

**Belton City Council Meeting**  
**January 11, 2022 – 5:30 P.M.**

The Belton City Council met in regular session in the Wright Room of the Harris Community Center. Members present included Mayor Wayne Carpenter, Mayor Pro Tem David K. Leigh and Councilmembers Craig Pearson, Dan Kirkley and Daniel Bucher. Councilmembers Guy O'Banion and John R. Holmes, Sr. were absent. Staff present included Sam Listi, John Messer, Amy Casey, Gene Ellis (Zoom), Larry Berg, Daniel Aguirre, Mike Rodgers, Jon Fontenot, Tina Moore, Chris Brown (Zoom), Charlotte Walker, Matt Bates, Kim Kroll, Judy Garrett, Bob van Til, Tina Moore, Paul Romer and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Mayor Wayne Carpenter, and the pledge to the Texas Flag was led by Director of Library Services Kim Kroll. The Invocation was given by Mayor Pro Tem David K. Leigh.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:32 p.m.
2. **Public Comments.**

There were none.

**Presentations**

3. **Receive Child Safety Fee funds presented by Bell County Tax Assessor Collector Shay Luedeke.** *(Audio 2:03)*

Bell County Commissioner Bill Schumann (in place of Tax Assessor Collector Shay Luedeke) presented the City with a check for \$25,719.76 which will be given to Belton ISD for their Crossing Guard program.

4. **Receive Hotel-Motel Occupancy Tax funds presented by Bell County Commissioner Russell Schneider.** *(Audio 5:11)*

Bell County Commissioner Bill Schumann (in place of Commissioner Russell Schneider) presented the City with a check for \$12,291.36 representing Belton's allocation of the Hotel-Motel Occupancy Taxes for FY2021.

**Consent Agenda**

Items 5-10 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. *(Audio 7:32)*

5. **Consider minutes of December 14, 2021, City Council Meeting.**
6. **Consider reappointing Marvin Bell to the Central Texas Housing Consortium Board of Directors.**

7. Consider a resolution authorizing publication of a Notice of Public Hearing regarding the annexation of two parcels as follows:
  - A. One tract of land consisting of 2.88 acres situated in the F. Madregal Survey, Abstract 554, Bell County, Texas, Property ID 472920, located on the east side of Toll Bridge Road, between Shanklin and Elmer King (Alford).
  - B. One tract of land consisting of 7.28 acres situated in the F. Madregal Survey, Abstract 554, Bell County, Texas, Property ID 105615, located on the east side of Toll Bridge Road, between Shanklin and Elmer King (Sheppard).
8. Consider authorizing the City Manager to execute an agreement for administrative grant management services for TX CDBG #7220021, the N. East/E. 5<sup>th</sup> Avenue waterline replacement project.
9. Consider an ordinance abandoning public Right-of-Way for a portion of Rose Lane, located east of Interstate 35 and south of E. Amity Road, and conveying to the abutting property owners.
10. Consider authorizing the City Manager to execute an Interlocal Agreement for mutual access to Bibliotheca's Cloud Library digital resources.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Pearson, the Consent Agenda, including the following captioned resolution and ordinance, was unanimously approved upon a vote of 5-0.

#### RESOLUTION NO. 2022-01-R

A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BELTON, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

#### ORDINANCE NO. 2022-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, PROVIDING THAT A PORTION OF ROSE LANE, LOCATED EAST OF INTERSTATE 35 AND SOUTH OF EAST AMITY ROAD BE ABANDONED AND VACATED FOR PUBLIC PURPOSE.

#### Finance

11. Consider an ordinance authorizing the issuance of City of Belton, Texas, Combination Tax and Limited Revenue Certificates of Obligation, Series 2022.  
(Audio 9:51)

Financial Advisor Jennifer Ritter reported the results of the City's recent bond rating and of the bid opening that took place on the morning of January 11, 2022.

Upon a motion by Councilmember Pearson, and a second by Councilmember Kirkley, the following captioned ordinance was unanimously approved upon a vote of 5-0.

#### ORDINANCE NO. 2022-01

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF BELTON, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER RELATED DOCUMENTS; AWARDED THE SALE OF THE CERTIFICATES AND AUTHORIZING OTHER MATTERS RELATING TO THE CERTIFICATES

#### Planning and Zoning

12. Hold a public hearing and consider a zoning change from Planned Development – Single Family-1 Residential District to Planned Development – Single Family-2 Residential District for approximately 53.49 acres described as Matilda Connell Survey, Abstract 6, located east of N. Main Street on Mystic River Drive. (This item has been withdrawn by the applicant.) (Audio 19:06)

Councilmember Kirkley made a motion to postpone this item indefinitely. Councilmember Pearson seconded the motion, and upon a vote of 5-0, the item was indefinitely postponed.

13. Hold a public hearing and consider a zoning change from Agricultural District to Single Family-3 (SF-3) District on approximately 0.26 acres located at 3630 Brenda Lane and described as OT Tilley Addition, Lot 7, Block 1. (Audio 19:44)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against.

Upon a motion by Mayor Pro Tem Leigh, a second by Councilmember Pearson, and upon a unanimous vote of 5-0, the property was rezoned to Single Family-3 District.

#### ORDINANCE NO. 2022-02

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL DISTRICT TO SINGLE FAMILY-3 DISTRICT FOR APPROXIMATELY 0.26 ACRES LOCATED AT 3630 BRENDA LANE AND DESCRIBED AS OT TILLEY ADDITION, LOT 7, BLOCK 1.

14. Hold a public hearing and consider a zoning change from Commercial Highway to Commercial Highway with a Specific Use Permit for the Placement of an Electronic Changeable Sign on approximately 8 acres located at 500 N. I-35 Service Road, on the east side of I-35, south of Nolan Creek (Crossroads Church property). (Audio 23:10)

Councilmember Kirkley made a motion to postpone this item to the January 25, 2022, City Council meeting. Councilmember Pearson seconded the motion, and upon a vote of 5-0, the item was postponed.

15. Hold a public hearing and consider a zoning change from Single Family-2 with Conservation Revitalization Overlay (SF-2 w/CR overlay) to Retail with a Specific Use Permit for a Private Club District on approximately 2.186 acres located at 101 W. Avenue A (American Legion Post #55). (Audio 23:56)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against.

Upon a motion by Councilmember Bucher, a second by Councilmember Kirkley, and upon a vote of 5-0, this property was rezoned to Retail District with a Specific Use Permit for a Private Club.

#### ORDINANCE NO. 2022-03

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 WITH CONSERVATION REVITALIZATION OVERLAY TO RETAIL WITH A SPECIFIC USE PERMIT FOR A PRIVATE CLUB DISTRICT FOR APPROXIMATELY 2.186 ACRES LOCATED AT 101 W. AVENUE A.

16. Hold a public hearing and consider a zoning change from Neighborhood Services with a Specific Use Permit for Oversized Building and Light Industrial Zoning District to Commercial-1 District with a Specific Use Permit for Mini-Warehouse/Self-Storage for property located at 1709 Sparta Road, located on the south side of Sparta Road and west of Loop 121. (Audio 28:27)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against.

Upon a motion by Mayor Pro Tem Leigh, a second by Councilmember Pearson, and upon a vote of 5-0, this property was rezoned to Commercial-1 District with a Specific Use Permit for Mini-Warehouse/Self-Storage.

**ORDINANCE NO. 2022-04**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM NEIGHBORHOOD SERVICES WITH A SUP FOR OVERSIZED BUILDING AND LIGHT INDUSTRIAL ZONING DISTRICT TO COMMERCIAL-1 DISTRICT WITH A SPECIFIC USE PERMIT FOR MINI-WAREHOUSES/SELF-STORAGE FOR PROPERTY LOCATED AT 1709 SPARTA ROAD, LOCATED SOUTH ON SPARTA AND WEST OF LOOP 121.**

**17. Hold a public hearing and consider approval of amendments to the City of Belton's Thoroughfare Plan. (Audio 32:05)**

Councilmember Pearson recused himself for this item and left the room.

Public Hearing:

- Mr. Byron Gilchrest, 6498 Toll Bridge Road, requested consideration for less right-of-way on the expansion of his road.
- Mr. Greg Trader, Toll House on Toll Bridge Road, spoke against the Thoroughfare Plan amendments in his area.
- Sara Lewis, 5604 Elm Grove Road, requested maps for another agenda item.

Seeing no one else wishing to speak, the Mayor closed the public hearing. The Mayor announced the Council would recess for five minutes at 6:15 PM.

The Mayor reconvened the meeting at 6:20 PM.

Director of Planning Bob van Til presented the proposed Thoroughfare Plan amendments.

Mr. van Til recommended approval of the amendments, with a commitment to return to Council within six months, no later than July 12, 2022, with a recommendation for Toll Bridge Road alignment in the vicinity of the Lampasas River.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Bucher, the following captioned ordinance was approved upon a vote of 4-0-1 with Councilmember Pearson abstaining.

**ORDINANCE NO. 2022-02**

**AN ORDINANCE ADOPTING THE 2022 AMENDMENTS TO THE THOROUGHFARE PLAN FOR THE CITY OF BELTON, TEXAS.**

Councilmember Pearson returned to the room.



### **Miscellaneous**

18. **Consider approval of an interlocal agreement with the University of North Texas at Dallas and authorize the City Manager to sign for the creation of a regional law enforcement peer network program.** (Audio 1:03:56)

Captain Daniel Aguirre presented this item.

Upon a motion for approval by Councilmember Pearson, and a second by Councilmember Kirkley, Item #18 was unanimously approved upon a vote of 5-0.

19. **Consider award of bid and authorizing the City Manager to execute the construction contract for the 2021 Street & Utility Improvements Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.** (Audio 1:10:01)

Interim Director of Public Works Matt Bates presented this item.

Upon a motion for approval by Mayor Pro Tem Leigh, and a second by Councilmember Pearson, the contract with Patin Construction was unanimously approved upon a vote of 5-0.

20. **Consider an amendment to the professional services agreement with Kasberg, Patrick and Associates for construction administration services for the 2021 Street & Utility Improvements project.** (Audio 1:16:54)

Interim Director of Public Works Matt Bates presented this item.

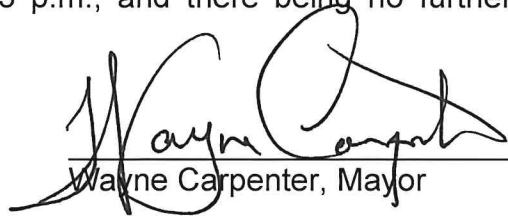
Upon a motion for approval by Mayor Pro Tem Leigh, and a second by Councilmember Kirkley, the contract amendment with KPA was unanimously approved upon a vote of 5-0.

### **Executive Session**

At 6:48 p.m., the Mayor announced the Council would go into Executive Session for the following items:

21. Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, Deliberation Regarding Real Property.
22. Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.074, Personnel - conduct an evaluation of the City Manager's performance.

The Mayor reopened the meeting at 7:43 p.m., and there being no further business, the meeting was adjourned.



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Wayne Carpenter, Mayor

ATTEST:



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Amy M. Casey, City Clerk