

The City Council of the City of Taylor met on April 13, 2006, at City Hall, 400 Porter St., Taylor, Texas. Mayor Donald Hill declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem John McDonald
Council Member Benito Gonzales
Council Member Rod Hortenstine
Council Member Ella Jez

City Manager, Frank Salvato
City Clerk, Susan Brock
City Attorney, Ted Hejl

INVOCATION

Council Member Hortenstine led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward during this time.

CONSENT AGENDA

1. MINUTES FROM MARCH 28, 2006 AND APRIL 3, 2006.

Mayor Pro Tem McDonald moved that the minutes from March 28, 2006 and April 3, 2006 be approved as presented and Council Member Gonzales seconded the motion. Five voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. PROCLAMATION: PUBLIC SAFETY TELECOMMUNICATIONS WEEK, APRIL 10-14, 2006.

Mayor Hill presented a proclamation to three representatives from the Taylor Police Department including Beth Wilkes, Monica Newland, and Colette Prikryl to recognize Public Safety Telecommunications Week, April 10-14, 2006. This week is designed to recognize and honor the nation's "first" first responders, including public safety telecommunicators or dispatchers, for their contributions to the safety and security of residents in the United States.

3. PROCLAMATION: APRIL IS FAIR HOUSING MONTH.

Mayor Hill presented a proclamation announcing April as Fair Housing Month in the City of Taylor. The Fair Housing Act was included in Title VIII of the Civil Rights Act and signed in April of 1968 to ensure all Americans have equal access to housing. Each year the City announces this proclamation to help meet requirements set out by the federal government for those entities who receive funding for low income housing programs.

4. CONSIDER CONVEYING DEED WITHOUT WARRANTY FOR PROPERTY LOCATED AT 818 CENTER STREET TO MARCOS JIMENEZ AGUILAR AND MARY ANN AGUILAR.

Mr. Bob van Til, Director of Community Development presented a request from the Aguilar family to have the City consider conveying a Deed Without Warranty for property located at 818 Center Street. The Aguilar's have been making payments on the property to the previous owner, Mrs. Laura Campbell, since the early 1990's. After Mrs. Campbell's

death the Aguilar's paid the past due taxes for the years 1994-2000 thinking they owned the property. However, this property was deeded to the City in 2000 due to delinquent taxes. Given the circumstances of the City's acquisition of the property, the Aguilar's monetary investment, and the unusual location of the lot, staff recommended the property be disposed of and put back on the tax rolls. City Attorney, Mr. Ted Hejl, recommended a Quitclaim Deed in lieu of the Deed Without Warranty to prevent any future issues with the property.

Mayor Pro Tem McDonald moved to approve the issuance of a Quitclaim Deed to convey the property located at 818 Center Street to Marcos Jimenez Aguilar and Mary Ann Aguilar. The motion was seconded by Council Member Jez. VOTE: Five voted AYE. Motion passed.

5. CONSIDER GROUND LEASE WITH FORDTEX INVESTMENTS, INC. FOR CONSTRUCTION OF HANGAR AT TAYLOR MUNICIPAL AIRPORT.

Mr. van Til presented a request from Fordtex Investments, Inc. to construct a 7800 square foot hangar at the Taylor Municipal Airport. Fordtex intends to house a corporate aircraft in the hangar and to sublease 2,500 square feet to Mr. Larry Hagerman to operate an avionics company. The Airport Board discussed this agreement but was unable to take action on the item due to a lack of a quorum at their last meeting. Mayor Pro Tem McDonald expressed a concern about adjusting the CPI rate every five years instead of annually as is the usual policy for hangar lease agreements. Mr. Mike Dayon, representing Fordtex, stated that it was merely a point of negotiation and similar to an agreement made between the City and Brundage Aviation. Council Member Hortenstine asked about the reduced size from the original request for a 10,000 square foot hangar to the current request of 7800 square feet and was told that since the original request the location of the hangar has changed and a smaller area is now available for construction. He assured the Council that the smaller size hangar does not indicate any less of a commitment to bringing an avionics business to Taylor.

Mayor Pro Tem McDonald moved to approve the ground lease with Fordtex Investments, Inc. for construction of a 7800 square foot hangar at the Taylor Municipal Airport and for construction to be completed by December 31, 2006. Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

6. CONSIDER AWARDING CONTRACT FOR DICKEY STREET DRAINAGE PROJECT BIDS.

Mr. Jim Dunaway, Assistant City Manager, presented the bid results received for the Dickey Street drainage project. Only two bids were received and staff recommended awarding the contract to the lower bid from Lewis Contractors, Inc.. The total amount of the bid award is less than the original budgeted amount and any additional funds will be applied towards the costs to Langford Community Management to administer the grant funds for this project.

Council Member Jez moved to award the contract for the Dickey Street Drainage project to Lewis for an amount not to exceed \$885,681 and Mayor Pro Tem McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

7. CONSIDER PARTICIPATION IN USDA GRANT PROGRAM FOR COMMUNITY GARDEN PROJECT.

Mr. van Til provided Council with a brief overview of a program being proposed by the

Williamson County and Cities Health District (WCCHD). Ms. Marge Tripp, WCCHD Director, is proposing the City apply for grant funds for a Community Food Project which would include using City owned land to develop a community gardening program. The grant requires matching funds which can be in-kind services from the City such as provision of water, trash pick up, and use of heavy equipment if needed. Ms. Tripp emphasized the construction of these garden plots would be based on a cinderblock construction of raised beds so that the property could be easily returned to its original condition if necessary. Plans to partner with the food pantry would also be pursued in the event that enough produce is grown and could then be made available to the community.

Council Member Jez moved to participate in the USDA grant program for a community garden project and Mayor Pro Tem McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

8. CONSIDER ACCEPTING WASTEWATER LINE EXTENSION TO PROPERTY DEVELOPMENT BY RAFIQ SAYA WEST OF NORTH DRIVE.

Mr. Dunaway presented a request by Mr. Rafiq Saya to have the City accept the wastewater line extension to his property north of North Drive. Mr. Saya is continuing to develop his property on the south side of the northeast corner of Carlos Parker Blvd. and has completed the installation of a 15" wastewater main in the Bull Branch basin entirely at his own expense. With the City's acceptance of these improvements, Mr. Saya will continue to move the project forward.

Mayor Pro Tem McDonald moved to accept the wastewater line improvements as presented for property owned by Mr. Rafiq Saya. Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

(Council Member Jez recused herself from deliberation on the next three agenda items due to a conflict of interest as a current member of the YMCA of Greater Williamson County Board.)

9. CONSIDER REQUEST FROM TAYLOR YMCA REGARDING USE OF MURPHY PARK PAVILION.

Mr. van Til presented a request from Ms. Ellie Paulie, Director of the Taylor Family YMCA, to have rental fees waived for use of the pavilion in Murphy Park in order to provide youth activities and programs during the year. Mr. Javier Urias with the Taylor Family YMCA responded to questions regarding the choice of days to be used, any fees to be charged for these activities, and how any conflicts with regularly scheduled programs will be resolved. Mayor Hill expressed his concern for limiting use to only those who can pay, and Mr. Urias assured him that there will be financial assistance available to those in need and that the YMCA hopes to remain very flexible when managing these programs for youth.

Mayor Pro Tem McDonald moved to waive rental fees for a one-year trial period (with the possibility of extending the period) for use of the Murphy Park Pavilion by the Taylor Family YMCA for youth activities. Council Member Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

10. CONSIDER REQUEST FROM TAYLOR FAMILY YMCA TO REDUCE POOL FEES FOR MEMBERS.

Mr. van Til presented a request from Ms. Paulie to offer a discount fee for pool use for members of the Taylor Family YMCA. Under her proposed program, all Taylor YMCA members would have "free" access to the City pools and the City would be paid \$1.00 by the YMCA for each member when they use the pool during their membership. Council Member Gonzales expressed concern over a potential loss in revenue for the City. Mr. van Til reported that the Parks and Recreation Board reviewed this request and agreed to support the program for one year on a trial basis and evaluate it before renewing it for the next season.

Mayor Pro Tem McDonald moved to approve the reduced fee for pool use for YMCA members for a one-year trial period and Council Member Hortenstine seconded the motion. VOTE: Four voted AYE. Motion passed.

11. CONSIDER FORMALLY ADOPTING RULES AND REGULATIONS FOR MUNICIPAL SWIMMING POOLS.

Mr. van Til presented a request by the YMCA to formally adopt a set of rules and regulations presented to and approved by the Parks and Recreation Board. Mayor Pro Tem asked that the rules regarding bathing wear be expanded to include the wording from the Round Rock Pool Rules: "All patrons must wear appropriate swim attire. (Exception is parent or guardian supervising small children at the side of the pool.) Frayed clothing (cut-offs), underwear, jeans (including jean and khaki shorts), thong bathing suits, and see through garments are not allowed. Lined athletic shorts for boys and sports bra w/swimsuit bottoms for girls are acceptable."

Council Member Hortenstine moved to adopt the City Rules for swimming pools as presented with the additional wording on bathing wear from the Round Rock Pool Rules and Mayor Pro Tem McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

(Council Member Jez rejoined the Council.)

12. CONSIDER RESOLUTION R06-8 IN SUPPORT OF HOME 2006 PROJECT.

Mr. van Til presented background information on the availability of new funds to support additional home renovations through a 2006 grant initiative. He also provided an update on the current HOME program and reported that he expects the seven homeowners to be able to move into their new homes by the end of May. New grant funds are being made available for remodeling or rebuilding five (5) additional homes through the 2006 program.

Mayor Pro Tem McDonald moved to approve Resolution R06-8 in support of the HOME 2006 project and Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

13. CONSIDER BUXTON PROPOSAL TO IDENTIFY COMMUNITY RETAIL OPPORTUNITIES.

Mr. Salvato provided Council with a brief overview of the previous work performed by Buxton and asked for consideration to update this information to help continue retail

recruitment. Information received from Buxton in 2004 was used to produce retail brochures and other materials in recruiting retail and new businesses to the City. Staff and Council members are planning to attend the ICSC in San Antonio this fall and this type of information will again be useful. The Buxton proposal would include ten (10) retail matches.

Mayor Pro Tem McDonald moved to approve the Buxton proposal for an amount not to exceed \$7500 and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

14. CONSIDER RESOLUTION R06-9 IN SUPPORT OF APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM (STEP) FOR SIDEWALK IMPROVEMENTS.

Mr. van Til presented a request to approve a Resolution in support of an application to the Texas Department of Transportation (TXDOT) for sidewalk improvements. The proposed sidewalk would be constructed on the west side of Main Street from South Taylor to Carlos Parker Boulevard and down to the Middle School. Additional extensions would include T. H. Johnson to North Park and from Davis down Mallard Lane to US 96. Ms. Judy Langford with Langford Community Management stressed the need for Council to consider increasing the percentage for "match" to increase the rating score potential. Mayor Pro Tem McDonald asked staff to invite the Taylor Independent School District to consider participating in helping us meet our local "match" if the grant program is funded.

Mayor Pro Tem McDonald moved to approve Resolution R06-9 in support of an application to the TXDOT STEP program for sidewalk improvements and to increase the local match to 30% and invite TISD to consider contributing up to 10% to the local match if funded. Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

15. CONSIDER RESOLUTION R06-10 IN SUPPORT OF APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM (STEP) FOR THE DEVELOPMENT OF THE TAYLOR DOWNTOWN STREETScape PHASE II.

Mr. van Til presented a request for support of Resolution R06-10 for an application to TXDOT for the development of Phase II of the Taylor Downtown Streetscape. Phase II would expand the Streetscape project out to Porter and Talbot Streets, down to First and Pecan on Main Street and up to 7th Street. Again, Ms. Langford encouraged Council to increase the local match to 30% for the project application. If both grant projects are funded, the local match would most likely come from a future debt issuance.

Council Member Hortenstine moved to approve Resolution R06-10 to support an application to TXDOT STEP for development of the Taylor Downtown Streetscape Phase II project and to increase the local match to 30%. Council Member Gonzales seconded the motion. VOTE: Four voted AYE. One NO (Mayor Pro Tem McDonald). Motion passed.

16. CONSIDER INTRODUCING ORDINANCE 2006-7 ADOPTING AMENDED WATER AND WASTEWATER IMPACT FEES.

Mr. van Til presented an overview of the process to date and stated that the City is required by law to adopt an Ordinance to amend water and wastewater impact fees within 30 days of the public hearing, which was held on March 28, 2006.

Mayor Hill asked Mr. Ted Hejl to read the caption to Ordinance 2006-7 and then declared the Ordinance officially introduced.

17. CONSIDER INTRODUCING ORDINANCE 2006-8 AMENDING THROUGH TRUCK ORDINANCE 2002-1.

Mr. Ted Hejl, City Attorney, informed the council that specific wording in the current ordinance has created problems when presented during municipal court. He is asking to amend the ordinance by deleting the words "intentionally and knowingly" from Section 2.0 (a) of the original Ordinance 2002-1.

Mayor Hill asked Mr. Hejl to read the caption to Ordinance 2006-8 and then declared the Ordinance officially introduced.

18. CONSIDER NOACK WHOLESALE WATER RATES.

Mr. Salvato presented background information regarding the current wholesale water agreement with Noack and informed Council that the new contracts recently approved are still pending with Noack. While staff continues to work on these agreements, they are recommending that the Council approve an increase in their water rate from \$0.65/1,000 to \$1.68/1,000 gallons effective April 1, 2006.

Mayor Pro Tem McDonald moved to increase the wholesale water rate for Noack to \$1.68/1,000 gallons. Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion passed.

19. CONSIDER APPOINTMENT TO AIRPORT BOARD.

Mayor Pro Tem McDonald moved to appoint Larry Hagerman to the Airport Board and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

24. CONSIDER CHANGE ORDERS FOR LIBRARY AND FIRE STATION CONSTRUCTION PROJECTS.

Casey Sledge, Engineering Consultant, presented a request to approve funding for a change order to the Fire Station roof trusses. While Mr. Sledge believes it may be possible to have Komatsu take responsibility for the additional costs he is requesting Council approve the change order now to allow J. L. Construction to proceed with the fabrication of the roof trusses and prevent any delays on the project.

Council Member Jez moved that the change order for \$2,137.07 be approved and that a contingency fund of \$25,000 (from General Fund Reserves) be established for future change orders to the Library and Fire Station projects. Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

20. EXECUTIVE SESSION I. 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 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 Hill announced that the Council would adjourn to enter into Executive Sessions I and II at 8:40 p.m..

21. CONSIDER ACTION FROM EXECUTIVE SESSION.

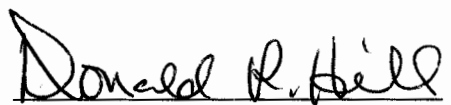
22. EXECUTIVE SESSION II. . THE TAYLOR CITY COUNCIL WILL CONDUCT A CLOSED EXECUTIVE MEETING UNDER SECTION 551.072 OF THE TEXAS GOVERNMENT CODE, IN ORDER TO DELIBERATE REGARDING ACQUISITION OF REAL PROPERTY.

23. CONSIDER ACTION FROM EXECUTIVE SESSION.

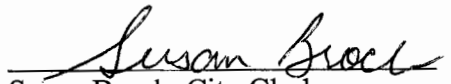
Council returned from both closed sessions at 9:40 p.m. No action was taken during either Executive Session.

ADJOURN

With no further business, Mayor Hill adjourned the meeting at 9:42 p.m.


Donald R. Hill, Mayor

ATTEST:


Susan Brock, City Clerk