



The City of Bellmead City Council

Regular Meeting

~ Minutes ~

3015 Bellmead Drive
Bellmead, Texas 76705

www.bellmead.com

Cynthia Ward
City Clerk
(254) 799-2436

Tuesday, August 9, 2011

6:30PM

Bellmead City Hall

I. CALL TO ORDER

The Meeting was called to order on August 9, 2011 at the Bellmead City Hall, 3015 Bellmead Dr, Bellmead, Texas at 6:30 PM by Mayor Joshua Collier.

Attendee Name	Present	Absent	Late	Arrived
Joshua Collier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kevin Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mary Youngblood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.F. Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Carlos Luna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sherri Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. INVOCATION

Mayor Pro Tem Kevin Wilson gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Joshua Collier led the pledge.

IV. ACKNOWLEDGEMENT OF GUEST AND VISITORS/ PUBLIC COMMENT

Julie Sykora 803 LaClede addressed the council in regards to May election concerns.

Doss Youngblood wanted to donate his time to Julia Sykora.

Angela Cleghorn 4510 Michigan addressed the council in regards business concerns she has had trying to open a business, in a commercial zone.

Gary Moore 1411 Strickland addressed council in regards to the taxes and stated he was in favor of a small increase, and not the full 8 cents.

V. COUNCIL/ CITY MANAGER REPORT

A. Report on Clean up day.

Jerry Grisham address the council in regards to clean up day, He stated it was a great turnout with 110 vehicles, 46.02 tons, which half of it was brush.

B. Report on Water Wells.

Scott Coleman address the council in regards to the Water wells He stated we currently have two pumps that are down, which will be discussed later on the agenda and the new Industrial water well was up and running with a temporary well pump and is currently

producing 380 gallons per minute. He stated we will be receiving a permanent pump form Alsay.

Mayor Collier wanted an update on the cooling tower.

Scott Coleman stated the cooling tower has been ordered and estimated time on delivery is 2 to 3 weeks.

Mayor Pro Tem Wilson had questions in regards to gallons produce by the different wells.

Mayor Pro Tem Kevin Wilson spoke in regards to the National Night out and how well it turned out, and thanked Chief Alvarado and Officer Eslick for a job well done.

He also announced he has been selected to serve as the 2 vice president of Region 9 of the TML.

Carlos Luna announced he will be leaving for active duty on the 12th. He stated he would like to recommend Karen Coleman as his temporary replacement until he returns.

VI. 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, June 14, 2011
2. Tuesday, July 12, 2011

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

VII. REGULAR AGENDA

A. Discussion and/ or possible action regarding authorization to pursue a grant/ loan for the interceptor line.

Mayor Pro Tem Wilson addressed the council in regards to pursuing a grant/ loan for the interceptor line. He stated the interceptor line would run near WMARRS along the railroad up to Selby Lane near L3. The interceptor line would rid the city of 7 or 8 small lift stations, as well as help promote businesses in this area. He would like council to consider accepting the grant/ loan from the USDA to get this project underway.

Council member Youngblood inquired about the cost for such a project.

Mayor Pro Tem Wilson stated preliminary figure from Mr. Tabor was approximately 2 million dollars for this project. He stated USDA informed him the city could possibly qualify for 1.5 million dollar grant, and could also get a loan for the rest.

B. Discussion and/ or possible action regarding Ordinance # 2011-006 approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corporation.

Doug Hill from Atmos Energy addressed the council in regards to Ordinance # 2011-006

Attorney Charlie Olson offered the following Ordinance for the first reading:

ORDINANCE NO. 2011-006

an ordinance of the city council of the city of bellmead, texas, ("city") approving a NEGOTIATED RESOLUTION between the atmos cities steering committee ("ACSC" or "Steering Committee") and ATMOS ENERGY CORP., MID-TEX DIVISION ("atmos MID-TEX" or "company") regarding the company's FOURTH ANNUAL rate review mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring EXISTING rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the NEGOTIATED SETTLEMENT and finding the rates to be set by the attached tariffs to be just and reasonable; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; determining that this ordinance was passed in accordance with the REQUIREMENTS of the texas open meetings act; ADOPTING A SAVINGS CLAUSE; declaring an effective date; AND REQUIRING Delivery OF THIS ORDINANCE TO the company and THE STEERING COMMITTEE'S legal counsel.

MOTION: Wilson, Mayor Pro Tem
SECONDED: Harris, Council member
(Council members were polled by the city secretary)
AYES: All
NAYES: None

Discussion:
Motion: Carried

Charlie Olson offered Ordinance # 2011-006 for the second reading:

ORDINANCE NO. 2011-006

an ordinance of the city council of the city of bellmead, texas, ("city") approving a NEGOTIATED RESOLUTION between the atmos cities steering committee ("ACSC" or "Steering Committee") and ATMOS ENERGY CORP., MID-TEX DIVISION ("atmos MID-TEX" or "company") regarding the company's FOURTH ANNUAL rate review mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring EXISTING rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the NEGOTIATED SETTLEMENT and finding the rates to be set by the attached tariffs to be just and reasonable; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; determining that this ordinance was passed in accordance with the REQUIREMENTS of the texas open meetings act; ADOPTING A SAVINGS CLAUSE; declaring an effective date; AND REQUIRING Delivery OF THIS ORDINANCE TO the company and THE STEERING COMMITTEE'S legal counsel.

MOTION: Wilson, Mayor Pro Tem
SECONDED: Roberts, Council member
(Council members were polled by the city secretary)
AYES: All
NAYES: None

Discussion:
Motion: Carried

Attorney Charlie Olson offered Ordinance # 2011-006 for the third reading:

ORDINANCE NO. 2011-006

an ordinance of the city council of the city of bellmead, texas, ("city") approving a NEGOTIATED RESOLUTION between the atmos cities steering committee ("ACSC" or "Steering Committee") and ATMOS ENERGY CORP., MID-TEX DIVISION ("atmos MID-TEX" or "company") regarding the company's FOURTH ANNUAL rate review mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring EXISTING rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the NEGOTIATED SETTLEMENT and finding the rates to be set by the attached tariffs to be just and reasonable; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; determining that this ordinance was passed in accordance with the REQUIREMENTS of the texas open meetings act; ADOPTING A SAVINGS CLAUSE; declaring an effective date; AND REQUIRING Delivery OF THIS ORDINANCE TO the company and THE STEERING COMMITTEE'S legal counsel.

MOTION: Youngblood, Council member
SECONDED: Roberts, Council member
(Council members were polled by the city secretary)
AYES: All
NAYES: None

C. Discussion and/ or action regarding citizen's input form to be accessed on the City of Bellmead website.

Mayor Collier addressed the council in regards to setting up a form for the citizens to be able to go online and file any kind of communications or complaint with the city. He explained the form to the council and how it would work.

Council member Luna would like for the form to be set up by Precincts and that he agreed with the idea of the input form.

Mr. Luna made the motion for the City Manager to go forward with the citizens input form.

MOTION: Luna, Council member
SECONDED: Harris, Council member
(Council members were polled by the city secretary)
AYES: All
NAYES: None

Discussion: None

Motion: Carried

D. Discussion and / or possible action regarding acceptance of donations and budget amendments of FY 2010-11 annual budget.

Carolyn Baker addressed the council in regards to a budget amendment in the amount of \$18,564.00 as listed below:

Background: FM Global Foundation, The Atrium of Bellmead, and McClennan County 9-1-1 have issued checks in the amount of \$18,564 as donations to the City of Bellmead Fire and Police Departments. In addition, during the Budget Workshops it was recommended the Kiosk for Municipal Court be funded from the Court Technology Fund. Upon acceptance of these donations and recommendations, the following budget amendment is requested:

General Fund – Other Revenue	18,564.00 CR
General Fund – Fire Department – Community Svs Prog	2,473.00 DR
General Fund - Police Department – Community Svs Prog	100.00 DR
General Fund – Police Department – Capital Outlay	14,991.00 DR
General Fund – Police Department – Communications	1,000.00 DR
Special Fund – Court Technology – Capital Outlay	2,500.00 DR
Special Fund - Reserves	2,500.00 CR

Recommended Action: It is recommended that Council approve the proposed amendment.

MOTION: Youngblood, Council member
SECONDED: Luna, Council member
 (Council members were polled by the city secretary)
AYES: Wilson, Collier, Harris, Youngblood, and Luna
NAYES:
ABSTAIN: Roberts

Discussion: none
Motion: Carried

E. Discussion and/ or action regarding third quarter FY 2011-12 financial and investment reports.

Carolyn Baker gave council an overview of the financial and investment reports.

MOTION: Luna, Council member
SECONDED: Wilson, Mayor Pro Tem
 (Council members were polled by the city secretary)
AYES: All
NAYES: None
ABSTAIN:

Discussion: none
Motion: Carried

F. Discussion and /or possible action regarding Engineering Services.

City Secretary Cynthia Ward addressed the council in regards to the Engineering Services. She stated the city had received 6 statements of Qualifications and 3 resume's for Engineering Services.

Mayor Collier wanted to know if there was a proposal or a time line put together that would be applicable hiring an engineer over contracting out services

Council member Luna wanted to know if the City Manager had any recommendations.

Mayor Collier stated he would like to pursue a contract with a service, and at the same time look at hiring an individual for the future, and he does not have enough information at this time to make a recommendation.

Mayor Pro Tem Wilson stated he would like to do what will be best for the citizens of this city. He stated if an individual is hired not only do we need to look at the salary, but the complete package, as far as benefits, supplies ect. He requested a more in depth comparison between hiring a firm verses an individual. He stated he could not make a decision of what would be best at this time without some type of numbers.

This item was tabled

G. Discussion and / or possible action regarding asphalt overlay of Chandler Lane.

Scott Coleman addressed the council in regards to Chandler Lane He stated the City of Bellmead Street Department will resurface this road to help save funds He is recommended to council to authorize the City Manager to allow a budget amendment in the amount of \$13,320.00 for the Chandler Lane overlay project.

MOTION: Wilson, Mayor Pro Tem
SECONDED: Luna, Council member
AYES: all
NAYES: none

Discussion: Council member Youngblood inquired about the cost.

Motion: Carried

H. Discussion and / or possible action regarding asphalt overlay of San Jose, Gram, Lopez, San Pedro and Garden Streets.

Scott Coleman addressed the council in regards to overlay on San Jose, Gram, Lopez, San Pedro and Garden Streets. The project was budgeted at \$126,900. He stated the streets listed are in poor condition and require resurfacing. Bids were done on this project with the lowest bid at \$142,577.40 He recommended to council was to authorize the City Manager to enter into a contract with Waco Paving for the street over lay projects and authorize a budget amendment in the amount of \$15,677.40

Council member Luna wanted to know a time line.

Scott Coleman stated once approve a couple of weeks.

MOTION: Luna, Council member
SECONDED: Youngblood, Council member
AYES: all
NAYES: none

Discussion: Council member Youngblood inquired about the City doing work on the streets.

Mayor Pro Tem Wilson stated that would be the next agenda item.

Motion: Carried

I. Discussion and/ or possible action regarding repair of Myers Well.

Scott Coleman addressed the council in regards to repairs needed on the Myers Well. He stated the well pump was pulled down for repairs on June 16th He stated

during this time it was discovered the pump and motor were both worn. He recommended to council to authorize City Manager to allow budget amendment of \$97,296.50 for repair of Myers well.

MOTION: Youngblood, Council member
SECONDED: Wilson, Mayor Pro Tem
AYES: all
NAYES: none

Discussion: None
Motion: Carried

J. Discussion and/ or possible action regarding repair of the Barlow Well.

Scott Coleman addressed the council in regards to the Barlow well. He stated Barlow well pump was pulled down for repair on July 5th because it would no longer run, upon disassembly it was discovered that the motor failed. He recommended the council authorize the City Manager to allow repair of Barlow well by Layne Christenson, and authorize a budget amendment from reserves in the amount of \$66, 554 dollars.

MOTION: Wilson, Mayor Pro Tem
SECONDED: Luna, Council member
AYES: all
NAYES: none

Discussion: None
Motion: Carried

Agenda was re-arranged for Item L to be placed before K

K. Discussion and or action regarding amending Resolution # 2010-031-A *Moratorium in the acceptance of application for permits relation to the construction, placement and configuration of Billboard signs within the city limits.*

Mayor Collier addressed the council in regards to Resolution # 2010-031, he stated the council had approved a time of 6 months on the moratorium, and that time has expired.

Mayor Pro Tem Wilson made a motion to extend this Resolution until the end of the calendar year, which is December 31, 2011.

MOTION: Wilson, Mayor Pro Tem
SECONDED: Luna, Council member
AYES: all
NAYES: none

Discussion: None
Motion: Carried

L. Discussion and/ or possible action regarding sign Ordinance # 2011-003.

Attorney Charlie Olson addressed the council in regards to flags. He stated the city's authorization to restrict flags is limited by statute and it is his recommendation this ordinance has no application to flags of nations, states or political subdivisions, and also the flag pole exemption has been removed.

There was also a discussion in regards to sign heights limitations.

Mayor Pro Tem Wilson stated he would like to see zone B2 and Industrial maximum of 80 ft.

After much discussion, Councils decision was to tabled this item.

VIII. ADJOURNMENT

Motion To: Adjourn at **9:00** p.m.

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

Joshua Collier, Mayor

ATTEST:

Cynthia Ward, City Secretary