

**BELTON CITY COUNCIL MEETING
AUGUST 28, 2012**

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, Les Hallbauer, Gene Ellis, Francisco Corona, Byron Sinclair, Erin Newcomer, Jerri Gauntt, Kim Kroll, Sandy Slade, Charlotte Walker, and Denny Lassetter.

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 David K. Leigh, and the Invocation was given by Jordan Hubbard of the Belton Church of Christ. The Mayor called the meeting to order at 5:32 p.m.

Public comments. There were no public comments.

Consent Agenda

Upon motion by Mayor Pro Tem Grayson, seconded by Councilmember Peters, the following items were unanimously approved:

Minutes of previous meetings: Both approved as submitted.

- A. August 7, 2012 Special Meeting
- B. August 14, 2012 Regular Meeting

Consider authorizing extension of contracts for miscellaneous street project components.

- A. Hot Mix Asphaltic Concrete (Base Bid B)

Approved one-year extension of contract with APAC-Texas, Inc. (formerly Wheeler Coatings), with pricing shown below:

Description	Measure	Old Bid Pricing	New Bid Pricing
1.5" HMAC Type D	SY	\$7.50	\$8.75
2.0" HMAC Type D	SY	\$9.75	\$10.95
Type D Patch	TN	\$258.00	\$350.00
Type D Overage	TN	\$70.00	\$75.00

- B. Bedding Materials (Base Bid C)

Approved one-year extension of contract with Lone Star Grading & Materials, which reflects no change in pricing from last year, as follows:

Description	Measure	Old Bid Pricing	New Bid Pricing
1" crushed stone bedding	TN	\$11.50	\$11.50
Washed and bedding	TN	\$9.00	\$9.00

The Public Works Department intends to rebid the Portland Cement Concrete (Base Bid A) component of annual construction materials, due to increased pricing from Lone Star Grading & Materials.

Consider an ordinance providing for the abandonment of a 0.096 acre alley located generally along the western property line of 1026 University Drive.

Approved the ordinance captioned below abandoning a 0.096 acre alley located along the western property line of 1026 University Drive, following a request from the University of Mary Hardin-Baylor. The City has never completed any improvements, nor utilized the alley as a public access, and UMHB can use this property most effectively since they own all of the surrounding property. Any costs associated with the request will be borne by UMHB (i.e. field notes, recording, etc.).

ORDINANCE NO. 2012-25

AN ORDINANCE PROVIDING THAT A 0.096 ACRE PORTION OF UNUSED DEDICATED PUBLIC ALLEY RIGHT-OF-WAY, LOCATED ALONG THE WESTERN PROPERTY LINE OF 1026 UNIVERSITY DRIVE, CITY OF BELTON, IS HEREBY CLOSED, ABANDONED AND VACATED FOR ALL PUBLIC PURPOSES.

Consider authorizing the City Manager to execute an agreement with Kasberg, Patrick & Associates for engineering services for rehabilitation of two elevated water storage tanks.

Approved the agreement for professional services associated with renovating the 500,000 gallon tank located off Loop 121 at Huey Road, and the 750,000 gallon tank located in the Miller Heights area west of Fairway Drive, for a total amount of \$94,400. Both tanks have reached the 15 year time period suggested by TCEQ for major maintenance and are in need of rehabilitation. This item is budgeted in the proposed FY 2013 Water/Sewer Fund, but in order to get design started as soon as possible, and then to perform rehab during low water use winter months, staff recommended using Water/Sewer Capital Project Funds in the interim to be repaid from the FY 2013 annual budget (which begins October 1). Projected cost for rehab itself is estimated at a total \$425,000, which includes savings of approximately \$100,000 from rehabbing two tanks at once.

Consider a Final Plat for Arbor Park East, Lots 1-4, a 9.72 acre tract of land located in the Belton Business Park.

Approved the final plat of this 4-lot subdivision in the Belton Business Park proposed for mixed use development. The conceptual plan created by the BEDC for its 25-acre tract rezoned in 2010, included various uses such as office warehouse, commercial, retail, medical offices, and a hotel. Water and sewer lines were extended to the proposed subdivision, and currently Scott and White (S&W) is coordinating with BEDC to build a general practice medical clinic on Lot 1 and a pediatric clinic on Lot 3. Lot 2 has not yet been sold and a detention pond will be located on Lot 4. The Planning & Zoning Commission (P&ZC) recommended approval unanimously 7-0, at its meeting on August 21, 2012.

Miscellaneous

Receive a report from Wayne Farrell, Executive Director of the Bell County Public Health District.

Retiring District Director Wayne Farrell introduced Bonnie Scurzi, who has been appointed Interim District Director of the Health District beginning September 1, 2012, until a permanent replacement is hired. Mr. Farrell then gave an overview of the Health District's operations and budget changes. Following Mr. Farrell's presentation, Ms. Scurzi informed the audience about the current status of cases of the West Nile Virus in Bell County, and the District's measures to encourage prevention.

In closing, Mr. Farrell thanked the City Manager for the superb working relationship with him and the Health District. Mr. Listi commended Mr. Farrell for his years of public service, and wished him the best in retirement.

Consider a resolution establishing a Street Renaming and Facility Naming Policy.

Planning Director Erin Newcomer indicated this item was tabled at the last meeting to incorporate changes suggested by Council. She reviewed the changes shown below and recommended approval of the policy:

- The title has been changed to Street Renaming and Facility Naming Policy.
- Text changes throughout reflect this clarification.
- Planning Department assistance has been added to II. INTENT.
- V. STANDARDS, i, has been changed to read: Vanity names will not be permitted.
- V. STANDARDS, l, has been added, indicating: Dual street naming is allowed.
- VI. APPLICATION PROCESS, e, has been changed to distinguish between:
 - (e) Street Renaming procedures and notification requirements; and
 - (f) Facility Naming procedures and notification requirements.
- A separate application form has been created for a Facility Naming Request.

Councilmember Carpenter expressed concern with the inclusion of dual naming, as he believes a majority of the Committee was concerned about the potential for confusion. The City Manager stated the Council discussed that extensively at the last meeting, and those in favor thought it would have provide more flexibility in terms of naming, whereas those against thought a single name would provide more recognition, and the Council ultimately weighed in on the side of dual naming. Mr. Listi indicated the City would have to select a principal name within the 9-1-1 system, but the 9-1-1 center and the post office have assured the City it would respond to both names. Given this, Mr. Listi stated dual naming is an option available to the Council if desired, which was the direction given at the last meeting.

Councilmember Leigh asked what would happen when a great percentage of property owners cannot be reached to support or oppose a request (i.e. live out of state, deceased, etc.). The City Manager stated the policy is written to require response from 70% of property owners fronting the street proposed for renaming. The Planning Director indicated tenants should also be able to assist with contact information for property owners. The Mayor agreed there could be many properties that have been abandoned or not in use, but he's not certain how to solve the problem. Councilmember Leigh stated he thinks there may be unintended consequences with the policy, and encouraged staff to monitor carefully as applications are processed. Mr. Listi agreed it will take some use to see how

the policy works, and a complete staff report would be created for any application that could indicate how many property owners were contacted/reached. He stated the Council would have the authority to approve/disapprove or make adjustments in criteria as needed. Several agreed it would be useful to indicate how many property owners were contacted vs. how many responded in the report. Mayor Pro Tem Grayson stated part of the discussion regarding dual naming was that it would be a possible tool for those who may oppose a total renaming due to changing addresses/stationery, etc.

Reverend Dr. William M. Hill, 3400 Summit View Circle, expressed opposition to the proposed policy, and indicated he first met with the Mayor in January 2012 to discuss a request from Belton's African American Churches United to rename a street after the Reverend Dr. Martin Luther, King, Jr. He stated other streets in Belton have been renamed without this type of process or fees. Reverend Hill asked that the group's request not be included in the new policy being proposed, since their submission occurred before a committee was formed and a policy developed.

The Mayor asked about streets having been renamed in Belton, and the City Manager didn't recall any, but indicated subdivision streets are named during platting. The City Attorney recalled Avenue A was renamed back to its original platted name of Water Street. Mayor Pro Tem Grayson stated the Chamber of Commerce had made a similar request to rename or dual name, Central Avenue to Patriot Way, but although some meetings were held, there was no process at that time, and the consideration died. She indicated when the church's request came forward, it became evident the City needed to develop a process, and Belton was one of few cities in the area that didn't have a policy in place. Councilmember Leigh stated if this policy had been in effect in January, he believes the street would have already been renamed, but he agreed it's a good start to aid the City in processing such requests.

Mr. Leigh made a motion to approve the resolution establishing the policy as recommended. The motion was seconded by Mayor Pro Tem Grayson and carried by a vote of 6-1, with Councilmember Carpenter in opposition. The following captioned resolution was approved:

RESOLUTION NO. 2012-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, ESTABLISHING A STREET RENAMING AND FACILITY NAMING POLICY.

Councilmembers Peters and Pearson expressed agreement with Reverend Hill's comments and requested that the group be exempt from the fees. The Mayor stated the City addressed an issue by developing a policy which is the only item on this agenda for action, and the City will do what it can to honor the group's request. He did indicate the group needs to make its request under the resolution just passed, and the Council can look at any consideration of waiving fees at that time. Councilmember Carpenter stated he believes the Committee's intent was to be fair to all involved, and they worked hard to do that and to create a fair policy. The City Attorney asked for clarification on how the group should proceed based on Reverend Hill's request, and it was determined the policy was approved and the group should follow the process outlined, and to request any special consideration in their application if desired. The City Manager stated Reverend Hill's original letter in January didn't identify a specific location, and City staff stands ready to process any request submitted in accordance with the policy, beginning as soon as tomorrow.

Planning & Development

Z-12-13 Hold a public hearing and consider an ordinance regarding a zoning change from a Single Family-3 Zoning District to a Planned Development Multiple Family-1 Zoning District, for 1410 & 1411 N. Pearl Street, located south of the North Belton Cemetery, to construct condominiums.

Planning Director Erin Newcomer gave an overview of this request by Stellar Development to allow for 18 proposed condominiums. She reviewed area zoning and land uses, and indicated the proposed one-story, two-bedroom condominiums will each be 992 square feet, with two parking spaces available per unit located off Pearl Street, and sidewalks extending to the front door of each residence. The street width will accommodate emergency vehicle access, and the applicant will be responsible for any street improvements or utility extensions. Ms. Newcomer presented site layout, elevation, and floor plan drawings, and indicated the exterior will be 100% masonry and fully bricked for compatibility with surrounding structures. City staff will have the opportunity for site plan approval, and she stated the P&ZC recommended approval by a vote of 7-0 at its August 21st meeting with the following conditions:

1. The allowable uses of the property shall conform to the Multi-Family Zoning District in all respects, except with a 5' side yard setback to the south and a 9' rear yard setback as reflected on the proposed plat.
2. Landscaping plan providing suitable transition subject to detailed site plan review.
3. A 6' wooden privacy fence will need to be installed on all sides of the property except the front, adjacent to North Pearl Street, subject to site plan approval.
4. All condominiums shall consist of 100% masonry.
5. The development of the property shall conform to all applicable Type Area 1 Design Standards, as identified in Ordinance 2009-31, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards discussed above
 - b. Building Design Standards
 - c. Landscape Design Standards
6. Sign Standards shall conform to Ordinance 2008-11.
7. Subdivision plat is required.

The Mayor opened the public hearing. Applicant Mark Rendon, 413 Downing, gave an overview of the project and requested favorable consideration. There were no other comments for or against the request, therefore the hearing was closed. Upon motion by Councilmember Leigh, seconded by Councilmember Pearson, the following captioned ordinance was unanimously approved:

ORDINANCE NO. 2012-26

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

Z-12-12 Hold a public hearing and consider an ordinance regarding a zoning change from Planned Development Single Family-3 Zoning District to an Amended Planned Development for Lots 1-7, 12-14, 19-23, 32, 34 and 36-40, Block 1, Legend Oaks Addition, to provide a reduced rear yard setback from 20' to 7'.

Planning Director Erin Newcomer reviewed this request submitted by Springwood Properties, to allow for a reduced rear yard setback of 7'. She explained in 2001 the City Council approved a

zoning change to a Planned Development-Residential zoning district, which required development/use of the property to conform to the Single Family-3 district with the following exceptions:

1. Minimum lot area shall be 5,000 square feet.
2. Minimum front yard setback shall be 20'.
3. Minimum rear yard setback shall be 20'.
4. Minimum side yard setback shall be 3' on one side and 7' on the other side with at least 10' between structures for an interior lot. A corner lot adjacent to two streets must be at least 15' from the side street.

Ms. Newcomer presented a drawing of the proposed lots with house plans, and stated when a building permit request was recently submitted, staff recognized that the proposed floor plan had a rear yard setback of 7', in contrast to the required 20'. The applicant indicated most of the existing homes in Legend Oaks Addition have a rear yard setback less than 20', with a minimum of 7' observed from the rear property line. The developer planned on having lots in this subdivision with reduced setbacks to appeal to potential buyers who want less yard maintenance. The current PD zoning allows reduced front and side yard setbacks, but the rear yard setback requires the Single Family-3 zoning standard of 20'. She provided the Council with a copy of the restrictive covenants for Legend Oaks which state that the Architectural Review Committee (ARC) has the authority to grant variances of any setback line, to alter any setback line, and to waive any encroachment across or into any setback line; however, the Zoning Ordinance governs and building plans must comply with the required rear yard setback of 20' set in place when zoned PD in 2001. Instead of advising the applicant to apply for variance requests for 22 lots (some of which do not yet have proposed floor plans or haven't sold yet, therefore determining rear setbacks required would be difficult), staff suggested a zoning change to allow the remaining lots on Legend Oaks Boulevard to be developed without incurring rear yard setback issues.

Ms. Newcomer stated the P&ZC recommended approval of the zone change by a vote of 7-0, with the following conditions:

1. The allowable uses of the property shall conform to the Single Family-3 Zoning District in all respects, except with a 7' rear yard setback; 20' front yard setback; 3' side yard setback on one side and 7' on the other side with at least 10' between structures for an interior lot; and 15' side yard setback from the side street on a corner lot adjacent to two streets.
2. The development of the property shall conform to all applicable Type Area 1 Design Standards, as identified in Ordinance 2009-31, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards discussed above
 - b. Building Design Standards
 - c. Landscape Design Standards
3. Sign standards shall conform to Ordinance 2008-11.

The Mayor asked if all of the lots are going to be changed to a 7' setback, and Ms. Newcomer explained they would be required to observe a minimum 7' rear yard setback which offers flexibility. The Mayor stated he doesn't have issue with reduced setbacks for a corner or bay window, but to build right up to 7' of the property line is troublesome. Councilmember Leigh stated he would rather maintain the 20' rear yard setback, and have adjustments requested through the Zoning Board of Adjustments (ZBA). Ms. Newcomer reiterated staff thought rezoning was the best option given the number of undeveloped lots (22), so as building permits are processed in the future, these issues wouldn't continue to arise. The City Manager stated it was the developer's intention to conform to a minimum 7' setback based on practice and understanding through the restrictive covenants, but the PD is the only way to systematically address the issue given the number of lots. Councilmember

Pearson stated it doesn't seem fair to property owners in other subdivisions not covered by this standard, to have the setback changed to 7', when they abide by 20'.

The Mayor opened the public hearing. Applicant Ray Severn, 5338 E. Lakeshore Drive, gave an overview of his request. He indicated Legend Oaks Addition consists of primarily larger homes with less yard maintenance, and oftentimes many want circle driveways to use up the front yard setback. Mr. Severn stated he has been operating under the Addition's restrictive covenants for 10 years, with 75% of the lots having variances granted by the ARC at some point. He indicated he isn't requesting a change, but more of a clarification between the Zoning Ordinance, as opposed to the restrictive covenants and the ARC.

Mike Youngblood, 3123 River Place Drive, spoke in opposition to the request, specifically regarding Lots 12-14, stating he thinks reducing the setback from 20' to 7' puts new homes too close to several lots in the River Place Subdivision, which he contends would detract from the desirability, marketability and the value of the homes in River Place. He stated the house on Lot 15 has a window that looks directly into his backyard, and once the leaves fall, there's a window overlooking his pool. He requested the developer play by the rules that were in effect when they first started developing the area. There were no other comments for or against the request; therefore, the hearing was closed.

Councilmember Pearson stated while a reduced setback may not be a change for individuals in Legend Oaks, he believes it becomes a privacy issue for residents in River Place Subdivision, whose property abuts Legend Oaks. Councilmember Leigh stated all property rights don't necessarily extend to the neighbors, but the City has certain standards for zoning and setbacks. The internal setbacks within a subdivision impact people within the development, but he thinks when you look at adjoining subdivisions, you encroach on the property rights of others. Mr. Leigh added while he doesn't think all lots in Legend Oaks are an issue, he agrees lots like Lot 14 exceeds the intent of the ordinance for setbacks, and he wouldn't favor an all or none request. The City Attorney stated the P&ZC recommended rezoning all the vacant lots, but the Council can approve setback amounts for whichever lots it chooses. The Mayor indicated he didn't want to pick and choose lots, but he also doesn't favor a 7' setback on many of the lots identified in this request. The City Attorney reminded the Council that restrictive covenants don't apply to the City at all, but are for the protection of residents within a subdivision, yet zoning is for the protection of all. Councilmember Pearson noted that Blair Williams, 2010 River Run Road, couldn't attend the meeting, but also opposes this request for the same reasons.

Councilmember Agan stated the current developer, prospective owner of Lot 14, and adjoining property owners are stuck in this situation, with the Council being requested to make a decision where a precedent had been set contrary to how the ordinance was intended. Mr. Agan, therefore, made a motion to approve the request. The motion died for lack of a second. The City Manager asked if the Council would consider alternate motions so the developer knows how to proceed (i.e. exclude certain lots). The Mayor expressed concern with the Council micromanaging a development, and stated he thinks specific requests should go to the ZBA. Councilmember Leigh suggested the developer work with neighboring property owners to come up with other solutions, and agreed several issues could be addressed through the ZBA. Mr. Listi confirmed the applicant should start over with a request to the P&ZC and address those lots with issues or address individual requests to the ZBA.

Z-12-11 Hold a public hearing and consider an ordinance regarding a zoning change from Office-1 District to Office-2 District with a Specific Use Permit for the operation of a bail bonds business in the existing structure at 312 West US Highway 190, located on the north side of West Avenue O, just east of Loop 121.

Planning Director Erin Newcomer gave an overview of this request submitted by Yvonne Hardy for a proposed bail bond business. She identified surrounding zoning and uses, and indicated staff has determined that the existing paved parking is adequate for a bail bond business. This location was formerly Outlaw Bail Bond, however, it was grandfathered as a non-conforming use, and a rezoning wasn't required until a new business emerged at this location. Ms. Newcomer stated the P&ZC recommended approval of the zone change from Office-1 to Office-2 with a Specific Use Permit, for a bail bond business, with development regulated under the Design Standards for Type Area 2 by a vote of 7-0 at its meeting, and she concurred.

The Mayor opened the public hearing. There were no comments for or against the request, therefore the hearing was closed. Upon motion by Councilmember Agan, seconded by Councilmember Carpenter, the following captioned ordinance was unanimously adopted:

ORDINANCE NO. 2012-27

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM OFFICE-1 ZONING DISTRICT TO OFFICE-2 ZONING DISTRICT WITH A SPECIFIC USE PERMIT FOR THE OPERATION OF A BAIL BOND BUSINESS, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

Z-12-10 Hold a public hearing and consider a zoning change from a Planned Development Single Family-1 District to a Single Family-2 District for 8.049 acres in proposed Dawson Ranch Phase II, Section II and 20.799 acres in Phase II, Section III.

Mayor Pro Tem Grayson indicated she would be abstaining from this item, as a family member works for the applicant, and she left the meeting room.

Planning Director Erin Newcomer gave an overview of this request by Carothers-Dusek, LLC, for a zone change to allow for homes to be constructed on smaller lots than required in the Single Family-1 Zoning District. Though Dawson Ranch Phase II (Sections I, II and III) was approved by Council in 2010 and zoned Planned Development Single Family-1, when the plat for Section II was submitted, staff recognized that a majority of the lots were less than 10,000 square feet in area (the minimum lot area required for Single Family-1 zoning districts). The lot sizes must be in compliance with the Zoning Ordinance prior to plat approval of Section II and III, and Single Family-2 zoning will allow for smaller lot sizes, having a minimum lot area requirement of 7,500 square feet. Ms. Newcomer stated she originally informed the developer that there was no apparent need to continue PD zoning, since there were no reduced or changed standards proposed. Design Standards are in place and staff will enforce site development, building, and landscape standards as development occurs in accordance with SF-2 standards. She stated the P&ZC recommended approval of rezoning to SF-2 by a vote of 6-1 at its August 21st meeting, however due to opposition expressed at the meeting, the developer has since agreed to install a 6' wooden privacy fence at the rear property line for all lots abutting the existing single family homes to the south, to provide transition between new and existing single family homes. She recommended approval of the revised ordinance rezoning this

property to Planned Development Single Family-2 with the added provision requiring fencing along the south property line.

The Mayor opened the public hearing. On behalf of the applicant, Jared Bryan, 11783 Bonnie Lane, Morgan's Point Resort, stated he and Mr. Carothers have no problem with the fencing requirement, and they will work with property owners to alleviate any concerns about trash. He indicated this development is a continuation of what's already been done in Dawson Ranch Subdivision and is in high demand. John Parker, 2502 Sparta Road, expressed thanks for the addition of the fencing requirement between his property line and the proposed development. There were no other comments, therefore the hearing was closed.

Councilmember Peters made a motion to approve the ordinance as recommended. Councilmember Pearson seconded the motion, and the following captioned ordinance was approved by a vote of 6-0-1, with Mayor Pro Tem Grayson abstaining:

ORDINANCE NO. 2012-28

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT SINGLE FAMILY-1 ZONING DISTRICT TO PLANNED DEVELOPMENT SINGLE FAMILY-2 ZONING DISTRICT FOR THE CONSTRUCTION OF SINGLE FAMILY HOMES, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 1 DESIGN STANDARDS.

Mayor Pro Tem Grayson returned to the meeting room.

Hold a public hearing and consider an ordinance amending the Zoning Ordinance to allow for administrative variances for minor building encroachments into the front, side or rear setbacks.

Planning Director Erin Newcomer explained many cities are now including the ability for a Planning Director to approve administrative adjustments for minor building encroachments, and reviewed those standards from several area cities. She indicated staff is proposing this amendment to allow Belton's Planning Director to approve minor building encroachments without completing the public hearing process and presenting requests to the Zoning Board of Adjustments (ZBA). She explained this process would reduce time delays and costs associated with variance requests. Ms. Newcomer gave an overview of the process, in that prior to approval of an administrative adjustment, the Planning Director shall determine that granting an adjustment will not be detrimental to the public health, safety, and welfare of nearby properties. The amendment authorizes the Planning Director to approve setback adjustments based on encroachments resulting from proposed developments, existing mistakes in building placement, and existing tree coverage or topographic conditions. Ms. Newcomer stated the P&ZC recommended approval by a vote of 7-0 at its meeting, and she recommended approval of the ordinance giving the Planning Director the authority to authorize administrative adjustments for minor building encroachments into the front, side or rear setbacks up to 15%.

The Mayor opened the public hearing, and there were no comments for or against the proposed zoning amendment. The public hearing was closed, and Councilmember Pearson made a motion to approve the ordinance as recommended. The motion was seconded by Councilmember Carpenter, and the following ordinance was unanimously adopted:

ORDINANCE NO. 2012-29

AN ORDINANCE AMENDING SECTION 35, SPECIAL AND ADDITIONAL SUPPLEMENTARY REGULATIONS, AND SECTION 48, ZONING BOARD OF ADJUSTMENTS, OF THE ZONING ORDINANCE OF THE CITY OF BELTON, TO ALLOW ADMINISTRATIVE ADJUSTMENTS IN REQUIRED BUILDING SETBACKS.

The Council took a short recess from 7:20-7:25 p.m.

Budget

Clean-up Budget Workshop.

Assistant City Manager Cristy Daniell reviewed changes to the proposed FY 2013 budget, which included:

- The proposed General fund budget decreased \$101,457 overall due to deletion of the early payment discount for ad valorem taxes (a revenue increase of \$88,611), which offset increased expenditures for updated personnel numbers, revised utility budgets and IT system increases. The addition of a Bailiff/Warrant Officer was offset by deletion of funding for a Lobbyist.
- Expenditures in the Water & Sewer fund budget reduced by \$50,000 due to deletion of Lobbyist funding, changes in employee insurance/personnel numbers, and revised fuel budgets, partially offset by minor increases in other line items.
- The Economic Development fund decreased slightly due to revised employee insurance estimates.
- The Drainage fund was modified to include 1/3 of the cost of the City's Construction Inspector.
- The Hotel/Motel fund budget was unchanged since it was presented at an earlier workshop.
- The Debt Service fund changed slightly due to deletion of the early payment discount.
- The TIRZ fund did not change from the version presented at previous workshops.

Ms. Daniell indicated the FY 2013 budget is built on the effective tax rate of \$.6598, an increase from \$.6540, and each \$0.01 of tax at 97% collection produces \$76,887. In closing, the calendars for adoption of the budget, tax rate, and fee schedule were reviewed. There were no other comments, and no action was required.

Call for a public hearing to be held on Tuesday, September 4, 2012, at 5:30 p.m., at the Harris Community Center, 401 N. Alexander, for the City of Belton Budget for Fiscal Year beginning October 1, 2012, and ending September 30, 2013.

Upon motion by Mayor Pro Tem Grayson, seconded by Councilmember Peters, the Council unanimously set Tuesday, September 4, 2012, at 5:30 p.m., at the Harris Community Center, for the required public hearing on the budget for FY 2013.

There being no further business, the meeting was adjourned at 7:32 p.m.