

Village Board of Aldermen
**Regularly Scheduled Board of Aldermen
Meeting Minutes**

Municipal Building, 301 N. Stagecoach Rd.
Thursday, September 2, 2010 6:00pm

Members present: Merle Stalcup, Stephen Peters, Danney McCort, Susan Terry, Carol Walls, Bryan Fritch

Members Absent:

Others Present: Dianna Zulauf – Village Secretary, Debbie Charbonneau – Tourism Director, Jack Hensley – Chief of Police, citizens: 2

Mayor Stalcup called the meeting to order at 6:00, quorum present.

The Pledge of Allegiance and the Texas Pledge of Allegiance were recited. Mayor Stalcup gave the invocation.

Citizen Comments: None

Alderman Walls made a motion to approve the previous meeting minutes dated August 19th. Motion was seconded by Alderman Terry, motion carried unanimously.

Mayors Report: Mayor Stalcup reported on his recent discussions with the City of Jarrell regarding sewer system availability; the review with TxDOT on their plans to widen IH35; Lucy's at the Sawmill restaurant has decided not to open for business in Salado due to family problems, not city issues; Clearwater has completed programming of the monitors in Salado Creek to help give advanced notice of rising waters to the Village.

Unfinished Business:

1. Proposed Hotel/Motel 2009-2010 Budget Amendment Second Reading
Motion was made by Alderman Peters to adopt Ordinance No. 2010.08 amending the 2009-2010 Hotel/Motel Budget. Motion was seconded by Alderman Fritch; motion carried unanimously.

New Business:

2. TxDOT's Proposed Acquisition of Village of Salado Property
Mayor Stalcup informed the Board that TxDOT has offered \$1,000 to the Village of property in front of city hall for the widening of IH35.
The Board adjourned into executive session at 6:18PM per GC 551.072(real property).
The Board reconvened into regular session at 6:31PM.
Motion was made by Alderman Peters to table this offer pending further research and directed Mayor Stalcup to counter the proposal with TxDOT in accordance to executive session discussion. Motion was seconded by Alderman McCort; motion carried unanimously.

3. Amendment to Employee Handbook, Requirements for Using Compensatory Time
Postponed pending discussion with employees.
4. Award of Bid for Municipal Building Window and Door Replacement (SECO grant)
Three bids were received.
Motion was made by Alderman Fritch to award the municipal building window and door replacement contract to Lopez A.J. Enterprises with a bid of \$8,440.00. Motion was seconded by Alderman McCort; motion carried unanimously.
5. Award of Bid for Municipal Building HVAC System (SECO grant)
Two bids were received.
Motion was made by Alderman Fritch to award the municipal building HVAC contract to C. McDowell Enterprises with a bid of \$14,854.00. Motion was seconded by Alderman McCort; motion carried unanimously.
6. Proposed 2010-2011 General Fund Budget First Reading, Public Hearing Item
There were no comments from citizens on the proposed budget.
7. Proposed 2010-2011 Hotel/Motel Budget First Reading, Public Hearing Item
There were no comments from citizens on the proposed budget.
8. Ordinance for the Repeal of Sales Tax Exemption on Telecommunication Services in Salado First Reading
Alderman Peters explained that this ordinance would allow the Village to collect a 1% sales tax on cell phones.
9. Request for Waiver from Adelea's of Itinerant Vendor Permits for Farmers Market
Adelea's Farmers Market Inc. has asked for a variance the Village's Solicitation Ordinance requirement that vendors obtain a permit from the Village to set up a booth and sell their product. Adelea's event is a farmers market every Saturday during September and October.
Citizen comment: Tim Fleischer, 912 Cedar Park Circle - feels that the ordinance is intended to allow farmers market and if the request is denied could have an impact on future booth-based events; feels that this particular farmers market is educational and would be good for Salado.
Motion was made by Alderman Fritch to grant the variance request from Adelea's and waive the requirement for itinerant vendor permits for September and October. Motion was seconded by Alderman Walls; motion carried unanimously.

Announcements:

1. Next scheduled Board meeting is September 16, 2010 at 6:00PM. Second Public hearing on the proposed 2010-2011 budgets.

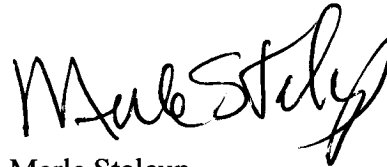
Adjourned at 7:12PM.

For copies of all handouts, please contact the Village office at 947-5060.

Respectfully submitted,



Dianna Zulauf
Village Secretary



Merle Stalcup
Mayor



1871



Adelea's Farmers' Market, Inc.
P.O. Box 1334
Salado, Texas 76571
254.947.0018

Request to Waive Itinerant Vendors Permit

As a non-profit corporation, Adelea's Farmers' Market, Inc. would like to request that the Village of Salado waive the need for our vendors to purchase itinerant vendor permits for 2010. We are awaiting our 501(c)(3) designation from the IRS but, as of August 25th, do not have said designation. While we understand the villages need for such a permit, we feel asking our vendors to pay over \$100 will eliminate their profit. In order to provide a variety of products to our customers we must have as many vendors as possible. This permit will cut our number of vendors in half. Not only do these farmers produce their own food in an environmentally friendly and thus more costly manner but they will be paying for their own setup and gas. These local farmers have already been subject to agricultural fees and costly certifications and adding one more fee to their list will be the final straw. We want Salado to have a wonderful farmers' market that serves to bring in tourists and locals alike to experience downtown Salado. We know these people will go to the farmers' market and then wander around Main Street spending their dollars in Salado. Please help us make this possible by waiving the itinerant vendors permit.



of Killeen



TOYOTA OF KILLEEN
P.O. BOX 88
KILLEEN, TX 76540
(254) 690-5800
FAX (254) 690-4801
www.toyotaofkilleen.com

August 25th, 2010

To whom it may concern:

In regards to the 501(c)(3) application filed for the Adelea's Farmers' Market, Inc., all of the necessary paperwork has been sent to the IRS. We are awaiting their reply. Please do not hesitate to contact me should you have further questions. My contact information is listed below.

Thank you,
M.S. Lohse, CPA

Work: (254)-690-5800

Cell: (254)-289-6184

Email: stan_lohse@toyotaofkilleen.com

Dianna Zulauf

From: Jennifer Lohse [jenlohse@hotmail.com]
Sent: Monday, August 30, 2010 10:02 AM
To: Dianna Zulauf
Subject: Re: Farmers market

*
At the moment I have just one who is in McLennan county but am expecting a few more from Travis and one from Milam. Officially though just one right now.

Their booth fee is \$35 for the whole market season (every saturday of sept and oct).

*
Sent from my iPhone

On Aug 30, 2010, at 8:54 AM, "Dianna Zulauf" <vos@saladotx.gov> wrote:

Good morning Jennifer,

I have two questions regarding your waiver request.

How many vendors do you have that grow their produce outside of Bell County?

Are you charging a booth fee?

Thanks,

Dianna Zulauf

Village Secretary & Court Clerk

Village of Salado

254-947-5060

Ordinance No. 2008.03
Village of Salado
County of Bell
State of Texas
January 3, 2008

For reference

SOLICITATION ORDINANCE

C. PURPOSE

It is the intent and purpose of this Ordinance to protect residents and other citizens of Salado from unscrupulous transient merchants.

D. SCOPE

This Ordinance provides regulatory standards throughout the Village's incorporated municipal boundaries (i.e., city limits).

E. DEFINITIONS

1. **Itinerant vendor:** means a retailer who does not operate any "place of business" as defined by the Texas Administrative Code. The term expressly includes the following:
 - a. *Itinerant merchant* – a person who moves stocks of goods or samples of goods into the Village for the purpose of selling or offering for sale or taking orders for the sale of such goods with the intention of removing such samples or the unsold portion of goods away from the Village before the expiration of one month and who has no fixed place of business within the Village or county for which definite arrangements have been made for the use, occupancy, hire, rental or lease of such place for a term of at least one month.
 - b. *Peddler* – a person who carries goods upon a truck or other vehicle on the streets of the Village for the purpose of exhibiting, selling, or offering for sale such goods from such truck or other vehicle or who within the Village goes from door to door of residences, public facilities, or businesses to display, sell, offer for sale, or take orders for the sale of goods or to exhibit brochures, sales literature or price lists for the purpose of taking orders for the sale of goods or who within the Village exhibits, sells, offers for sale or takes orders for the sale of goods from a vacant lot, parking lot, tent, boat, storage bin, stall or unenclosed structure.
 - c. *Transient Vendor* – a person who within the Village engages in the temporary business of exhibiting, delivering, selling or offering for sale any goods or exhibiting brochures, sales literature, or price lists for the purpose of taking orders for the sale of goods and who has no fixed place of business within the Village or county that is used, occupied, hired, rented, or leased for a period of at least one month for the purpose of operating or conducting such business thereon.

For purposes of this Ordinance, the term "itinerant vendor" does not include the following: persons who make such sales sporadically for the purposes of raising funds for an incorporated charitable, fraternal, educational or religious institutions; street musicians who play free of charge but accept donations; garage sales; produce stands where vendors sell fruits and/or vegetables grown in Bell County.

2. GENERAL PROHIBITIONS

A. Rights of Way

No person shall display, sell, or solicit orders for any goods within six (6) feet of any public street or roadway, state, federal or local.

3. LICENSES

A. License Required

No itinerant vendor shall operate within the Village without first applying for and receiving a license from the Village. Licenses are nontransferable and may not be assigned or conveyed to other persons. This section shall not apply to any of the following:

1. Sales or exhibits at fairs, festivals, rodeos, conventions, or events sponsored by the Village or one (1) or more Village civic organization, school, church or the chamber of commerce.
2. Charitable solicitations by incorporated charitable, fraternal, educational or religious institutions.

B. Application

An application for a license required by this ordinance shall be made in person by the persons requesting such license upon forms available in the office of the Village Secretary.

Applications must be submitted at least 72 hours prior to date of vending. Applications must be submitted to the Village Secretary or Code Officer. A separate license and application shall be required for each person who engages in the activities of an itinerant vendor, including each employee, agent, or consignee who engages in such activity. Such application form shall provide a space for the following information which must be furnished by the applicant:

C. Other Authorities

Each applicant who proposes to sell or offer for sale goods consisting in whole or in part for human consumption shall secure on the application form for license hereunder the signature of the public health officer of the county and/or Village indicating that such goods meet minimum food standards of the state.

All applicants who propose to sell or offer for sale goods consisting in whole or in part for human consumption shall acquire and provide to the city a food handlers permit from a county health department.

D. Fees and Terms

Any person who is required to obtain a license by the provisions of this ordinance may apply for a one-day, thirty-day, or a six-month license.

- (1) When a one-day license is issued to any such person, the applicant shall pay, at the time the application is submitted, to the Village Secretary a license fee of fifty (\$50.00) dollars.
- (2) When a thirty-day license is issued to any such person, the applicant shall pay, at the time the application is submitted, to the Village Secretary a license fee of seventy-five (\$75.00) dollars.
- (3) When a six-month license is issued to any such person, such person shall pay, at the time the application is submitted, to the Village Secretary a license fee of one hundred (\$100.00) dollars. No license issued under the provisions of this ordinance shall be issued for a longer period than six months.
- (4) Not later than three (3) days after a completed application is filed, the applicant shall be notified in writing of the decision of the issuance or denial of the license unless the day filed is a Thursday or Friday. Then the applicant shall be notified not later than six (6) business days after a completed application is filed.

This document is an excerpt from the original document and does not display the entire Solicitation Ordinance. A copy of the entire ordinance can be obtained at the Village office or on the Village website at www.saladotx.gov