

**Belton City Council Meeting**  
**September 27, 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, Daniel Bucher and Stephanie O'Banion. Councilmember John R. Holmes, Sr. was absent. Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Mike Rodgers, Jon Fontenot, Chris Brown, Matt Bates, Bob van Til, Tina Moore, Larry Berg, Allen Fields, Candice Griffin, Wayne Cooley, Kim Kroll, Cynthia Hernandez and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Daniel Bucher, and the pledge to the Texas Flag was led by BEDC Executive Director Cynthia Hernandez. The Invocation was given by Councilmember Craig Pearson.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:30 p.m.
2. **Public Comments.** *(Audio 1:40)*

Mayor Carpenter recognized Judy Garrett and City Staff for the very successful Belton's Bacon, Blues and Brews Festival. There were no other comments.

3. **Proclamations.** *(Audio 3:06)*

**A. Proclamation – National Night Out – October 4, 2022**

Candice Griffin and Sergeant Wayne Cooley of the Belton Police Department received the proclamation. Ms. Griffin provided information about upcoming National Night Out events.

**B. Proclamation – Manufacturing Day – October 7, 2022**

BEDC Executive Director Cynthia Hernandez recognized Belton's manufacturers and thanked them for what they provide for Belton. Belltec, TRU and Stratasys representatives received the proclamations from Mayor Carpenter.

**Consent Agenda**

Items 4-13 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. *(Audio 13:07)*

4. **Consider minutes of September 13, 2022, City Council Meeting.**
5. **Consider reappointments to the following Boards and Commissions:**
  - A. **Bell County Public Health District Board of Directors** (Wayne Carpenter)

**B. Electrical Board** (Bill Barge and Jamie Sanderford)

6. Consider authorizing the submittal of a grant application to the Leary Firefighters Foundation for the purchase of thermal imaging cameras for the Fire Department.
7. Consider authorizing the City Manager to execute an agreement with Fire Recovery USA for billing and collection services for the Belton Fire Department.
8. Consider authorizing the City Manager to extend an agreement for Visitor Center support with the Belton Area Chamber of Commerce for FY2023.
9. Consider an Ordinance adopting Budget Amendment #1 to the City of Belton FY 2022 Annual Budget.
10. Consider a resolution denying Oncor Electric Delivery Company LLC's application to change rates within the City of Belton.
11. Consider an ordinance approving a tariff authorizing an annual Rate Review Mechanism as negotiated between Atmos Energy Corporation - Mid-Tex Division and the Steering Committee of Cities served by Atmos Energy Corporation.
12. Consider authorizing the purchase of vehicles and associated equipment for the Police Department as provided for in the Capital Equipment Replacement Fund.
13. Consider authorizing the purchase of a fire truck with associated equipment for fighting brush fires as provided for in the Capital Equipment Replacement Fund.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Kirkley, the Consent Agenda, including the following captioned resolutions and ordinances, was unanimously approved upon a vote of 6-0.

**RESOLUTION NO. 2022-30-R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE LEARY FIREFIGHTERS' FOUNDATION AND DESIGNATING AN AUTHORIZED OFFICIAL.**

**ORDINANCE NO. 2022-48**

**AN ORDINANCE OF THE CITY OF BELTON, TEXAS, ADOPTING AMENDMENT NO. 1 TO THE BUDGET OF THE CITY OF BELTON, TEXAS, FOR ITS FISCAL YEAR 2022; BY PROVIDING DETAILED LINE INCREASES; BY MAKING SUPPLEMENTAL APPROPRIATIONS; DECLARING THIS A MATTER OF PUBLIC NECESSITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.**

## RESOLUTION NO. 2022-31-R

A RESOLUTION OF THE CITY OF BELTON, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY, LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

## ORDINANCE NO. 2022-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM ("RRM") AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" OR "COMPANY") AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS ("STEERING COMMITTEE"); REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

### Planning and Zoning

14. **Z-22-30 – Hold a public hearing and consider a zoning change from Single Family-2 District to Multiple Family District for approximately 0.50 acres located at 701 Holland Road.** *(Audio 15:17)*

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against.

Upon a motion for approval of the rezoning by Councilmember O'Banion, and a second by Councilmember Pearson, the rezoning was unanimously approved upon a vote of 6-0 with the following conditions:

- The development must conform to all applicable standards of the Multiple Family Zoning District.
- A final subdivision plat meeting the requirements of the adopted Subdivision Ordinance is required.

- Civil site plan and construction plans in compliance with adopted standards are required.

**ORDINANCE NO. 2022-50**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 RESIDENTIAL TO MULTIPLE FAMILY DISTRICT ON APPROXIMATELY 0.50 ACRE PROPERTY LOCATED AT 701 HOLLAND ROAD.**

15. **Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 6379 W. Highway 190 Service Road, located South of IH-14 and east of Simmons Road.**  
(Audio 18:37)

At its meeting on September 20, 2022, the Planning and Zoning Commission voted unanimously to postpone consideration of this zoning change to their October 18, 2022, meeting.

Councilmember Pearson made a motion to postpone consideration of this item until the October 25, 2022, City Council meeting. The motion was seconded by Mayor Pro Tem Leigh and was unanimously approved upon a vote of 6-0.

16. **Z-22-32 Hold a public hearing and consider a zoning change from Agricultural District to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive.** (Audio 19:23)

Planner Tina Moore presented this item.

Public Hearing: Mike Morgan of Belton ISD spoke in favor of the zoning change. No one else spoke for or against.

Upon a motion for approval of the rezoning by Councilmember O'Banion, and a second by Councilmember Pearson, the rezoning was unanimously approved upon a vote of 6-0 with the following conditions:

- The use of this property shall conform to the Agricultural District in all respects and the use as an elementary school site is permitted.
- The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Landscape Design Standards
  - c. Tree Protection, Preservation and Mitigation Standards

- A subdivision plat, TIA, civil plans, and a building permit are required prior to development.

#### ORDINANCE NO. 2022-51

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO AGRICULTURAL WITH A SPECIFIC USE PERMIT FOR AN ELEMENTARY SCHOOL ON APPROXIMATELY 15.990 ACRE PROPERTY LOCATED 1651 O.T. TYLER DR.**

17. **Z-22-34 Hold a public hearing and consider a zoning change from Planned Development – Commercial-1 to Amended Planned Development – Commercial-1 for approximately 21.617 acres located at 3360 S. IH-35 Service Road, east of IH-35 and south of Grove Road. (This item has been withdrawn by the applicant.)** (Audio 31:19)

At its meeting on September 20, 2022, the Planning and Zoning Commission recommended disapproval of the zoning change. The applicant has chosen not to appeal and has withdrawn the application. No action was required of the Council.

18. **Z-22-35 Hold a public hearing and consider a zoning change from Single Family-1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215 acres located at 707 N. Pearl Street.** (Audio 32:12)

Planner Tina Moore presented this item.

Public Hearing: The applicant's representative, Shannon Morrison, provided a summary of the school's plan. No one else spoke for or against.

Upon a motion for approval of the rezoning by Mayor Pro Tem Leigh, and a second by Councilmember Bucher, the rezoning was unanimously approved upon a vote of 6-0 with the following conditions:

- The use of this property shall conform to the Single Family-1 District in all respects and the use as a private school site is permitted.
- The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Landscape Design Standards
  - c. Tree Protection, Preservation and Mitigation Standards
- A building permit application meeting the requirements of all applicable codes is required.

ORDINANCE NO. 2022-52

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-1 TO SINGLE FAMILY-1 DISTRICT WITH A SPECIFIC USE PERMIT FOR A PRIVATE SCHOOL ON APPROXIMATELY 0.928 ACRES LOCATED AT 707 N. PEARL STREET.

19. **P-21-17 – Consider a replat for the J.H. Connell Replat #1 subdivision, comprising 0.258 acres, located south of W. Avenue D and north of W. Avenue F. (Audio 37:53)**

Planner Tina Moore presented this item.

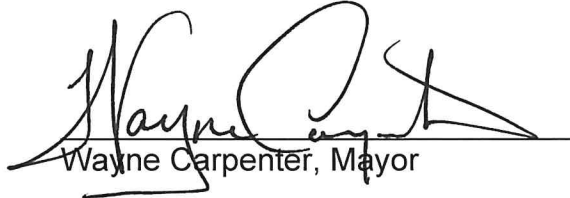
Upon a motion for approval by Councilmember Bucher, and a second by Councilmember Pearson, the J.H. Connell Replat #1 was approved upon a vote of 6-0.

20. **Consider authorizing the City Manager to execute an agreement with American Medical Response Ambulance Services, Inc. (AMR), for the provision of emergency medical services within the City. (Audio 40:35)**

Fire Chief Jon Fontenot presented this item.


Upon a motion by Councilmember Kirkley, and a second by Councilmember O'Banion, the contract with AMR was unanimously approved upon a vote of 6-0.

There being no further business, the Mayor adjourned the meeting at 6:24 p.m.



Wayne Carpenter, Mayor

ATTEST:



Amy M. Casey, City Clerk