

**Belton City Council Meeting
May 8, 2018 – 5:30 P.M.**

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem Craig Pearson and Councilmembers David K. Leigh, Dan Kirkley, Paul Sanderford, Guy O'Banion and John R. Holmes, Sr. Councilmember-Elect Wayne Carpenter was also in attendance. Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Brandon Bozon, Chris Brown, Matt Bates, Paul Romer, Bob van Til, Bruce Pritchard, Kim Kroll, Judy Garrett, Charlotte Walker, Cynthia Hernandez, Angellia Points, Cheryl Maxwell, Kelly Trietsch, Larry Berg and James Grant.

The Pledge of Allegiance to the U.S. Flag was led by Director of Library Services Kim Kroll, the Pledge of Allegiance to the Texas Flag was led by Councilmember David K. Leigh, and the Invocation was given by Matthew Levant, Missions Pastor at First Baptist Church of Belton.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:36 p.m.
2. **Public Comments.**

Cynthia Black, 2962 Mystic Mountain – Mrs. Black said (1) the low voter turnout may be related to the lack of advertisement; (2) the striping on Sparta Road between Dunn's Canyon and Mystic Mountain is hard to see especially when it is wet; (3) fire hydrants should be marked with a blue reflector in the road, but she was told that it depends on which contractor is placing the striping/reflectors; (4) property taxes in Belton are high when compared to what she paid for a more expensive house in Austin; (5) she asked if the parkland that is proposed for purchase is under consideration as a golf course. Mayor Grayson explained that the election was advertised on the City's website and also on the City's Facebook page in addition to the election advertisement as required by law.

Woody Durbin, 308 E. 20th Avenue – Mr. Durbin spoke in favor of purchasing the parkland.

3. **Present \$2,000 Scholarship from Waste Management, Inc. to a Belton ISD graduating senior.**

Emily Gaw was unable to be present, so this item was tabled to the May 22, 2018, meeting.

4. **Consider the minutes of the April 24, 2018, City Council Meeting.**

Upon a motion by Councilmember John R. Holmes, Sr., and a second by Councilmember Paul Sanderford, the minutes were unanimously approved by a vote of 7-0.

5. Consider an ordinance adopting the updated Design Manual.

Director of Public Works Angellia Points explained that there were no recommended changes to the proposed Design Manual during the public hearing held at the May 8, 2018, City Council meeting. She added that this project has been ongoing since 2014.

Mrs. Points said the warranty period will remain at one year, and that a maintenance bond will be required which will be enforced as well. She also reviewed the proposed changes to transportation, drainage and water/wastewater project design requirements.

Mrs. Points said that the proposed Design Manual was presented to P&Z on April 17, 2018, and a public hearing was conducted. Three members of the stakeholder community spoke in favor of the adoption of the revised manual. Additionally, the P&Z Commission provided a unanimous favorable recommendation for Council consideration. Mrs. Points added that the City Council conducted a public hearing on April 24, 2018, and the only speaker was in favor of its adoption.

Councilmember David K. Leigh thanked the Staff and the stakeholders for their part in the process. Mayor Grayson also thanked everyone who participated.

Upon a motion by Councilmember David K. Leigh, and a second by Mayor Pro Tem Craig Pearson, Item #5, including the following captioned ordinance, was unanimously approved by a vote of 7-0.

ORDINANCE NO. 2018-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, ADOPTING THE REVISED DESIGN MANUAL; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

6. Conduct a public hearing and consider adoption of an ordinance amending Article II, Chapter 23, Section 23-36 of the Code of Ordinances regarding minimum water main standards.

Director of Public Works Angellia Points said now that the Design Manual has been adopted, there are conflicting requirements in Chapter 23, Article II, Section 23-36 of the Code of Ordinances regarding minimum water main sizing and hydrant spacing that need to be addressed. Section 23-36 is proposed to be deleted and replaced with the following in order to be consistent and clear on the requirements for water line sizing and fire hydrant requirements.

- (a) The minimum water main size for all uses shall be per the latest adopted fire code and latest adopted design manual.

- (b) Fire hydrant spacing shall adhere to the latest adopted fire code and latest adopted design manual, whichever is more stringent.

Mayor Grayson opened the public hearing on this item. TABA's Governmental Affairs Director, Marty Janczak, spoke in favor of the amendment. Seeing no one else wishing to speak, she closed the public hearing.

There was no action required of the Council at this time.

7. Consider the following items concerning the acquisition of municipal parkland:

- A. Authorize the City Manager to take all steps necessary for the purchase of 84.25 acres of parkland, adjacent and north of existing Heritage Park.**
- B. Adopt a resolution expressing official intent to reimburse certain expenditures.**
- C. Consider adoption of resolution directing the publication of notice of Intention to Issue Combination Tax and Limited Revenue Certificates of Obligation, Series 2018 and other matters related thereto.**

Mayor Grayson introduced members of the Parks Board who were present to witness the Council's approval of the parkland purchase to expand Heritage Park.

City Manager Sam Listi discussed the purchase of municipal parkland to expand Heritage Park as shown in Exhibit "A."

Mayor Grayson stated that she was very excited about this purchase, knowing that it will benefit citizens for years to come.

Councilmember Holmes said he was initially a little hesitant about this project due to cost. He said that in 1985 the Council purchased 62 acres for \$1.14M, which equated to a little over \$18,000/acre. Today's purchase is a little over 84 acres at \$25,000/acre. He said, "As a numbers guy, what type of inflated cost are we looking at? It's an increase of 36% over 33 years, which represents an annual growth rate of approximately 1.0% with CPI being approximately 2.5% over that same period. Even though \$25,000 per acre is a big number, and a little bit of sticker shock, I really feel that for the benefit of the City long term, the use of the park, river access, water access, and all the benefits of that long term, I'm really excited about endorsing this project."

Councilmember Leigh added that about the same time as the original parkland purchase, the average 1500 sf home was about \$35,000, and today's average home is closer to \$200,000, the price per acre is reasonable. He said the Council was reluctant to spend \$2.3M in unbudgeted funds, but the City could not anticipate that this opportunity would arise. He said he would love to get the entire piece of property,

but from a pragmatic standpoint, he thinks this is the best option since it doesn't appear that there will need to be a tax increase to make the proposed purchase. He said if there is significant support to pass a General Obligation bond to purchase the remaining 55 acres, he is sure the Council would entertain that proposal. He said he is excited to connect some of the roads in the area. He asked Mr. Listi about water rights, adding that the water is managed by the Brazos River Authority. He wondered if the City could mix these water rights with the current rights. Mr. Listi said that the City will need to contact TCEQ to get the water rights in the name of the City, and get answers to Mr. Leigh's questions. He added that he believes the water would best be used for irrigation to help reduce the City's irrigation costs.

Councilmember Sanderford said the purchase of the parkland is one the last significant votes he will cast since he is leaving the Council. He added that he was monitoring the FaceBook comments over the last couple of days since the parkland purchase was posted. Most comments seem to be positive, but there were a few who experienced sticker shock. He reiterated that the City cannot budget for these unknown opportunities, but he is thankful that the City has managed finances to allow the City to take advantage of opportunities like this one.

Councilmember O'Banion said that through the fiscal responsibility of the City, and the Council being conservative in budgeting, "we do have a healthy fund balance" that allows us to be able to make purchases like this without raising taxes.

Mayor Pro Tem Pearson agreed. He said, "I think we are taking the right, measured approach in purchasing the 84.25 acres, and not at this point trying to take on the whole thing." This purchase will allow the City to be able to develop the park expansion in a reasonable time period. He added, "It would be great to have the other 55 acres, but it is responsible to take this bite which does great things to more than double our park, and then see where we go from there... and what our citizens think about the other 55."

Councilmember Kirkley said he is in full agreement with all that has been stated. The value of the property is an incredible investment for the community.

City Attorney John Messer pointed out that the map that is attached in the packet does not show the named streets that are important to include as part of the contract. He also said the City is required to build the street connecting 24th/Hilltop to the seller's property that adjoins to the north within three years.

Upon a motion by Councilmember Sanderford, and a second by Councilmember Kirkley, Item #7A was unanimously approved by a vote of 7-0.

Upon a motion by Councilmember Kirkley, and a second by Councilmember O'Banion, Item #7B, including the following captioned resolution, was unanimously approved by a vote of 7-0.

RESOLUTION NO. 2018-12-R

RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES

Upon a motion by Mayor Pro Tem Pearson, and a second by Councilmember Kirkley, Item #7C, including the following captioned resolution, was unanimously approved by a vote of 7-0.

RESOLUTION NO. 2018-13-R

RESOLUTION DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2018 AND OTHER MATTERS RELATED THERETO

Miscellaneous

8. Consider a resolution approving the Advanced Funding Agreement with the Texas Department of Transportation for the Central Avenue Bridge Replacement or Rehabilitation at Nolan Creek in Yettie Polk Park.

City Manager Sam Listi explained that at the April 24th, 2018, City Council meeting, Staff presented the history of the Central Avenue bridge, located in Belton's Yettie Polk Park, and its eligibility for replacement or rehabilitation under TxDOT's Off System Bridge Inventory Inspection and Appraisal Program (see Exhibit "B"). He said the City has identified this as a project priority in the FY2019 Strategic Plan.

TxDOT has scheduled replacement/rehab in 2021, subject to approval of a Council resolution approving an Advanced Funding Agreement (AFA) at this time. Mr. Listi added that the cost estimate is \$1,292,000 to replace the bridge. The AFA requires a 10% match, and the Mesquite Road Drainage Project has been approved by TxDOT as the City's match.

Mr. Listi said that Council approval of the AFA initiates the TxDOT evaluation process, including impacts to existing City improvements, and alternative options for the bridge including (1) not building it; (2) rehabbing it for traffic; (3) rehabbing it for traffic and construct a one-way bypass; (4) rehabbing it for pedestrian only and building a two-way bypass; (5) leaving it as a monument and building a two-way bypass; and (6) removing the existing bridge and building a replacement.

Listi added that the Mesquite Road Drainage project, which is currently under design, has been approved as the City's local match.

Mayor Grayson said that, depending on the evaluation by TxDOT, the Council gets the final say. Mr. Listi said that is correct.

Upon a motion by Councilmember Holmes, and a second by Councilmember Leigh, Item #8, including the following captioned resolution, was unanimously approved by a vote of 6-0. *(Councilmember O'Banion briefly left the room from 6:25-6:30 p.m.)*

RESOLUTION 2018-11-R

**EXHIBIT A
RESOLUTION OR ORDINANCE OF LOCAL GOVERNMENT**

9. Consider the following:

- A. Authorizing the Belton Economic Development Corporation to execute a contract with Connie M. Lawson and Randy Lawson for the purchase of Lot 28, Block 1, Rustic Oaks Subdivision in the City of Belton.**
- B. Authorizing an amendment to the FY2018 Budget in the amount of \$43,000 for the purchase of Lot 28, Block 1 of the Rustic Oaks Subdivision.**

BEDC Executive Director Cynthia Hernandez said that a parcel adjacent to Phase II of the Belton Business Park, on Wheat Road, has become available for sale. She said that although BEDC is not actively pursuing land at this time, this particular tract is desirable to provide options for the adjacent tract in Phase II of the Business Park. Ownership of the .625 acre lot would allow for a reconfiguration of Lot 1, Block 4, Belton Business Park Phase II, yielding two marketable tracts each 2.5+/- acres. Depending on the development, this could also be reconfigured to simply offer two access points for the lot.

Mrs. Hernandez explained that BEDC has made an offer at \$1.50 per square foot. The terms of the contract provide for a 60-day feasibility period upon City Council approval of the contract. The buyer will order the survey and will be reimbursed up to \$893 by the seller upon closing. Additionally, the seller will pay the Broker's commission on the sale.

She added that the BEDC Board of Directors approved the final contract on Tuesday, May 1, 2018. Additionally, the Board approved a budget amendment from BEDC fund balance to the land account for \$43,000. In the FY 2018 budget preparation, the purchase of land was not anticipated, therefore there were no funds allocated for the transaction.

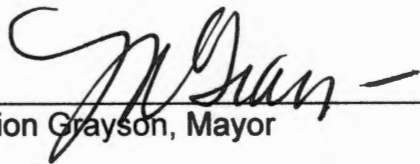
Mrs. Hernandez said that BEDC Staff recommends the City Council ratify the contract as approved by the Board of Directors. Furthermore, BEDC Staff requests approval of the corresponding budget amendment of \$43,000 allocating funds for the purchase.

Upon a motion by Councilmember Leigh, and a second by Councilmember O'Banion, Item #9A was unanimously approved by a vote of 7-0.

Upon a motion by Councilmember Kirkley, and a second by Councilmember Leigh, Item #9B was unanimously approved by a vote of 7-0.

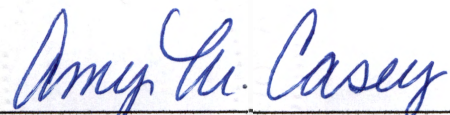
Mayor Grayson recognized Assistant City Manager/Chief of Police Gene Ellis for being awarded the 100 Club of Central Texas' Chair Award. She also recognized Councilmember Paul Sanderford who will be leaving the Council at the next meeting, and she recognized Councilmember-Elect Wayne Carpenter who will be replacing Mr. Sanderford.

There being no further business, the Mayor adjourned the meeting at 6:34 p.m.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk

ITEMS 7A, 7B, & 7C

MUNICIPAL PARKLAND ACQUISITION

CITY COUNCIL MEETING

MAY 8, 2018



AGENDA ITEMS 7A, 7B, & 7C

- 7A) Authorize the City Manager to take all steps necessary for the purchase of 84.25 acres of parkland, adjacent and north of existing Heritage Park.
- 7B) Adopt a resolution expressing official intent to reimburse certain expenditures.
- 7C) Consider adoption of resolution directing the publication of notice of Intention to Issue Combination Tax and Limited Revenue Certificates of Obligation, Series 2018, and other matters related thereto.



ITEM 7A: PARKLAND ACQUISITION

OVERVIEW OF PLANNING PROCESS

- Belton's outstanding quality of life is reflected in its parks and recreation system and plans for the future.
- Our 2016-2026 Parks Master Plan outlines priorities to maintain and enhance the parks system.
- Land acquisition was identified as a critical need, since we are outgrowing current facilities.
- 2018 City Strategic Plan reiterated implementation of Park Plan Goals, including future land.
- We considered a free standing park site, as well as addition to an existing park.
- This agenda item will present the opportunity to add 84.25 acres to Belton's park system at Heritage Park.



ITEM 7A: PARKLAND ACQUISITION AT HERITAGE PARK



SURROUNDING CONDITIONS



Mystic River Subdivision

Possible Future Expansion
55 acres – Right of First Refusal: 3 years

Proposed Heritage Park Addition
84.25 acres

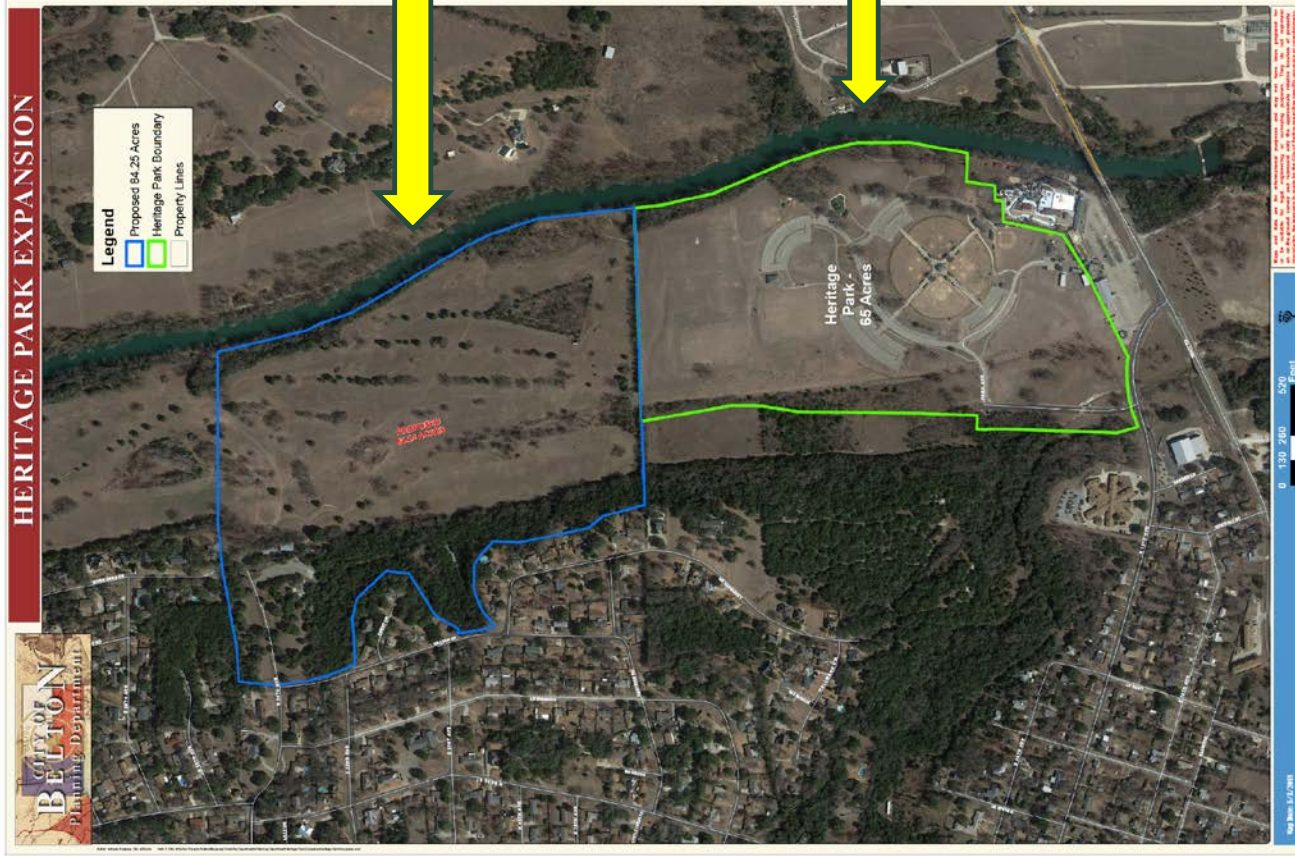
Existing Heritage Park
65 acres

Former
Leon Valley
Golf Course

ITEM 7A: PARKLAND ACQUISITION AT HERITAGE PARK



SURROUNDING CONDITIONS



Proposed Heritage Park Addition
84.25 acres

Existing Heritage Park
65 acres

Proposed
Heritage Park
≈ 150 acres

ITEM 7A: PARKLAND ACQUISITION

Terms and Conditions

- Closing by June 1, 2018
- Purchase price \$25,000/acre - Broker's Opinion of Value dated 02/16/18 - Total price: \$2,106,250
- City has Right of First Refusal to purchase remaining 55± acres for 3 years.
- Seller will convey a street access easement between the 55± acres and Guthrie/Estate.
- City will provide street access to the south boundary of the 55± acres within 3 years if not purchased.
- If the 55± acres are not purchased by the City, and development there does not exceed ten lots, the north/south collector street extension from 22nd to Guthrie shown on City's Thoroughfare Plan will not be required.
- City will receive 60% of Leon River water rights, based on purchase of 60% of the former Golf Course tract.



ITEM 7A: PARKLAND ACQUISITION

Future Master Planning Process

- The Parks Master Plan identifies many current and future needs that may be satisfied with this land acquisition.
- Current Heritage Park containing 65 acres will more than double in size to a total 150 acres.
- The Parks Board will be tasked with working with the Belton Community and Parks & Recreation Staff to develop recommendations to City Council on an expanded Heritage Park.
- We hope to begin this process to plan the future Heritage Park this Fall.



ITEM 7A: PARKLAND ACQUISITION

Waiver of Retroactivity

- City has worked with Texas Parks and Wildlife (TxP&W) to preserve a portion of the purchase price as a credit for our 50% grant match to help us develop the park.
- TxP&W has approved Waiver of Retroactivity for this land purchase, allowing \$500,000 of the purchase price to count as our match towards a \$500,000 grant for a total \$1,000,000 park project.
- TxP&W credit is good at least until August 2019, allowing us to plan proposed park improvements and submit a Parks grant application at that time. Grant not guaranteed, but hopeful.
- Extension in time is possible if needed by City.



ITEM 7A: PARKLAND ACQUISITION

Fiscal Impact

- \$25,000 cost per acre for 84.25 acres = \$2,106,250 purchase price
- Total with fees estimated at \$2,125,000
- Funding source is General Fund fund balance, to be reimbursed by proposed CO issue in total amount not to exceed \$2,300,000 (bond issuance, bond rating, etc.).
- Budget Amendment to be brought to Council for action once bond purchase concluded in July 2018.



ITEM 7A: PARKLAND ACQUISITION



Recommendation

Recommend approval of this land acquisition purchase, authorizing the City Manager to take all steps necessary to purchase 84.25 acres of parkland.



ITEM 7B: PARKLAND ACQUISITION

Reimbursement Resolution

- Purpose: To allow for the closing of the land sale and payment of funds ahead of the delivery of bond proceeds
- Steps:
 - Authorize the purchase of the land
 - Adopt Reimbursement Resolution with a maximum principal amount of \$2,300,000
 - Fund purchase through the use of the fund balance of the General Fund
 - Issue Certificates of Obligation to reimburse the fund balance of the General Fund

Recommendation: Adopt resolution expressing official intent to reimburse certain expenditures



ITEM 7C: PARKLAND ACQUISITION

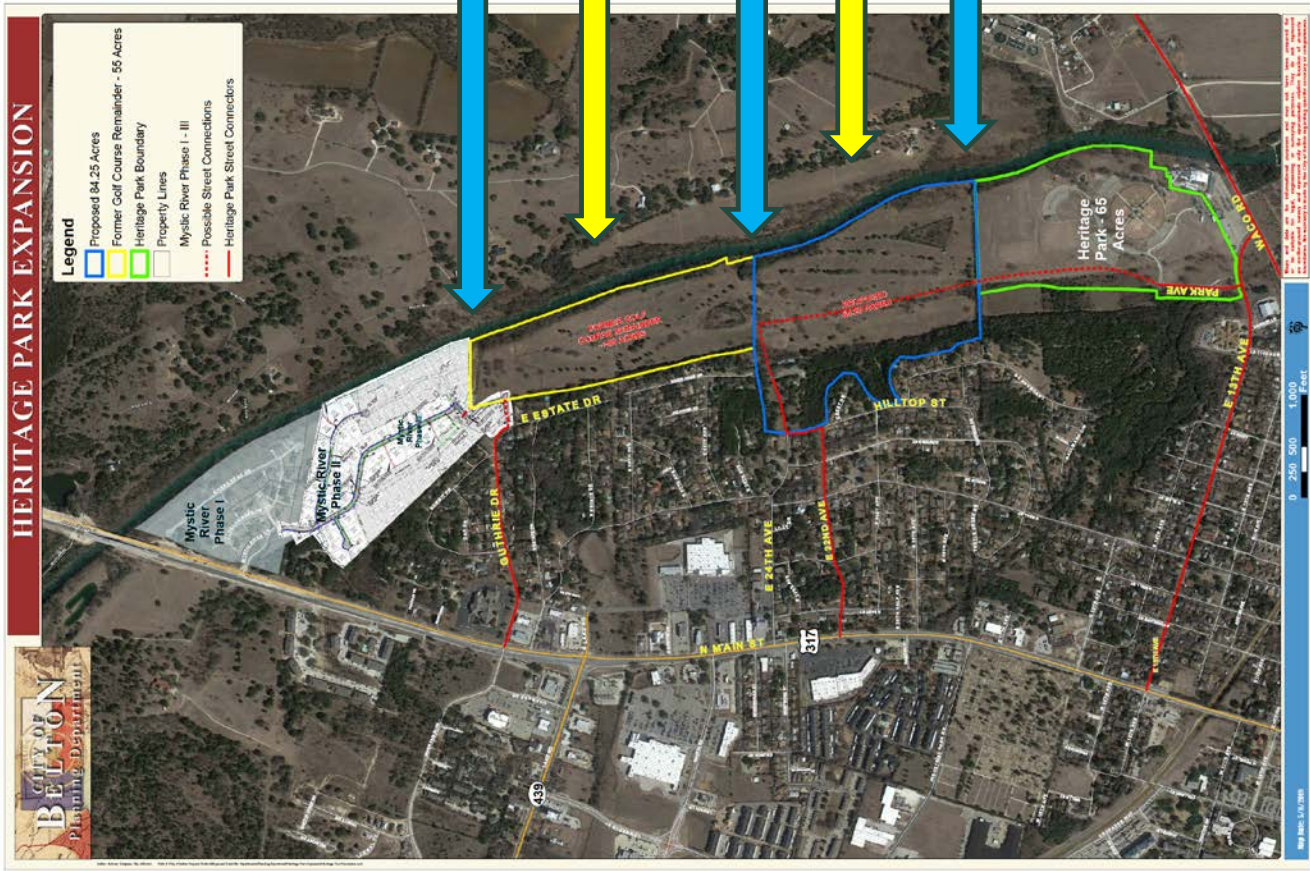
Resolution Directing Publication of Notice of Intention to Issue Certificates of Obligation

- Purpose: Begins the debt issue process by publishing the City's intention to issue Certificates of Obligation (COs) to fund the purchase of the Heritage Park expansion and sets the maximum principal of the issue at \$2,300,000
- Issuance Timeline:
 - 5/8/18: Resolution directing publication of notice
 - 5/13/18 – 5/27/18: Publication of notice in local paper(s)
 - 6/12/18: Public hearing for CO issue
 - 6/26/18: COs awarded by the City Council to the winning underwriter(s)
 - 7/19/18: COs delivered and proceeds received
- Use of Fund Balance of General Fund/Debt Service Fund will support repayment, and an increase in overall property tax rate not required



Recommendation: Adopt resolution directing the publication of notice of Intention to Issue Combination Tax and Limited Revenue Certificates of Obligation, Series 2018, and other matters related thereto

ITEM 7: PARKLAND ACQUISITION AT HERITAGE PARK



Connection to Guthrie/Estate

Possible Future Park Expansion - 55 acres

Connection to 22nd/24th

Proposed Park Addition - 84.25 acres

Connection to Park Lane

**CENTRAL AVENUE BRIDGE
AT NOLAN CREEK
YETTIE POLK PARK
CITY COUNCIL MEETING**

MAY 8, 2018

Central Avenue Bridge

- Bridge included in TxDOT's off system bridge assessment program
- Bridge repair/replacement identified in FY 2019 Strategic Plan
- City took corrective action in 2017 to add fencing along both sides of bridge for safety, since railings exceeded maximum 4" spacing for openings
- Bridge eligible for repair/replacement in FY 2021, with City action in 2018 approving Advance Funding Agreement
- TxDOT requires 10% match, and Mesquite/IH 35 Drainage Project has been approved as the City's local match
- Cost Estimate to replace bridge: \$1,292,000
- Replacement involves widening and addition of sidewalks

Central Avenue Bridge Assessment

- Bridge is listed on National Register of Historic Places and will require an environmental assessment to determine if it can be repaired, or if replacement is only realistic option. Project development 18-24 months.
- Approval by City of AFA initiates the TxDOT evaluation process
- Current pavement width is 14' 11" with one 5' sidewalk
- Cost Estimate is for a 37' width pavement – two 12' lanes, with 5' sidewalks on each side

Central Avenue Bridge Assessment

- Right-of-way (ROW) needed to replace bridge, and impacts to existing improvements, will be evaluated in process
 - *Impact to Pearl and Davis Street*
 - *Impact to FEMA floodplain*
 - *Active City water line along bridge and overhead electric will need to be relocated*
 - *Impact to existing trees will be assessed*

Central Avenue Bridge Environmental Assessment

Assessment will consider alternative options:

- *No build*
- *Rehab for traffic*
- *Rehab for traffic and construct one-way bypass*
- *Rehab for pedestrian only and build two-way bypass*
- *Leave as Monument and build two-way bypass*
- *Remove existing bridge and build replacement*

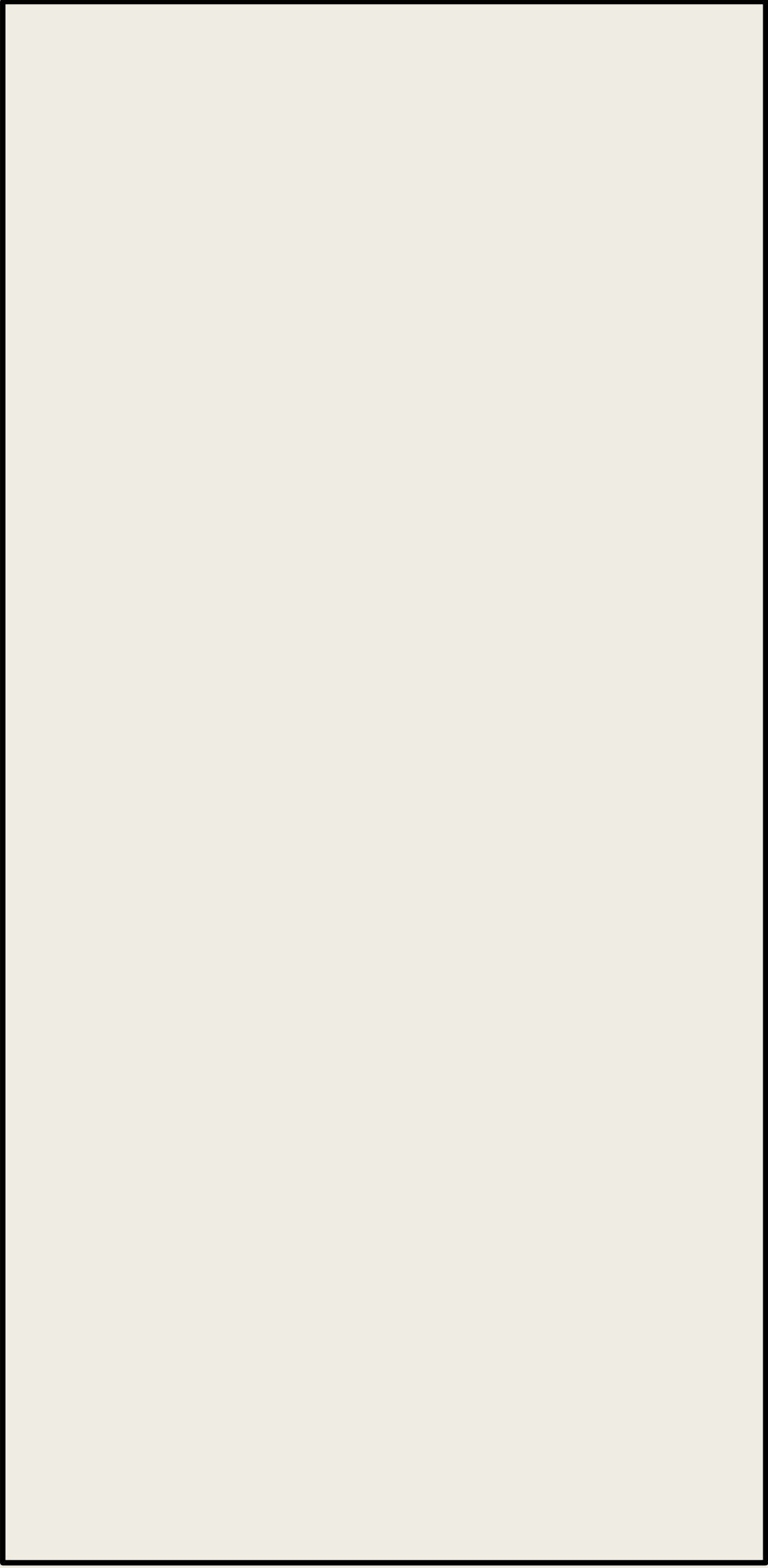
Central Avenue Bridge Being Built In 1918



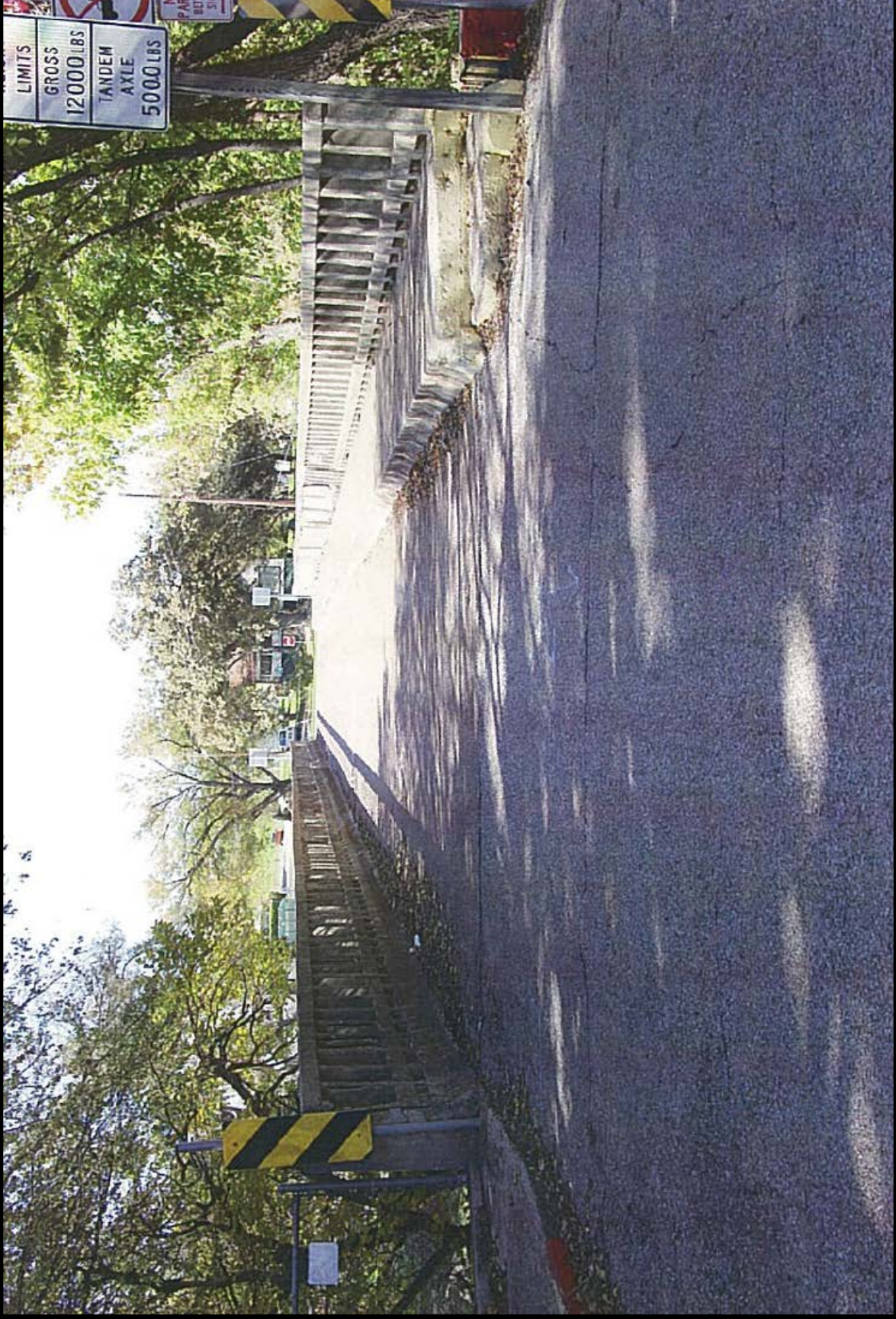
CENTRAL AVENUE BRIDGE 1918

New Fencing on Central Avenue Bridge

Looking West



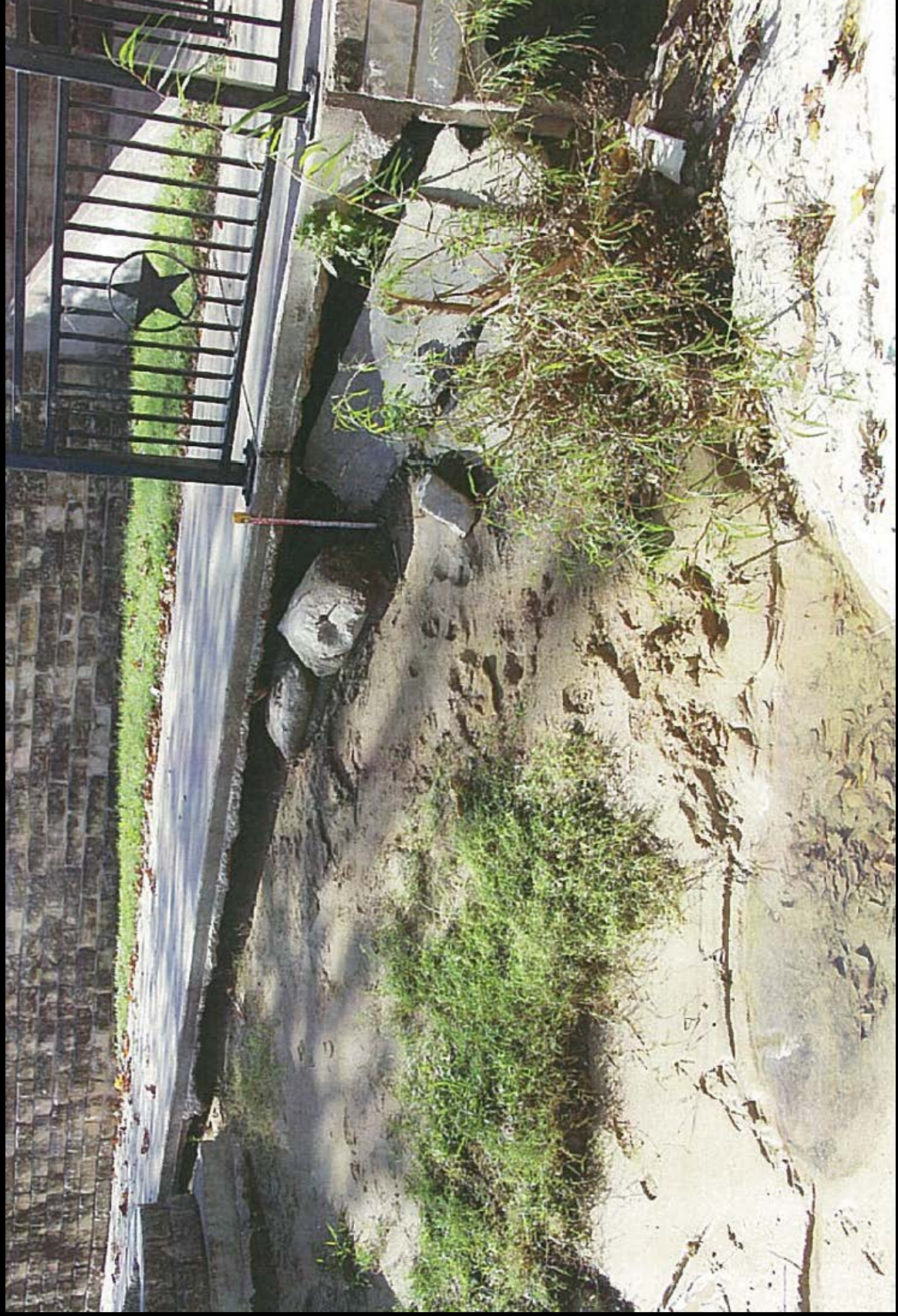
Roadway View of W. Central Avenue Looking West Prior to Fencing



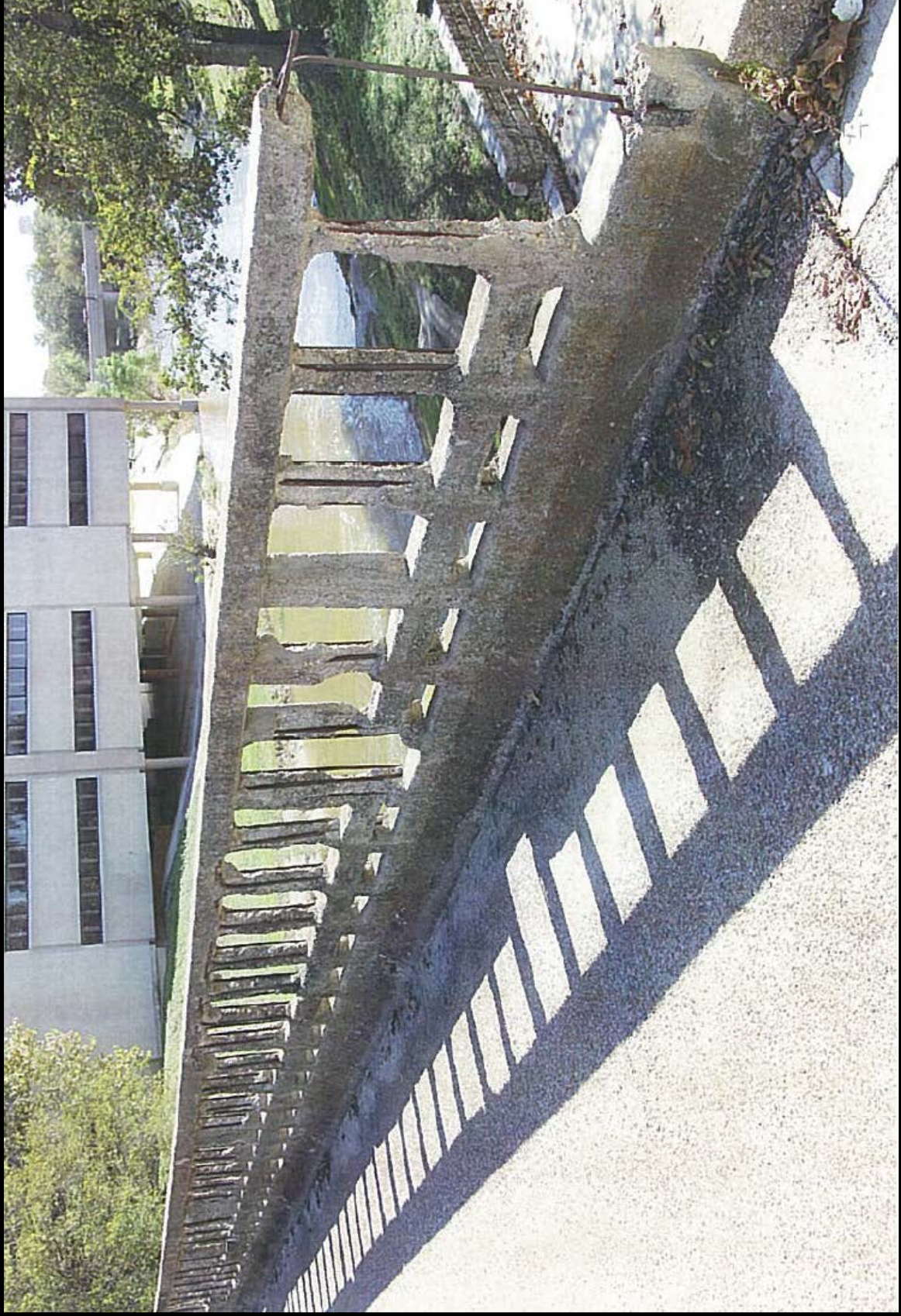
Side View
Nolan Creek
Looking Southeast



Undermining of Sidewalk Under West Span Looking Southwest



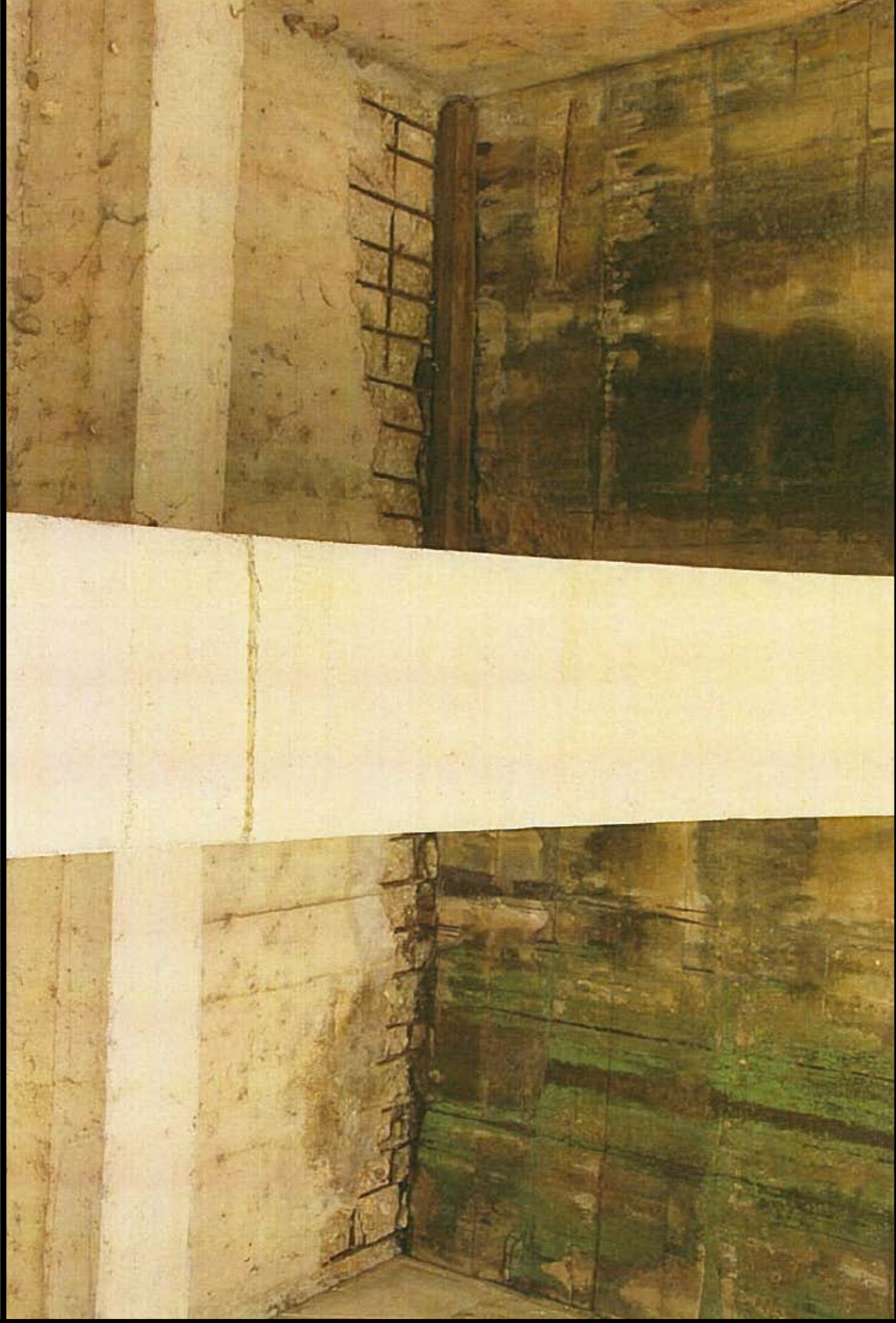
Spalling at South Rail Looking Southeast



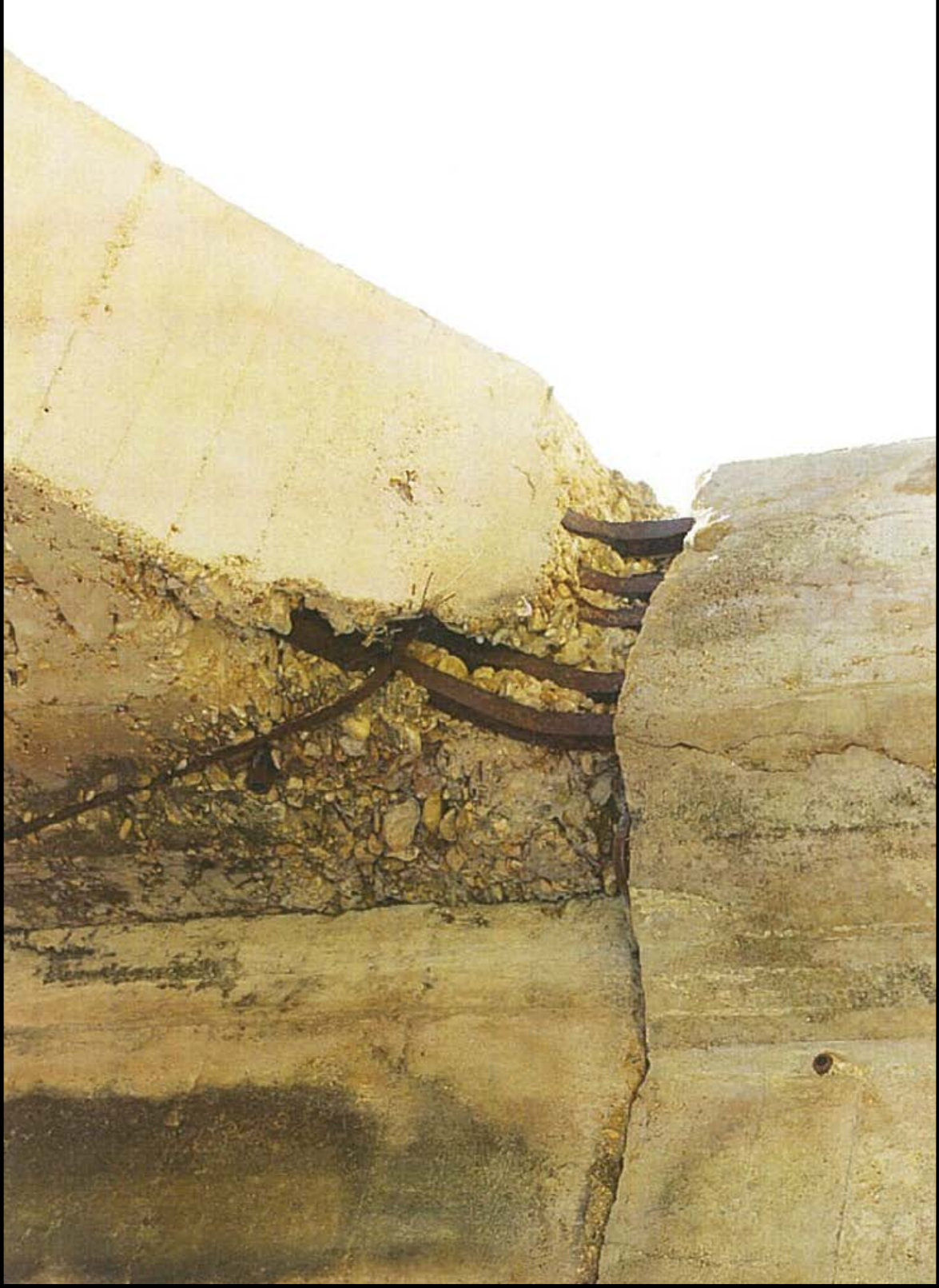
Deck Sag at West Span Looking Northeast



Spalling at Deck Soffit at East Span Looking West



**Spalling at South Beam
at W. Interior Bent
Looking Southeast**



Central Avenue Bridge

Fiscal Impact:

Mesquite/IH-35 Drainage Project approved by TxDOT as Belton's local match.

Recommendation:

Approve Resolution authorizing City Manager to sign AFA to initiate TxDOT evaluation process.