

**BELTON CITY COUNCIL MEETING
MAY 22, 2012**

The Belton City Council met in regular session with the following members present: Mayor Pro Tem Marion Grayson, Councilmembers Clifton Peters, Wayne Carpenter, Craig Pearson, and John Agan. Mayor Jim Covington and Councilmember David K. Leigh were absent. Staff present were John Messer, Sam Listi, Michelle Garcia, Cristy Daniell, Les Hallbauer, Gene Ellis, Francisco Corona, Byron Sinclair, Erin Newcomer, Jerri Gauntt, Sandy Slade, Charlotte Walker, and Denny Lassetter.

The Pledge of Allegiance to the U.S. Flag was led by Public Works Director Les Hallbauer, the Pledge of Allegiance to the Texas Flag was led by Councilmember Clifton Peters, and the Invocation was given by Tommy Davis of the First Church of the Nazarene.

Mayor Pro Tem Grayson called the meeting to order at 5:32 p.m.

Consider an ordinance canvassing the May 12, 2012 general election returns.

The City Manager provided the Council with a copy of the election returns, and recommended approval of the ordinance canvassing the following votes:

<u>For the Office of Mayor</u>		<u>For City Councilmember</u>	
Jim Covington	412 votes	Michael Ware	211 votes
		John Agan	431 votes
		Marion Grayson	397 votes

Upon motion by Councilmember Pearson, seconded by Councilmember Peters, the following captioned ordinance was unanimously approved:

ORDINANCE NO. 2012-15

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, DECLARING THE RESULTS AND CANVASSING THE RETURNS OF THE GENERAL ELECTION HELD WITHIN SAID CITY ON MAY 12, 2012.

Administer the Oath of Office to newly elected Councilmembers.

The City Attorney administered the Oath of Office to Marion Grayson and John Agan. Due to his absence, the Mayor will be sworn in at a future meeting.

Selection of Mayor Pro Tem.

Councilmember Carpenter opened the floor for nominations. Councilmember Pearson made a motion to nominate Marion Grayson to serve as Mayor Pro Tem. The motion was seconded by Councilmember Peters and carried unanimously.

Public comments.

Rae Schmuck, 616 N. Beal Street, asked about the status of Waste Management (WM) and the recycling program, and asked that apartment complexes be included in any program. The City Manager commented staff has been struggling to get information on the program. Assistant City Manager Cristy Daniell explained she contacted WM again today, and the City's representative Terri Woodson, assured her she is pressing as hard as she can, and Belton is at the top of her list of 14 cities that have requested recycling. Ms. Daniell stated based on overwhelming response, this has turned into a \$42M project nationwide, and the decision is currently at the corporate level. Once the CEO signs off on the program, WM's board will have to make their decision.

Presentations:

A. \$1,000 Scholarship from Waste Management, Inc. to Bethany House

Support Services Coordinator Jerri Gauntt explained as part of its contract with the City, Waste Management (WM) offered a \$1,000 scholarship award to a Belton High School graduating senior, who is also a Belton resident. Eight applications were received, unfortunately four of those were not Belton residents. A panel of three judges was chosen to review and rank the applications. John Agan (Council representative), Gene Ellis (staff representative), and Patricia Moore (citizen representative), selected Bethany House to receive the scholarship. Among her many activities during high school, Bethany was a member of YAC (three on the Commission, one year as an associate member), the Marching 100, the Temple College Symphonic Band, an employee at Schoepf's BBQ, and she was one of two students selected to BISSD's School Health Advisory Council. She has been accepted at Texas A&M, where she plans to major in kinesiology, followed by Physical Therapy school. Mayor Pro Tem Grayson presented the scholarship to Ms. House.

B. Proclamation for Public Works Week, May 20-26, 2012

Mayor Pro Tem Grayson read the proclamation and presented it to Public Works Director Les Hallbauer and several employees from the Public Works Department. Mr. Hallbauer showed a brief presentation of a visit to Sparta Elementary School on May 11th, where members of his team showcased Public Works equipment (a grader, loader, street sweeper and sewer vacuum truck).

C. Receive 2012 Silver Leadership Circle Award

The City Manager announced the City has received a silver award from the Texas Comptroller's Leadership Circle program for the third consecutive year. The program, launched in 2009 to recognize local governments across Texas striving to meet a high standard for financial transparency online, spotlights local governments that are opening their books to the public; providing clear, consistent pictures of spending; and sharing information in a user-friendly format that lets taxpayers easily drill down for more information. Mr. Listi presented the award to Assistant City Manager/Finance Director Cristy Daniell who thanked the City Council and City staff for their help and support in providing financial transparency.

Miscellaneous

Hold a public hearing and consider an ordinance regarding a zoning change for 2.704 acres located at 308 Loop 121, the northeast corner of Loop 121 and Connell Street, from Planned Development-11 District to a Commercial-1 District, for the construction of a convenience store and hotel.

Planning Director Erin Newcomer explained Larry Gaines submitted this request for a zone change to allow for a proposed gasoline/service station and hotel. She identified area zoning to include Airgas (Light Industrial) located northeast; TxDOT (Commercial-1) to the west; Quix convenience store (Retail) to the east; and the Expo Center, La Quinta Hotel, and Oxbow Steakhouse to the south. Ms. Newcomer explained while the current PD allows for a hotel and a service station, it will only allow for a service station or truck stop on a lot with a minimum of 2 acres. This site is 2.704 acres, and although it currently satisfies the minimum size requirement, development and division of the site to accommodate a hotel will consume about half the tract.

Ms. Newcomer explained the original request was for Commercial-1 zoning with a minimum lot area requirement of 7,200 square feet; however staff recommended rezoning to Commercial Highway, which was approved by the Planning & Zoning Commission (P&ZC) by a vote of 6-0 at its meeting on May 15th. She indicated some questions were raised since the P&ZC meeting, about the change in zoning to Commercial Highway due to the expansion in use options that exceed the applicant's needs. Ms. Newcomer stated the alternative being proposed simply amends the existing PD-11 District, deleting the acreage requirement for a shopping center and service station/truck stop; and deletes the Light Manufacturing and Assembly use. She indicated the applicant has concurred, and recommended approval with development

regulated under the Commercial Highway District and Type 2 Design Standards, subject to the following:

1. The allowable land uses of the property shall include:

Retail	Office Buildings
Shopping Center	Roller or Ice Rink
Restaurants	Swim or Tennis Club
Service Station or Truck Stop	Health Club or Gym
Motel – Hotel	School or Day Care
Recreation Center	Greenhouse or Nursery

2. The development of the property shall conform to the Commercial Highway District and all applicable Type Area 2 Design Standards contained in Ordinance No. 2009-31, Section 7.1 of the Zoning Ordinance, by reference, including:
 - A. Site Development Standards, except that Area Regulations shall provide a minimum 20' front, side, and rear yard setback
 - B. Building Design Standards
 - C. Landscape Design Standards
3. Sign Standards shall conform to Ordinance No. 2008-11.

Mayor Pro Tem Grayson opened the public hearing, and there were no comments for or against the item, therefore the hearing was closed. Councilmember Carpenter asked if there was enough room for development of a hotel on the lot. David Mojica, Belton Engineering, stated the lot contains 2.704 acres, and indicated there's plenty of room for a hotel, including adequate area for parking. Upon motion by Councilmember Agan, seconded by Councilmember Pearson, the following captioned ordinance was unanimously approved:

ORDINANCE NO. 2012-16

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT-11 ZONING DISTRICT TO AMENDED PLANNED DEVELOPMENT DISTRICT, WITH DEVELOPMENT TO BE REGULATED UNDER THE COMMERCIAL HIGHWAY DISTRICT AND TYPE AREA 2 DESIGN STANDARDS.

Consider terms of a development agreement with the University of Mary Hardin-Baylor (UMHB) regarding the funding for wastewater improvements.

Councilmember Agan indicated he would have to abstain from this item and the next, and left the meeting room.

The City Manager indicated this item provides terms of a development agreement with UMHB to reimburse the City for costs associated with design and construction of UMHB-area wastewater improvements, specifically a 10" wastewater line. He identified the area on a drawing, and explained the upgrade would replace an existing 6" line that is nearing capacity. The new line is proposed to extend 2,000' along University Drive and Sparks Street and is needed to serve UMHB's development plans. A proposed 10" wastewater line results from findings of flow monitoring conducted in March 2012, and following discussions with UMHB regarding anticipated infrastructure needs due to campus expansion.

Mr. Listi explained the total estimated project cost is \$350,000, to include wastewater line replacement, engineering design and surveys, and road repair following construction. If the total project cost exceeds this estimate, an amendment to the development agreement will be requested. The City Manager reviewed the proposed repayment schedule, agreed upon by UMHB, as follows:

Amount	Schedule
\$50,000	June 30, 2012
\$100,000	September 30, 2012
\$100,000	January 31, 2013
\$100,000	June 30, 2013
\$350,000 Total	

Mr. Listi recommended approval of the development agreement in substantially the form presented, with the schedule of repayment outlined above.

Councilmember Peters asked who will construct the streets, and the City Attorney indicated it will be bid. Councilmember Peters made a motion to approve the development agreement as recommended. The motion was seconded by Councilmember Pearson and carried by a vote of 4-0-1, with Councilmember Agan abstaining.

Consider authorizing the City Manager to execute an agreement with Kasberg, Patrick & Associates Engineers for professional design services for University of Mary Hardin-Baylor-area wastewater improvements.

The City Manager stated this item will provide for professional design services by KPA Engineers for the Sparks Street/University Drive Wastewater Line Improvements Project identified in the previous agenda item. The line will extend 2,000' along University Drive and Sparks Street, ending just north of Nolan Creek. Professional services for this project total a lump sum fee of \$37,500, and include design, construction surveys, civil engineering, bidding, and construction administration. Mr. Listi stated this \$37,500 is included in the total project cost of \$350,000, with funds to be paid from Water & Wastewater capital projects funds, to be reimbursed by UMHB, as indicated in the previous agenda item. The project is scheduled to be completed by late Spring, early Summer 2013. He recommended the Council authorize the City Manager to execute the agreement with KPA Engineers. Upon motion by Councilmember Pearson, seconded by Councilmember Peters, the Council authorized the agreement by a vote of 4-0-1, with Councilmember Agan abstaining.

Councilmember Agan returned to the meeting room.

Receive a preliminary staff report on research concerning options on renaming or naming a street in honor of Reverend Dr. Martin Luther King, Jr.

The City Manager gave an overview of preliminary research on a possible street name change for 2nd Avenue to Dr. Martin Luther King, Jr. Drive, as requested at the May 8, 2012 Council meeting by Belton's African American Churches United. One option presented at that meeting would extend the name change for 2nd Avenue from IH-35 on the east, to just west of Loop 121, to the Belton city limits on the west, which could impact 13 businesses (including City, County, State) and 15 residences. Mr. Listi indicated the Council was also provided a list of owners/addresses for review, and a map of the effected properties, some of which are vacant. He requested Council input to determine the next steps regarding this request, and suggested the possible development of a policy regarding naming/renaming streets.

Councilmember Carpenter asked if any cost estimates had been prepared, and Mr. Listi stated no estimates have been prepared at this point. He indicated signage would be the City's primary cost, and a determination would need to be made as to whether the street is dual named, which would allow property owners to maintain their current address, or a name change adopted. Mr. Carpenter asked if dual naming is typical, and the City Manager replied he has seen both.

Mayor Pro Tem Grayson mentioned Central Avenue was proposed for renaming/dual naming to Patriot Way some time ago, and asked if a subcommittee could be formed to identify pros and cons of renaming vs. dual naming. Mr. Listi stated the City currently has no policy in place, but it's up to the Council in how it wishes to proceed. Ms. Grayson indicated she would favor developing such a committee to develop policies/procedures for naming/changing street names. Councilmember Pearson concurred, but asked that the process be expedited given the current request. Councilmember Agan agreed a committee would be good to develop guidelines for this and future requests. Councilmember Carpenter agreed with Mr. Pearson, and asked that Council and citizen input be included in the committee. Mr. Listi indicated he would present an agenda item to form such a committee at the next meeting. No action was needed.


Hold a budget workshop and provide input to management concerning priority needs for the FY 2013 budget.

The City Manager requested Council identify budget priorities/objectives for consideration as FY 2013 budget preparation gets underway. General comments were provided as follows:

- Councilmember Peters suggested numbering light poles in the City if possible.
- Councilmember Pearson inquired about the need for addition of a Public Information Officer position.
- Councilmember Agan asked about putting together a Capital Improvement Planning (CIP) initiative to look at infrastructure needs (water, sewer, streets, sidewalks) for the future.
- Councilmember Carpenter requested street repairs be made in older sections of town.
- Mayor Pro Tem Grayson commented about a joint Police/Fire station in south Belton and the associated additional staffing, in addition to changes needed to the existing police station identified in the Needs Assessment Study.
- Councilmember Peters suggested water/sewer lines also be mapped in the City's GIS system.
- Councilmember Pearson expressed support in maintaining employee healthcare/benefits.

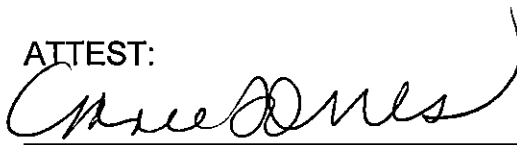
The City Manager thanked the Councilmembers for their input. No action was needed.

There being no further business, the meeting was adjourned at 6:25 p.m.



Marion Grayson, Mayor Pro Tem

ATTEST:



Connie Torres, City Clerk