

**BELTON CITY COUNCIL MEETING
MAY 27, 2014**

The Belton City Council met in regular session with the following members present: Mayor Marion Grayson, Mayor Pro Tem David K. Leigh, Councilmembers Jerri Gauntt, Dan Kirkley, Guy O'Banion, and Paul Sanderford. Councilmember Craig Pearson was absent. Staff present included John Messer, Sam Listi, Jana Faucett, Brandon Bozon, Gene Ellis, Francisco Corona, Mike Huber, Kim Kroll, Erin Newcomer, Denny Lassetter, Charlotte Walker, Paul Romer, Matt Bates, and Aaron Harris.

The Pledge of Allegiance to the U.S. Flag was led by IT Director Denny Lassetter, the Pledge of Allegiance to the Texas Flag was led by Councilmember Jerri Gauntt, and the Invocation was given by Pastor Justin Childers, Miller Heights Baptist Church, Belton, Texas.

1. Call to Order: The Mayor called the meeting to order at 5:30 p.m.
2. Public Comments. Mike Huber, 1817 Greenhaven Drive, Belton, Texas 76513, introduced Angellia Points, Assistant Director of Public Works Administration, and welcomed her to Belton.

Rev. Bill Hill, 3400 Summit Circle, Belton, Texas 76513, presented books to Council regarding the street renaming process and ceremony in honor of Reverend Dr. Martin Luther King, Jr., on behalf of Belton's African American Churches United, University of Mary Hardin-Baylor, and the First Baptist Church of Belton.

3. Presentations and Recognitions:

- A. Present \$2,000 Scholarship from Waste Management, Inc. to Meredith Rowe.

Public Information Officer Paul Romer explained as part of its contract with the City, Waste Management offers a \$2,000 scholarship award to a graduating senior residing in the City of Belton. Mr. Romer indicated the judges selected Meredith Rowe to receive the scholarship, gave an overview of her many activities and accomplishments, and Paul Daugereau from Waste Management presented Ms. Rowe with the scholarship check.

- B. Conduct Swearing in Ceremony for Gene Cole III and Scott Rowe as Police Officers.

Following introduction by the Police Chief Gene Ellis, City Attorney John Messer administered the oath of office to Gene Cole III and Scott Rowe, and their badges were pinned on by family members, in keeping with law enforcement tradition.

- C. Recognize City of Belton, Police Chief, and Fire Chief for support during "The Inaugural Army Marathon" and "The Army Marathon II".

Ed Bandas presented plaques to the City of Belton, Chief of Police, and Fire Chief which read, "In grateful recognition of your support for The Inaugural Army Marathon and The Army Marathon II", and wished to thank the City of Belton for their continuous support.

Consent Agenda

Mayor Grayson pulled item 5(A) from Consent Agenda, and Councilmember Gauntt asked Item Numbers 6 and 7 be pulled from Consent Agenda. Upon motion by Mayor Pro Tem Leigh and seconded by Councilmember Sanderford, items 4 and 5 (B & C) were unanimously approved.

4. Minutes of previous meetings. Minutes were approved as presented.

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5. Consider appointment to the following boards and commissions:

- A. Ethics Commission – Upon motion by Councilmember Kirkley and seconded by Mayor Pro Tem Leigh, the following members were appointed to a one year term:

Councilmember	Nominee
Marion Grayson	Robert Jones
Dan Kirkley	Mike Miller
Jerri Gauntt	James Hill
David K. Leigh	Mark Fitzwater
Craig Pearson	Larry Pointer
Guy O'Banion	Dr. Craig Hammonds
Paul Sanderford	Denise Whitley

- B. Planning & Zoning Commission – Council reappointed Rae Schmuck, Eloise Lundgren, Joel Berryman, and Ben Pamplin to another two-year term, and appointed Brett Baggerly for a two-year term replacing Guy O'Banion following his election to the City Council.
- C. Texas Dormitory Finance Authority Board – Council reappointed Bill Holmes, Blair Williams, Danny Dossman, Dr. Andy Crowson, Joe Pirtle, Chuck Douglas, and Bry Ewan, for additional two-year terms.

6. Consider authorizing extension of lease agreement between the City and Belco Manufacturing Company, Inc. for property located on Taylor's Valley Road.

Grants/Special Projects Coordinator Aaron Harris presented this item to Council. Mr. Harris indicated the lease reflects a rate of \$1,300 per month, increased from \$825 based on market conditions. Mr. Harris also stated the lease will reflect a 24 month extension from June 1, 2014 to May 31, 2016, with a 60-day termination clause, which may be exercised at the City's option.

Councilmember Kirkley motioned to approve the one year extension from June 1, 2014 to May 31, 2015, at \$1300/month, with a 60-day termination clause which may be exercised at the City's option. This motion was seconded by Mayor Pro Tem Leigh and carried unanimously.

7. Consider a resolution authorizing the City of Belton to opt in to the Texas Department of Housing and Community Affairs (TDHCA) HOME Single Family Program Reservation System, for Homeowner Rehabilitation Assistance (HRA), and authorizing the City Manager to act as the City's authorized representative in all matters pertaining to the City's participation in the program.

Grants/Special Projects Coordinator Aaron Harris presented this item to Council. Mr. Harris indicated the contract expires March 2015, but in order for the City to submit eligible funding applications to the State under the updated 2014 program rules, a new RSP Agreement needs to be implemented.

Councilmember Gauntt asked was it correct that no match was required because we are applying early? Mr. Harris indicated yes, this is a new rule from HUD, and local match had been waived for the State of Texas for agreements made prior to December 31, 2014. Councilmember Gauntt asked if this was a first come first serve situation, or will we be evaluating applications as they come in? Mr. Harris stated this is to be determined, but he envisioned having an open period with a set time frame. She also asked if the City had selected a grant administrator, and Mr. Harris said no.

Mayor Pro Tem Leigh motioned to authorize the City of Belton to recertify the agreement with the Texas Department of Housing and Community Affairs (TDHCA). This motion was seconded by Councilmember Sanderford and carried unanimously.

Planning and Development

8. Hold a public hearing and consider an ordinance authorizing a zoning change from Heavy Industrial to a Planned Development Heavy Industrial Zoning

District for a shooting range on a 12.96 acre tract of land located east of East Central Avenue and west of Nolan Creek and East 6th Avenue.

Planning Director Erin Newcomer provided a brief overview of the request and reviewed area zoning. Ms. Newcomer indicated the applicant has submitted this request for a zone change to allow for a proposed Central Texas Regional Firearms Training Facility, east of East Central Avenue and west of Nolan Creek.

Ms. Newcomer stated the P&ZC voted unanimously to recommend this zone change at its May 20th meeting and recommended approval recommended approval of zone change from Heavy Industrial to Planned Development Heavy Industrial Zoning District.

Mayor Grayson opened the public hearing. Police Chief Gene Ellis spoke in favor of this rezoning and respectfully requested approval. There being no further questions or additional comments the public hearing was closed. Councilmember Gauntt made note of discussion in an earlier workshop and stated Council thoroughly vetted the idea, brought up noise questions, and feels Council has a good handle on the situation. Councilmember Kirkley made a motion to approve the ordinance as presented. The motion was seconded by Councilmember O'Banion and carried unanimously. The following captioned ordinance was adopted:

ORDINANCE NO. 2014-19

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM HEAVY INDUSTRIAL ZONING DISTRICT TO PLANNED DEVELOPMENT HEAVY INDUSTRIAL ZONING DISTRICT FOR THE OPERATION OF A CENTRAL TEXAS REGIONAL FIREARMS TRAINING FACILITY, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 10 DESIGN STANDARDS.

9. Hold a public hearing and consider an ordinance authorizing a zoning change from Agricultural to a Single Family-3 Zoning District on a 9.093 acre tract of land located on the north side of East Loop 121, east of Wall Street, 0.20 miles east of South Interstate Highway 35. This item was withdrawn at the applicant's request.
10. Hold a public hearing and consider a final plat for Highland Oaks, Second Addition, a 1.345 acre tract, being a replat of Lots 20-23, Highland Oaks First Addition, located on the southwest corner of East Avenue M and Highland Drive.

Planning Director Erin Newcomer presented an overview of this item and stated this is a 5-lot subdivision proposed for single family development.

Ms. Newcomer indicated the P&ZC voted unanimously to recommend approval of the final plat at its May 20th meeting and recommended approval of the final plat for Highland Oaks, Second Addition, subject to completion of street improvements for East Avenue M.

Mayor Grayson opened the public hearing. There being no additional comments or questions the public hearing was closed. Councilmember Kirkley made a motion to approve the final plat as presented. The motion was seconded by Mayor Pro Tem Leigh and carried unanimously.

11. Consider a preliminary plat for Southwood Hills Subdivision, a 19.15 acre tract, located on the west side of Connell Street, south of West Avenue O, and north of West Loop 121.

Planning Director Erin Newcomer presented an overview of this item and stated this is a 78-lot subdivision proposed for Two Family residential development.

Ms. Newcomer indicated the P&ZC voted unanimously to recommend approval of the preliminary plat at its May 20th meeting and recommended approval of a preliminary plat for Southwood Hills Subdivision, a 19.15 acre tract, located on the west side of Connell Street, and between West Avenue O and West Loop 121, subject to conditions contained in the letter to the applicant's engineer dated May 6, 2014.

Mayor Grayson asked if there was plenty of parking for each unit. Ms. Newcomer indicated each duplex will have six total parking spaces helping to alleviate street parking. Todd Scott, 1432 Overlook Ridge Drive, Belton, Texas 76513, noted this entire property development will be owned by three or four individuals, and the entire neighborhood will have an HOA with every third building having an irrigation system.

Councilmember Gauntt asked if there were sidewalks on both sides on the cul-de-sacs. Ms. Newcomer indicated no sidewalks were proposed on the cul-de-sacs. Ms. Gauntt stated the road appears to be straight and relatively wide and voiced concerns regarding speeding. Ms. Newcomer indicated this would be a collector street, and noted the street width was 37 feet wide with transitions which will provide for turning left or right with separate lanes.

Mayor Pro Tem Leigh made a motion to approve the preliminary plat as presented. The motion was seconded by Councilmember O'Banion and carried unanimously.

Contracts, Leases, & Bids

12. Consider authorizing the City Manager to execute an Interlocal Assistance Agreement with the Central Texas Council of Governments (CTCOG) for funding to hire a volunteer coordinator to enhance the Belton Police Department's RUOK? senior adult outreach program.

Police Chief Gene Ellis presented this item to Council and stated BPD was contacted by Richard McGhee with the Area Agency on Aging of Central Texas, a subdivision of CTCOG, after he had learned about the RUOK? program in a recent news article where he suggested a partnership between his agency and BPD to enhance the outreach to senior adults in our area.

Chief Ellis stated Mr. McGhee has offered BPD \$10,000 to be used between now and September 30, 2014, to hire a volunteer coordinator for senior citizen outreach through the RUOK? Program, and advised Mr. McGhee will be providing another \$20,000 for the next fiscal year assuming funding becomes available. Chief Ellis recommended authorizing the City Manager to execute an Interlocal Assistance Agreement with CTCOG.

Councilmember Kirkley what would this part-time position consist of? Chief Ellis indicated the position would work approximately 20-25 hours per week at \$10-\$12 an hour. Councilmember O'Banion asked if there is a possibility of this becoming a full-time position with more funding. Chief Ellis stated this would remain part-time with the funding provided. Mr. McGhee with the Area Agency on Aging of Central Texas stated this would be a low cost high impact project. Councilmember Kirkley asked about the potential of this being an ongoing partnership. Mr. McGhee stated this would be in place for the remainder of this fiscal year as well as next, and with the possibility of a long term partnership with the assistance of other law enforcement agencies.

Councilmember Sanderford made a motion to authorize the City Manager to execute an Interlocal Assistance Agreement with the Central Texas Council of Governments as presented. The motion was seconded by Councilmember Gauntt and carried unanimously.

13. Consider authorizing the City Manager to execute an Interlocal Agreement with BISD for donation of portable buildings and approval of a budget amendment to move the buildings.

Police Chief Gene Ellis along with Public Works Director Mike Huber presented this item to Council and stated the City has been offered the opportunity to acquire four portable classroom building from the Belton Independent School District (BISD), and are being offered to the City at no

cost by BISD. Chief Ellis and Mr. Huber recommended authorizing the City Manager to execute an Interlocal Assistance Agreement with BISD and authorizing the budget amendment to move the buildings.

Mayor Pro Tem Leigh asked about the sustainability of these buildings, and was this temporary or permanent. Mr. Huber stated the buildings were in great shape, and will meet their needs for a long time to come. Mr. Listi noted this item presented an opportunity obviously not budgeted for, but the funds are available as indicated, and he recommended not only the agreement, but the budget amendment as presented.

Councilmember Kirkley made a motion to authorize the City Manager to execute an Interlocal Assistance Agreement with BISD as presented. The motion was seconded by Councilmember O'Banion and carried unanimously.

14. Consider authorizing the City Manager to execute an Interlocal Assistance Agreement with Bell County for use of the Central Texas Regional Firearms Training Facility.

Police Chief Gene Ellis presented this item to Council and stated he City of Belton has been working to develop a police firearms training facility at the end of East Central Avenue in the Shirrtail Bend area. Chief Ellis noted the City has been awarded a \$30,000 Governors Criminal Justice Division Justice Assistance Grant (JAG) program for development of the site and KPA Engineers has completed surveying, flood map revisions, preliminary site plans, and is working with TCEQ for final approval of this project.

Chief Ellis stated this project is intended to be a regional training facility available for use by other law enforcement agencies and recommends approval of the Interlocal Assistance Agreement with Bell County.

Councilmember Sanderford made a motion to authorize the City Manager to execute an Interlocal Assistance Agreement with Bell County as presented. The motion was seconded by Mayor Pro Tem Leigh and carried unanimously.

Miscellaneous

15. Consider award of bid for sale five (5) lots, containing approximately 0.26 acres each, Lots 1-5, Block 1, Highland Oaks, Second Addition, located between Fairway Drive and Highland Drive, along the south side of East Avenue M.


Grants/Special Projects Coordinator Aaron Harris presented this item to Council. Mr. Harris stated this is City-owned surplus property, five (5) lots, containing approximately 0.26 acres each, located between Fairway Drive and Highland Drive, along the south side of East Avenue M and indicated the tract was replatted from four to five lots in Agenda Item #10, consistent with area SF-2 zoning and area lot sizes.

Mr. Harris stated three (3) bids were received and recommends award of bid to Jubilee Homes in the amount of \$50,005, for five (5) lots, containing approximately 0.26 acres each, located between Fairway Drive and Highland Drive, along the south side of East Avenue M retaining easements indicated.

Mayor Pro Tem Leigh asked would it be better to rebid and set a minimum of \$69,000 to cover the cost of improvements. Mr. Listi stated Council certainly has the discretion to do so, and we could go out for bids again, but keep in mind we were at a disadvantage because we did not own both sides of the street got maximum lot yield. Mayor Pro Tem Leigh stated we need to do what is best, but we should not be supplementing any developer as this sets precedence for the future. Councilmember O'Banion asked for additional clarification regarding what the City gained in obtaining these lots. Mr. Listi stated this property came to us in a settlement agreement with the objective to get the neighborhood street and lots finished. Mayor Pro Tem Leigh stated although he did not expect to recover all of the associated costs, he felt the offer was below market.

Councilmember Kirkley made a motion to approve award of bid to Jubilee Homes as presented. The motion was seconded by Councilmember Gauntt with Mayor Pro Tem Leigh voting in opposition and carried by a vote of 5-1.

There being no further business, the meeting was adjourned at 6:48 p.m.



Marion Grayson, Mayor

ATTEST:



Jana Faucett, City Clerk

