Ms. Harris also requested that the City use the full name of the park on its signs: Fannie Robinson Park.

   Mayor Pro Tem Hill moved to approve the request from the Blackshear O. L. Price Ex-Student Association to reserve the park and extend the park curfew for June 13-15 and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

7. <u>CONSIDER AND REVIEW PLANS PRESENTED BY TAYLOR GARDEN CLUB FOR GAZEBO AT MURPHY PARK.</u>

Mr. Danny Thomas, Director of Public Works, and Ms. Joan Cabiniss presented preliminary architectural drawings of the proposed structure for Murphy Park. Ms. Cabiniss provided a photo of the San Francisco Fine Arts Palace which served as the inspiration for the structure. She stated that the preliminary budget estimates are between $80,000-$90,000 with construction beginning this summer. Council had previously agreed to provide electrical access to the site. Council Member Jez asked about soil analysis for the area of the site and Ms. Cabiniss responded that she has taken that into consideration.

Council Member McDonald expressed appreciation for the donation and moved to approve the preliminary plans and waive city permit fees. Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

*(As a member in the Taylor Area Businesswomen organization, Council Member Jez asked to be recused for the following agenda item.)*

8. <u>CONSIDER CITY SUPPORT FOR DOWNTOWN CHRISTMAS DECORATIONS.</u>
   Ms. Jean Johnson, Main Street Manager, presented a request consider providing city support for downtown Christmas decorations. The Taylor Area Businesswomen (TAB) are raising funds for decorations for the 32 new lamp posts in the Main Street area and are requesting Council to authorize City crews to install, remove, and store the decorations on an annual basis.

   Council Member McDonald moved to approve City support for the program as presented and Council Member Hortenstine seconded the motion. VOTE: Four voted AYE. Motion passed.

*(Council Member Jez rejoined the Council.)*

*(Citing his relationship to one of the individuals who submitted a bid for the property, Mayor Gonzales asked to be recused for the following agenda item. Mayor Pro Tem Hill assumed the duties of Mayor.)*

9. <u>CONSIDER AWARDING BID FOR SALE OF CITY PROPERTY ADJACENT TO HIDALGO PARK DESCRIBED AS TWO ACRES LOCATED ON WELCH STREET.</u>
   Mr. Bob van Til, Director of Community Development, presented the results of a request for bids on City owned property. Only two bids were received with the high bid of $11,000. Council Member Jez expressed concern of losing this property in the event the City would need it for staging of equipment during the Second Street improvements project or some other future use. Council Member McDonald offered other sites for City needs and would like to see this particular piece go back on the tax rolls. Mayor Pro Tem Hill was concerned about the highest amount bid and thinks it is undervalued.

   Council Member Hortenstine moved to not sell the property and Council Member Jez seconded the motion. VOTE: Three voted AYE (Hill, Jez, Hortenstine); One vote NO (McDonald). Motion passed.

*(Mayor Gonzales rejoined the Council.)*

10. CONSIDER DEVELOPERS AGREEMENT TO PARTICIPATE WITH LOCKHART BUILDING SYSTEMS, INC. TO OVERSIZE A WATER LINE TO PROPERTY LOCATED ON THE SOUTH SIDE OF WEST U. S. HIGHWAY 79.
Mr. John Elsden, City Planner, reported that this item was brought before Council on May 8, 2008 and staff was authorized to bring back a developers agreement with Mr. Lockhart. The project is currently under construction and Mr. Lockhart is seeking financial assistance in the over sizing of a waterline to his mini-warehouse complex on 4105 West Second Street.

Council Member Jez moved to approve the developer's agreement as presented and not to exceed $44,548 with funding from the Utility Fund Reserves. Mayor Pro Tem Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

11. CONSIDER REQUEST FROM ANTHONY GORE REGARDING AN INCREASE IN FEES FOR CEMETERY SERVICES.
Mr. Thomas presented a request from Mr. Anthony Gore to consider an increase in fees for his cemetery services. His request is to increase the cost of each opening and closing of grave sites in the amount of $100.00. Mr. Gore has provided these services to the City since 1997 and cited the increase in his own costs for fuel and equipment for the reason of the request.

Council Member Jez moved to approve the increase in fees as presented and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion Passed.

12. CONSIDER ENTRY FEES FOR MURPHY AND ROBINSON POOLS.
Mr. van Til presented a recommendation from the Parks and Recreation Board to consider adjusting the pool entry fees. Fees have not been changed for the past six years and the Board reviewed surrounding area pool fees for a comparison. After their review, the Board recommended an increase in fees for Murphy Pool of $1 for adults, from $2 to $3, adding a Senior category at $2, and increasing the child fee by .50 from $1.50 to $2. Council Member Jez requested that the Senior age category be changed to age 60 and up. She also requested that staff consider eliminating the $1 discount fee for YMCA members when negotiating the contract for next year. No changes were recommended to increase fees at Robinson Pool in the hopes of increasing use.

Council Member McDonald moved to approve the fees as presented with the change in Senior Age category to 60 years and up and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

13. CONSIDER INTRODUCING ORDINANCE 2008-16 AMENDING THE FEE ORDINANCE TO INCREASE FEES FOR BURIAL SERVICES AT THE TAYLOR CITY CEMETERY AND POOL FEES.
Ms. Rosemarie Dennis, Finance Director, presented a request to introduce an amendment to the Fee Ordinance based on the previous actions taken by Council in increasing the cemetery grave service fees and pool fees. With no further discussion Mayor Gonzales asked Mr. Hejl to read the caption and declared Ordinance 2008-16 introduced.

ORDINANCE NO. 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

14. CONSIDER REVISING PERSONNEL POLICY MANUAL REGARDING THE SAFETY POLICY.
Ms. Lisa Thompson, Fleet Services Manager, presented a request to revise the current Safety Policy with one that has been reviewed by the newly created Accident Review Board/Safety Committee. The current Safety Policy was adopted by Council in 2000 and has not been revised since.

Council Member Jez moved to approve the revised Safety Policy as presented and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

15. CONSIDER REVISIONS TO CAPITAL IMPROVEMENT PROGRAM (CIP) AND PROFESSIONAL SERVICES AGREEMENT WITH SLEDGE ENGINEERING, L. L. C., FOR CIP PROJECTS INCLUDING: MURPHY DAM REPAIRS, SAFE ROUTES TO SCHOOLS SIDEWALK, PROGRAM, DICKEY STREET DRAINAGE PROJECT, PHASE II AND THE CREATION OF A FORMAL ENGINEERING MANUAL FOR THE CITY OF TAYLOR.
Mr. Dunaway presented a request to officially approve a contract with Sledge Engineering to provide engineering services on previously approved CIP Projects that include Murphy Dam Repairs, Safe Routes to School Sidewalk Program, Dickey Street Drainage, Phase II, and the creation of an Engineering Manual.

Mayor Pro Tem Hill moved to approve the Professional Services Agreement as presented for $28,800 and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed. Mayor Pro Tem Hill made a second motion to add the $60,000 of reallocations and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

16. CONSIDER ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH TCAT FOUNDATION FOR CONSTRUCTION OF THE EAST WILLIAMSON COUNTY HIGHER EDUCATION CENTER (EWCHEC).
Mr. Salvato asked Council to pass on this item.

17. CONSIDER INTERLOCAL AGREEMENT WITH WILLIAMSON COUNTY FOR PROVIDING AERIAL PHOTOGRAPHY (PICTOMETRY) FOR THE CITY OF TAYLOR.
Mr. Elsden presented a request to consider entering into an agreement with Williamson County for aerial photography services. Mr. Richard Semple with the GIS Division of Williamson County was present to respond to questions regarding this request. The County has signed a License Agreement with Pictometry International Corporation that allows users to see an oblique view of an aerial photo. This arrangement would allow City staff to update its GIS capabilities with photos as needed. The cost of the project is $3,800 a year, for two years.

Mayor Pro Tem Hill moved to approve the agreement as presented and Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

18. CONSIDER REQUEST FROM POLICE DEPARTMENT TO USE DONATED FUNDS FOR NATIONAL NIGHT OUT ACTIVITIES.
Chief Jeff Straub presented a request for staff to spend donated funds not included in the budget previously approve by Council for the FY 2007/2008 Budget. Funds will be applied to materials for the National Night Out Program scheduled for August 5, 2008.

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

19. CONSIDER APPOINTMENTS TO THE PARKS AND RECREATION BOARD.
Mr. Thomas presented a recommendation from the Board to Council to reappoint Candy Patschke-Bolding, Jimmy Ellis, Trey Keith and John Carter and to appoint new members Mike Brueckner and Bobby Frazier. However, since the Board meeting, Mr. Carter has resigned. Council Member Jez expressed concern for board attendance and requested that staff remind all board members of their responsibilities to attend and participate at these meetings.

Council Member McDonald moved to reappoint Ms. Bolding, Mr. Ellis, and Mr. Keith and to appoint Mr. Brueckner, Mr. Frazier, and Mr. Ball as new members to the Parks and Recreation Board. Council Member Jez seconded the motion. VOTE: Five voted AYE.

20. ELECT A MAYOR
Mr. Hejl called for nominations for Mayor and Mayor Gonzales moved to nominate Rod Hortenstine for Mayor. Mayor Pro Tem Hill nominated Ella Jez for Mayor. Council Member Jez respectfully declined the nomination and hearing no further nominations a vote was called on the nomination of Rod Hortenstine for Mayor. VOTE: Five voted AYE. Motion Passed.

21. ELECT A MAYOR PRO TEM
Mr. Hejl than proceeded to call for nominations for Mayor Pro Tem. Council Member Gonzales moved to nominate Ella Jez for Mayor Pro Tem. With no further nominations, Mayor Hortenstine declared Council Member Jez elected as Mayor Pro Tem.

22. 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.

23. CONSIDER ACTION ON EXECUTIVE SESSION.
Mr. Salvato requested that Council pass on this Executive Session.

24. 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 Hortenstine adjourned the meeting into Executive Session at 7:47 p.m.

25. CONSIDER ACTION FROM EXECUTIVE SESSION.
    Mayor Hortenstine reconvened the meeting into Open Session at 8:43 p.m. and stated that no action was taken during either Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 8:43 p.m.

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Rod Hortenstine, Mayor

ATTEST:

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Susan Brock, City Clerk