

**BELTON CITY COUNCIL MEETING
MARCH 26, 2013**

The Belton City Council met in regular session with the following members present: Mayor Jim Covington, Mayor Pro Tem Marion Grayson, Councilmembers David K. Leigh, Wayne Carpenter, Craig Pearson, John Agan, and Frank Minosky. There were no members absent. Staff present were John Messer, Sam Listi, Connie Torres, Mike Rhoden, Francisco Corona, Byron Sinclair, Erin Newcomer, Kim Kroll, Sandy Slade, Charlotte Walker, Paul Romer, and Aaron Harris.

The Pledge of Allegiance to the U.S. Flag was led by Fire Chief Francisco Corona, the Pledge of Allegiance to the Texas Flag was led by Mayor Pro Tem Marion Grayson, and the Invocation was given by Councilmember John Agan.

The Mayor called the meeting to order at 5:32 p.m.

Public comments. There were none.

Presentation of Proclamation for Autism Awareness Month.

The Mayor read the proclamation and presented it to Sonya Kinsey from the Central Texas area C.A.T.C.H. U.P. 4 AUTISM Foundation (Combatting Autism through Community Help and Unified Parents). Ms. Kinsey thanked the City for the proclamation, and invited all to a benefit walk on Tuesday, April 2nd at Lion's Park in Killeen.

Consent Agenda

Upon motion by Councilmember Minosky, seconded by Councilmember Leigh, the following items were unanimously approved:

Minutes of the previous meeting. Approved as presented.

Consider a resolution approving the updated Municipal Maintenance Agreement with the Texas Department of Transportation (TxDOT).

Approved **RESOLUTION NO. 2013-11** approving the agreement with TxDOT, which was revised and updated to reflect changes in census, city limit boundaries, system roads, etc.

Consider a resolution appointing election officers for the May 11, 2013 General Election.

Approved the resolution captioned below appointing the following to serve as election officers:

William Rosenberg, Presiding Judge
Rae Schmuck, Alternate Judge
Early Voting Clerks: Rae Schmuck, Michelle Garcia, and Aaron Harris

RESOLUTION NO. 2013-12

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPOINTING ELECTION OFFICERS FOR CITY GENERAL ELECTION.

Consider authorizing the Police Department to donate five older handheld police radios to the Nolanville Police Department.

Approved the City's donation of five older Ericsson/Harris police radios to the City of Nolanville Police Department. These radios are no longer of use to the police department. They are not P-25 (Federal interoperability standard) compliant but can still be used until P-25 becomes mandatory, and the Nolanville Police Department needs additional radios, and believe they can make use of them.

Consider authorizing the City Manager to execute an agreement with KPA Engineers for construction phase services related to the SH 317 Utility Relocation Project.

Authorized the City Manager to execute the agreement with KPA Engineers, with funding from Water & Sewer contributed funds remaining in the Commerce Street project fund. This contract will provide for construction phase services associated with relocation of water and

wastewater infrastructure due to the Texas Department of Transportation's project to widen SH 317 from FM 439 north to just south of the Leon River. Professional services for this item total a lump sum fee of \$29,650, and include bidding (\$6,000), construction administration (\$16,500), TxDOT permit (\$4,250), and construction staking (\$2,900).

Miscellaneous

P-13-02. Consider the final plat of Dawson Ranch, Phase II, Section III, a replat of Lots 10-16, Block 1, located in the Dawson Ranch Subdivision.

The City Manager recognized Planning Director Erin Newcomer and Fire Chief Francisco Corona on their first anniversary with the City of Belton.

Mayor Pro Tem Grayson indicated she would abstain from this item.

Planning Director Erin Newcomer gave an overview of this replat of Lots 10-16, Block 1 of Dawson Ranch. She indicated Twin Ridge Drive will now extend south instead of ending at the corner where Twin Ridge Drive and Silver Spur Drive meet. Since staff requires a temporary turn around (cul-de-sac or hammerhead) when a street extends to the plat boundary, the developer intends to buy the land south of this plat; however, since that sale is not finalized, staff has required the creation of a public access and public utility easement by separate instrument from adjoining property owners to allow for construction of a temporary turn-around. Ms. Newcomer indicated the plat can be recorded if approved by the Council to allow site work to begin; however, based on an existing Memorandum of Agreement with the developer, no building permits may be issued until Trail requirements along the north side of Chisholm Trail Parkway are satisfied. She stated the Planning & Zoning Commission recommended approval unanimously by a vote of 5-0 at its meeting on March 19th. She concurred and recommended approval.

Councilmember Leigh made a motion to approve the plat as presented. The motion was seconded by Councilmember Pearson, and carried by a vote of 6-0-1, with Mayor Pro Tem Grayson abstaining.

Receive a report from Rev. Dr. William M. Hill, Chairperson of Belton's African American Churches United (AACU), concerning efforts to rename a street in honor of Dr. Martin Luther King, Jr., and consider providing Council input to the City Manager.

The Mayor reviewed the history of this request, and gave an overview of establishment of the street renaming committee, and issues raised since the unsuccessful attempts to rename two different locations in Belton (2nd Avenue and Alexander/Davis Streets).

Rev. Dr. William Hill thanked the City Manager and his staff for working so diligently with the group throughout the process. Rev. Hill introduced the following Pastors who provided comments regarding the subject:

- Rev. William Hart, Genesis Fellowship, expressed full support from his church for a street renaming. He cited a tour of duty in Vicenza, Italy, where a street is named after Dr. King. When he inquired why they named the street after him, the response was "because what he stood for is what we stand for".
- Rev. Howard Jackson, Mt. Zion United Methodist Church, who served on the street renaming policy committee, discussed the concept of "grandfathering" (this request), and stated he would like for all to work together to reach a positive end result.
- Rev. Charlie Berry, Belton Church of God in Christ, stated he can't understand the hardness of the City Council, and he feels the policy was created for the group to fail. He thinks naming this street will help all in Belton, as Dr. King was a renowned man who advocated peace.
- Rev. David Norman, Magnolia First Baptist Church, explained he grew up in Georgia and was very familiar with the movement of Dr. King. He stated it seems that the Belton community embraces people of all races, and Dr. King's movement was for everybody, and everyone benefited as a result of the progress. He believes renaming a street after Dr. King would reflect that, and asked for a collaboration of all voices to see that change occurs for the betterment of Belton.

Dr. Hill alluded to General Custer and stated this is not the group's last stand, as now he's Geronimo, and they will continue to fight for this request. He stated when the group first presented their request, the Mayor's direction to the staff was for staff to "see what it would take to make this thing happen". Dr. Hill asked the following of the Council:

1. If the ordinance cannot be set aside, at least set the way responses are counted aside; or
2. If the City cannot do this, he requested the Council act upon the request because it has the authority and the power to do what they want to do.

Dr. Hill thanked the Mayor and City Manager for all of the assistance that has been provided thus far. The Mayor requested any other comments from the audience, and the following comments were provided:

Name	Address	Comments
Mary Thomas	307 McDowell	Agreed with what had been said thus far in favor of a street name change.
Dan Kirkley	716 College Street	Praised the Belton community and appealed with the pastors to do whatever it takes to name MLK Street in a prominent way. He made himself available to assist in anyway needed, and stated he is 100% behind the request.
Willie Cureaux	1719 E. Calhoun, Temple (member of Magnolia Baptist Church)	Stated the group is here to stay and will keep on trying until they are successful.
Julius Chappell	411 Smith Street (Minister, Mt. Zion UMC)	Regarding the 70% vote – he feels surveys are oftentimes viewed as junk mail and tossed in the trash, even though the person may not necessarily be for or against an item.
H. E. Jackson, Jr.		Did not speak. (His father Rev. Howard Jackson indicated he agrees with his father.)
LaNesha Steverson	602 Richardson Circle	Feels Dr. King is a part of everyone's history and thinks it's important for younger generations to see a street named after Dr. King.
Shelia Berry	1014 Pin Oak Drive (wife of Rev. Charlie Berry, Belton Church of God in Christ)	Belton Church of God in Christ is on 2nd Avenue and the Church and neighbors across the street never received the survey. She asked how the surveys were measured/counted and who they were sent to.
LaNeta Joyce Hill	3400 Summit Circle	Attended all school years at Harris School, and is very much in favor of naming a street after Dr. King. She requested the Council consider new proposals under the street renaming policy, and consider this request separately since it was presented before the policy was adopted.

The Mayor thanked all for their comments and expressed that the City favors naming a street after Dr. Martin Luther King, Jr. He explained the problem that arises is going against the will of the people that live along a street, which was the case of opposition following an attempt to rename Central Avenue to Patriot Way to honor soldiers. The Mayor stated he doesn't want this to be a knee-jerk reaction, but rather have the Council get it right. He thinks it would be appropriate to take these comments into consideration, and refer the item back to staff for additional work.

Councilmember Carpenter, who served on the street renaming policy committee, took exception with the comment that the policy was developed as an attempt to make this issue fail. He stated when the committee deliberated, he never dreamed it would be so difficult to move forward on this issue. He indicated the committee didn't consider property owners disregarding mail outs, or they would have likely agreed a no return be considered approval.

Councilmember Pearson agreed and cited the creation of historic districts where that ordinance utilizes a percentage of negative votes as the trigger. This took properties owned by the City/School District/State, etc., out of play, and also takes those who don't take the time to vote, out of play. In this case, however, the negative votes would still not have been sufficient for the action to be successful. Mr. Pearson suggested the policy include a trigger based on the number of negative responses received to a proposal, not try to reach a threshold of positive responses.

Councilmember Minosky stated he would be upset if he served on this committee and the Council made a decision against the committee's recommendation after they spent so much time developing it. He suggested the policy go back to the committee for review since they were provided all the additional information during development, and review again based on comments/ actions received.

Councilmember Leigh stated he never lived in a society that was segregated, and he believes there are a lot of children who grow up and don't understand the history and significance of things that went on in the past to make their life and dreams possible. He stated he knows Dr. King was a very significant member of society and has made a lasting impact within our culture. Mr. Leigh read the following quote from J. I. Packer's book *Knowing God*: "Wisdom is the power to see and the inclination to choose the best and highest goal, together with the surest means of attaining it." With that, he stated he thinks naming the street along 2nd Avenue is the best and highest goal since it's through an area of town that's prominent and has history. He added he believes the surest means of attaining that sits with the Council and City staff working with property owners along 2nd Avenue, to accomplish it in a peaceful way that they understand why the City wants to do it. Mr. Leigh recommended City staff look at the legalities of it (providing public notice as needed), and make sure everyone along the road gets an opportunity to speak about it, and then measure the results and choose the wisest way to obtain this goal. He believes everyone agrees the highest goal is to find a very prominent street that doesn't negatively impact the community and stand behind it.

Councilmember Carpenter stated he doesn't think the policy should go back to the committee, and that the Council has to step up and handle the issue.

Councilmember Pearson thanked Rev. Hill and all of the church representatives for all they have done, and for setting an example with their conduct throughout this process.

The Mayor directed the staff to take up the issue again and return in a reasonable amount of time, with suggestions as to how to proceed with street renaming in general, and this issue in particular.

Receive presentation and update regarding the City's parks and facilities, and upcoming recreational and special events.

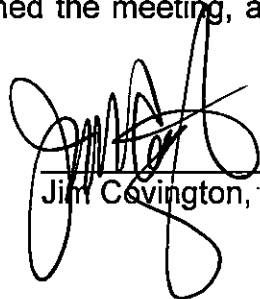
The City Manager cited page 21 of the Texas Municipal League's *Texas Town & City* magazine, which featured a photo of Recreation & Events Director Sandy Slade and members of the Youth Advisory Commission at the 13th Annual Texas Youth Advisory Commission Summit in Port Arthur, Texas.

Ms. Slade gave an update regarding the City's parks and facilities, highlighting changes/improvements, and an overview of upcoming recreational programs/activities and special events being coordinated by the department. Ms. Slade also reviewed the department's strategic goals and tasks associated with the City's Strategic Plan. No Council action was needed.

At 6:42 p.m., the Mayor announced the Council would go into executive session and closed the meeting for the following:


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 551.072, to discuss real estate transaction(s).

At 6:55 p.m. the Mayor reopened the meeting, and there being no further business, the meeting was adjourned.



Jim Covington, Mayor

ATTEST:



Connie Torres, City Clerk