

BELTON CITY COUNCIL MEETING
September 9, 2014

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

The Pledge of Allegiance to the U.S. Flag and the Pledge of Allegiance to the Texas Flag were led Webelos Den #2, Pack 153, Temple, Texas, 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. Timothy Roope, 1804 Dancing Oaks Court, Belton, Texas 76513, spoke regarding the lack of Cable and Internet Service in Dawson Ranch.

David Brooks, 2411 Twin Ridge Court, Belton, Texas 76513, spoke regarding low water pressure at his residence.

Bill Stoneborner, 1607 Jordan Street, Belton, Texas 76513, spoke regarding natural disaster preparedness.

3. Presentations:
 - (A) Proclamation for Constitution Week. – Mayor Grayson read the proclamation and presented it to Martha Enyeart, the Regent for the Betty Martin Chapter of the National Daughters of the American Revolution.
 - (B) Proclamation for the 100th Anniversary of the ICMA, the International City/County Management Association. - Mayor Grayson read the proclamation and presented it to City Manager Sam Listi.

Consent Agenda

Upon motion by Mayor Pro Tem Leigh and seconded by Councilmember Pearson, the following items were unanimously approved.

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

August 26, 2014 Regular Meeting

5. Consider appointment to the Historic Preservation Commission. -- Reappointed Sheila Donahue, Larry Guess, and Tammy Baggerly to an additional three-year term.

Mayor Grayson moved Agenda Item #13 immediately following Consent Agenda.

13. Consider a resolution supporting the collection of Bell County Hotel Occupancy Tax for support of the Bell County Exposition Center.

City Manager Sam Listi presented this item to Council, and stated the collection of a Bell County Hotel Occupancy Tax would enhance facilities and programming for the residents of Belton, as well as the entire Bell County Region.

Mayor Grayson stated Council supports this resolution because it will not tax the citizens of Belton, but would be imposed on those who utilize the facility. Mayor Pro Tem Leigh also noted this was a fair tax that will not only benefit the community but would also be a benefit to the citizens of the State of Texas who utilize this facility.

Upon motion by Councilmember Kirkley, and seconded by Mayor Pro Tem Leigh, this item was unanimously approved.

FY 2015 Budget Items

6. Conduct a public hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 3.0615 percent.

Finance Director Brandon Bozon provided an overview of the tax roll, historical tax data, tax rate options, and a comparison of tax rates.

Mayor Grayson opened the public hearing, and there were no comments; therefore, the hearing was closed. No action required.

7. Conduct a public hearing for the City of Belton Budget for fiscal year beginning October 1, 2014, and ending September 30, 2015.

Finance Director Brandon Bozon gave a brief overview of the proposed budget, to include a summary of all funds and revenues/expenditures. Mr.

Bozon indicated the FY 2015 budget is built upon the current tax rate of \$0.6598, and reviewed historical budget growth information. In closing, he reviewed the calendar for adoption of the budget and tax rate.

Mayor Grayson opened the public hearing.

Former Mayor Bill Holmes and his wife, Janis, 505 Red River, Belton, Texas 76513, recommended the establishment of community gardens for citizens of Belton. Mr. Listi stated this does appear to be a viable item, and with partnerships could be a minimal cost to the City and very important to the City.

Jerry Samu, 3109 River Place Drive, Belton, Texas 76513, stated if revenues were up 6% and expenditures down, as indicated in the presentation, why not reduce property taxes? Mr. Listi stated Staff, along with Council, has worked hard over the last several months producing a sound and balanced operational budget. Mr. Listi stated the slight revenue increase is necessary for continued operations particularly funding police and fire.

There being no additional comments regarding the proposed budget, the public hearing was closed. No action required.

8. Receive public input on the City of Belton Strategic Plan Update, FY 2015-2020.

City Manager Sam Listi gave a brief summary of the goals and objectives of focus identified in the Strategic Plan, with the primary element being the comprehensive update of the Strategic Plan which will occur in January 2015. The City Manager stated the Strategic Plan will be considered for adoption at the September 18th meeting in conjunction with budget adoption and recommended the Council receive public input.

Mayor Grayson opened the meeting for public input.

Councilmember Gauntt thanked all of the citizens in attendance this evening, as open government is an important element of our Strategic Plan.

Mark Harmsen, 3108 River Place Drive, Belton, Texas 76513, made note of A7, Implement Compensation Study, and recommended partnerships with surrounding cities to reduce the cost. Mr. Listi stated the compensation study underway is by a firm who recently performed a study in a surrounding area city, and we are looking to take advantage of that to help minimize excess work as we move forward.

There were no additional comments. No action required.

9. Consider setting the date, time and place of the meeting at which the FY 2015 budget will be voted on.

Mayor Grayson announced budget adoption is scheduled for the special Council meeting on Thursday, September 18, 2014, at 5:30 p.m., at the Harris Community Center. Upon motion by Councilmember Pearson, seconded by Councilmember Kirkley, the Council unanimously set the date, time and place of the meeting as announced.

10. Announce the date, time and place of the meeting at which the tax rate will be voted on.

Councilmember Kirkley made a motion to vote on the proposed 2014 ad valorem tax rate on Thursday, September 18, 2014, at 5:30 p.m., at the Harris Community Center. Councilmember Pearson seconded the motion which carried unanimously.

Planning and Development

11. Hold a public hearing and consider amendments to Section 503, Sidewalk Standards and Policy, of the Subdivision Ordinance.

City Manager Sam Listi provided a brief background stating this agenda item responds to Council's request for development of a Sidewalk Policy following a Work Session held in April, 2014. Mr. Listi noted the purpose today is to present the proposed Sidewalk Standards, briefly explain their origin, and look for public comments in order to clarify the policy that currently exists.

Planning Director Erin Newcomer stated City staff researched sidewalk requirements for surrounding area cities as a means of comparison and stated area cities represent a source for information, since several engineers and developers in the Belton area work in these cities as well. Ms. Newcomer stated the City of Harker Heights and the City of Temple do not require sidewalk installation along local streets, while the City of Killeen and the City of Copperas Cove require the builder or owner to install sidewalks along local streets. Ms. Newcomer noted the City of Copperas Cove and City of Harker Heights are currently reviewing their sidewalk requirements.

Ms. Newcomer stated on August 19th, staff presented a recommended policy to the Planning and Zoning Commission. Although there was no formal voting, the proposed amendments were favorably received by the Commission.

- 503.02 Sidewalks shall be installed by the subdivision developer on both sides of all arterial streets and collector streets without driveway access.
- 503.03 Sidewalks shall be installed by the builder/property owner on both sides of all local/residential streets and collector streets with driveway access. Sidewalks shall be constructed, inspected, and accepted by the City prior to issuance of a Certificate of Occupancy.
- 503.04 Sidewalks shall be required in conjunction with a building permit for all new residential and commercial buildings, and whenever any permit is required for construction, addition or structural alteration on any building or other structure, for the frontage length along a public street(s). All required sidewalks shall be a minimum of 5' wide.
- 503.05 Sidewalks shall be built in accordance with the Design Manual. The City Engineer must approve all sidewalk construction plans prior to construction.

Ms. Newcomer stated staff received many comments that deserve merit and require evaluation. A majority of the comments received have been in regard to proposed Section 503.04. An exception is recommended with this section that states: Upon review of a building permit, if at least 50% of the block on the same side of the street in which a person desires to build has improvements on it without sidewalks, then such person may be exempted from the provisions of Section 503.04.

Public Works Director Mike Huber stated sidewalks provide many benefits including safety, mobility, and healthier communities, according to FHWA. Mr. Huber noted in addition to reducing walking along roadway crashes, sidewalks reduce other pedestrian crashes. Mr. Huber stated roadways without sidewalks are more likely to have pedestrian crashes than sites with sidewalks on both sides of the street. Mr. Hubert also stated C-2 of the 2014 Strategic Plan provides the following goal: Seeks to protect and improve our quality of life by creating an atmosphere that will both attract and retain citizens resulting in a friendly, healthy, and vibrant community. Mr. Huber closed by stating sidewalks will create an enhanced sense of community through better connections to neighbors and businesses.

In closing, City Manager Sam Listi stated staff recognizes the need to balance the issues of mobility, quality of life, public safety, and costs in determination of the Sidewalk Policy. Staff is looking for Council and community input at this Public Hearing which will be important to help Staff clarify Belton's standards to achieve what is intended in this community and asked Mayor Grayson to open the public hearing.

Before opening the public hearing, Mayor Pro Tem Leigh asked Staff to clarify for Council and the audience the definition of an arterial, collector, and local streets. Mr. Listi provided these definitions by reference to existing streets. Mayor Grayson opened the public hearing.

The following citizens voiced concerns regarding the proposed sidewalk policy to include: additional costs to the citizens; the need amend the current sidewalk policy; the loss of property if required to install a sidewalk; and more specifically, Section 503.04, which would require a sidewalk to be installed in conjunction with a building permit for all new and residential and commercial buildings. Some speakers also suggested the establishment of a committee to work alongside city staff to develop a trail solution in lieu of installing sidewalks.

Bill Jones, 106 Crest Drive, Belton, Texas 76513
William Green, 601 Pecos Trail, Belton, Texas 76513
Jared Bryan, 11783 Bonnie Lane, Belton, Texas 76513
Brad Wyrick, 3207 Purple Sage, Belton, Texas 76513
Justin Winkler, 3302 Ten Bits Drive, Belton, Texas 76513
Bruce Burleson, 3120 Red River Place Drive, Belton, Texas 76513
Tom Menzak, 3205 Loving Cove, Belton, Texas 76513
Terry Dennis, 3111 River Place Drive, Belton, Texas 76513
Mark Harmsen, 3108 River Place Drive, Belton, Texas 76513
Patricia Bishop, 2008 River Run Road, Belton, Texas 76513
Rene Murray, 1706 Landmark, Belton, Texas 76513
David Brooks, 2411 Twin Ridge Court, Belton, Texas 76513
Susan Jones, 106 Crest Drive, Belton, Texas 76513
Penny Parker, 1603 Loving Trail, Belton, Texas 76513
Wayne Schirner, 2004 Canyon Spring Drive, Belton, Texas 76513
Zachary Krueger, 1802 Green Haven, Belton, Texas 76513
Juanita Weir, 610 Pecos Trail, Belton, Texas 76513
Bill Holmes, 505 Red River, Belton, Texas 76513
Betheny Jones, 3314 Ten Bits Drive, Belton, Texas 76513
Alvin Ebert, 3103 Amber Forrest Trail, Belton, Texas 76513

Mayor Grayson commended the citizens of Belton for their comments, and noted staff will look closely at these suggestions while developing alternatives. Mayor Pro Tem Leigh stated we need to encourage a policy for developers to follow the standards to ensure the quality of life we all desire. Councilmember Pearson made a motion to table this item for further review. This motion was seconded by Mayor Pro Tem Leigh and carried unanimously.

Miscellaneous

12. Hold a public hearing and consider an ordinance amending Chapter 15 of the Code of Ordinances regarding Park and Recreation.

Matt Bates, Interim Recreation & Events Director, presented this item to Council and noted this item was tabled at the August 26th Council Meeting for further clarification regarding definitions to include the following.

- Applying Styrofoam restrictions to activities only on the Nolan Creek as defined in Sec 15-41 and reflected in Sec. 15-45.
- Applying restrictions of coolers under 16 quarts to only the Nolan Creek as defined in Sec 15-41 and reflected in Sec. 15-47.

Mr. Bates recommended approval of the proposed ordinance as presented.

Mayor Grayson opened the public hearing. There being no comments or questions the public hearing was closed.

Councilmember Gauntt asked for clarification regarding the sign ordinance and asked does this apply to citizens who own private property, and not just commercial? Ms. Newcomer stated this does apply to everyone. Councilmember Gauntt stated, for clarification: a property owner along the creek is only allowed to have a one square foot sign along their property. Ms. Newcomer stated yes, one sign, one square foot in area, one per 100 feet of the property frontage.

Mayor Pro Tem Leigh made a motion to approve the ordinance as captioned below. This motion was seconded by Councilmember Kirkley and carried by a vote of 6-1 with Councilmember Gauntt voting in opposition.

ORDINANCE NO. 2014-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AMENDING CHAPTER 15, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF BELTON REGARDING PARK REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Executive Session

At 7:43 p.m., the Mayor announced the Council would go into Executive Session for the following closed meeting:

13. 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.
14. 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 551.086, to discuss economic development negotiations.

The Mayor reopened the meeting at 8:25 p.m., and there being no further business, the meeting was adjourned.



Marion Grayson, Mayor

ATTEST:



Jana Lewellen, City Clerk