

**BELTON CITY COUNCIL MEETING  
MAY 28, 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, Craig Pearson, John Agan, and Jerri Gauntt. Councilmember Dan Kirkley was absent. Staff present were John Messer, Sam Listi, Connie Torres, Cristy Daniell, Gene Ellis, Francisco Corona, Mike Húber, Erin Newcomer, Kim Kroll, Sandy Slade, Chris Brown, Paul Romer, and Aaron Harris.

The Pledge of Allegiance to the U.S. Flag was led by Public Information Officer Paul Romer, the Pledge of Allegiance to the Texas Flag was led by Councilmember Jerri Gauntt, and the Invocation was given by Mike Dunson of the First Christian Church.

The Mayor called the meeting to order at 5:31 p.m.

Administer the Oath of Office to Councilmember David K. Leigh.

The City Attorney administered the Oath of Office to Councilmember Leigh.

Public comments. There were no public comments.

Presentations:

A. \$1,000 Scholarship from Waste Management, Inc. to Sapphire Hughes

Grants & Special Projects Coordinator Aaron Harris explained as part of its contract with the City, Waste Management offers a \$1,000 scholarship award to a graduating senior residing in the City of Belton. He recognized the judges who reviewed and ranked the applications, and thanked them for their service: Councilmember John Agan, Public Information Officer Paul Romer, and Belton Area Chamber of Commerce CEO/President Stephanie O'Banion. Mr. Harris indicated the judges selected Sapphire Hughes to receive the scholarship, and gave an overview of her many activities and accomplishments. Paul Daugereau from Waste Management presented Ms. Hughes with the scholarship check. (Daniel McBurney from Waste Manage was also present.)

B. Receive 21st Government Finance Officers Association Distinguished Budget Presentation Award for the Fiscal Year beginning October 1, 2012

The City Manager announced the City has received this award for the 21st consecutive year, and expressed appreciation to the City's Finance Department. He presented the award to Assistant City Manager/Finance Director Cristy Daniell and thanked her for her service. Ms. Daniell introduced Susan Allamon, Staff Accountant, and thanked her entire Finance staff for their dedicated service, with special thanks to Assistant Finance Director Karen Evans (who couldn't attend) for her assistance with the budget document.

C. Receive 2013 Silver Leadership Circle Award

The City Manager stated the City has received this award from the Texas Comptroller's Leadership Circle program for the fourth consecutive year. The program was launched in 2009 to recognize local governments striving to meet a high standard for financial transparency online. Mr. Listi showed the City's Government Transparency Link on the City's webpage, and presented the award to Assistant City Manager/Finance Director Cristy Daniell. Ms. Daniell thanked her staff for their assistance in creating these documents, and Public Information Officer Paul Romer and IT Department staff Denny Lassetter and Chris Brown, for their assistance in publishing this information on the City's website.

D. Present Citizen Lifesaving Recognition from the Belton Police Department

Police Chief Gene Ellis (assisted by Sergeant Kim Hamilton and Fire Chief Francisco Corona), presented U.S. Army Sergeant Daniel Oubre with an award recognizing his lifesaving efforts of a resident in cardiac arrest in the fitness room at Turtle Creek Apartments on April 16, 2013. Sergeant Oubre's quick thinking and decisive actions saved the life of Mr. Ho Kim, as he quickly responded and began CPR. Chief Ellis expressed appreciation from the Kim family who couldn't attend, and thanked Sergeant Oubre for his actions. Sergeant Oubre expressed appreciation for the award and thanked the City's EMS personnel for arriving on scene so quickly, and recognized those present from his family and military unit.

#### Consent Agenda

With regard to item regarding the fire course, Councilmember Agan commended the City's firefighters for performing this training during their off-duty time. Councilmember Gauntt requested the item regarding the 380 Agreement with Prestwick Development be pulled from the consent agenda. Upon motion by Councilmember Leigh, seconded by Mayor Pro Tem Grayson, the following items were unanimously approved:

Minutes of previous meetings: Both sets approved as presented.

A. April 23, 2013 Regular Meeting

B. May 14, 2013 Regular Meeting

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

Approved the one year extension from June 1, 2013 to May 31, 2014, at \$825/month, with a 30-day termination clause which may be exercised at the City's option. The lease also includes the following conditions:

- Lessee shall maintain the lease property at all times to the satisfaction of the Lessor.
- Lessee shall ensure stored materials remain exclusively within the fenced property boundary.
- Perimeter fence shall be maintained to the satisfaction of the City during the term of the lease by the Lessee.

Consider extension of an interlocal agreement with the Belton Independent School District for operation of a career and technical high school education fire course.

Approved extension of the interlocal agreement with BISD to continue the City's partnership in conducting a career and technical education fire course for juniors and seniors at Belton High School. The only change to the agreement is the school year term, which will continue in the 2013/2014 school year, with instruction provided by off-duty Belton firefighters, Monday-Friday. Students interested in pursuing a firefighting profession will be hand-selected for the class by BISD and the Belton Fire Department, based on grades, attendance, maturity and discipline. This program gives the Belton Fire Department the opportunity to educate and recruit students for future fire service employment.

#### Pulled from Consent Agenda

Consider approval of a revised resolution authorizing the City Manager to enter into a Chapter 380 Agreement with Prestwick Development; and consider approval of a related budget amendment from the Water & Sewer Fund.

The City Manager explained this item involves development of an 88-unit, low income, senior housing project on the west side of Commerce Drive (south of Sparta Road), using tax credits from the Texas Department of Housing & Community Affairs (TDHCA). He reviewed the project background and explained local financial support is one of the key elements in scoring these applications that go through a strenuous competition process. Mr. Listi stated Breck Kean of the Prestwick Company, advised

him that Belton's proposed Manor at Commerce Park is tied with a Waco project, but Belton's will win on a "tie breaker" if deficiencies identified by TDHCA are addressed. He explained the original loan commitment resolution adopted in January 2013 did not meet wording requirements by TDHCA and said the loan commitment term will be no more than five (5) years, instead of not less than five (5) years. This revised resolution reflects that change, and in addition, also provides confirmation that if funded, no funds were provided by the City in advance.

Mr. Listi gave an overview of the fiscal impact of this \$10,000,000 private investment, which staff views as an economic development project. He stated staff proposed a \$220,000 loan from the Water & Sewer Fund, to be repaid with 3% interest (generating \$6,600 per year) in one lump sum payment (\$253,000) no later than five years after loan closing. Mr. Listi stated Prestwick's intention is to use the loan as an infrastructure construction loan, to be repaid within 36 months, well ahead of the five years allowed. He recommended approval of the revised resolution and approval of the related budget amendment from Water & Sewer fund balance.

The Mayor confirmed if this resolution is changed, Belton will surpass the Waco application, and Mr. Listi stated that's his understanding. Councilmember Gauntt asked about approval of the budget amendment, and Mr. Listi indicated the Council had previously approved the budget amendment and funding commitment, and this action would simply reconfirm it.

Mayor Pro Tem Grayson made a motion to approve the revised resolution authorizing the City Manager to enter into the agreement for a Chapter 380 Agreement, and approval of the related budget amendment from the Water & Sewer Fund as indicated. The motion was seconded by Councilmember Pearson, and the following captioned resolution was unanimously approved:

**RESOLUTION NO. 2013-18**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, SUPPORTING PRESTWICK DEVELOPMENT'S TAX CREDIT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A HOUSING DEVELOPMENT FOR LOW AND MODERATE INCOME SENIORS; AND PROVIDING AN OPEN MEETINGS CLAUSE.**

Miscellaneous

Hold a public hearing and present municipal services plan for the voluntary annexation of an area comprising approximately 15.69 acres located generally north of US Highway 190 along the west side of Wheat Road, as requested by the Belton Independent School District.

The City Manager explained this is the second of two required public hearings involving a voluntary annexation request from the Belton Independent School District for approximately 15.69 acres of land proposed for construction of Chisholm Trail Elementary School. He showed the area on a map, reviewed the municipal services plan, and indicated the first reading of the annexation ordinance is scheduled for the June 25th regular meeting, with the second reading on July 9th.

The Mayor opened the public hearing, and Dr. Susan Kincannon, BISD Superintendent, thanked the City for its assistance and working with BISD on this project. She invited everyone to a ground breaking ceremony at the proposed school site on June 5th at 9:00 a.m. (School Board President Randy Pittenger was also present.) There were no additional comments, therefore the Mayor closed the public hearing. Councilmember Pearson expressed appreciation for the close collaboration and cooperation between City staff and BISD.



Z-13-09 Hold a public hearing and consider an ordinance regarding a zoning change from Single Family-1 District to Single Family-3 District for a 0.40 tract located in the 500 Block of East 14th Avenue, located between North Blair Street and Hilltop Street.

Councilmember Agan announced he would abstain from this item and left the meeting room.

Planning Director Erin Newcomer gave an overview of this request submitted by Stellar Homes for the construction of three single family homes on a vacant tract. She identified area zoning, and indicated if the zoning change is approved, the applicant will be required to replat the lots into three lots, and maintain a required 7' side yard setback at 501 E. 14th Avenue and a 20' rear yard setback at 1320 Hilltop Street. Ms. Newcomer explained the homes will be constructed of brick and wood siding to be compatible with surrounding existing homes, with provision for adequate on-site parking, and site plan approval by staff. She showed photos of existing homes in the area and indicated the Planning and Zoning Commission (P&ZC) recommended the roof pitch and exterior construction be changed to match existing homes. The applicant has changed the roof pitch from 9:12 to 5:12 and the exterior to mostly hardy plank with a small amount of stone or brick. The homes on the exterior lots have also been changed to have a side entry garage, but the home on the interior lot will have a front entry garage due to limited space. Ms. Newcomer indicated the P&ZC recommended approval of the zone change by a vote of 5-0 at its meeting on May 21st, and she concurred and recommended approval of the proposed ordinance.

Councilmember Pearson asked if the applicant intends to save any of the existing trees, and Ms. Newcomer referred the question to the applicant, but stated the P&ZC did mention a desire to save as many as possible. The Mayor opened the public hearing. Sharon Ellis, 1500 Lake Road, Unit #12, stated she would like to purchase one of these home and believes they will be an attribute to the community, and requested favorable consideration.

Applicant Mark Rendon, Stellar Homes, 413 Downing, showed a presentation highlighting details of the project, and requested Council approval. Councilmember Gauntt asked about existing trees and the width of the plans. Mr. Rendon stated most of the trees will be saved, and all of the homes are in the vicinity of 40' wide. He indicated they will work with the City to refine plans to meet setback requirements. Ms. Gauntt expressed concerns about the setbacks and with the proposed homes not fitting into the existing neighborhood. Citing the garage in the front, she also asked about an alley to the rear of the property and if there would be a way to provide access there. Mr. Rendon explained the alley is not part of his lot (belongs to Jim Clemons) and it's his understanding it is abandoned and has been taken over by the neighborhood. He stated the houses on the next block (to the east) are zoned SF-3. Councilmember Leigh reminded the audience this is not a plat, but a zoning change request, and placement of the homes, etc. will come later. There were no other questions or comments for or against the item, therefore the hearing was closed.

Mayor Pro Tem Grayson made a motion to approve the ordinance as requested. The motion was seconded by Councilmember Leigh, and carried by a vote of 5-0-1, with Councilmember Agan abstaining. The following captioned ordinance was approved:

**ORDINANCE NO. 2013-15**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-1 ZONING DISTRICT TO SINGLE FAMILY-3 ZONING DISTRICT FOR CONSTRUCTION OF THREE SINGLE FAMILY HOMES, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 6 DESIGN STANDARDS.**

Councilmember Agan returned to the meeting room.

P-13-06 Hold a public hearing and consider a final plat for Arbor Park West, a 13.35 acre section of the Business Park, located north of Highway 190, west of Arbor Park Drive, and south of Powell Avenue.

Planning Director Erin Newcomer explained this is a 3-lot subdivision proposed for commercial development – Lot 3 contains an existing building and Lots 1 and 2 are vacant. She indicated the Belton Economic Development Corporation (BEDC) is working to sell the lots for mixed use development. Access and utility easements accommodate existing facilities, and loading dock and dumpster access. Given the existing condition, a building setback of 14.7' on Lot 3 at Arbor Park Drive (rather than 30') is allowed. Ms. Newcomer stated the P&ZC recommended approval unanimously (5-0) at its meeting, and she concurred.

The Mayor opened the public hearing. Applicant Cynthia Hernandez, BEDC Executive Director, gave an overview of Business Park development. She explained the property needs to be re-platted in order to finalize real estate transactions on Lots 1 and 3. Mayor Pro Tem Grayson stated she thinks it makes perfect sense to size the lots to fit the clients' needs. There were no other comments for or against the item, therefore the hearing was closed.

Upon motion by Councilmember Pearson, seconded by Mayor Pro Tem Grayson, the Council unanimously approved the final plat as presented.

Receive a presentation and recommendation on the 2013 Capital Improvement Plan (CIP) as developed by the CIP Committee.

The City Manager introduced CIP Chair Clifton Peters who recognized CIP Committee Members present (Josh Van Schoik, Eloise Lundgren, Rae Schmuck, Mel Kelder and Rucker Preston). Mr. Peters gave an overview of the Committee and the process conducted to develop the CIP project list.

Mr. Listi outlined the Committee's process for prioritization of projects, and reviewed the final project rankings and proposed funding summaries, with the resulting recommendation shown below:

Projects	GO Funding	TIRZ Funding	Drainage Funding	Other Funding
<b>TOTALS</b>				
❖ Public Safety	\$2.9M			
❖ Streets	\$0.8M	\$1.7M <sup>1</sup>	\$0.3M <sup>2</sup>	\$2.0M <sup>3</sup>
❖ Sidewalks	\$0.115M	\$0.145M		
❖ Parks and Recreation	\$0.31M	\$0.200M		\$70,000 <sup>4</sup>
❖ Traffic Signals		\$0.150M		
	\$4.125M	\$2.195M	\$0.3M <sup>2</sup>	\$2.070M

1. TIRZ Funding for Streets:
  - \$1.7M CO debt issue (new)
2. Drainage Funding for streets subject to Council approval:
  - \$0.3M 2008 Drainage CO's (remaining funds)
3. Other Funding for Streets:
  - \$1.5M 9<sup>th</sup> (Source TBD)
  - \$0.5M 2008 Street CO's (remaining funds), subject to Council approval
4. Other Funding for Nolan Creek Project (Source: Private Donations)

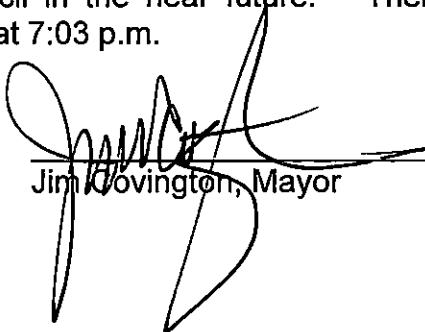
The City Manager recommended the Council receive the Capital Improvement Plan as developed by the Committee, expressing gratitude for a job well done, and that the Council direct the City Manager to schedule a Council work session in June to develop strategy for implementation. Mr. Listi reiterated thanks to those who served on the Committee, and recognized Rae Schmuck for having served again on another CIP Committee, having previously served on the 2004 CIP Committee.

The City Council applauded the efforts of the CIP Committee, and the Mayor directed staff to schedule a Council workshop to discuss the CIP.

Councilmember Leigh also praised the CIP Committee for its work and for "spreading the wealth" among all areas and needs of the City. He suggested as the City looks for funding sources for CIP projects, that it consider private funding sources

that may result from naming opportunities (i.e. ASCO Park). Mr. Leigh commented sidewalk projects had been funded in the past and some may not have been accomplished due to workload, flooding, etc. He asked if the funding allotted for sidewalk projects in the proposed CIP are newly budgeted. The City Manager indicated some areas identified are catch-up projects previously budgeted (FY 2012 and \$480,000 from FY 2013) and some are new allocations. Mr. Leigh also expressed concern about student safety near the new elementary school coming on line, and asked that the City proactively look at the impact of that school and pedestrian access (crossing Loop 121 and through the Belton Business Park). The City Manager agreed and stated he believes the Committee made the most prudent recommendation it could about Wheat Road, given the uncertainty of what that road ultimately needs to be (four/five lane, curb/gutter, sidewalks); more information will follow as the Thoroughfare Plan is updated, and a discussion is made on the final alignment of the Lake-to-Lake Road (FM 2271/FM 1670 extension).

Lastly, Councilmember Leigh asked for clarification on the location of the Connell Street drainage project, and Engineer Mack Parker, KPA Engineers, confirmed the drainage way is west of Connell Street and runs west (where Fisher-Vincent Ford used to be/Pearl Street). Mayor Pro Tem Grayson asked the Committee members if they enjoyed their service on the Committee, and several nodded their heads. Citing the bus tour taken by the CIP Committee during their process, the Mayor requested a similar bus tour be scheduled for the Council in the near future. There being no further business, the meeting was adjourned at 7:03 p.m.



Jim Covington, Mayor

ATTEST:



Connie Torres, City Clerk