

# Belton clears hurdle so UMHB can tear down historic homes

Rebecca Rose The Killeen Daily Herald | Posted: Wednesday, July 13, 2011 12:00 pm

By Rebecca Rose

Killeen Daily Herald

BELTON - During a packed meeting Tuesday night, the City Council voted unanimously to implement a moratorium on portions of the city's historical preservation ordinance.

The moratorium effectively paves the way for the University of Mary Hardin-Baylor to move forward with plans to demolish several homes in one of Belton's historic districts. UMHB applied for demolition permits through the city's Historic Preservation Board, but had been denied.

In accordance with steps outlined in the original 2009 ordinance, UMHB then filed a lawsuit asking to have the ordinance voided. According to some council members, including Mayor Jim Covington, the litigation threatened to put the city's historical preservation policy in jeopardy.

"We're here because the City Council made a mistake back when we adopted the ordinance," Covington said. "We passed an ordinance that is too broad."

Covington said the city had been advised by multiple attorneys that they were in jeopardy of losing the lawsuit. He said if the city lost the lawsuit, there was a "serious possibility that we could have all of the historic preservation districts set aside."

"Courts don't like broad-brush laws and ordinances," he said. "They find against them time after time."

As expected, the move elicited a strong response from some Belton residents, who addressed the council before Tuesday's vote.

Travis Rudolph said when he moved to Belton four years ago, he was "shocked" at his tax rate.

"(UMHB) is a tax-exempt entity, because they are a Christian organization and pay no taxes on its more than \$35 million in property," he said. "It is concerning to me that the university is reaping the benefits without being a major contributor to the community it resides in."

"Who takes on the authority to write a moratorium on the historic guidelines to avoid the court?" asked Nancy Kelsey, a resident active in historical preservation causes. "Are you just persuaded by PowerPoint presentations and friends at Mary Hardin-Baylor?"

Bernita Peeples, who has lived in Belton since 1925, objected to tearing down homes in what she called "the most historically significant district in town."

"This whole ordinance is ridiculous," she said. "I'm strongly against it. It's not in the best interest of Belton."

Several speakers commented on connections between the council, the UMHB board and the First Baptist Church in Belton, speculation that Covington called "ludicrous on its face."

The moratorium is in place for eight months, until March 31, 2012. During that time, UMHB may demolish the two structures identified in the lawsuit they filed in February of this year.

The council also heard a budget presentation on the proposed water and sewer fund.