



**The City of Bellmead
City Council**

Called Meeting

3015 Bellmead Drive
Bellmead, Texas 76705

www.bellmead.com

Cynthia Ward
City Clerk
(254) 799-2436

Thursday, February 25, 2010 5:00 PM Bellmead City Hall

The City Council of Bellmead, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter §551 of the Texas Government Code.

I. CALL TO ORDER

The Meeting was called to order on February 25, 2010 at the Bellmead City Hall, 3015 Bellmead, Bellmead, Texas at 6:30 PM by Mayor Ruth Haines-Fields.

Attendee Name	Present	Absent	Late	Arrived
Mayor Ruth Haines Fields	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
David Schroder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Carl E. Swanson III	<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 A. Collier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. PROCLAMATIONS

A. Proclamation for the International Martial Arts Championships and Masters Exhibition.

Council member Collier stated to council he was contacted by the Martial Arts instructor needing a letter or proclamation from the City of Bellmead to take to Korea to present to the Grandmaster, he stated this would become a part of a souvenir booklet, and would show the city in a positive way for the whole world to see.

Council member Swanson stated that the city has previously worked with the Martial Arts program in the past, in providing proclamations before.

III. REGULAR AGENDA

A. Discussion and/ or possible action on approving Ordinance 2010-003 for assessment and collection of a municipal court building security fee.

Attorney Charlie Olson read **the third and final** reading of the following Ordinance 2010-003 to the council:

ORDINANCE NO. 2010-03

AN ORDINANCE OF THE CITY OF BELLMEAD, TEXAS, PROVIDING FOR ASSESSMENT AND COLLECTION OF A MUNICIPAL COURT BUILDING SECURITY FEE THROUGH THE ADOPTION OF NEW SECTION 11-90 TO BE ADDED TO CHAPTER 11 OF THE MISCELLANEOUS PROVISIONS AND OFFENSES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

MOTION: Wilson, Council member
SECONDED: Swanson, Council member
AYES: Schroeder, Mayor Pro Tem, Collier, Council member
NAYES: Youngblood, Council member

- B. Discussion and/ or possible action adopting an ordinance ordering a special election on the proposition to abolish the Type A (formerly 4A) sales and use tax of 1/4 of one percent within the City of Bellmead and to adopt a Type B sales and use tax at a rate of 1/4 of one percent within the City of Bellmead, approval of notice of special election and publication by County Elections Administrator, and possible action on any related items necessary to carry out the purposes of the Ordinance.

City Attorney Charlie Olson addressed the council explaining what has to be done in order for the City to become a Type B organization. He stated there are two parts, one being an ordinance with 3 readings and a resolution approving notice for an election. Charlie Olson read the following ordinance:

ORDINANCE OF THE CITY OF BELLMEAD, TEXAS ORDERING A SPECIAL ELECTION ON THE PROPOSITION TO ABOLISH THE TYPE A (FORMERLY 4A) SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS AND TO ADOPT A TYPE B SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS

MOTION: Collier, Council member, **to approve the 1st reading**
SECONDED: Schroeder, Mayor Pro Tem
AYES: All
NAYES: None

ORDINANCE OF THE CITY OF BELLMEAD, TEXAS ORDERING A SPECIAL ELECTION ON THE PROPOSITION TO ABOLISH THE TYPE A (FORMERLY 4A) SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS AND TO ADOPT A TYPE B SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS

MOTION: Swanson III, Council member, **to approve the 2nd reading**
SECONDED: Wilson, Council member
AYES: All
NAYES: None

ORDINANCE OF THE CITY OF BELLMEAD, TEXAS ORDERING A SPECIAL ELECTION ON THE PROPOSITION TO ABOLISH THE TYPE A (FORMERLY 4A) SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS AND TO ADOPT A TYPE B SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS

MOTION:	Schroeder, Mayor Pro Tem to approve the 3rd and final reading
SECONDED:	Collier, Council member
AYES:	All
NAYES:	None

Attorney Charlie Olson read the following proposition to the council:

A special election is hereby ordered to be held on May 8, 2010 for voting on the proposition to ABOLISH THE TYPE A (FORMERLY 4A) SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS AND ADOPT A TYPE B SALES AND USE TAX OF 1/4 OF ONE PERCENT WITHIN THE CITY OF BELLMEAD, TEXAS

Council member Collier wanted to know if information could be placed at the polling places for the residents to know what they are voting on.

Attorney Olson stated no information could be placed at the polling places, but EDC could put together some information to explain what this item is, he suggested Bellmead Chamber of Commerce helping.

MOTION:	Collier, Council member
SECONDED:	Wilson, Council member
AYES:	All
NAYES:	None

- C. Discussion and/ or possible action on adopting a resolution approving the formation, creation, and the proposed certificate for formation of the “Bellmead Economic Development Corporation,” a Type B corporation, and possible action on any related items necessary to carry out the purposes of the Resolution, including appointing organizers, directors, ex-officio directors, and registered agent.

Attorney Charlie Olson read the following resolution:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLMEAD, TEXAS APPROVING THE FORMATION, CREATION, AND PROPOSED CERTIFICATE OF FORMATION OF THE “BELLMEAD ECONOMIC DEVELOPMENT CORPORATION,” A TYPE B CORPORATION

Attorney Mike Dixon explained to the City Council the creation of a Type B Corporation, and the additional board members needed for this corporation.

Council member Collier made a motion to keep the current board members which are Kevin Harris, Al Lopez, Carl Swanson III, David Schroeder and Kevin Wilson.

MOTION:	Collier, Council member
SECONDED:	Wilson, Council member
AYES:	All
NAYES:	None

Collier made a second motion to accept Jerry Brockington and Sandy Jordan to fill the final two positions to complete the board.

MOTION:	Collier, Council member
SECONDED:	Youngblood, Council member
AYES:	All
NAYES:	None

D. Discussion and/or possible action concerning constructing a home for the City Manager.

Council member Youngblood stated he spoke to Elizabeth about property owned by the city and was given a list of six and informed him, if the city decided to build a house for the City Manager that it would have to be financed.

Council member Collier questioned how wise would it be for the city to build a house specifically for the City Manager.

The Mayor asked for figures to construct a house for the City Manager.

Council member Youngblood stated for a house 2,000 to 2,500 square feet it would be anywhere from \$150,000 to \$200,000.

Council member Collier stated he would like to see a decision made, he did not feel it would be fair to leave Mr. Pena in limbo another six or seven months.

Attorney Charlie Olson stated there is no authority for the city to compel the City Manager to live in a particular house and on a particular lot. He also stated that if the city owned a house and Mr. Pena lived in the residence, there could be some income tax consequences to him, and the city would have to adjust his salary. He also stated future concerns of the house being vacant.

Council member Swanson stated he has never heard of a city having a domicile for the City Manager and stated he didn't think the city really wanted that type of liability nor should the city be landlords.

The Mayor asked Mr. Pena if he had ever heard of this being done with other cities.

Mr. Pena stated there were only two other cities in the State of Texas.

Council member Collier stated he feels like it would be an unnecessary financial burden for the city and the previous decision made last council meeting would be the best for everyone right now.

ADDENDUM

Discussion and / or action on emergency water well repair for Barlow Well.

Mr. Pena addressed the council about repairs needed on the Barlow Well. He stated the Barlow Well is non functional at this time and another water well could go down at anytime. Mr. Pena asked the council for permission to repair the Barlow Well at a cost of \$44,116.

MOTION:	Swanson III, Council member
SECONDED:	Schroeder, Mayor Pro Tem
AYES:	All
NAYES:	None

IX. ADJOURNMENT

A. Motion To: Adjourn

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

Ruth Haines-Fields, Mayor

ATTEST:

Cynthia Ward, City Clerk