



3015 Bellmead Drive
Bellmead, Texas 76705

www.bellmead.com

The City of Bellmead City Council

Regular Meeting

Cynthia Ward
City Clerk
(254) 799-2436

~ Minutes ~

Tuesday, September 14, 2010 6:30PM Bellmead City Hall

I. CALL TO ORDER

The Meeting was called to order on August 10, 2010 at the Bellmead City Hall, 3015 Bellmead, Bellmead, Texas at 6:30 PM by Carl E. Swanson III.

Attendee Name	Present	Absent	Late	Arrived
Carl E. Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kevin Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Doss Youngblood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joshua Collier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U. F. Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mary C. Youngblood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. INVOCATION

Reverend Beulah Swanson gave invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Kevin Wilson led the Pledge the American flag.

IV. PROCLAMATIONS

- A. "Domestic Violence Awareness Month" (Mayor Kevin Wilson)
Mayor Kevin Wilson read a proclamation for "Domestic Violence Awareness Month".

V. ACKNOWLEDGEMENT OF GUEST AND VISTORS/ PUBLIC COMMENT

Mayor Kevin Wilson welcomed guest and visitors, opening the floor for public comment to those individuals wishing to address the Council, regarding non- agenda items.

Juanita Ballard 4410 Harrison addressed the council with concerns about the brush pickup.

Ed Hyde 4302 Greenbriar address the council with brush concerns and if fines would be accessed.

Lillian Bancale 4312 Greenbriar addressed the council with brush concerns and would like to see the city rent or lease equipment to take of brush problem.

JL Morgan 1020 Old Dallas Rd. addressed the council in regards to the charter and Mayor selection, and had questions in regards to the progress of the city.

Jo Campbell 4514 Harrison addressed the council in regards to the brush pick up and suggested adding fees to water bill.

Jose Arrallo 1021 Hogan addressed the council in regards to the 2 cents tax increase and all the shortages this city will face.

VI. COUNCIL/ CITY MANAGER REPORTS

Discussion regarding the following:

Council member Collier spoke in regards to the large sink hole at La Vega and Hatcher and thank Atmos energy for the repairs and also gave other alternatives to the brush situation.

Council member Roberts spoke in regards to the brush pickup and suggest adding an additional fee to the water bill to help with the expense.

Mayor Pro Tem M. Youngblood had no comment

Council member Carl E. Swanson III spoke in regards to the budget process and the two items he felt council should keep, which were the splash park and brush pickup.

Council member D. Youngblood had no comment.

Mayor Wilson spoke in regards to the lost of relatives of Doss and Mary Youngblood and U.F. Roberts. He mentioned the TML Region IX meeting. He spoke in regards to different solutions for the brush pickup. He also spoke about the 150,000 grant the city has been awarded for downtown **revitalization.**

VII. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

A. Minutes Approval

1. Tuesday, August 10 , 2010

MOTION:	Collier, Council member
SECONDED:	M. Youngblood, Council member (Council members were polled by the city secretary)
AYES:	all
NAYES:	none

Discussion: Council member Carl E. Swanson stated the invocation was given by Reverend Kelvin Williams.

After the discussion, Mr. Collier made a motion to accept the minutes with the necessary corrections. Seconded by Carl E. Swanson III.

VIII. REGULAR AGENDA

A. Presentation on La Vega ISD tax ratification by Dr. Sharon Shields.

Dr. Sharon Shields gave presentation to council and spoke regarding La Vega Elementary being recognized as one of the 2010 Blue Ribbon Award schools in Texas, and on La Vega ISD tax ratification and was assisted by Mr. Charles Langlotz who presented council with a slide presentation.

B. Discussion and/ or action regarding business incentive program.

Mayor Wilson addressed the council regarding a business incentive program, then later decided to table for further discussion at a later date.

C. Discussion and/ or action regarding new board member for BEDC.

Mayor Wilson address the council in regards to nominating a new member to the BEDC, due to the resignation on Al Lopez, who is unable to serve because of health issues.

Council member Roberts nominated Doss Youngblood.

Council member Collier nominated Jo Campbell.

There were no more nominations the council was polled for Council member Doss Youngblood.

(Council members were polled by the city secretary

AYES: M. Youngblood, D. Youngblood and Roberts

NAYES: Collier, Swanson III and Wilson

The council was polled for Jo Campbell

(Council members were polled by the city secretary

AYES: Collier, Swanson III and Wilson

NAYES: M. Youngblood, D. Youngblood and Roberts

Item was tabled for a later date.

D. Discussion and/ or action regarding resolution 2010-012 to apply for 2011-2012 Texas CDBG assistance under the Community Development Fund.

Mayor Wilson explained this is a requirement to receive the grant, and asked the city attorney to read the following resolution:

RESOLUTION 2010-012

A RESOLUTION OF [THE CITY OF BELLMEAD](#) TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE TEXAS DEPARTMENT OF RURAL COMMUNITY AFFAIRS FOR THE [COMMUNITY DEVELOPMENT FUND](#); AND AUTHORIZING THE [MAYOR](#) TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, [the City of Bellmead](#) desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist within the community which represent a potential risk to the public health and safety;

WHEREAS, it is necessary and in the best interests of [the City of Bellmead](#) to apply for funding under the 2011-2012 Texas Community Development Block Grant Program.

NOW, THEREFORE, BE IT RESOLVED:

- Section 1. That a Texas Community Development Block Grant application is hereby authorized to be filed with the Office of Rural Community Affairs for funding consideration under the **Community Development Fund**;
- Section 2. That the application be for up to **\$300,000** of grant funds to carry out **water system improvements in the City of Bellmead**;
- Section 3. That minimum matching funds in the amount of **\$60,000 in cash** are committed by **the City of Bellmead from the utility fund** toward the application activities; and
- Section 4. That the **Mayor** is designated as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the Texas Community Development Block Grant Program.

PASSED AND APPROVED ON **September 14, 2010**.

ATTEST:

Mayor

City Secretary

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None

Motion: Carried

- E. Discussion and / or action regarding resolution 2010-013 to apply for 2011-2012 Texas CDBG assistance under the Planning/ Capacity Building Fund.

RESOLUTION 2010-013

A RESOLUTION OF THE CITY OF BELLMEAD, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS FOR THE PLANNING AND CAPACITY BUILDING FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City desires to develop a viable community for all its citizens; and

WHEREAS, certain conditions exist in the community relating to housing, infrastructure, economic development, and quality of life which require analysis and long-term planning to improve; and

WHEREAS, it is necessary and in the best interests of the City to request assistance through the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED:

- Section 1. **That a Texas Community Development Block Grant Program application is hereby authorized to be filed with the Texas Department of Rural Affairs for funding consideration under the Planning and Capacity Building Fund;**
- Section 2. That the application request up to \$55,000.00 of grant funds to carry out the following planning elements: Base, Streets, Water, Wastewater, Capital Improvement Program, Zoning, and Certifications, Presentations, Reports & Publications;
- Section 3. **That cash matching funds from the Economic Development Corporation in the amount of \$22,000.00 are committed to this planning effort;**
- Section 4. **That the Mayor be designated the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.**

PASSED AND APPROVED on this 14th day September, 2010.

ATTEST:

Mayor

City Secretary

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None
Motion: Carried

- F. Discussion and/ or action regarding resolution 2010-014 to designate a Citizens Advisory Committee for the 2011-2012 Texas CDBG Planning/ Capacity Building Fund.

RESOLUTION 2010-014

A RESOLUTION OF THE CITY OF BELLMEAD, TEXAS, AUTHORIZING THE ESTABLISHMENT OF A CITIZEN ADVISORY COMMITTEE TO REVIEW AND COMMENT UPON THE DEVELOPMENT OF MUNICIPAL PLANNING STUDIES AND RELATED PLANNING ISSUES THAT MAY ARISE FROM TIME TO TIME.

WHEREAS, the City desires to develop a viable community for all its citizens; and

WHEREAS, certain conditions exist in the community relating to housing, infrastructure, economic development, and quality of life which require analysis and long-term planning to improve;

WHEREAS, a representative group of community leaders consisting of no more than one (1) City Council member, no more than one (1) City staff member, and at least one (1) local resident, would be helpful to advise and monitor the long-range planning process for the community.

NOW, THEREFORE, BE IT RESOLVED:

- Section 1.* That a Citizen Advisory Committee shall be established to meet seven (7) times per year, assuming there are items for an agenda, to provide non-binding advice to the City Council regarding the long-range planning activities and needs of the community;
- Section 2.* That a Councilperson be appointed to represent the City Council on this Committee;
- Section 3.* That the City Administrator, Secretary, or other staff member be appointed to represent the City staff on this Committee and serve as chair of the Committee;
- Section 4.* That a private citizen(s) be appointed to represent the community at large on this Committee;
- Section 5.* That all members must agree to voluntarily serve, without compensation;
- Section 6.* That a quorum of the Committee is not necessary for it to meet, discuss, or make advice regarding planning-related issues, provided that the Chair of the Committee has the exclusive right to provide Committee advice to the City Council.
- Section 7.* That the Citizen Advisory Committee shall serve at the will of the City Council, which may abolish or suspend activities of the committee at any time without cause through simple majority vote;
- Section 8.* That this Committee is purely advisory and shall have no governmental authority, and is limited to providing non-binding advice to the City Council.

PASSED AND APPROVED this 14th day of September, 2010.

ATTEST:

Mayor

City Secretary

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None

Motion: Carried

- G. Discussion and/ or action regarding renewal of the Memorandum of Understanding between Bellmead Police Department and La Vega ISD.

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None

Motion: Carried

H. Discussion and/ or action regarding resolution 2011-011 authorizing the City's participation in the Heart of Texas Emergency Notification System.

RESOLUTION 2010-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLMEAD, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE HEART OF TEXAS EMERGENCY NOTIFICATION SYSTEM

WHEREAS, the City Council of Bellmead, Texas, desires to prepare and protect the citizens of Bellmead in the event of emergencies; and

WHEREAS, the Heart of Texas Council of Governments has entered into an agreement with EMTel, Inc., to provide an emergency notification system to the six-county region which includes the City of Bellmead; and

WHEREAS, by executing an Interlocal Agreement with the Heart of Texas Council of Governments, the City of Bellmead may enter the Heart of Texas Emergency Notification System as an end-user; and

WHEREAS, the specific terms of participation are included in the Interlocal Agreement, with the exception that the total number of participants must be determined via resolution prior to the determination of the annual cost per user; and

WHEREAS, the annual cost per user is expected to fall between \$500 and \$700 per user;

THEREFORE BE IT RESOLVED by the City Council of Bellmead, Texas, the following:

1. That the City Manager) of the City of Bellmead, Texas, be authorized to execute an Interlocal Agreement with the Heart of Texas Council of Governments to enter the Heart of Texas Emergency Notification System as an end user.
2. That the City Manager) be authorized to spend up to \$700 for the annual participation fee for the Heart of Texas Emergency Notification System.

SUBMITTED AND PASSED this the 14th day of September, 2010, by motion made, seconded, and duly passed by the City Council of the City of Bellmead, Texas.

Mayor, City of Bellmead

Attest: City Secretary

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None

Motion: Carried

- I. Discussion and/ or action regarding ordinance 2010-008 amending article 5, section 11.60 of the code of ordinances and prohibiting certain action by a sex offender on or near Halloween.

ORDINANCE NO. 2010-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLMEAD, TEXAS AMENDING ARTICLE 5, SECTION 11.60. DEFINITIONS. OF THE CODE OF ORDINANCES OF THE CITY OF BELLMEAD, SPECIFICALLY AMENDING THE DEFINITION OF "PREMISES WHERE CHILDREN COMMONLY GATHER"; AMENDING SECTION 11.61. OFFENSES. TO ADD SUBSECTION C. PROHIBITING CERTAIN ACTION BY A SEX

OFFENDER ON OR NEAR HALLOWEEN; PROVIDING A SEVERABILITY CLAUSE; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Bellmead, Texas finds, determines and declares that child predator offenders are a serious threat to public safety; and

WHEREAS, the City Council finds and determines that the recidivism rate for released sex offenders is alarmingly high, especially for those who commit their crimes against children; and

WHEREAS, the City Council finds and determines that establishing a policy to restrict property available for residence of certain sex offenders will provide better protection for children gathering in the City; and

WHEREAS, the City Council finds and determines that establishing a policy to deter children from visiting the residence of a sex offender for Halloween will provide better protection for children gathering in the City of Bellmead; and

WHEREAS, it is determined by the City Council that every effort should be made to protect its citizens from harm at the hands of certain sex offenders, and that the City's children are worthy of protection to the greatest extent afforded by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLMEAD, TEXAS AS FOLLOWS:

Section 1. Article V. REGULATION OF SEX OFFENDER RESIDENCY, Section 11.60. Definitions. of the Code of Ordinances of the City of Bellmead is *hereby amended by amendment of the definition of "Premises Where Children Commonly Gather"* as follows:

Premises Where Children Commonly Gather includes and means all improved and unimproved areas on a lot or tract of land where a public park, private or public school, amusement arcade, baseball or softball field, football or soccer field, indoor or outdoor amusement center, amusement park, public or semi-public swimming pool, water park, child day care center, public or private school bus stop, public or non-profit recreational facility, playground, school, video arcade, or youth center is located, including playgrounds, schools, video arcades and youth centers as defined in Section 481.134 of the Texas Health & Safety Code.

Section 2. Subsection C is added to Section 11.61. OFFENSES. as follows:

(c) A sex offender shall not on October 30 or October 31 of any year between the hours of 4:00 p.m. and 11:00 p.m. leave an exterior porch light on or otherwise invite Halloween celebrants or trick-or-treaters to solicit at the residence, permanent or temporary, of a sex offender.

Section 3. If any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED by the City Council of the City of Bellmead, Texas on first reading on the 14th day of **September, 2010.**

PASSED AND APPROVED by the City Council of the City of Bellmead, Texas on second reading on the _____ day of _____, 2010.

PASSED AND APPROVED by the City Council of the City of Bellmead, Texas on third reading on the _____ day of _____, 2010.

CITY OF BELLMEAD, TEXAS

By _____
Kevin Wilson, Mayor

ATTEST:

Cynthia Ward, City Secretary

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None
Motion: Carried

- J. Discussion and/ or action regarding state water conservation plan presentation.

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Discussion: None
Motion: Carried

- K. Discussion and/ or action regarding corrections to utility billing commercial accounts.

MOTION: Collier, Council member
SECONDED: D. Youngblood, Council member
AYES: all
NAYES: none

Executive Session: Time at 7:56 p.m.

IX. EXECUTIVE SESSION

The City Council shall convene into executive session pursuant to §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, sale or value of real property. Any final action or vote taken will be in the public.

Re- Opened Regular Session at 8:42 p.m.

X. ADJOURNMENT

Motion To: Adjourn

There being no further business before the Council, the meeting was adjourned.

Kevin Wilson, Mayor

ATTEST:

Cynthia Ward, City Clerk