

**BELTON CITY COUNCIL MEETING
SEPTEMBER 28, 2010**

The Belton City Council met in regular session with the following members present: Mayor Jim Covington, Mayor Pro Tem Marion Grayson, Councilmembers Clifton Peters, David K. Leigh, Wayne Carpenter, Craig Pearson, and John Agan. There were no members absent. Staff present were John Messer, Sam Listi, Connie Torres, Cristy Daniell, Fred Morris, Les Hallbauer, Gene Ellis, Bruce Pritchard, Byron Sinclair, Jerri Gauntt, Kim Kroll, and Sandy Slade.

The Pledge of Allegiance to the U.S. Flag was led by Library Director Kim Kroll, the Pledge of Allegiance to the Texas Flag was led by Councilmember John Agan, and the Invocation was given by Councilmember David K. Leigh.

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

Public comments.

Police Chief Gene Ellis reminded the audience of the Police Department's National Night Out events to be held on October 5, 2010.

Presentations:

A. Proclamation regarding International Walk to School Day

The Mayor read the proclamation and presented it to Scott Moger from BISD in support of the Safe Routes to School Program. Mr. Moger thanked the City for its partnership in helping promote a safe and healthy lifestyle for Belton children.

Mayor Pro Tem Grayson thanked Public Works Director Les Hallbauer and his employees for the work they have done on the sidewalks along Main Street, even following interruption from the flood and other ongoing projects.

B. Scenic City Certification for the City of Belton

The City Manager explained Belton is one of 14 Texas cities recognized as a Texas Certified Scenic City for having the highest level of scenic standards for public roadways and public spaces in 2010. He indicated Belton received the GOLD recognition, the highest awarded presented, along with Georgetown, Westlake, and Flower Mound. He showed photographs from the awards luncheon attended by several City officials in Austin on Thursday, September 16th, along with the street sign and certificate presented to the City.

(The Scenic City Certification Program, the first of its kind in the United States, developed in 2009 by Scenic Texas in cooperation with the Texas Municipal League and in consultation with Scenic Houston, the Houston-Galveston Area Council, Urban Land Institute, American Planning Association and Houston Council of Engineers. It accepted its first applications in 2010.)

Consent Agenda

The Mayor announced the ordinance regarding outdoor burning will be tabled to a future meeting. Councilmember Leigh made a motion to approve the remaining items on the consent agenda. The motion was seconded by Councilmember Pearson, and the following items were unanimously approved:

Minutes of previous meetings: Both sets approved as presented.

A. September 14, 2010 special meeting

B. September 14, 2010 regular meeting

Consider the appointments to the following Boards & Commissions:

- A. Electrical Board – Reappointed Bill Barge (Developer) and Jamie Sanderford (Master Electrician) for another two year term.
- B. Bell County Health District Board of Directors – Reappointed JoAn Dillard and Clifton Peters (Alternate) as the City’s representatives for another three year term.

Consider an ordinance establishing Assignment Pay for the Criminal Investigation Division (CID) Sergeant.

Approved the following captioned ordinance establishing assignment pay for the CID Sergeant position:

ORDINANCE NO. 2010-41

AN ORDINANCE PROVIDING FOR ASSIGNMENT PAY FOR CRIMINAL INVESTIGATION DIVISION SERGEANT; AND PROVIDING AN EFFECTIVE DATE.

Consider an ordinance amending the FY 2010 budget.

Approved the following captioned ordinance which includes all budget amendments approved by City Council for FY 2010:

ORDINANCE NO. 2010-42

AN ORDINANCE AMENDING THE ANNUAL BUDGET OF THE CITY OF BELTON FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010.

Consider authorizing the City Manager to execute extension of the agreement with Russ Reid Company for Government Relations Services (federal lobbyist).

Approved extension of the agreement for FY 2011 at a maximum cost of \$125,000.

P-10-13: Consider a Final Subdivision Plat for Dawson Ranch, Phase II, Section I, a 17.076 acre tract of land out of the Christopher Cruise Survey.

Approved the final plat for Dawson Ranch, Phase II, Section I, a 17.076 acre subdivision containing 46 lots on three blocks. Though staff recommended approval of the final plat, approval of construction plans will be deferred. No authorization to begin construction will be issued until corrections are made and further review and comment resolve the City’s questions. The Planning & Zoning Commission (P&ZC) voted to recommend approval 5-0 its meeting on September 21, 2010, subject to the Design Engineer addressing specific issues on the construction plans.

P-10-14: Consider a Preliminary Subdivision Plat for Northcliffe, Phase IX Subdivision, an 18.310 acre tract of land out of the G. W. Lindsey Survey.

Approved the preliminary plat for Northcliffe, Phase IX which is partly in the Belton ETJ and the remainder within Temple’s ETJ or city limits. Staff recommended approval of the preliminary plat and the P&ZC voted to recommend approval 5-0.

Miscellaneous

Conduct a public hearing and consider an ordinance adopting the City of Belton Strategic Plan Update, 2011-2016.

The City Manager gave an overview of the Strategic Planning process and reviewed the following changes:

- The Timeline/Implementation section in several Tasks was rearranged to proceed chronologically.
- For objectives D-4 and D-6 assigned to BEDC Director Tommy Baker, the recommended joint City Council/BEDC Board meetings were made consistent on two dates – March and September 2011.
- Objective D-8, formerly assigned to Mack Parker as Team Leader/Coordinator, was changed to the City Manager, with assistance by Les Hallbauer/Consulting Engineer, for consistency in assignment to a City Department Head.

The Mayor opened the public hearing and there were no comments, therefore the hearing was closed. Upon motion by Councilmember Pearson, seconded by Councilmember Carpenter, the following ordinance was unanimously adopted:

ORDINANCE NO. 2010-43

AN ORDINANCE ADOPTING THE STRATEGIC PLAN UPDATE, FY 2011-2016, FOR THE CITY OF BELTON, TEXAS.

Consider actions regarding the 2011/2012 Community Development Block Grant Program.

- A. Conduct a public hearing to solicit citizen comment regarding possible projects for the 2011/2012 Community Development Block Grant (CDBG) Application Cycle.

Support Services Coordinator Jerri Gauntt gave an overview of the program and indicated since Belton is not an entitlement city, it must compete for these funds in each two year funding cycle. Staff is suggesting a wastewater system improvement project located on Shady Lane which will provide approximately 2,100 linear feet of upgraded wastewater line and manholes to benefit 1,748 persons, of which 57% are persons of low to moderate income. The project includes removal of a lift station on Shady Lane, as well as trunk sewer relocation away from residents' backyards. Ms. Gauntt indicated a public hearing is required prior to submission of an application to solicit citizen comment on this project or other possible eligible projects.

The Mayor opened the public hearing. There were no comments, therefore the hearing was closed.

- B. Consider a resolution authorizing submission of a Texas Community Development Program application to the Texas Department of Rural Affairs, authorizing the City Manager to act as the City's authorized representative, and committing the City's local share toward the grant.

Ms. Gauntt explained the City is preparing an application for \$275,000 of CDBG funding and reviewed the proposed project. The estimated cost of the proposed wastewater system improvement project on Shady Lane is \$330,000, with the City's match of \$55,000 to be funded from the Water & Sewer fund balance. A budget amendment will be requested at the time of grant award if approved.

Councilmember Peters asked how many lift stations the City will have if this project is funded, and Public Works Director Les Hallbauer replied there are currently 16, but one will be eliminated if this project proceeds.

Councilmember Agan made a motion to approve the resolution as recommended. The motion was seconded by Councilmember Peters and the following resolution was unanimously adopted:

RESOLUTION NO. 2010-16

A RESOLUTION OF THE CITY COUNCIL OF BELTON, TEXAS, AUTHORIZING THE SUB-MISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Z-10-25: Hold a public hearing and consider an ordinance amending the zoning of Lots 12 & 13, Block 2, Belton Lake Estates, locally known as 3262 and 3268 FM 439 (Lake Road), from Agricultural to Multi-Family, for the construction of a multi-family housing project.

Development Services Director Fred Morris explained Bob Babcock requested this zoning change for construction of a single duplex unit on the property and reviewed the proposed site plan. Staff recommended approval of the change, and the P&ZC voted to recommend approval 5-0.

The Mayor opened the public hearing. There was no one to speak for or against the request, therefore the hearing was closed. Upon motion by Mayor Pro Tem Grayson, seconded by Councilmember Leigh, the following captioned ordinance was unanimously adopted:

ORDINANCE NO. 2010-44

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL ZONING DISTRICT TO MULTI-FAMILY ZONING DISTRICT FOR THE CONSTRUCTION OF A MULTI-FAMILY HOUSING PROJECT.

Conduct a work session to review flood event on September 8, 2010.

The City Manager introduced Assistant Fire Chief Bruce Pritchard who gave a presentation of the September 8th flood caused by Tropical Storm Hermine, and the City's emergency response throughout. Assistant Chief Pritchard suggested the following list of "Things to Do" that could help in future disasters:

- Establish a call list for 1st call network in areas prone to flash flooding;
- Consider placement of automatic storm water detectors upstream;
- Increase public education (i.e. "turn around, don't drown"); and
- Utilize free training offered through the State's Emergency Management Division for all senior staff members.

The City Manager reviewed his summary of observations and the following "lessons learned" throughout the event:

- Establish permanent and equipped location of City Emergency Operation Center (EOC).
- Notify of all Council members and Dept. Heads of local disaster earlier.
- Deploy senior members of City Staff (decision makers) to the EOC.
- Need copy of local annexes in EOC.
- Early notification to citizens of rising water (Shirt Tail Bend and Nolan Creek Apartments) needed.
- Re-establish emergency barricade trailer from Public Works.
- Equip and train police officers for swift water rope rescue.

Mr. Listi indicated representatives from area cities, Bell County, the Council of Governments, WCID #6, and Blackland Research, are meeting to evaluate the need for additional study and improvements to the Nolan Creek Watershed.

The City Manager added staff will continue to assist citizens and businesses as they attempt to rebuild/reopen. He presented information provided from the Federal Emergency Management Agency (FEMA) regarding redevelopment of structures and the flood insurance program. Development Services Director Fred Morris gave a brief overview of FEMA rules regarding reconstruction, and indicated the City will have to ensure compliance with the City's floodplain management ordinance.

Mr. Listi stated the City will also look at the idea of an early warning system and presented handouts to the City Council. Public Works Director Les Hallbauer stated this is a cellular phone based flood warning system that can notify whomever the City chooses. He indicated placement of a system at the Backstrum Crossing in the City's ETJ would provide about a one-hour warning; other systems could be placed at the Burton Crossing along the Hike & Bike Trail and the low water crossing in Confederate Park.

The Mayor stated he thinks the City should at least be informed of what's available for early warning, and investigate the possibility of changing the elevation of existing detention ponds/lakes and adding more if possible. He commented these structures (flood control dams) were built based on a study done in the 60's and impervious surface has increased significantly in neighboring cities. Mr. Listi stated even with all structures built, the protection of the watershed is not 100%. He concurred surrounding entities need to take a good look at the issue and seek other techniques that may be available. Consulting Engineer Mack Parker stated if 15 structures had been built, they would have provided 46% protection; with 13 built, protection of the watershed was reduced to approximately 36%. Mr. Parker indicated the other detention structures weren't built due to property rights issues. The City Manager agreed it would be best to improve existing detention structures and build more where possible.

Councilmember Leigh requested staff research other warning systems available for a best cost solution, and perhaps the County develop a regional warning system. Since all rescue boats were tasked in other areas throughout the County, Mr. Leigh asked if there was any way to create a list of other boat resources that could be provided for rescue operations should this situation arise again. In response to an inquiry by Councilmember Agan, Assistant City Manager Cristy Daniell reviewed the City's insurance estimate/claim submitted to the Texas Municipal League. Mayor Pro Tem Grayson and Councilmember Pearson commended the Church of God of the First Born for hosting an event

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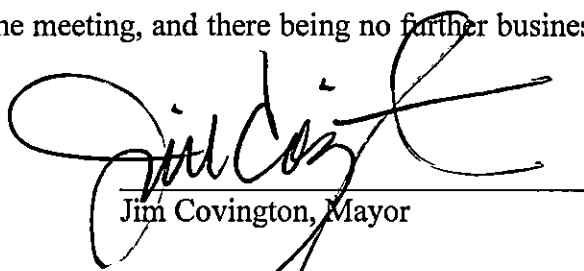
with representatives from several different agencies (Salvation Army, Housing Authority, etc.) to assist affected citizens/businesses with disaster forms and paperwork.

The City Manager thanked the City's staff and all the volunteers and partners that assisted throughout the event. No action was required on this item.

At 6:50 p.m. the Mayor announced the Council would go into executive session and closed the meeting.

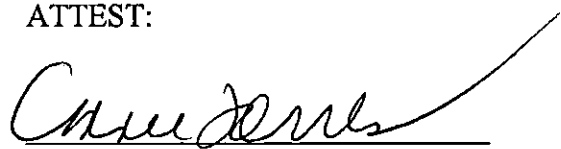
Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, to consult with City Attorney regarding pending litigation.

At 7:42 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