

**Belton City Council Meeting
March 24, 2020 – 5:30 P.M.**

The Belton City Council met in a virtual session via Zoom meeting due to the COVID-19 Public Health Emergency that has been declared by Governor Greg Abbott, Bell County Judge David Blackburn and Belton Mayor Marion Grayson. Members present: Mayor Marion Grayson, Mayor Pro Tem Wayne Carpenter and Councilmembers David K. Leigh, John R. Holmes, Sr., Craig Pearson, Guy O'Banion and Dan Kirkley. Staff present included Sam Listi, Amy Casey, Gene Ellis, Mike Rodgers, Cheryl Maxwell, Wes Gilbreath, Paul Romer, Matt Bates, Chris Brown, Cynthia Hernandez and Angellia Points.

The Pledge of Allegiance to the U.S. Flag and the Pledge of Allegiance to the Texas Flag were postponed. The Invocation was given by Councilmember Craig Pearson.

1. **Call to order.** Mayor Grayson called the meeting to order at 5:39 p.m.
2. **Public Comments.** *(Audio 3:23)*

Councilmember Leigh read a letter written by John Luther to a friend in 1527 when their town was facing the deadly Black Plague.

EMERGENCY MANAGEMENT

3. **Consider a Local Disaster Declaration for Public Health Emergency in Belton, Texas.** *(Audio 5:07)*

Upon a motion by Councilmember Kirkley, and a second by Councilmember Pearson, the Local Disaster Declaration for Public Health Emergency was approved upon a vote of 7-0.

4. **Consider a resolution postponing the City's May 2, 2020, General Election to November 3, 2020, as allowed pursuant to a proclamation issued by Governor Greg Abbott on March 18, 2020.** *(Audio 7:26)*

Upon a motion for approval of the following captioned resolution by Councilmember Leigh, and a second by Councilmember Pearson, the General Election was postponed to November 3, 2020, upon a vote of 7-0.

RESOLUTION NO. 2020-15-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCILMEMBERS, TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; DESIGNATING POLLING PLACES; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACT FOR THE NOVEMBER 3, 2020 ELECTION; PROVIDING

A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

5. **Consider suspending, through September 30, 2020, the 4% fee and the \$1.25 convenience fee for credit card charges and internet payments included on the City of Belton Fee and Rate Schedule. (Audio 13:35)**

Upon a motion by Mayor Pro Tem Carpenter, and a second by Councilmember O'Banion, the suspension of certain fees was approved upon a vote of 7-0.

Consent Agenda (Audio 16:12)

Items 6-13 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

6. **Consider minutes of March 10, 2020, City Council Meeting.**
7. **Consider appointments to the following Boards/Commissions:**
 - A. **Housing Board of Adjustments and Appeals** – Johner Martin
 - B. **Belton Economic Development Corporation Board of Directors** – Matt Wood
 - C. **Historic Preservation Commission** – T.C. Lipe
 - D. **Texas Dormitory Finance Authority Board of Directors** – Bill Holmes, Blair Williams, Bry Ewan, Chuck Douglas, Danny Dossman and Dr. Andy Crowson
 - E. **Bell County Public Health District Board of Directors (Alternate)** – Ayse Clark
8. **Consider authorizing the City Manager to approve a one-year extension to the Lease Agreement on Miller Springs Nature Center property between the City of Belton, City of Temple, and U.S. Army Corps of Engineers.**
9. **Consider an ordinance prescribing the classifications for firefighter positions and the number of positions in each classification in order to reclassify one Lieutenant as a Captain.**
10. **Consider authorizing a 24-month extension to the Development Agreement between the Belton Economic Development Corporation and Belltec Industries, Inc.**
11. **Consider amending the Tax Abatement Agreement between the City of Belton, Bell County, and Belltec Industries, Inc.**
12. **Receive a report on the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019.**

13. Consider a resolution suspending for 45 days the effective date proposed by Atmos Energy, Corporation – MidTex Division (“Atmos Energy”) in its application filed on or about February 28, 2020, pursuant to section 104.301 of the Gas Utility Regulatory Act, sometimes also referred to as the “GRIP” statute.

Upon a motion by Councilmember Pearson, and a second by Councilmember Leigh, the Consent Agenda, including the following captioned ordinance and resolution, was approved upon a vote of 7-0.

ORDINANCE NO. 2020-17

AN ORDINANCE PRESCRIBING THE CLASSIFICATIONS FOR POLICE OFFICER AND FIREFIGHTER POSITIONS AND THE MAXIMUM NUMBER OF POSITIONS IN EACH CLASSIFICATION

RESOLUTION NO. 2020-14-R

A RESOLUTION BY THE CITY OF BELTON, TEXAS, (“CITY”) RESPONDING TO THE APPLICATION OF ATMOS ENERGY CORPORATION – MIDTEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE “ATMOS TEXAS MUNICIPALITIES;” DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Planning and Zoning

14. Hold a public hearing and consider a zoning change from Commercial Highway District with a Specific Use Permit for the Sale of Landscaping Products with Outside Storage, to Commercial-Two Zoning District on a 0.6 acre tract located at 2002 S. IH 35 Service Road (Caliber Collision Auto Body Shop office), on the east side of IH 35, approximately 0.52 mile north of Loop 121. (Audio 19:20)

Public Hearing: no one spoke for or against.

Upon a motion by Councilmember Holmes, and a second by Councilmember Pearson, 2002 S. IH 35 Service Road was rezoned to Commercial-Two Zoning District upon a vote of 7-0.

ORDINANCE NO. 2020-14

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM COMMERCIAL HIGHWAY DISTRICT WITH A SPECIFIC USE PERMIT FOR THE SALE OF LANDSCAPING PRODUCTS WITH OUTSIDE STORAGE TO COMMERCIAL TWO DISTRICT ON A 0.606 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

15. **Hold a public hearing and consider a zoning change from Agricultural District to Commercial-Two Zoning District on Lot 1, Kelpe Subdivision, located at 6990 W. Hwy 190 Service Road (Redbox+), approximately 1 mile west of George Wilson Road, on the north side of US 190/I-14, west of CF Supply Building Materials.** *(Audio 22:53)*

Public Hearing: no one spoke for or against.

Upon a motion by Councilmember Pearson, and a second by Councilmember Leigh, 6990 W. Hwy 190 Service Road was rezoned to Commercial-Two Zoning District upon a vote of 7-0.

ORDINANCE NO. 2020-15

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL DISTRICT TO COMMERCIAL TWO DISTRICT ON APPROXIMATELY 3.7 ACRES, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 4 DESIGN STANDARDS.

16. **Hold a public hearing and consider a zoning change from Agricultural District to Planned Development (Light Industrial) Zoning District on approximately 3.02 acres located at 8398 S. IH 35 Service Road, approximately 0.35 mile south of Dillard Road, north of Wolff Construction Co.** *(Audio 26:16)*

Public Hearing: no one spoke for or against.

Upon a motion by Councilmember Leigh, and a second by Councilmember Holmes, 8398 S. IH 35 Service Road was rezoned to Planned Development (Light Industrial) Zoning District upon a vote of 7-0.

ORDINANCE NO. 2020-16

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT (LIGHT INDUSTRIAL) DISTRICT ON APPROXIMATELY 3.02 ACRES, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

17. Consider a preliminary plat of Chick Addition, Phase VIII, comprising 13.79 acres, located along an extension of Saint John Street, on the west side of Lark Trail, south of W. Amity Road, in Belton's ETJ. (Audio 30:44)

Mayor Pro Tem Carpenter made a motion for approval of the preliminary plat of Chick Addition, Phase VIII, including approval of variances to the water flow requirement and to the parkland dedication/fee requirement, and subject to the following:

- Confirmation of the water flow rate in relation to fire protection and a note on the plat warning future property owners of this condition;
- City letter of outstanding conditions for plat approval dated March 12, 2020.

The motion was seconded by Councilmember Leigh, and was unanimously approved upon a vote of 7-0.

18. Consider a final plat of Guess Dulany Subdivision, comprising 6.011 acres, located along an extension of E. 25th Avenue, between N. Beal Street and River Oaks Drive. (Audio 34:31)

Upon a motion by Councilmember Kirkley, and a second by Councilmember Holmes, the final plat of Guess Dulany Subdivision was unanimously approved upon a vote of 7-0.

19. Consider a final plat of Expo Plaza Replat No. 1, being a replat of Expo Plaza Subdivision, comprising 6.840 acres, located at 120, 140, and 160 W. Loop 121, near the northwest corner of I-35 and Loop 121, west of the 7-11 Convenience Store. (Audio 40:50)

Councilmember Pearson made a motion for approval of the final plat of Expo Plaza Replat No. 1, including approval of the variance to the public street frontage requirement for Lots 1 and 2 to allow access via a 30' wide public access easement across Lot 3. The motion was seconded by Mayor Pro Tem Carpenter, and was unanimously approved upon a vote of 7-0.

20. Consider a resolution authorizing the City Manager to execute a Development Agreement associated with The Ridge at Belle Meadows, Phase I, located south of W Ave O, east of Loop 121, and west of Laila Lane. (Audio 44:17)

Upon a motion for approval by Mayor Pro Tem Carpenter, and a second by Councilmember Holmes, the Development Agreement associated with the Ridge at Belle Meadows, Phase I, including the following captioned resolution, was unanimously approved upon a vote of 7-0.

RESOLUTION NO. 2020-13-R

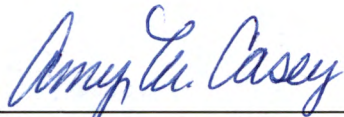
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BELTON, KDAVEO, LLC AND CLARK & FULLER, PLLC., FOR CONSTRUCTION ON PRIVATE PROPERTY ASSOCIATED WITH THE RIDGE AT BELLE MEADOWS PHASE I LOCATED ON THE SOUTH SIDE OF W AVENUE O, BETWEEN S LOOP 121 AND CONNELL STREET; PROVIDING FOR DEVELOPER, CITY AND ENGINEER OBLIGATIONS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk