

Belton City Council Meeting
July 28, 2020 – 5:30 P.M.

The Belton City Council met in an in-person/virtual meeting 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 included Mayor Pro Tem Wayne Carpenter (Zoom) and Councilmembers David K. Leigh, John R. Holmes, Sr., Craig Pearson, Guy O'Banion and Dan Kirkley. Staff present included Sam Listi, John Messer, Amy Casey, Gene Ellis, Larry Berg, Cheryl Maxwell, Tina Moore, Paul Romer, Chris Brown, Mike Rodgers, and Jeremy Allamon.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember John R. Holmes, Sr. and the Pledge of Allegiance to the Texas Flag was led by City Manager Sam Listi. The Invocation was given by Councilmember Craig Pearson.

Mayor Pro Tem Carpenter acknowledged the passing of James Burrell, a great African American teacher and coach who was employed by Belton ISD for 53 years. He was well known and well respected by many. He will be missed.

1. **Call to order.** Mayor Pro Tem Carpenter called the meeting to order at 5:34 p.m.

2. **Public Comments.** (Audio 2:36)

- Art Resa – 620 Surghnor (Belton)
- Conn Tatum – PO Box 34 (Davila)
- Gerald Fletcher – 3311 HK Dodgen Loop (Temple)
- Jim Bounds – 804 FM 2271 (Temple)

Consent Agenda (Audio 15:59)

Items 3-8 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.

3. **Consider minutes of previous meetings:**

- A. **July 14, 2020, City Council Workshop Meeting**
- B. **July 14, 2020, City Council Regular Meeting**

4. **Consider reappointment to the Housing Board of Adjustments and Appeals –**
John Corsi

5. **Consider authorizing a Façade Improvement Grant to The Spa and Salon at Greenbriar at 217 E. Central Avenue.**

6. Consider authorizing the City Manager to execute a contract for the Sparta Road and Avenue O Generators project, and any change orders associated with the contract, not to exceed the amount authorized under State law.
7. Consider a resolution confirming consent for a proposed bond issue by the Bell County Municipal Utility District (MUD) No. 1 as provided for in the Development Agreement between the City, the MUD, and W&B Development II, LLC.
8. Consider changing the name of Confederate Park and Confederate Park Drive and delegating the matter to the Parks Board for naming recommendations.

Mayor Pro Tem Carpenter said that Item 8 would be pulled for discussion. Councilmember Leigh also asked that Items 4 and 5 be pulled for discussion.

Upon a motion for approval by Councilmember Leigh, and a second by Councilmember Holmes, Consent Agenda Items 3, 6 and 7, including the following captioned resolution, were unanimously approved upon a vote of 6-0.

RESOLUTION NO. 2020-23-R

A RESOLUTION OF THE CITY OF BELTON, TEXAS, PROVIDING CONSENT FOR THE APPLICATION OF BELL COUNTY MUNICIPAL UTILITY DISTRICT NO. 1 TO ISSUE \$3.275 MILLION IN BONDS

Item #4: City Clerk Amy Casey said that John Corsi has agreed to serve another term on the Housing Board of Adjustment and Appeals.

Upon a motion for approval by Councilmember Leigh, and a second by Councilmember Holmes, Consent Agenda Item 4 was approved upon a unanimous vote of 6-0.

Item #5: Historic Preservation Officer Tina Moore explained that The Spa and Salon at Greenbriar had applied for a FIG grant to replace a window on the building located at 217 E. Central.

Upon a motion for approval by Councilmember Leigh, and a second by Councilmember Pearson, Consent Agenda 5 was approved upon a unanimous vote of 6-0.

Item #8: City Manager Sam Listi made a short presentation regarding the renaming of Confederate Park and Confederate Park Drive including the process that will be followed by the Parks Board who will bring naming recommendations to the Council for a final decision.

Upon a motion for approval by Councilmember Pearson, and a second by Councilmember Holmes, the Consent Agenda Item 8 was unanimously approved upon a vote of 6-0.

Planning and Zoning

9. **Hold a public hearing and consider an ordinance amending Section 27, Light Industrial District, to allow the following as permitted uses:** (Audio 39:58)

- A. **Office, Professional and General Administrative**
- B. **Office Showroom/Warehouse**

Public Hearing: no one spoke for or against.

Upon a motion by Councilmember Holmes and a second by Councilmember O'Banion, the Zoning Ordinance Chapter 27, Light Industrial District, was amended upon a unanimous vote of 6-0.

ORDINANCE 2020-26

AN ORDINANCE OF THE CITY OF BELTON, TEXAS, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 27, LIGHT INDUSTRIAL DISTRICT, TO ALLOW OFFICE-PROFESSIONAL AND GENERAL ADMINISTRATIVE, AND OFFICE SHOWROOM/WAREHOUSE AS PERMITTED USES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

10. **Consider a final 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 45:26)

Councilmember Holmes made a motion for approval of the final plat of Chick Addition, Phase VIII, including:

- Approval of variance to water flow requirement for fire protection;
- Approval of variance to the parkland dedication/fee requirement; and
- City letter of outstanding conditions for plat approval dated July 8, 2020.

The motion was seconded by Councilmember Pearson, and was unanimously approved upon a vote of 6-0.

Miscellaneous

11. **Hold a public hearing and discuss proposed Charter amendments.** (Audio 50:27)

Charter Review Committee Member, Daniel Bucher, presented the proposed Charter Amendments as shown in Exhibit "A".

Public Hearing: Art Resa, 620 Surghnor, said he is not in favor of election of Councilmembers "at large." He is in favor of geographic districts.

No action was required of the Council on this item at this time. On August 11, 2020, the Council may call a Charter Amendment Election for November 2020 should they so choose.

FY 2021 Budget

12. Receive a presentation and discuss amendments to the City of Belton Fee and Rate Schedule for FY2021. (Audio 1:12:44)

City Clerk Amy Casey presented the proposed changes to the Fee and Rate Schedule for FY2021 as shown in Exhibit "B." No action is required of the Council at this time. The Fee and Rate Schedule will be presented for adoption on September 8, 2020, and will be revised based on comments received.

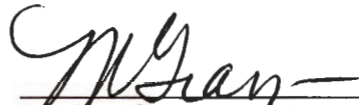
13. Presentation of the Fiscal Year 2021 Proposed Annual Budget for the City of Belton. (Audio 1:24:49)

Director of Finance Mike Rodgers presented an overview of the proposed FY2021 Budget. No action is required of the Council at this time. Adoption of the budget is scheduled for September 15, 2020, at a Special Called meeting of the City Council.

14. Call for a public hearing to be held on Tuesday, September 8, 2020, at 5:30 p.m., at the Harris Community Center, 401 N. Alexander, for the City of Belton Budget for Fiscal Year beginning October 1, 2020, and ending September 30, 2021. (Audio 1:39:49)

Councilmember Leigh made a motion for a public hearing to be held on the proposed FY2021 budget on Tuesday, September 8, 2020, at 5:30 p.m. Councilmember Holmes seconded the motion which was unanimously approved upon a vote of 6-0.

There being no further business, the Mayor adjourned the meeting at 7:11 p.m.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk



PROPOSED CHARTER AMENDMENTS

PRESENTATION TO CITY COUNCIL – JULY 28, 2020



CHARTER REVIEW COMMITTEE

- DAVE COVINGTON, CHAIR

- ALTON MCCALLUM, VICE CHAIR

- BRETT BAGGERLY

- BRANDON BOZON

- DANIEL BUCHER

- JANE DOMINGUEZ

- DAN KIRKLEY

- DAVID K. LEIGH

- CRAIG PEARSON

- JEANNIE PITTMAN

PROPOSED AMENDMENTS

- **PROPOSITION A – 3 YEAR TERMS**
- **PROPOSITION B – APPOINTMENT OF MAYOR BY CITY COUNCIL**
- **PROPOSITION C – FILLING VACANCY BY APPOINTMENT**
- **PROPOSITION D – FLEXIBILITY IN GENERAL ELECTION DATE**
- **PROPOSITION E – FLEXIBILITY IN POLLING LOCATIONS**

PROPOSITION A – BALLOT LANGUAGE

CITY COUNCIL THREE-YEAR TERM OF OFFICE

SHALL SECTION 3.01 OF THE CITY CHARTER BE AMENDED TO PROVIDE FOR THREE--YEAR TERMS OF OFFICE FOR THE MAYOR AND CITY COUNCIL, AND TO CONFORM SECTIONS 3.03, 5.09 AND 5.10 TO BE CONSISTENT WITH STATE LAW FOR THREE-YEAR TERMS BY PROVIDING FOR ELECTION BY MAJORITY VOTE, PROVIDING FOR RUNOFF ELECTIONS IF NO CANDIDATE IS ELECTED BY MAJORITY VOTE, AND PROVIDING FOR SPECIAL ELECTIONS TO FILL VACANCIES ON COUNCIL?

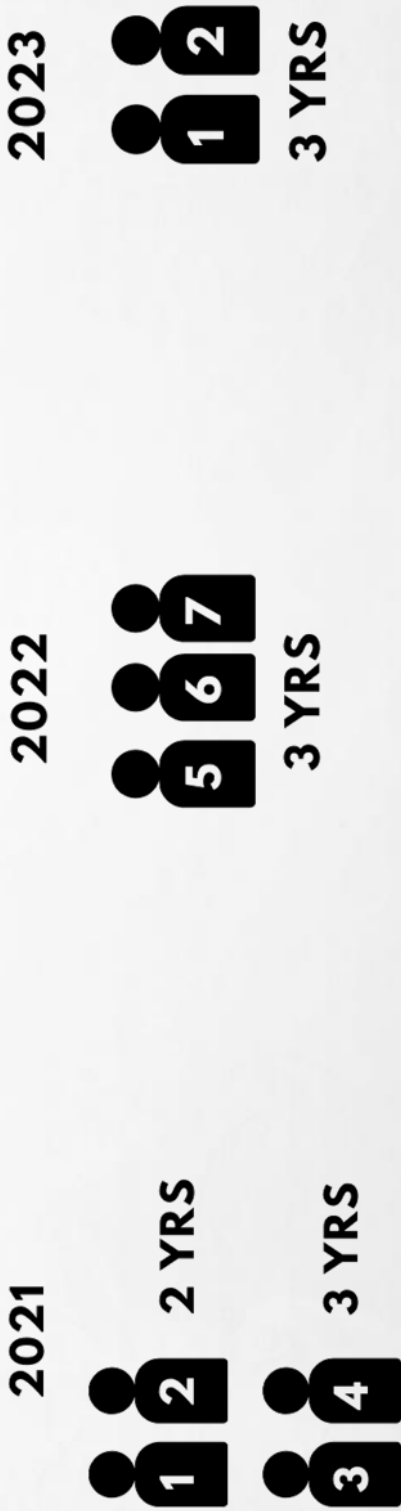
PROPOSITION A - EXPLAINED

- **CHANGING FROM 2-YEAR TO 3-YEAR TERMS (WITH A TRANSITION PLAN)**
- **CHANGING FROM AT-LARGE POSITIONS TO PLACES**
- **CHANGING FROM PLURALITY (TOP VOTE GETTERS) TO MAJORITY (MUST GET >50%)**

PROPOSITION A – PLACES ASSIGNED



PROPOSITION A – TRANSITION PLAN



PROPOSITION A – PROS

- **PROVIDES FOR LONGER TERMS**
- **PROVIDES STABILITY OF THE COUNCIL BECAUSE THERE ISN'T A MAJORITY UP FOR ELECTION AT THE SAME TIME**
- **“PLACES” ALLOWS A CANDIDATE TO SPECIFICALLY RUN AGAINST AN INCUMBENT WHO IS PERCEIVED TO NOT BE DOING A GOOD JOB**

PROPOSITION A – CONS

- **“PLACES” MAY LEAD TO NEGATIVE CAMPAIGNING**
- **MAJORITY VOTE CAN LEAD TO RUN-OFF ELECTIONS WHICH INCREASES ELECTION COSTS**

PROPOSITION B – BALLOT LANGUAGE

APPOINTMENT OF MAYOR BY CITY COUNCIL

SHALL SECTIONS 3.01, 3.02, 3.03, 4.01, 5.04, 5.09 AND 5.10 OF THE CITY CHARTER BE AMENDED TO PROVIDE FOR THE MAYOR TO BE APPOINTED EACH YEAR BY MAJORITY VOTE OF THE CITY COUNCIL FROM AMONG THE PERSONS ELECTED TO COUNCIL?

PROPOSITION B - EXPLAINED

- **CHANGING FROM DIRECT ELECTION OF THE MAYOR TO APPOINTMENT OF MAYOR BY COUNCIL**
- **1 YEAR APPOINTMENT VS. 2-YEAR OR 3-YEAR TERMS**

PROPOSITION B – PROS AND CONS

PROS:

- PREVENTS AN INEXPERIENCED PERSON FROM BEING MAYOR
- PERSON APPOINTED WILL BE MORE AWARE OF TIME COMMITMENT REQUIRED FOR THE POSITION OF MAYOR
- MAY LEAD TO GREATER INVOLVEMENT BY COUNCIL SINCE IT IS ONLY A 1-YEAR COMMITMENT

CONS:

- PUBLIC MAY FEEL LESS IN CONTROL BECAUSE THEY CAN'T DIRECTLY ELECT THE MAYOR

PROPOSITION C – BALLOT LANGUAGE

FILLING VACANCIES ON CITY COUNCIL

IF THREE-YEAR TERMS ARE ADOPTED, SHALL SECTION 3.03 OF THE CITY CHARTER BE AMENDED TO PROVIDE FOR A VACANCY IN A COUNCIL SEAT WITH AN UNEXPIRED TERM OF TWELVE MONTHS OR LESS TO BE FILLED BY APPOINTMENT BY THE CITY COUNCIL?

PROPOSITION C - EXPLAINED

- **IF 3-YEAR TERMS (PROPOSITION A) PASSES, THEN THE CHARTER HAS TO OUTLINE HOW VACANCIES IN OFFICE ARE FILLED WHEN THERE IS 12 MONTHS OR LESS REMAINING ON AN UNEXPIRED TERM. PROPOSING TO FILL THEM BY APPOINTMENT RATHER THAN CALLING A SPECIAL ELECTION.**

PROPOSITION D – BALLOT LANGUAGE

AUTHORIZING CITY COUNCIL TO CHANGE THE GENERAL CITY ELECTION DATE

SHALL SECTION 5.03 OF THE CITY CHARTER BE AMENDED TO ALLOW THE CITY COUNCIL TO CHANGE THE DATE OF HOLDING THE GENERAL CITY ELECTION IF DOING SO IS ALLOWED BY STATE LAW AND THE GENERAL ELECTION DATE IS NOT CHANGED MORE OFTEN THAN EVERY FIVE YEARS?

PROPOSITION D - EXPLAINED

- **ALLOWS COUNCIL THE FLEXIBILITY TO CHANGE THE CITY ELECTION TO NOVEMBER (OR ANOTHER UNIFORM ELECTION DATE) SHOULD STATE LAW ALLOW SUCH CHANGE IN THE FUTURE.**
- **DATE CAN ONLY BE CHANGED ONCE EVERY 5 YEARS.**

PROPOSITION E – BALLOT LANGUAGE

AUTHORIZING CITY COUNCIL TO CHANGE POLLING LOCATIONS

SHALL SECTION 5.05 OF THE CITY CHARTER BE AMENDED TO ALLOW THE CITY COUNCIL TO CHANGE THE POLLING LOCATIONS OF THE GENERAL CITY ELECTION TO THOSE DESIGNATED IN THE ELECTION ORDER?

PROPOSITION E - EXPLAINED

- **ALLOWS FLEXIBILITY IN THE CITY'S POLLING LOCATIONS.**

NEXT STEPS

- **HOLD THE PUBLIC HEARING. NO OTHER ACTION IS NEEDED AT THIS TIME.**
- **COUNCIL ACTION, SCHEDULED FOR AUGUST 11TH, IS REQUIRED TO CALL FOR A CHARTER AMENDMENT ELECTION ON NOVEMBER 3, 2020.**



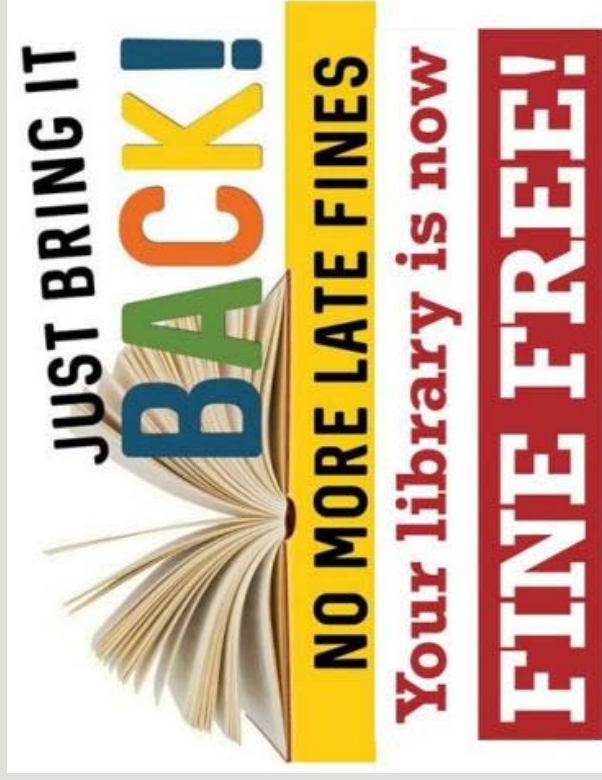
Proposed Changes to FY 2021 Fee and Rate Schedule

Effective October 1, 2020

EXHIBIT "B"

Sec. 2-29 Lena Armstrong Public Library Fees

Temporarily Out of Circulation	\$5.00 per item
Scanning – Edit	\$2.00 per page
Interlibrary Loan	Postage cost
Late DVDs	\$0.50 per day



Sec. 4-33 Building Permit Fees

*No change in fee amounts –
attempting to make it easier to determine total fees dues*

Basic Building Permit Fee **\$ 60.00**

Moving in Permits (Mobile Homes) **\$255.00**

Solar Panels Installation **\$ 95.00**



Sec. 10-40 Vehicle Towing, Impoundment and Wrecker Rotation List

Maximum Fees Allowed to be Charged by Tow Companies:

Non-Consent Fees	\$130.00 \$150.00
Incident Management Fees	\$130.00 \$150.00



Sec. 20-78 Driveway Permit Fee

Reinspection Fee

~~\$60.00~~ **\$10.00**

Sec. 23-137 Water Tapping Fees

~~Technology Fee (Both Contractor and City Installations)~~ ~~\$10.00~~

Sec. 23-137 Sewer Tapping Fees

Contractor Installed

~~\$300.00~~ **(includes inspection)**

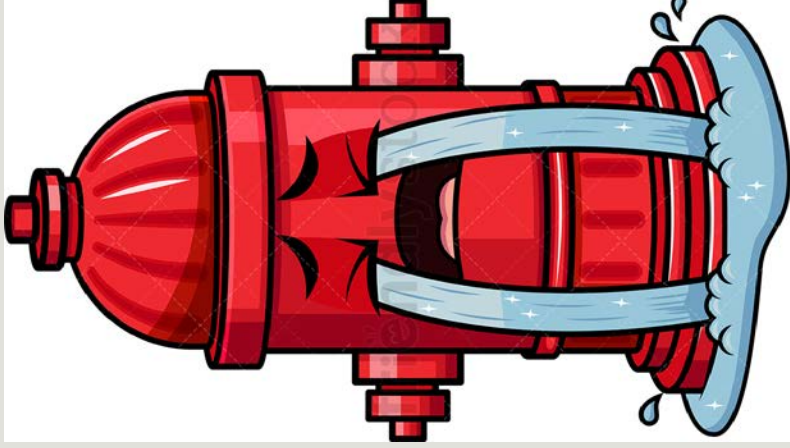
~~Technology Fee (Both Contractor and City Installations)~~ ~~\$10.00~~

Sec. 23-139 Utility Disconnect, Reconnect and Leak/Overflow/Stoppage Fees

~~Irrigation Meter Reactivation/Deactivation~~ ~~\$20.00~~

Sec. 23-156 ~~Illegal~~ **Unauthorized** Water and Sewer Taps Usage

Change “Illegal” to “Unauthorized” and “Theft” to “Use” throughout the section.



Miscellaneous Fees

Credit Card Payments

4% **2%**

Internet Payments:

Utility Billing Payments

4% **2%** + ~~\$1.25~~ **\$1.00** convenience fee

Court Fees Payments

4% **2%** + ~~\$1.25~~ **\$1.50** convenience fee



Recommendation:

No action is required of Council tonight.

Adoption of the ordinance and corresponding Fee and Rate Schedule for FY 2021 is scheduled for the September 8, 2020, City Council meeting.

