

**BELTON CITY COUNCIL MEETING  
FEBRUARY 8, 2011**

The Belton City Council met in regular session with the following members present: Mayor Jim Covington, Mayor Pro Tem Marion Grayson, Councilmembers Clifton Peters, Wayne Carpenter, Craig Pearson, and John Agan. Councilmember David K. Leigh was absent. Staff present were John Messer, Sam Listi, Connie Torres, Cristy Daniell, Les Hallbauer, Gene Ellis, John Stowell, Jerri Gauntt, Kim Kroll, Sandy Slade, and Denny Lassetter.

The Pledge of Allegiance to the U.S. Flag was led by City Attorney John Messer, the Pledge of Allegiance to the Texas Flag was led by Mayor Pro Tem Marion Grayson, and the Invocation was given by Shawn Shannon, Director of Student Baptist Ministries at the University of Mary Hardin-Baylor. The Mayor called the meeting to order at 5:35 p.m.

Public comments. There were no public comments.

Presentations.

A. Officers of the Quarter – 4th Quarter 2010: Police Chief Gene Ellis presented the awards to Commander Jen Wesley and Sergeant Larry Berg for their efforts as program managers during the Department accreditation process for the *Texas Police Chiefs Best Practices Recognition Program*. The Belton Police Department was notified on January 21, 2011, it is now a *Recognized* department.

B. Officer of the Year – 2010: Chief Ellis presented the award to Officer Raul Montes based on his exemplary and consistently high level of performance.

C. Police Chief's Award – 2010: Chief Ellis explained this award is given to citizens who have made substantial contributions to the Department's public safety mission. He presented the award to Jerry and Cheryl Grote in recognition of their commitment to volunteering in law enforcement service. He noted following their participation in the first Belton Citizens Police Academy program, the Grotes led the charge to obtain its new mascot "Badge", which has improved the rapport the Police Department has with the children of our community.

Consent Agenda

Upon motion by Councilmember Pearson, seconded by Councilmember Carpenter, the following items were unanimously approved:

Minutes of previous meeting. Approved as presented.

Consider a resolution ordering the General Election to be held on May 14, 2011.

Approved the resolution captioned below ordering the general election to be held on May 14, 2011, to elect four persons to serve on the City Council, each to serve two year terms:

**RESOLUTION NO. 2011-02**

**A RESOLUTION CALLING AND ORDERING A GENERAL ELECTION TO BE HELD ON MAY 14, 2011 AND ESTABLISHING PROCEDURES THEREOF.**

Consider a resolution authorizing submission of a grant application to the Office of the Governor, Criminal Justice Division, to fund a K-9 program.

Approved the resolution captioned below authorizing submission of a grant application in the amount of \$26,500 to fund a K-9 program. The grant requires no match, with a minimum funding level of \$10,000 and no maximum level.

**RESOLUTION NO. 2011-03**

**A RESOLUTION OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE CITY OF BELTON TO SUBMIT AN APPLICATION THROUGH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE 2012 STATE FISCAL YEAR FUNDING CYCLE; AUTHORIZING THE CITY MANAGER TO ACT IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE GRANT, IF AWARDED.**

Consider authorizing a budget amendment for contribution to the Belton Christian Youth Center (BCYC).

Approved the budget amendment requested by the BCYC in the amount of \$5,000 for FY 2010, in combination with budgeted FY 2011 funds of \$5,000, making a total \$10,000 available for use by BCYC in FY 2011. The funds will be used to build a donor brick walk with handicapped access connecting playground facilities to existing sidewalks. The City's construction cost is estimated at \$8,000, exclusive of brick pavers which will be purchased by BCYC for the remaining \$2,000. (Due to an oversight, the BCYC did not request these funds before September 30, 2010, and since the FY 2010 financial books are closed and that funding has lapsed, a budget amendment is required to re-budget the funding.)

Consider authorizing amendment of the development agreement with Associated Supply Company, Inc. (ASCO) for a redevelopment project in Downtown Belton.

Approved the amendment authorizing a six month extension of the issuance of building permits to July 31, 2011, with building occupancy anticipated by December 31, 2012. ASCO intends to establish a new, minimum 10,000 sq. ft., full service sales, parts, service, and equipment rental facility on the east side of IH-35, at Central Avenue in Downtown Belton. One of ASCO's obligations in the original Agreement anticipated issuance of building permits within six months and building occupancy within 18 months. That six month time frame recently passed (end of January 2011), but ASCO has worked continuously during this time period on its proposed development. The company has engaged a hydrologist to plan for development on their site which is located in the 100 year flood plain. The September 8, 2010 flood further encouraged the property owner to exercise all due diligence in final design, and the City fully supports this action. All other obligations of ASCO and the City remain unchanged.

Miscellaneous

Consider authorizing the City Manager to execute an agreement for Professional Engineering Services for the West 9th Avenue Extension and Overpass Project.

The City Manager explained this project will connect Main Street (SH 317) to Loop 121, and has been shown on the City's Thoroughfare Plan as a Minor Collector Street since at least 2001. One of the requirements for the project was the procurement of Requests for Qualifications (RFQ) for professional engineering services. The City received two RFQ's for the project - Hagood Engineering Association, Round Rock, Texas, and KPA Engineers, Temple, Texas. An evaluation team selected KPA Engineers as the most qualified firm to provide professional services necessary for project design.

Mr. Listi explained the project is now estimated at \$5M and is ready to be designed so the City can refine the cost estimate and identify sources for remaining construction funds needed. The process to date has identified a number of issues in what is likely to be one of the most complex design and construction projects in the City's history.

The City Manager indicated the City issued Certificates of Obligation for capital projects in 2007, which included \$400,000 for this project (then estimated at \$2M). In 2010, the City received a commitment of \$200,000 from UMHB, the City committed to an additional \$400,000 in local funds (not currently budgeted), and received a federal appropriation of \$750,000 in early December 2009 and sought to begin the design process thereafter. It has taken 14 months to develop a comprehensive professional services agreement that has now received TxDOT's approval. Use of federally appropriated funds (administered by TxDOT), has involved an extensive process of federal and state oversight, including:

- TxDOT determination of who would administer the funds - TxDOT Waco selected
- Required 12 hours TxDOT training on use of federal funds for City staff and prospective engineers
- Procurement of a Design Professional Team through a formal RFQ Process - KPA Engineers selected
- Preliminary Design Conference with TxDOT and Design Professional Team Members
- Negotiation of contract with selected Team
- TxDOT approval of contract draft

Mr. Listi introduced project coordinator Mack Parker, KPA Engineers, who gave a detailed review of the project, the implications of findings from the design process, and the schedules for preliminary and final design.

**Belton City Council Meeting**  
**February 8, 2011 – Page 3**

Mr. Listi explained though the current cost estimate is significant, staff consensus is to proceed with design and look at every opportunity for funding. The expected growth of the community makes the bridge essential, and the City just needs to find a way to design and fund the project. He recommended the Council authorize the City Manager to execute an agreement with KPA Engineers for the West Ninth Avenue Extension and Overpass Project.

General comments/questions were as follows:

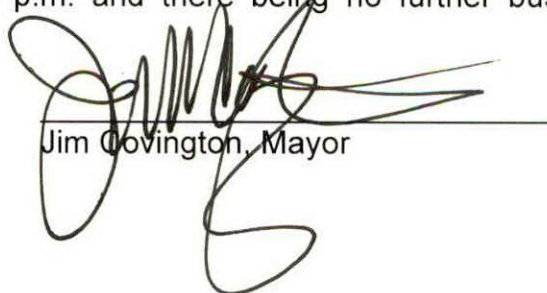
- Mayor Pro Tem Grayson stated she doesn't believe the road that leads from Main Street to this bridge is really designed to handle traffic, and Mr. Parker indicated that issue would be resolved by the time this bridge could be opened. She expressed concern over the great expense required to add a bridge that just leads to Loop 121, with no land available on either side for commercial development. She questioned whether the project will still be 'shovel ready' by the time the additional \$3M is obtained.
- Mayor Covington stated he believes money will be spent out of the federal budget for transportation – though they may not be earmarks, he thinks some kind of marked dollars will be available for projects such as this. The Mayor agreed with Mayor Pro Tem Grayson about the related implications of this project, but believes construction of the bridge will lead to other infrastructure projects that will aid the City's expansion to the west.
- Councilmember Pearson stated he thinks the bridge will have a significant impact in taking pressure off of Main Street.
- Following discussion regarding downtown traffic patterns, the City Manager stated there have been a number of discussions with UMHB about alternatives, but 9th Avenue still appears to be the best. Other alternatives will emerge as development plans occur to get as much carrying capacity through the campus as well.
- Mr. Parker indicated the street is wide enough to carry three full lanes, and confirmed the traffic analysis will look at this.
- Councilmember Carpenter asked if a traffic light would be added at the intersection of 9th Avenue and Main Street, and Trae Sutton, KPA Engineers, stated that is an offset intersection, but it may be possible with adjustments and right-of-way acquisition.
- Councilmember Agan asked if the traffic study will project long range traffic counts, and Mr. Parker indicated it would. Mr. Agan asked if all of the federal appropriation funds can be used first, and the City Manager stated though this is a reimbursement agreement, staff intends to spend down the federal appropriation funds so the City's funds will remain available. Assistant City Manager Cristy Daniell clarified the City will have to pay an 80/20 split on all requests for reimbursements.
- Councilmember Peters asked what type of bridge is planned, and Mr. Parker replied the most economical will be a pre-stressed beam bridge, but the actual design will not be known until these studies are complete.
- Mayor Pro Tem Grayson asked how high the bridge would be, and Mr. Parker stated it will be about 30' from the flow line of the river to the bottom of the bridge.

There was no additional discussion, therefore, Councilmember Pearson made a motion to authorize the agreement as recommended. The motion was seconded by Councilmember Agan and carried unanimously.


At 6:40 p.m. the City Council took a short recess and relocated to the Smith Room. At 6:45 p.m. the Mayor announced the Council would meet in closed session for the following item:

Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, to consult with the City Attorney.

The meeting was reopened at 7:18 p.m. and there being no further business, the Mayor adjourned the meeting.

  
\_\_\_\_\_  
Jim Covington, Mayor

ATTEST:

  
\_\_\_\_\_  
Connie Torres, City Clerk