

**Special Called Belton City Council Meeting
November 16, 2017 – 5:30 P.M.**

The Belton City Council met in special session in the sanctuary of the Church of God of the Firstborn located at 126 Frances Lane with the following members present: Mayor Marion Grayson, Mayor Pro Tem Craig Pearson and Councilmembers Guy O'Banion, Dan Kirkley and John R. Holmes, Sr. Councilmembers David K. Leigh and Paul Sanderford were absent. Staff present included Sam Listi, John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Chris Brown, Angellia Points, Erin Smith, Matt Bates, Paul Romer, Bruce Pritchard and Judy Garrett.

The Pledge of Allegiance to the U.S. Flag was led by Public Information Officer Paul Romer, the Pledge of Allegiance to the Texas Flag was led by Councilmember John R. Holmes, Sr., and the Invocation was given by Councilmember Dan Kirkley.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:32 p.m.
2. **Conduct third annexation public hearing and present Municipal Services Plan for possible annexation into the City of Belton, including:**

Area 2	845.47 acres, located generally west of IH-35, east of Rocking M Lane, south of Auction Barn Road, and north of the Lampasas River.
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City Manager Sam Listi summarized the growth trends influencing the annexation study, gave an update on Non-Annexation Development Agreements, and reviewed the Municipal Services Plan for Area 2 (see Exhibit "A").

Mayor Marion Grayson opened the public hearing on Annexation Study Area 2.

A gentleman from the audience asked for a clarification of the number of development agreements. Mr. Listi explained that there are 90 properties eligible, and 62 properties are now under development agreements representing 38 property owners.

- A. **Jill Decker, 205 Decker Road:** Mrs. Decker explained that she was speaking not as a resident of Area 2, but because she supports the opposition. She stated her property was involuntarily annexed in 2016, but she still doesn't understand why. She has met with Council and City Staff four times in the last year. She has provided topography maps to show what has been done on her property by drainage. The Mayor reminded her that this was a hearing for Area 2. Mrs. Decker said she is speaking in support of the residents who are opposing annexation. She wants them to understand what the City has done to her property. She has been fighting with the City of Belton since before 1996. No one with the City has ever listened to her, and no one on the Council has ever reached out to her. She said the City's solution to the flooding on her property was to add a retention pond on an adjoining property, but this just increased the amount of water on her property. The only service she receives since she was annexed that she didn't

already have is code enforcement. She said, "Code enforcement doesn't mean anything when the City cannot even mow its own property." She was told sewer was going to be put in, at a cost to residents, not until 2019, but she has not heard any update on that since the annexation. She said she has seen a substantial increase in property taxes. "The City continues to flood our land, and no one seems to care."

- B. Michelle Ciccariello, 511 Mesquite Road: Mrs. Ciccariello provided information from the U.S. and Texas Constitutions, as well as Texas Statutes, regarding the "taking" of private property for public use, and the use of eminent domain. She said the law prohibits the City of Belton from using eminent domain to obtain right-of-way for road expansion for the benefit of the private developer of Three Creeks. The law also prohibits the use of eminent domain for a public use that is merely a pretext to confer a benefit to the Three Creeks developer. The City also cannot use eminent domain for its own economic development purposes such as the regional shopping facilities planned for this location according to the City's 2030 Future Land Use Plan. "It is disturbing that the annexation study repeatedly states that the reason annexation and road widening are needed is development and increased traffic, and the City Manager said that annexation is needed to manage development and growth in an area that is already developed to serve a private development going on elsewhere. This is clearly destroying people's property, our property, for economic development." Mrs. Ciccariello added, "Belton has a very poor track record of taking and destroying people's land for the wrong reasons without ever compensating the land owners. This illuminates the dark underside of the City's practice regarding annexations. To be clear, the State of Texas gives home-rule cities, such as Belton, the power to annex according to its own rules."
- C. Richard Ciccariello, 511 Mesquite Road: Mr. Ciccariello said, "They talk about economic development, but Taco Bell and Popeye's...(inaudible). It's urban blight. I didn't pay twice as much for a house in Belton that I could have been paying so I could have neighbors throwing their Taco Bell bags out their windows at cars. This is sick! There is no reason for it, and you should all be ashamed of yourselves."
- D. Scooter Golden, 2328 Shanklin Road: Mr. Golden said he wanted to address Councilmembers Kirkley and Pearson. He said that he doesn't personally know them, but he has known about them both for a very long time. He said, "I know that you know to do the right thing, and I think it's time. When you get ready to do your vote, you need to step up there, and step up for all of us out here." "You know what's right, and you know what's wrong, and you need to do what's right." He asked why the City has not acted on any of the issues brought up at the last public hearings such as the overgrown grass at the intersection of Shanklin and Loop 121.
- E. Jim Brooks, 4232 Shanklin Road: Mr. Brooks stated that in 2010 the City signed an agreement with a developer to create the Municipal Utility District #1, and to facilitate the development of the Three Creeks subdivision. He said that the

agreement contains significant provisions about Shanklin Road rights-of-way and Rocking M Lane. He added that more recently the City passed resolutions concerning its Thoroughfare Plan and its 2030 Comprehensive Plan. While the City provided legal notices, he said that those property owners who could be affected were not notified regarding these issues. "The first notice we received, was the City's letter dated September 21, 2017, saying that we are being considered to be annexed into the City. It announced that we had about 30 days to prepare for a public hearing about the proposed annexation, which, in hindsight, had been in the works for years. Even then, the City's letter did not mention the huge implications to us in the area of proposed annexation. Only after digging into the City's website, did I discover that this forced annexation would, among other things, take private land in this area for widening roads. Not all my neighbors use the internet like I do, so they are probably in the dark about this impact. Why didn't the City include pages 1 and 2 of its annexation study and analysis, which provided critical details about the proposed annexation? This I ask you. In my opinion, the City was negligent at best. Finally, right before the first public hearing on the proposed annexation, it was announced that each speaker would be permitted only three minutes to speak. I ask you, was that right? Through its 2010 agreement with the developer, the City is basically acting as an agent for the direct benefit and convenience of the Three Creeks developer, and its residents, to the detriment of property owners in Area 2. We have nothing against the Three Creeks developer making money from its investment, or those residents who have chosen to make Three Creeks their home. However, when the City agrees with them, to take from our property unilaterally, and to damage the remaining property values and our quality of life out here in Area 2, then I must object to this favoritism. If Area 2 is annexed, then the City plans to take, through eminent domain, a portion of some of our properties, to widen Shanklin Road as a major artery. In return for this taking of property, the City has stated that it will pay the affected owners a just compensation after an appraisal. I say the only fair way to achieve just compensation would be for the developer and the residents of Three Creeks to negotiate directly with each affected property owner here, and find out exactly what is just compensation for those owners' property and quality of life. This annexation scheme may be legal, but it is not ethical."

F. John Foster, 1908 N. 60th (Killeen): Mr. Foster told the Council to think of the folks who have lived out in these areas. They have consciously decided that they didn't want to be in the City. He doesn't feel that annexing them is right. He is a Bell County resident who has some land in the country, and he hates to think that the day may come that his land is annexed.

G. Andrew Lively, 2198 Old Golf Course Road (Area 3): Mr. Lively said he is there supporting his peers because he sees no differences in Area 2 and Area 3. He is concerned that the City is forcing people to do something they don't want to do. He said that annexation goes against every principle he was taught by his parents and by the United States Army. He fought for the freedom to make his own choices. He said, "Forced annexation is wrong, and doing it to circumvent a new law is absolutely immoral." He said that he will gain nothing from this annexation.

He will have to run a sewer line about $\frac{3}{4}$ of a mile to tap into City sewer, so that is not a viable option. "The Council has provided information that is incorrect, specifically with the comments that it will provide equal services. It is rumored that there are fire hydrants that do not provide the right amount of water pressure. That is giving the public a false sense of hope. The City needs to stop focusing on our land that provides zero immediate opportunity for business, and focus on getting more business to come into the land it already owns in order to effectively drive down debt and increase jobs to support the massive growth that is proposed."

- H. Julian Alvarado, 1360 Shanklin Road: Mr. Alvarado said he bought his place 20 years ago because it was outside the City. The City is creeping toward his property. He said he wants an honest answer, "Is your mind already made up?" The Council collectively said no. Mr. Alvarado said, "So when I come to the meeting on November 21st, will it still be open for discussion or will your mind already be made up?" Mayor Grayson said that there will be open deliberations at the meeting on the 21st, so he will be able to listen.
- I. Jim Monroe, 2520 Shanklin Road: Mr. Monroe said good decisions require good data. He said if the City is basing their growth model off of Belton ISD's model, that is a flawed assumption. The engine driving Belton ISD's growth is in west Temple, not Belton or its ETJ. He said the Staff's growth models are flawed. He is a math teacher, and he wants to see the formula the City used. Any predictions made from these flawed assumptions are also flawed. Nobody will want to move to Belton if it becomes a "cookie cutter" community like Temple and Killeen.
- J. Christy Monroe, 2520 Shanklin Road: Mrs. Monroe thanked Mayor Pro Tem Pearson and Sam Listi for meeting with her. There were a couple of things that were discussed that didn't sit well with her. She said she has previously discussed sketchy maps that have been presented online and in meetings. Some of the maps she was shown were hazy and didn't really show the homes that are on the properties. "There is a need for collaboration, but this rushed annexation does not allow for any collaboration at all. It has created dissention and powerful groups of people who sit before you. We are stronger together, and we as a community can be stronger if we have the opportunity to actually work together."
- K. Dottie Brooks, 4232 Shanklin Lane: Ms. Brooks said that she felt ashamed when Mr. Listi put the map of signed development agreements up on the screen. She said she signed hers under duress because she was not given enough time to think about it. "I would take it back in a minute." She said she did the wrong thing to save a little bit of money every year. She said that she is praying that God will guide the Council in making the right decision. She said the group has been told that Belton does not follow through with promises that are made. The annexation is not being done to benefit the land owners. It is being done to benefit a private developer. "Do what is right. Do what is fair. There is nothing Christian that is being done here." She said that the group is stronger together, and they will get annexation changed in Bell County.

L. Wayne Crook, 1034 Mesquite Road: Mr. Crook welcomed the Council to Area 2. He said there has been a change in law. The governor said he was proud to sign into law, a change to forced annexation which is nothing but taxation without representation. Mr. Crook said the group does not want to be enemies of the City. He added that the group will pursue getting the law changed. Mr. Crook said, "If you do annex us, we become your citizens, and it will be our vote, and you will be working for us."

M. Amy Cook, 730 Mesquite Road: Mrs. Cook said the Council has two choices: (1) end the forced annexation process today as more than half the cities in Texas have already done; (2) or continue this un-Texan, un-American practice despite the raised voices throughout Bell County and the rest of Texas. Mrs. Cook asked the Councilmembers if they take to heart the City's Ethics Ordinance. She asked, "What do you want your legacy to be?" She then asked the Mayor, "Do you want to be remembered as the only Mayor in Texas who would not partner with her friends and neighbors to grow the community in a positive manner?" Next, she asked Mayor Pro Tem Pearson, "Do you want to be remembered as the Mayor Pro Tem who stood by while residents lost their homes to fires and floods because utility plans were inadequate to extend water lines to fire hydrants, and expanded roadways created excess flooding to existing homes?" She asked Councilmember Kirkley, "Do you want to be remembered as a man who made the defining decision to stand by silently when you could use your considerable influence to find a positive outcome for your community?" Next, she asked Councilmember O'Banion, "Do you want to be remembered as a business owner who blindly follows growth plans presented by City staff, even if it means destroying a fellow business owner who owns a family trucking business on the street behind us?" Her next question was directed to Councilmember Holmes. "As a former member of the Belton Ethics Commission, do you want to be remembered as part of a small group of government representatives that are deaf to ethical issues, raised by a forced annexation process of hundreds of Bell County residents in less than three months?" She said, "I will make you a promise here and now, this great group of citizens are not just dashed lines on a map. They can be your best friends, or they can be strong adversaries. We are ready to partner with you to make this City the one we all want to be a part of, or we can continue this campaign, not only in this present annexation, but to reverse past annexation ordinances, to vote you all out of office..." *[inaudible]*.

N. Elizabeth Barocio, 251 Frances Lane: Ms. Barocio said, "My parents bought the property and built a church and a house, and someone from the City nailed a sign, and said that we could not build anything unless it was approved by the City. But, we lived in the County. When we went to the City hearing, they said we had to make the property a subdivision and have the property surveyed. It cost us \$3,000. We took it to the City, and they said no, and then we had to have it surveyed another time, and the survey had to be approved by the City. And then, we had to pay the second time \$3,000-\$4,000. The City also said that we had to build a road, so we built a road for the 18-wheelers, so we had to hire Dennis Broker Construction to build the road because the City required one. We paid

\$58,000 to build the road. Then we had to get water from Dog Ridge Water which cost us \$16,000. Then we had to be approved for six meters which totaled \$6,000 to whom we paid to Dog Ridge Water. They said we needed a fire hydrant. We just had a pipe sticking out of the ground. We also had a fire, and the City of Belton would not put the fire out unless they had permission from Salado Fire Department. My house was burned in 2008, and then I got three bills from Belton, Stillhouse and Salado. So, therefore, I don't want to become City. I want to stay County, and I want to speak for everybody in my family on Frances Lane. And my other part is I have a small double-wide, and if we become City, where am I going to go now? We lost everything. I'm trying to save to build my house back again."

- O. Elias Gutierrez, 175 Frances Lane: Mr. Gutierrez said he is a truck driver. In 2002, his dad built him a house. He wants to stay in the County, and he doesn't want to be a part of the City.
- P. Mike Anderson, 5132 Lampasas Lane: Mr. Anderson said the annexation process is rushed. He said at the last public hearing there were about four different opinions on what would happen with the development agreement if the property wasn't annexed. He asked that the process be slowed. He thinks the annexation and development agreements should be reversed. If the City does not annex an area, then toss the agreements in the trash. He said that Fire and EMS response is slow, and he is not sure that Belton can meet the standard for Fire and EMS that Salado has set.
- Q. Diane Dixon, 3939 Shanklin Lane: Mrs. Dixon said her husband is a disabled vet with a lot of health issues. She said that she moved to the country 46 years ago. She also voiced concerns with the traffic on Loop 121. Adding the school in that area will cause further traffic issues.
- R. Joe Dixon, 3939 Shanklin Lane: Mr. Dixon said the property has changed since he was a kid. He said no one wants to live in the City. He said Belton is growing, and growth makes it worse.
- S. Carwyn Smith, 2501 Shanklin Road: Mr. Smith said he wants to maintain the environment that currently exists in Area 2, and he does not want to be a part of the City. He does not need any of the City's amenities. He said if the area is annexed, it would not be just some aggravation, or a temporary disruption to these people. It will be an upheaval to their families and their lives. He said he has heard that the City of Belton does not have a clean slate. In the past, Belton has failed to fulfill their responsibilities regarding annexed areas. He cautioned the Council not to "bite off any more until you have honorably chewed what you have." He said this process was making the area residents the "sacrificial lamb" to give benefits to another neighborhood. He requested that the annexation consideration be dropped by the City Council. "Treat other people like you would want to be treated."

- T. Dean Youngblood, 4470 Shanklin Lane: Mr. Youngblood asked Mr. Listi if Shanklin Lane is going to be widened. Mr. Listi responded that there is no current plan, but it is possible. He said prior annexations encircled their property. He asked why the City didn't offer City services to those residents even though they are outside the City limits. He said if the City builds the roads as wide as they are showing, he will lose 60 oak trees as well as one acre of his property.
- U. Beau and Susan Bush, 2924 Wharton Lane (Area 3): Mr. Bush said there are seven cities across Texas that are doing this "land grab," and the only two are continuing with the process are Belton and Pearland. "Do you want to have the distinction of being one of these two cities that have ignored their citizens' wishes and proceeded? These actions are in violation of the spirit of the law. If you go through with it, we will make sure that this is voted in for this County." He added that this is taxation without representation. "We did not elect you. We had no say in who filled these seats." Mrs. Bush said, "Belton has had a good economy, but what happens when the market changes? Will Belton experience the kind of growth it did in 2016? This will not last, and we are way overdue for a huge correction, which will severely affect the homes being built in Three Creeks." She said that BISD is talking about building a third high school, when the second one has not yet been built. She said that growth is happening in the north area of the BISD boundary, not south.
- V. Sherylin Ware, 1501 Shanklin Road: Ms. Ware said she previously lived in Belton. She is raising her granddaughter, and she is trying to save for her future. She said that if the City annexes her property, she will have to move because she cannot afford the extra taxes and still be able to save for her granddaughter's college. She asked the Council to think about how annexation will affect the lives of the residents.
- W. Rosemary Stampley, 579 Mesquite Road: Mrs. Stampley said she and her husband struggle now to make ends meet. She said Belton is not offering her anything beyond what she already has. She said her house gets flooded from drainage coming from across the road. She said there are too many older residents who cannot afford any additional taxes.
- X. Ted Duffield, 780 Shanklin Road: Mr. Duffield said he moved to the country because he didn't want to live in the City. He said that he has been through annexation with Mr. Listi in Temple. He doesn't have any of the benefits that were promised to him on that property. He said, "All these people that you 'want to represent,' don't want to be in your city. They don't want your services. I don't want your services." "There's no benefit for taking me into the City. I don't understand how this benefits the people that you currently represent. Take care of what you've already got."

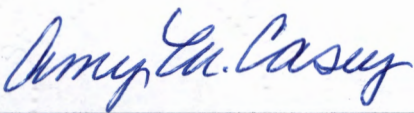
Jim Brooks expressed concern that the dead tree on Shanklin, that they told the City about three weeks ago, is still standing.

3. **Adjourn.** There being no further business, the Mayor adjourned the meeting at 7:10 p.m.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk

COUNCIL AGENDA ITEM #2

THIRD ANNEXATION PUBLIC HEARING/ PRESENTATION OF MUNICIPAL SERVICES PLAN FOR AREA 2

November 16, 2017



Council Agenda Item #2
Third Annexation Public Hearing/Presentation of
Municipal Services Plan for Area 2
November 16, 2017

Presentation Outline

- Growth Trends Influencing Annexation Study
- Update on Non-Annexation Development Agreements
- Municipal Services Plan for Area 2

Annexation Study – Growth Trends

Belton Population Growth

11/16/17

• 1900 →	3,700
• 1950 →	6,246
• 1960 →	8,163
• 1970 →	8,696
• 1980 →	10,660
• 1990 →	12,463
• 2000 →	14,623
• 2010 →	18,216
• 2012 →	18,665
• 2013 →	18,981
• 2014 →	19,314
• 2015 →	19,809
• 2016 →	20,517
• 2017 →	21,214

*45% increase from
2000 - 2017



Population Projections

- **2020 → 22,850**
- 2025 → 25,600
- 2030 → 28,600
- 2035 → 32,100
- 2040 → 36,000
- 2045 → 40,300
- **2050 → 45,100**

Permit Totals/Units

Year	Single Family	Duplex	Multi-Family	Three Creeks	Unit Totals
2015	81	2 permits (4 units)	10 permits (208 units)	19	312
2016	81	21 permits (42 units)	5 permits (144 units)	114	381
2017 to date	115	28 permits (56 units)	0	92	260

Annexation Study - Growth Trends

Belton Area Public Projects

11/16/17

1. Recently Completed Public Projects

- a) IH-35 Widening (TxDOT)

2. Underway Public Projects

- a) IH-14/US-190 Widening, HH/Belton – design underway (TxDOT)
- b) Bell County Expo Equestrian Project - \$30M Facility
- c) Loop 121 Widening, FM 439 – IH-35 – design underway (TxDOT) ROW/Utility Projection in 2018; begin in 2020
- d) S. IH-35 Wastewater project – design complete; easements secured; bidding now; Council bid award in January 2018
- e) S. IH-35 Water project – design/bidding in 2018 (COB)
- f) 3rd Water Tank (COB)
- g) T/B WWTP Expansion (COB/COT) Phase 1 under construction, Phase 2 under design

Annexation Study - Growth Trends

Future Area Projects

11/16/17



Chisholm Trail Elementary

3. Future Public Projects

a) BISD

- BISD acquisition of 108 acres south of Loop 121/Shanklin (67 ac. in City/42 ac. Outside, requested for voluntary annexation).
- Proposed for future elementary, middle, and high school - First projected need based on demographics: Elementary School
- BISD to decide in 3-5 years on available sites in Belton - here, FM 93, FM 436 for Elementary
- Site Comparison: West Temple BISD campus off FM 2305/TX 317 and BISD site at Loop 121/FM 439

- #### b)
- FM 1670/FM 2271 – Lake to Lake Rd. – North/South road in Central Bell County – Connecting IH 14/US 190 to FM 439 - Planning/ROW (TxDOT/COB)

Annexation Study - Growth Trends

Future Area Road Needs

11/16/17

- c) Future Roads on Belton's Thoroughfare Plan adopted 05/07/15
NOTE: ROW/pavement subject to need with future development.

Road	Future Street Type	Ultimate* ROW/Future Pavement
Rockin M Lane	Minor Collector	50'/27'
Mesquite Lane E/W	Minor Collector	60'/37'
Shanklin Road N/S	Major Collector	80'/45'
Shanklin Road E/W	Major Arterial	120'/80'
Three Creeks Blvd.	Major Arterial	120'/80'

Annexation Study - Growth Trends

Private Area Developments

11/16/17

4. Underway Private Development Projects
 - a) Three Creeks Subdivision
 - West of Area 2 and south of Area 3
 - 224 lots permitted
 - 1,500 lot potential
 - Phases submitted for final platting: totals 1,200 lots
 - b) Sendero Estates Residential Subdivision/Gun Range
 - East of Area 4
 - Total 182 lots
 - Final platted and under construction
 - c) Expo Inn & Suites
 - North of Area 2
 - Motel under construction
 - 60 rooms
 - Completion January 2018

Annexation Study - Growth Trends

Fire/EMS Response

11/16/17

5. Possible Changes in Fire, EMS Response
 - a) Annexation will shift Fire Department response from Salado, currently serving Area 2, to Belton.
 - b) EMS service currently provided by Belton by agreement with Bell County, but Bell County has given notice this may change October 1, 2018 to private provider (AMR) in areas outside Belton city limits.
 - c) Any areas annexed would receive Fire and EMS response from the Belton Fire Department.



Annexation Study - Growth Trends

Summary of Key Influences on Area 2 Study

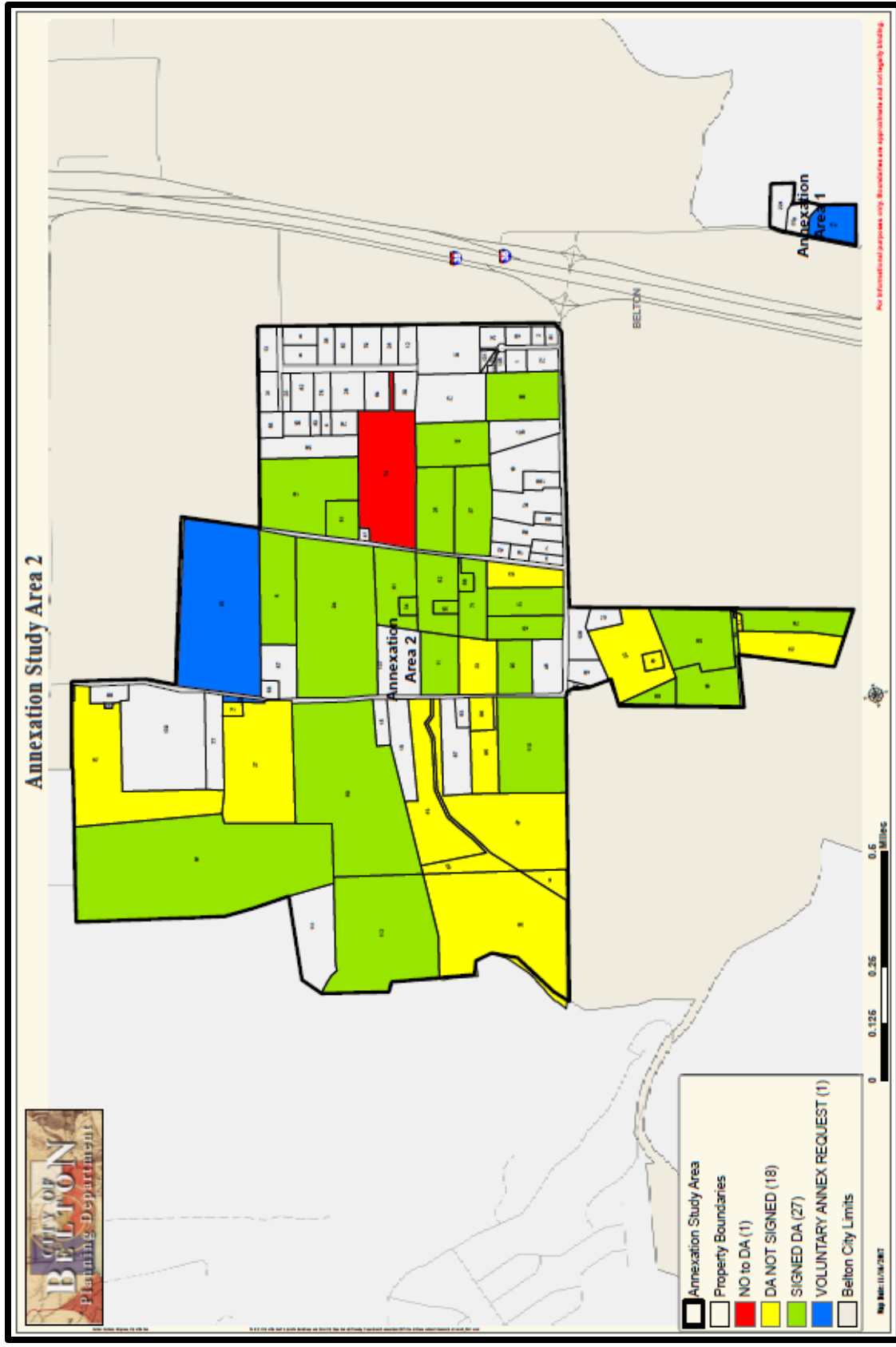
11/16/17

- Completed IH-35 widening and City's planned utility extensions along IH-35
- Near term widening of Loop 121 – within 5 years
- Acquisition of BLS D school site on Shanklin Road and Voluntary Annexation
- Bell County Expo Center expansion – Equestrian Center underway
- Three Creeks Subdivision Development
- Need to protect of major street corridors to carry future traffic
- Non-Annexation Development Agreements with Property Owners
- Municipal Service Plan Obligations and extension of City services

Non-Annexation Development Agreements Summary and Development Agreement Schedule

- Development Agreement 10-Year Term established by Council: 10/24/17
- Agreements mailed out to eligible property owners: 10/25/17
- 54/90 returned signed by requested date: 11/09/17
- Additional Agreements returned, totaling 62/90: 11/16/17
- Council Action scheduled on Development Agreements: 11/21/17
- Council Action on 1st Reading of Annexation Ordinance: 11/21/17
- Council Action on 2nd Reading of Annexation Ordinance: 11/28/17

Non-Annexation Development Agreements Area 2



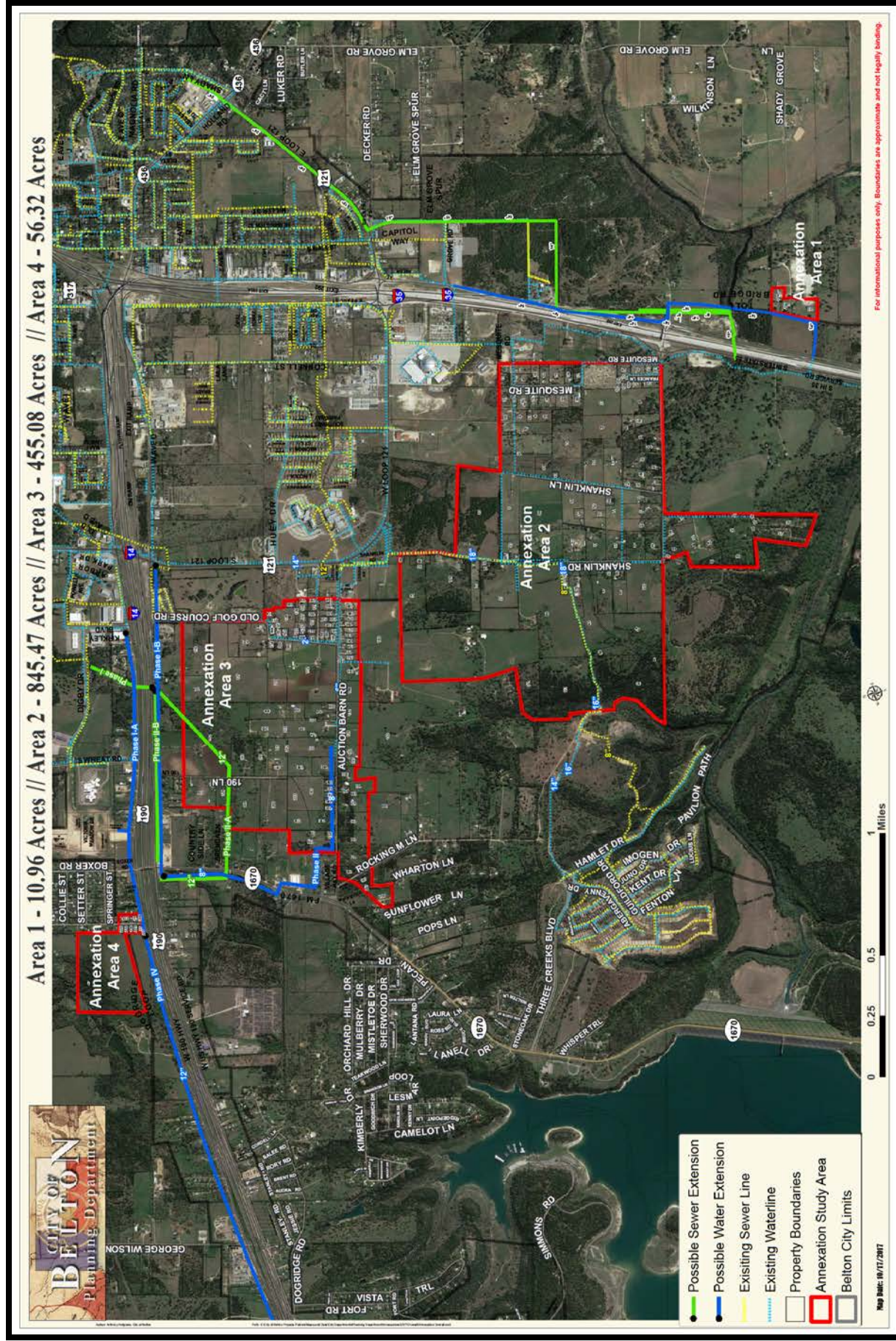
Annexation Public Hearing

Presentation of Services Plan

- Summary Information

- Development of an overall Growth Management Strategy, evaluating annexation priorities, is a goal in Belton's Strategic Plan.
- A Growth Management Framework was adopted by Council on June 28, 2016, and included these strategies to guide the City's annexation studies:
 - Promoting economic development;
 - Planning for existing and future development;
 - Facilitating long range planning;
 - Addressing municipal service delivery needs; and
 - Evaluating fiscal considerations.
- Council conducted a driving tour of possible annexation study areas on September 19th.

Annexation Study Areas 1-4



Annexation Public Hearing

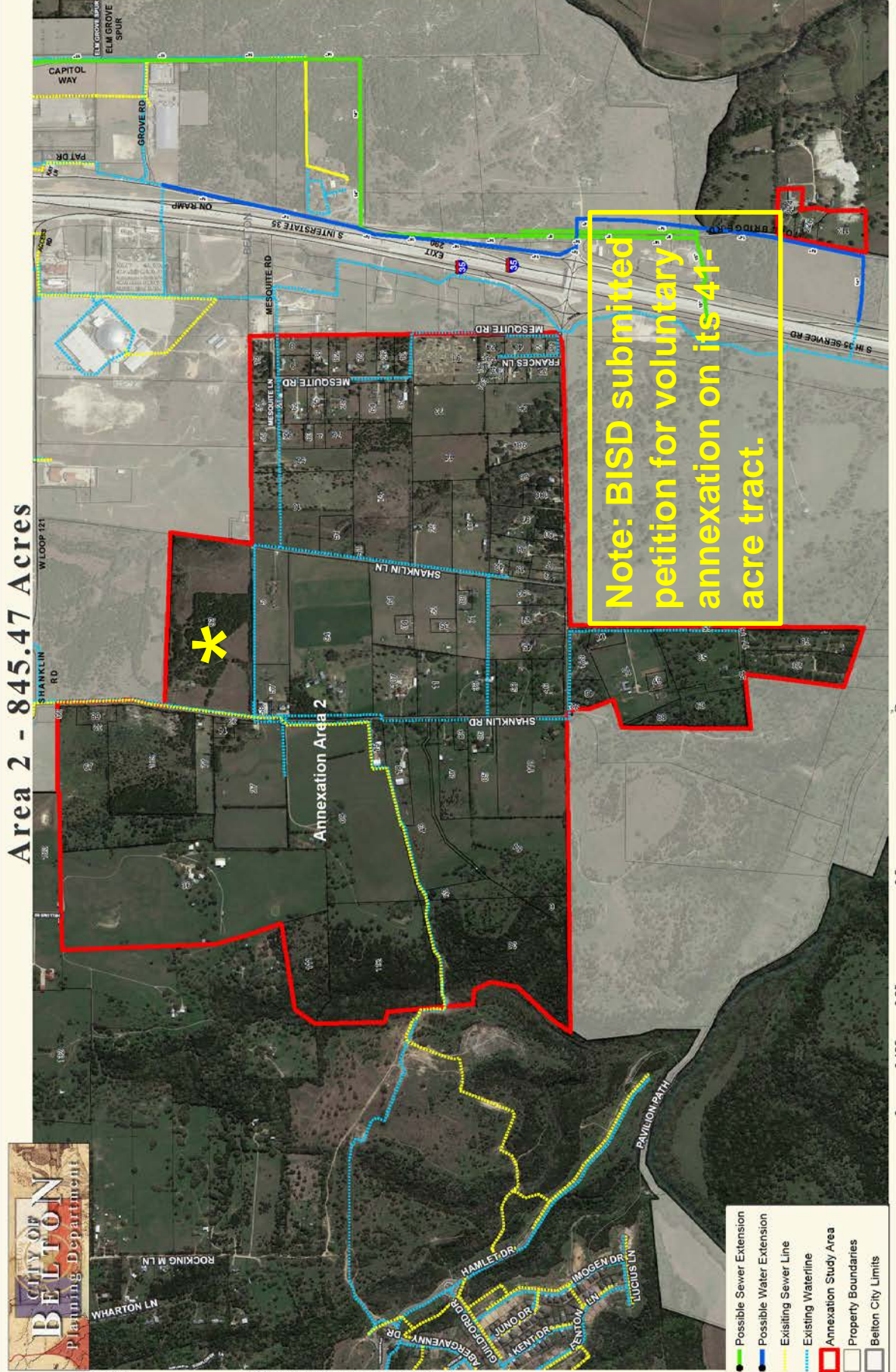
Presentation of Services Plans

- Summary Information (cont.)

- A Growth Management Study was then developed to analyze existing conditions, and planning and development issues, in each of the 4 Study Areas. Information was presented to Council on September 26th.
- This analysis led Council to call for public hearings on October 24th and October 31st to consider annexation of these 4 Study Areas.
- This third public hearing is a result of a protest seeking an on-site hearing by Area 2 property owners.
- Council also directed us to work with property owners eligible for non-annexation Development Agreements, whose land is currently appraised for agriculture, timber, or wildlife management, allowing annexation to be deferred, until development occurs, and many have returned them.
- Annexation Study Area 2 Service Plan follows.

Annexation Study Area 2

Area 2 - 845.47 Acres



Annexation Public Hearing

Presentation of Services Plan for Area 2

- **Summary Information (cont.)**

- In accordance with Texas State Law, the City is required to develop and make available a Municipal Services Plan for services to be extended to areas annexed, equal or superior to services provided prior to annexation:
 - A. Basic Services – Police, Fire, EMS, Street Maintenance, Public Park Maintenance, if any, and extension of currently provided services.
 - B. Full Municipal Services – Extension of all city services, but a uniform level of services is not required based on existing topography, land use, and population density.
 - C. Capital Improvement Plan (CIP) project listing based on known commitments, as well as inclusion in CIP planning for future capital needs.
- Those services will now be reviewed, as required.

Annexation Public Hearing - Presentation of Services Plan

Municipal Services Plan – Area 2

Basic Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

- Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.
- Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.
- Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Annexation Public Hearing - Presentation of Services Plan

Municipal Services Plan – Area 2

- Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.
- Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.
- Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.
- Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Annexation Public Hearing - Presentation of Services Plan

Municipal Services Plan – Area 2

- Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.
- Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.
- Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:
 - Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
 - Routine maintenance as presently performed within City.
 - Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
 - Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
 - Installation and maintenance of street lighting in accordance with established policies of the City.
 - The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
 - Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Annexation Public Hearing - Presentation of Services Plan

Municipal Services Plan – Area 2

- Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service. Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.
- Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Annexation Public Hearing - Presentation of Services Plan

Municipal Services Plan – Area 2

- Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.
- Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.
- Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

Annexation Public Hearing - Presentation of Services Plan

Municipal Services Plan – Area 2

- Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.
- Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.
- Terms. This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Belton.
- Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.
- Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

Annexation Public Hearing - Presentation of Service Plan

Study Area 2

- Water Service

1. City is responsible for water service based on CCN, subject to City of Belton extension policies and City development standards and subdivision regulations.

- Wastewater Service

1. Wastewater services are available for extension in same manner as available in City of Belton subject to City of Belton extension policies.
2. Developer or property owner is responsible for funding extension and connection subject to subdivision regulations and extension policies.

Annexation Public Hearing - Presentation of Service Plan Capital Improvements to be Completed w/i 2½ Years (6/30/20) Study Area 2

- Water/Wastewater Facility

1. A 1MG elevated water storage tank is planned in Northwest Belton. (3rd)
2. Tank will enhance water service/fire protection throughout the City
3. Tank will be available by June 30, 2020.
4. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

Recommendations

- Conduct the third annexation public hearing on Study Area 2.
- Council action on Non-Annexation Development Agreements scheduled on November 21, 2017.
- Institution of Annexation Proceedings scheduled November 21, 2017.
- Completion of Annexation Proceedings scheduled November 28, 2017.

Open Public Hearing