

Belton City Council Meeting
March 28, 2023 – 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, Councilmembers Craig Pearson, Dan Kirkley, John R. Holmes, Sr. and Daniel Bucher. Councilmember Stephanie O'Banion was absent. Staff present included Sam Listi, John Messer, Amy Casey, Gene Ellis, Larry Berg, Mike Rodgers, Jon Fontenot, Chris Brown, Matt Bates, Kim Kroll, Bob van Til, Charlotte Walker, Judy Garrett, Allen Fields, Paul Romer, Tina Moore 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 Director of Finance Mike Rodgers. The Invocation was given by Councilmember Dan Kirkley.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:31 p.m.

2. **Public Comments.** *(Audio 1:41)*

There were none.

3. **Proclamation: Child Abuse Prevention Month – April 2023.** *(Audio 1:51)*

Mayor Wayne Carpenter read the proclamation declaring April 2023 as Child Abuse Prevention Month.

Consent Agenda

Items 4-9 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 4:04)*

4. **Consider minutes of March 14, 2023, City Council Meeting.**

5. **Consider a resolution authorizing the City Manager to execute a deed from Bell County for the conveyance to the City of two tracts of land located at 206 and 209 Water Street for use as a public parking lot.**

6. **Consider resolution acknowledging waiver of the match requirement with the Texas Department of Transportation for rehabilitation of the Nolan Creek Bridge at Central Avenue in Yettie Polk Park.**

7. **Consider authorizing the City Manager to execute an Amended Independent Contractor Inspection Services Agreement with Rinehart Real Estate Inspection Services, Inc., for commercial plan review and inspection services.**

8. Consider authorizing the City Manager to execute an Interlocal Agreement between the City of Belton ("City") and the Central Texas Council of Governments ("CTCOG") that establishes terms and conditions for an intergovernmental loan to CTCOG to pay off existing obligations.
9. Consider a resolution amending Resolution 2014-23-R regarding Policies and Procedures for City Council Meetings.

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

RESOLUTION NO. 2023-07-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, DETERMINING THE NECESSITY OF RECEIVING A TRANSFER OF REAL PROPERTY FROM BELL COUNTY FOR A PUBLIC PURPOSE, AND PROVIDING AN OPEN MEETING CLAUSE.

RESOLUTION NO. 2023-08-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, ACKNOWLEDGING WAIVER OF THE MATCH REQUIREMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR REHABILITATION OF THE NOLAN CREEK BRIDGE AT CENTRAL AVENUE IN YETTIE POLK PARK.

RESOLUTION NO. 2023-09-R

A RESOLUTION AMENDING RESOLUTION NO. 2014-23-R OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, REGARDING POLICIES AND PROCEDURES FOR CITY COUNCIL MEETINGS.

Councilmember Kirkley asked that City Manager Sam Listi explain the waiver of the match requirement for the rehabilitation of the Central Avenue Bridge at Nolan Creek. Mr. Listi stated that TxDOT had revised the Advanced Funding Agreement to eliminate the City's match.

Planning and Zoning

10. Z-23-06 – Hold a public hearing and consider a zoning change from Agricultural to Single Family-1 Residential for approximately 0.792 acres located at 1582 190 Lane, generally located south of Interstate 14 and west of 190 Lane. (Audio 6:35)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Pearson, the following captioned ordinance was approved upon a unanimous vote of 6-0.

ORDINANCE NO. 2023-11

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL DISTRICT TO SINGLE FAMILY-1 DISTRICT ON APPROXIMATELY 0.792 ACRES LOCATED 1582 190 LANE

11. **P-22-37 – Consider a final plat for Hubbard Branch Phase I Section II, comprising 50.25 acres, located north of Holland Road/FM 436, east of OT Tyler Drive, and west of Leon Overlook Trail.** *(Audio 9:08)*

Planner Tina Moore presented this item.

Upon a motion by Councilmember Holmes, and a second by Councilmember Bucher, the final plat of Hubbard Branch Phase I Section II was approved upon a unanimous vote of 6-0 with the requirement that the developer meet the conditions of the staff comment letter dated March 15, 2023.

12. **P-23-01 – Consider a final plat for BISD Hubbard Branch, comprising 15.992 acres, located on O.T. Tyler Drive, north of Holland Road.** *(Audio 13:42)*

Planner Tina Moore presented this item.

Upon a motion by Councilmember Holmes, and a second by Councilmember Pearson, the final plat of BISD Hubbard Branch was approved upon a unanimous vote of 6-0 with the following conditions:

- Meet the conditions of the staff comment letter dated February 24, 2023.
- A Certificate of Occupancy will not be issued until all the off-site improvements needed to serve the BISD site are substantially completed, inspected and accepted by the City.

13. **P-22-43 – Consider a final plat of Woodland Cottage Addition, comprising 9.4323 acres, located at River Fair Boulevard, the southwest corner of River Fair Boulevard and Trinity Drive.** *(Audio 19:12)*

Planner Tina Moore presented this item.

Upon a motion by Councilmember Holmes, and a second by Mayor Pro Tem Leigh, the final plat of Woodland Cottage Addition was approved upon a unanimous vote of 6-0.

14. Hold a public hearing and consider an amendment to Section 49.8(D) of the City of Belton Zoning Ordinance regarding super majority requirements or three-fourths (¾) vote of Council required when a zoning change is opposed by area property owners. (Audio 24:22)

Director of Planning Bob van Til presented this item.

Public Hearing: No one spoke for or against.

Staff recommends that Council postpone this item to the April 25, 2023, Council meeting.

Upon a motion by Councilmember Kirkley, and a second by Councilmember Holmes, the item was postponed until the April 25, 2023, Council meeting upon a unanimous vote of 6-0.

Miscellaneous

15. Hold a public hearing and consider adoption of an ordinance amending Chapter 21, Article IV – Hotel Occupancy Tax, Section 21-46 – Definitions, of the Code of Ordinances, to amend the definition of a hotel to clarify that short-term rentals are subject to hotel occupancy tax. (Audio 24:54)

Director of Finance Mike Rodgers presented this item.

Public Hearing: No one spoke for or against.

Upon a motion by Councilmember Holmes, and a second by Councilmember Bucher, the following captioned ordinance was approved upon a unanimous vote of 6-0.

ORDINANCE 2023-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AMENDING CHAPTER 21 - TAXATION, ARTICLE IV – HOTEL OCCUPANCY TAX, OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, TEXAS, BY MODIFYING THE DEFINITION OF A HOTEL TO CLARIFY THAT SHORT-TERM RENTALS ARE SUBJECT TO THE HOTEL OCCUPANCY TAX; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

16. Consider authorizing the City Manager to enter into an agreement with General Motors and Don Ringler Chevrolet for the Dealer Community Charging Program which will allow the installation of two Level 2 Electrical Vehicle (EV) charging stations on City property in the downtown area. (Audio 27:09)

Assistant City Manager/Police Chief Gene Ellis and Donnie Ringler of Ringler Chevrolet presented this item.

Upon a motion by Councilmember Holmes, and a second by Councilmember Bucher, the item was approved upon a unanimous vote of 6-0.

17. **Consider authorizing the City Manager to enter into a professional services agreement with Kasberg Patrick & Associates for Engineering Services for Water and Wastewater Improvements to Serve Belton's Former Rockwool Site.**
(Audio 39:32)

Director of Public Works Matt Bates presented this item.


Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Kirkley, the item was approved upon a unanimous vote of 6-0.

EXECUTIVE SESSION

At 6:15 p.m., the Mayor announced the Council would go into Executive Session for the following item:

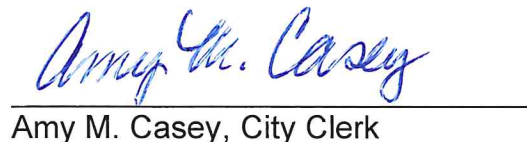
18. **Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, Deliberation Regarding Real Property and Section 551.087, Deliberation Regarding Economic Development Negotiations.**

The Mayor reopened the meeting at 6:34 p.m., and there being no further business, the meeting was adjourned.



Wayne Carpenter, Mayor

ATTEST:



Amy M. Casey, City Clerk