



**CITY OF BELTON
CITY COUNCIL
WORK SESSION & REGULAR MEETING
TUESDAY, July 10, 2018 – 6:00 P.M.
CITY HALL ANNEX
520 MAIN STREET
AGENDA**

- I. CALL WORK SESSION TO ORDER – 6:00 P.M.
 - A. General City Sales Tax for public safety.
- II. ADJOURN WORK SESSION
- III. CALL REGULAR MEETING TO ORDER
- IV. PLEDGE OF ALLEGIANCE – Councilman VanWinkle
- V. ROLL CALL
- VI. Motion to enter Executive Session to discuss matters pertaining to preparation, including any discussion or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups according to Missouri Statute 610.021.9; to discuss matters pertaining to operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident, according to Missouri Statute 610.021.18, and that the record be closed.
- VII. CONSENT AGENDA

One motion, non-debatable, to approve the “recommendations” noted. Any member of the Council may ask for an item to be taken from the consent agenda for discussion and separate action.

 - A. **Motion approving the minutes of the June 26, 2018, City Council Regular Meeting.**
- VIII. PERSONAL APPEARANCES
 - A. Deborah Pack (18110 Cockriel Road, Edgerton, MO, 64444) – **Stand up for Stanley Proclamation**

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IX. ORDINANCES

A. Motion approving final reading of Bill No. 2018-48:

An ordinance approving the Master Agreement with Kenton Brothers Locksmiths, Inc. and the reappropriation & revision of the City of Belton Fiscal Year 2019 Adopted City Budget for the purpose of purchasing an access control system for City Hall and the City Hall Annex.

B. Motion approving final reading of Bill No. 2018-49, as amended:

An ordinance approving an amendment to the City's zoning map from R-1 (Single Family) District to R-2 PUD (Single Family and Two Family Planned Unit Development) District, subject to plan documents and conditions herein specified, for a 25.42 acre tract of land located north of Meadow Creek Parkway, east of the South Outer Road, just north of Belton Regional Medical Center, Belton, Cass county, Missouri.

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C. Motion approving first reading of Bill No. 2018-51:

An ordinance calling an election in the City of Belton, Missouri on the question of increasing the citywide General City Sales Tax rate by one-half percent (0.5%) for the purpose of providing additional funds for public safety.

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X. RESOLUTIONS

A. Motion approving Resolution R2018-38:

A resolution approving actions of the City Manager to engage Pyramid Excavation and Construction, Inc. for emergency repair of a sanitary sewer near the Timbercreek subdivision and ratifying Task Agreement No. 2018-1 in the amount of \$167,552.58.

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XI. CITY COUNCIL LIAISON REPORTS

XII. MAYOR'S COMMUNICATIONS

XIII. CITY MANAGER'S REPORT

July & August 2018 meetings

7/24 regular session – 7:00 pm

8/7 work session – 7:00 pm

8/14 regular session – 7:00 pm

8/28 regular session – 7:00 pm

XIV. MOTIONS

XV. OTHER BUSINESS

A. May 2018 monthly financial report

XVI. Motion to enter Executive Session to discuss matters pertaining to Legal Actions, according to Missouri Statute 610.021.1; to discuss matters pertaining to the leasing, purchase or sale of Real Estate, according to Missouri Statute 610.021.2, and that the record be closed.

XVII. ADJOURN

SECTION V
A

**MINUTES OF THE
BELTON CITY COUNCIL
REGULAR MEETING
JUNE 26, 2018
CITY HALL ANNEX, 520 MAIN STREET
BELTON, MISSOURI**

Mayor Pro Tem Fletcher called the meeting to order at 7:00 P.M.

Councilman Trutzel led the Pledge of Allegiance to the Flag.

Councilmembers present: Councilwomen Stephanie Davidson, Lorrie Peek, Mayor Pro Tem Jeff Fletcher, Councilmen Ryan Finn, Gary Lathrop, Tim Savage, Chet Trutzel, and Dean VanWinkle; Absent: Mayor Jeff Davis. Also present: Alexa Barton, City Manager; Megan McGuire, City Attorney; and Andrea Cunningham, Executive Secretary.

CONSENT AGENDA:

Councilman Savage moved to approve the consent agenda consisting of a **motion approving the minutes of the June 12, 2018, City Council Regular Meeting; a motion approving the May 2018 Municipal Police Judge's Report; a motion approving Resolution R2018-35: A resolution appointing Stephanie Davidson to the Municipal Park Board as Councilman Liaison; a motion approving Resolution R2018-36: A resolution appointing Randall Asjes to serve on the Belton Tree Board.** Councilman VanWinkle seconded. All present voted in favor. Mayor Davis absent. Consent agenda approved.

PERSONAL APPEARANCES:

Tim Dupin (6320 Manchester Avenue, Suite 42A Kansas City, MO 64133) appeared before the Council as the President of the IAFF (International Association of Fire Fighters) Local 42 and to represent the Belton Fire Department to talk about Fire Department funding. Mr. Dupin said City staff and the Local 42 have been negotiating. We have come to a tentative agreement on all non-economic items in the Union contract. City staff has communicated that they have no authority to create any economic issues and has presented a reduction in force for the current staffing level to seven firefighters on staff a day. Belton's current staffing levels already fall short of the nationally accepted industry standards for the safe and effective firefighting staff requirements for a response to an emergency situation. At the staffing levels being proposed by the City's negotiating team, the City would not just be far short of compliance with suggested industry standards, they would be dangerously lacking the necessary level of on-duty firefighters to effectively respond to even a routine small house fire. Retention must be addressed as Belton is no longer a destination for quality recruits but a training ground. The firefighters are asking the City Council to reconsider the use tax, consider a ½ cent general sales tax for public safety for the November ballot, and to reform any future TIF policies for deferments to exclude public safety.

Dan Heizman (6320 Manchester Avenue, Suite 42A Kansas City, MO 64133) with IAFF Local 42 addressed the Council. He asked the Council to find alternative revenue streams. He said the Local 42 can aid the Council with promoting and improving public safety needs.

Anthony V Inznga and Mark Graves did not wish to speak separately.

ORDINANCES:

Andrea Cunningham, Executive Secretary, gave the final reading of Bill No. 2018-46: **An ordinance authorizing the City of Belton, Missouri through its Fire Department to purchase a three year subscription with Emergency Services Marketing Corporation, Inc., d/b/a IamResponding.com to provide messaging and a secondary means of alarm notification for the Fire Department.** Presented by Councilman Lathrop, seconded by Councilman VanWinkle. The Council was polled and the following vote recorded; Ayes: 8, Councilwoman Davidson, Councilmen Finn, Trutzel, Lathrop, Mayor Pro Tem Fletcher, Councilman VanWinkle, Councilwoman Peek, and Councilman Savage; Noes: None; Absent: 1, Mayor Davis. Bill No. 2018-46 was declared passed and in full force and effect as Ordinance No. 2018-4448, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2018-47: **An ordinance of the City of Belton, Missouri authorizing and approving the Badger Meter Beacon Advanced Metering Analytics (AMA) Managed Solution Master Agreement and Badger Meter Terms and Conditions of Sale and Addendum between the City of Belton, Missouri and Badger Meter, Inc. for the purchase of the Badger Meter Beacon AMA Managed Solution Software from sole-source provider Midwest Meter, Inc. for an amount not-to-exceed \$24,500 to replace current water meter reading software.** Presented by Councilman Lathrop, seconded by Councilwoman Peek. The Council was polled and the following vote recorded; Ayes: 8, Mayor Pro Tem Fletcher, Councilman Savage, Councilwomen Peek, Davidson, Councilmen Trutzel, Finn, Lathrop, and VanWinkle; Noes: None; Absent: 1, Mayor Davis. Bill No. 2018-47 was declared passed and in full force and effect as Ordinance No. 2018-4449, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-48: **An ordinance approving the Master Agreement with Kenton Brothers Locksmiths, Inc. and the reappropriation & revision of the City of Belton Fiscal Year 2019 Adopted City Budget for the purpose of purchasing an access control system for City Hall and the City Hall Annex.** Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the first reading was recorded with all present voting in favor. Mayor Davis absent. First reading passed.

Ms. Cunningham read Bill No. 2018-49: **An ordinance approving an amendment to the City's Zoning Map from R-1 (Single Family) District to R-2 PUD (Single Family and Two Family Planned Unit Development) District, for a 25.42 acre tract of land located north of Meadow Creek Parkway, east of the South Outer Road, just north of Belton Regional Medical Center, Belton, Cass County, Missouri.** Presented by Councilman Trutzel, seconded by Councilman Finn. Dave Clements, Director of Planning & Building, said this item was reviewed at the June 5, 2018, work session. The City Council made several suggestions to the applicant regarding design at that time. The roof pitch of the duplexes has been changed and off-street parking was addressed by adding a parking apron to the driveway of the duplexes. Attorney Shawn Stewart, 14514 W 49th Street, Shawnee, KS, was present representing the applicant. Councilwoman Peek asked Attorney Stewart if the clubhouse will have a basement or will each duplex have one. Attorney Stewart said they will construct a 1200 square foot basement in the clubhouse for residents to use as an emergency storm shelter. Councilwoman Davidson asked if the duplexes will be for sale or rent. Attorney Stewart said the intent is to sell them, but they reserve the ability to lease them as well. Councilman Finn said if they end up leasing the units, he'd like to see maintenance included in the contract. Attorney Stewart said they will submit their maintenance plan in coordination with the HOA with the final development plan. Councilman

Savage said the additional parking aprons are a good idea, but we need to make sure the residents aren't driving over the grass. Mr. Clements said they will submit a motor vehicle turning template with the final development plan. Before the final reading of this ordinance on July 10, 2018, the ordinance will be amended to reflect these recommendations. Vote on the first reading was recorded with all present voting in favor. Mayor Davis absent. First reading passed.

Ms. Cunningham read Bill No. 2018-50: **An ordinance approving a lease agreement with Canon Solutions America, Inc. for a Canon 7565 copier, Canon 256 copier and Canon MF735Cdw printer for the Municipal Court to replace the current copiers and check printer.** Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the first reading was recorded with all present voting in favor. Mayor Davis absent. First reading passed.

Councilman Trutzel moved to hear the final reading. Councilwoman Peek seconded. Vote to hear the final reading was recorded with all present voting in favor. Mayor Davis absent. Motion passed. The final reading was read. Presented by Councilwoman Peek, seconded by Councilman Trutzel. The Council was polled and the following vote recorded; Ayes: 8, Councilmen VanWinkle, Savage, Trutzel, Councilwoman Davidson, Mayor Pro Tem Fletcher, Councilman Finn, Councilwoman Peek, Councilman Lathrop; Noes: None; Absent: 1, Mayor Davis. Bill No. 2018-50 was declared passed and in full force and effect as Ordinance No. 2018-4450, subject to Mayoral veto.

RESOLUTIONS:

Ms. Cunningham read Resolution R2018-37: **A resolution authorizing and approving an agreement between the City of Belton and Y Belton, LLC., regarding the use of the Markey Regional Detention Facility in lieu of providing on-site or other private detention for the property described as portions of Lots 1 and 8, Belton Gateway, Addition Unit No. 2 for a 10,000 square foot retail building for Ulta Beauty in the amount of \$8,687.85.** Presented by Councilman VanWinkle, seconded by Councilman Trutzel. Councilman Trutzel asked Celia Duran, Public Works Director, how many units the detention facility could hold. Ms. Duran said she didn't know, but would provide him the information. Vote on the resolution was recorded with all present voting in favor. Mayor Davis absent. Resolution passed.

MAYOR'S COMMUNICATIONS:

Mayor Pro Tem Fletcher reported the ribbon cutting for Panera was well attended.

CITY MANAGER'S REPORT:

Ms. Barton reported:

July & August 2018 meetings

- 7/3 work session – canceled
- 7/10 work session & regular session – 6:00 P.M.
- 7/24 regular session – 7:00 pm
- 8/7 work session – 7:00 pm
- 8/14 regular session – 7:00 pm
- 8/28 regular session – 7:00 pm

The MML Westgate Banquet is July 26, 2018, at 6:00 P.M., at the Hilton Garden Inn in Independence. If you'd like to attend, please tell Andrea or Alexa.

The Belton school district is interested in painting the Belton school mascot logo on the main intersection(s) on Main Street. This was discussed at a City Council meeting in 2015 when the Council gave the school permission to do this. Since this was three years ago, we're confirming if the maintenance of the logo will still be handled by the school. The school is aware ROW permits and other things will be required to do this, as that portion of the road will need to be blocked off while they are painting.

Carolyn Yatsook, Economic Development Director, said the Kansas City Business Journal ranked Belton as the 6th most affordable place to live in Missouri. Belton was 24th in the Journal for the most houses sold in 2017.

OTHER BUSINESS:

Councilman Trutzel said the semi-truck parking at Commercial and 58 Hwy is still happening. This past weekend there were so many parked, there wouldn't have been enough room for a firetruck to get through. Plus it looks terrible. He is not happy the City hasn't done anything about this yet. Councilman Savage asked what happened with the meeting with the folks on Commercial. Ms. Barton said things improved a little bit, but it's fallen back to the way it was. City staff has been working on some other projects and we have had staffing changes in planning and codes, but we will strive to bring this issue to the forefront.

Councilman VanWinkle would like to ask staff to draft ballot language to address the ½ cent sales tax the IAFF representatives were discussing. Ms. Barton said staff can bring it to the July 10, 2018, Council meeting.

Being no further business, Councilman Lathrop moved to adjourn at 7:35 P.M. Councilwoman Peek seconded. All present voted in favor. Mayor Davis absent. Meeting adjourned.



Andrea Cunningham, Executive Secretary

Jeff Fletcher, Mayor Pro Tem

SECTION VII
B

AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY'S ZONING MAP FROM R-1 (SINGLE FAMILY) DISTRICT TO R-2 PUD (SINGLE FAMILY AND TWO FAMILY PLANNED UNIT DEVELOPMENT) DISTRICT, SUBJECT TO PLAN DOCUMENTS AND CONDITIONS HEREIN SPECIFIED, FOR A 25.42 ACRE TRACT OF LAND LOCATED NORTH OF MEADOW CREEK PARKWAY, EAST OF THE SOUTH OUTER ROAD, JUST NORTH OF BELTON REGIONAL MEDICAL CENTER, BELTON, CASS COUNTY, MISSOURI.

WHEREAS, a request was submitted to rezone the 25.42 acre tract of land located north of Meadow Creek Parkway, east of the South Outer Road, just north of Belton Regional Medical Center from R-1 (Single-Family) District to an R-2 PUD (Single-Family and Two-Family Planned Unit Development) zoning classification, legally described as Lots 3, 4, 5, 6, 7, 8, 13, and 14 Industrial Meadows, a subdivision in the City of Belton, Missouri, Cass County, Missouri, according to the recorded plat thereof; and

WHEREAS, under the Unified Development Code Section 20-1- Land Use Applications and Procedures provides that the City Council may, by ordinance, amend, supplement, change or modify zoning district boundaries; and

WHEREAS, notice of the public hearing was published in the Cass County Democrat on April 20, 2018; and

WHEREAS, a public hearing was held before the Belton Planning Commission on May 7, 2018 in accordance with the provisions of the Unified Development Code Section 20-2- Procedure for Zoning Map and Text Amendments; and

WHEREAS, the Unified Development Code Section 20-3- Findings of Fact, provides criteria for findings of fact to be used with zoning map amendments; and

WHEREAS, the Belton Planning Commission voted to recommend approval of the application to the City Council by a vote of six to three; and

WHEREAS, the City Council believes it is in the best interest of the City to rezone this tract of land to an R-2 Single-Family and Two-Family Planned Unit Development.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. That the City Council approves the rezoning of the subject property from R-1 (Single-Family) district to an R-2 PUD (Single-Family and Two-Family Planned Unit Development) zoning classification, subject to the following plan documents and conditions:

A. Plan Documents

1. The rezoning and the preliminary Planned Unit Development is approved as shown on Meadow Creek Phase 2, R-2 Preliminary Development Plan, revision date 6/15/18 by Powell CWM Architectural/ Engineering/ Surveying.
2. The landscape plan as approved as shown on Preliminary Landscape Plan prepared by Chad D. Weiland, RLA. Dated 3/2/18.
3. Preliminary elevations for the duplexes and clubhouse, including colors and building materials as approved on Meadow Creek Phase 2, R-2 Preliminary Development Plan, revision date 6/15/18 by Powell CWM-Architectural/ Engineering/Surveying.

B. Conditions to be resolved, finalized and presented to the Planning Commission prior to final plan approval:

1. Development is subject to final PUD development plans, as required in Section 20.6 of the UDC, pursuant to the PUD phasing plan.
2. Stormwater management/detention is preliminarily approved as described in Stormwater Detention Analysis, by Powell CWM, dated 4/12/18, indicating compliance with Section 32 of the UDC.
3. No two identical duplex units, elevations and materials, shall be constructed side-by-side in the PUD.
4. Additional screening or landscaping shall be provided at the rear of the two-family duplexes at the time of final PUD submittals.
5. With the final development plan, submit sample elevations and building material examples for the single family homes.
6. The clubhouse shall have a full basement to serve as an emergency storm shelter. The clubhouse shall be built in Phase I.
7. Submit with the final development plan, a motor vehicle turning template to demonstrate sufficient access to the driveway parking aprons.
8. The Homeowners Association documents shall be submitted with the final development plan per Section 36-38, to include maintenance of the two-family unit open space areas, the fence between the single-family and two-family areas, and all other common areas and detention of the plat, and provide acceptable property maintenance language for the two-family duplex units.
9. A Development Agreement shall be negotiated to supplement the Homeowner Association documents to address the details of the storm water facilities

maintenance, phasing requirements of the development, management of construction traffic and other long term requirements for a sustainable development.

Section 2. That the City Planner shall take all necessary actions to supplement the Comprehensive Plan and Zoning map of the City.

Section 3. That all ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed.

Section 4. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

PUBLIC HEARING AT PLANNING AND ZONING: May 7, 2018

READ FOR THE FIRST TIME: June 26, 2018

READ FOR THE SECOND TIME AND PASSED:

Mayor Jeff Davis

Approved this _____ day of _____, 2018.

Mayor Jeff Davis

ATTEST:

Patricia A. Ledford, City Clerk
Of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON)SS
COUNTY OF CASS)

I, Patricia A. Ledford, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was regularly introduced for first reading at a meeting of the City Council held on the 26th of June, 2018, and thereafter adopted as Ordinance No. 2018-_____ of the City of Belton, Missouri, at a regular meeting of the City Council held on the _____ day of _____, 2018, after the second reading thereof by the following vote, to-wit:

AYES:
NOES:
ABSENT:

COUNCILMEN:
COUNCILMEN:
COUNCILMEN:

Patricia A. Ledford, City Clerk
Of the City of Belton, Missouri

SECTION VII

C

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF BELTON, MISSOURI ON THE QUESTION OF INCREASING THE CITYWIDE GENERAL CITY SALES TAX RATE BY ONE-HALF PERCENT (0.5%) FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDS FOR PUBLIC SAFETY.

WHEREAS, the City of Belton, Missouri (the “City”) is a constitutional charter city and political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri;

WHEREAS, the City is authorized under RSMo 94.500 through 94.550 to propose an increase in the general city sales tax rate of one-half of one percent (0.5%) for the purpose of providing additional funds for public safety for the City, including but not limited to, expenditures for equipment, salaries and benefits of city employees providing public safety services, and facilities for police, fire, emergency management and emergency medical providers; and

WHEREAS, the proposed increase in the general city sales tax rate to a total of one and one-half percent (1.5%) cannot become effective until it has been submitted to the qualified voters of the City of Belton, Missouri and approved by a majority of the qualified voters voting thereon; and

WHEREAS, the City Council of the City of Belton, Missouri desires to avail itself of such authority and submit to the voters of the City the question of increasing the citywide general sales tax by one-half percent (0.5%) for the purpose of providing additional funds for public safety to the voters of the City of Belton, as provided by law, and in addition to all other sales taxes imposed by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:

Section 1. This general sales tax increase shall be submitted to the qualified voters of Belton, Missouri, for their approval, as required by RSMo. Section 94.510, on Tuesday, November 6, 2018, on the following question:

QUESTION : General Sales Tax for Public Safety

Shall the City of Belton, Missouri increase its citywide general sales tax rate by one-half of one percent (0.5%) for the purpose of providing additional funds for public safety for the City, including but not limited to, expenditures for equipment, salaries and benefits of city employees providing public safety services, and facilities for police, fire, emergency management and emergency medical providers?

Yes []
No []

INSTRUCTION TO VOTERS: If you are in favor of the question, place an X in the box opposite "Yes". If you are opposed to the question, place an X in the box opposite "No".

Section 2. The form of the Notice of Election for said special election, a copy of which is attached hereto and made a part hereof, is hereby approved.

Section 3. If a majority of the votes cast on the proposal by qualified voters voting thereon are in favor of the proposal submitted pursuant to this section, then the ordinance and any amendments to the ordinance shall become effective on the first day of the second calendar quarter after the Director of Revenue receives notice of the increase in the rate of citywide general sales tax.

Section 4. The City Clerk is hereby authorized and directed to notify the County Clerk of Cass County, Missouri, of the adoption of this Ordinance no later than 5:00 P.M. on August 28, 2018, and to include in said notification all of the terms and provisions required by the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

Section 5. Within ten (10) days after approval of such ballot proposition, the City Clerk shall forward to the Director of Revenue of the State of Missouri, by United States Registered Mail or Certified Mail, a certified copy of the imposing ordinance, along with a map of the City of Belton, clearly showing the boundaries thereof.

Section 6. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of the Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and incapable of being executed in accordance with the legislative intent.

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval.

READ FOR THE FIRST TIME: July 10, 2018

READ FOR THE SECOND TIME AND PASSED:

Mayor Jeff Davis

Approved this _____ day of _____, 2018.

Mayor Jeff Davis

ATTEST:

Patricia A. Ledford, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
COUNTY OF CASS)SS
CITY OF BELTON)

I, Patricia A. Ledford, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton, Missouri, and that the foregoing ordinance was regularly introduced for first reading at a meeting of the City Council held on the 10th day of July, 2018, and thereafter adopted as Ordinance No. 2018-_____ of the City of Belton, Missouri, at a regular meeting of the City Council held on the _____ day of July, 2018 after the final reading thereof by the following vote, to-wit:

AYES: COUNCILMEN
NOES: COUNCILMEN
ABSENT: COUNCILMEN

Patricia A. Ledford, City Clerk
of the City of Belton, Missouri

NOTICE OF ELECTION

CITY OF BELTON, MISSOURI

Notice is hereby given to the qualified voters of the City of Belton, Missouri that the City Council of the City has called an election to be held in the City on November 6, 2018, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

OFFICIAL BALLOT

CITY OF BELTON, MISSOURI

NOVEMBER 6, 2018

QUESTION : General Sales Tax for Public Safety

Shall the City of Belton, Missouri increase its citywide general sales tax rate by one-half of one percent (0.5%) for the purpose of providing additional funds for public safety for the City, including but not limited to, expenditures for equipment, salaries and benefits of city employees providing public safety services, and facilities for police, fire, emergency management and emergency medical providers?

Yes []

No []

INSTRUCTION TO VOTERS: If you are in favor of the question, place an X in the box opposite "Yes". If you are opposed to the question, place an X in the box opposite "No".

Said election shall be held at the following polling places:

WARD NO. 1: Precinct 38 and Precinct 39- South Haven Baptist Church,
16800 Bel-Ray Blvd, Belton, MO.

WARD NO. 2: Precinct 40 and Precinct 41- St. Sabina Catholic Church,
700 Trevis Avenue , Belton, MO.

WARD NO. 3: Precinct 42 and Precinct 43- St. Sabina Catholic Church,
700 Trevis Avenue, Belton, MO.

WARD NO. 4: Precinct 44 and Precinct 45– Assembly of God Church,
613 E. North Avenue, Belton, MO.

Given under my hand and the Seal of the City of Belton this _____ day of July, 2018.

Patricia A. Ledford, City Clerk of the City
of Belton, Missouri

DATED: _____, 2018.

County Clerk of Cass County, Missouri

SECTION VIII

A

R2018-38

A RESOLUTION APPROVING ACTIONS OF THE CITY MANAGER TO ENGAGE PYRAMID EXCAVATION AND CONSTRUCTION, INC. FOR EMERGENCY REPAIR OF A SANITARY SEWER NEAR THE TIMBERCREEK SUBDIVISION AND RATIFYING TASK AGREEMENT NO. 2018-1 IN THE AMOUNT OF \$167,552.58.

WHEREAS, the City Council for the City of Belton, Missouri, pursuant to the advice and recommendation of the City Manager, deems it necessary, desirable, advisable and in the public interest to maintain wastewater infrastructure to meet near and long-term needs; and

WHEREAS, the City has the authority and follows Article IV, Division II, Section 2-921 Purchasing Procedure of the Ordinances of the City of Belton, Missouri, to approve contracts for construction thereto; and

WHEREAS, on January 9, 2018 under Resolution No. R2018-02, the City Council approved the renewal of Supplemental Agreement No. 1 to Service Agreement for On-Call Water, Wastewater, and Stormwater Services between the City of Belton and Pyramid Excavation and Construction, Inc.; and

WHEREAS, on March 26, 2018, the City of Belton experienced a large rain event causing a streambank adjacent to a sanitary sewer inceptor near the Timbercreek subdivision to erode. The following day, per Belton Water Services policy, staff inspected areas of concern for exposed pipe sections near creeks and streams and discovered the bank failure and collapse of a section of sanitary sewer interceptor into the stream; and

WHEREAS, on March 27, 2018, the City Manager, in conference with the Interim Director of Public Works, Acting City Engineer, and Water Services Manager, determined the emergency repairs were necessary and authorized immediate commencement of the repair work to resolve the emergency issue. The sanitary sewer interceptor services nearly all of western Belton; and

WHEREAS, using the Supplemental Agreement No. 1 to Service Agreement for On-Call Water, Wastewater, and Stormwater Services per Ordinance 2018-02 and Ordinance 2018-03, Pyramid Excavation and Construction, Inc. and Precision Construction and Contracting, LLC were contacted for emergency repair services. Pyramid Excavation and Construction, Inc. responded before Precision Construction and Contracting, LLC and mobilized on site later that day. Prior to Pyramid Excavation and Construction, Inc.'s mobilization, City crews were able to clear brush, build an access road, and install a check dam downstream so that Pyramid Excavation and Construction, LLC could access the site; and

WHEREAS, the City Council believes that Task Agreement 2018-1 with Pyramid Excavation and Construction, Inc. accurately reflects the work performed to repair a sanitary sewer near the Timbercreek subdivision on an emergency basis in the amount of \$167,552.58.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:

SECTION 1. That the action of the City Manager to engage Pyramid Excavation and Construction, Inc. on an emergency basis is hereby authorized and ratified.

SECTION 2. That Task Agreement No. 2018-1, herein attached and incorporated as **Exhibit A** to this Resolution, in the amount of \$167,552.58 is hereby authorized and ratified.

SECTION 3. That this resolution shall be in full force and effect from and after its passage and approval.

Duly read and passed this 6th day of July, 2018.

Mayor Jeff Davis

ATTEST:

Patricia A. Ledford, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
COUNTY OF CASS)SS
CITY OF BELTON)

I, Patricia A. Ledford, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton, Missouri, and that the foregoing Resolution was adopted at a regular meeting of the City Council held the 6th day of July, 2018 by the following vote, to wit:

AYES: COUNCILMEN:
NOES: COUNCILMEN:
ABSENT: COUNCILMEN:

Patricia A. Ledford, City Clerk
of the City of Belton, Missouri



CITY OF BELTON CITY COUNCIL INFORMATION FORM

AGENDA DATE: July 10, 2018

DIVISION: Public Works/Water Services

COUNCIL: Regular Meeting Work Session Special Session

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Consent Item	<input type="checkbox"/> Change Order	<input type="checkbox"/> Motion
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> FYI/Update	<input type="checkbox"/> Presentation	<input type="checkbox"/> Both Readings

ISSUE/RECOMMENDATION:

On March 26, 2018, the City of Belton experienced a large rain event causing a streambank adjacent to a sanitary sewer interceptor near the Timbercreek subdivision to erode. The following day, per Belton Water Services policy, staff inspected areas of concern for exposed pipe sections near creeks and streams and discovered the bank failure and collapse of a section of sanitary sewer interceptor into the stream.

On March 27, 2018, the City Manager, in conference with the Interim Director of Public Works, Acting City Engineer, and Water Services Manager, determined the emergency repairs were necessary and authorized immediate commencement of the repair work to resolve the emergency issue. The sanitary sewer interceptor services nearly all of western Belton.

Using Supplemental Agreement No. 1 to Service Agreement for On-Call Water, Wastewater, and Stormwater Services per Resolution 2018-02 and Resolution 2018-03, Pyramid Excavation & Construction, Inc. (Pyramid) and Precision Construction and Contracting, LLC (Precision) were contacted for emergency repair services. Pyramid responded before Precision and mobilized on site later that day. Prior to Pyramid's mobilization, City crews were able to clear brush, build an access road, and install a check dam downstream so that Pyramid could access the site.

Pyramid repaired the separated portion of the sanitary sewer interceptor. Additionally, City staff contacted CDM Smith, Inc. under the On-Call Engineering Agreement per Ordinance 2016-4184 to address the streambank repair and submit plans and documents to the Corps of Engineers for approval. During the pipe repair and streambank stabilization, City staff and CDM Smith, Inc. worked closely with the Corps of Engineers to ensure the work being completed was permitted and approved.

IMPACT/ANALYSIS:

FINANCIAL IMPACT

Contractor:	Pyramid Excavation & Construction, LLC	
Amount of Request/Contract:	\$	167,552.58
Amount Budgeted:	\$	n/a
Funding Source:	660-0000-495-7300 WW1901	
Additional Funds:	\$	n/a
Funding Source:	n/a	
Encumbered:	\$	n/a
Funds Remaining:	\$	n/a

STAFF RECOMMENDATION, ACTION, AND DATE:

Approve a resolution approving actions of the City Manager to engage Pyramid Excavation & Construction, Inc. for emergency repair of a sanitary sewer near the Timbercreek subdivision and ratifying Task Agreement No. 2018-1 in the amount of \$167,552.58.

LIST OF REFERENCE DOCUMENTS ATTACHED:

Resolution

Task Agreement 2018-1 and Scope of Work

City of Belton – Public Works Task Agreement

Contract:

Ordinance or Resolution:

Task Agreement No: 2018-1

Funding Amount: \$167,552.58

Purchase Order No:

Project Title: Emergency Sanitary Sewer Repair

Contractor/Consultant (including subs): Pyramid Excavation & Construction, Inc.

Division and Staff Project Manager: Michael Christopher

Project Management Manual reviewed: N/A

Attachments (Gantt Chart/ Schedule, Insurance, etc.): Scope and Fee

PROJECT Scope (can be in the form of an attachment): Attached

Check boxes below that apply:

Enrollment in E-Verify



Prevailing Wage



Certificate of Good Standing



Staff Signatures

Partner Signatures

Director of Public Works:
Celia Duran

City Manager:
Alexa Barton

Project Manager:

Company Principal (if different):

ROBERT C. YUNGER PRESIDENT

Signature: _____

Signature: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Date: _____

Date: _____

Project Type: Design Construction Property Acquisition Conceptual/Problem Solving Surveying

Project Discipline(s): Transportation Planning Water Wastewater Stormwater

Report(s) Received:

Work on File:

This Task Agreement is subject to all the provisions included in the On-Call Professional Services Agreement, Public Works Department, Engineering Division by and between the City and _____ (Professional), dated _____.

Attach scope of work, budget, and other supporting material

City of Belton Missouri
Timbercreek Sanitary Emergency Repair
Job Start 3/27/2018
Job Finish 5/24/2018

Labor by Pyramid	Hours	Rate	Total	
Superintendent & Truck	129.5	\$ 96.65	\$ 12,516.18	
Foreman & Truck	160	\$ 89.50	\$ 14,320.00	
Laborer	182.5	\$ 62.07	\$ 11,327.78	
Operator	219.5	\$ 71.05	\$ 15,595.48	\$ 53,759.43

Equipment from Pyramid	Hours	Rate	Total	
John Deere 330 exc	130	\$ 145.00	\$ 18,850.00	
John Deere Loader	98	\$ 125.00	\$ 12,250.00	
John Deere 85 Exc.	130	\$ 85.00	\$ 11,050.00	
Dump Truck	87.5	\$ 85.00	\$ 7,437.50	
Small Tools (Pumps , Gen, Chain Saws)	160	\$ 20.00	\$ 3,200.00	\$ 52,787.50

Equipment Rented	Cost	Mark Up	Total	
Thompson Pump (By pass Pump)	\$ 4,813.03	240.65	\$ 5,053.68	
Van Keppel (Pipe Plug)	\$ 576.68	28.83	\$ 605.51	
3L's Holding Company, Inc. (Equip in and Out)	\$ 1,756.25	87.81	\$ 1,844.06	
Clymore Trucking Co. (Hauled off Muck)	\$ 997.50	49.88	\$ 1,047.38	
ORI (Outdoor Rest Rooms)	\$ 128.87	6.44	\$ 135.31	\$ 8,685.95

Dump Fees				
Damon Pursell (Rockridge Quarry Dump Fees)	\$ 3,485.00	174.25	\$ 3,659.25	\$ 3,659.25

Materials	Cost	Mark Up	Total	
ESI (Rip Rap, Aggregate, Stone)	\$ 37,541.03	1877.05	\$ 39,418.08	
Olathe Winwater	\$ 3,753.76	187.69	\$ 3,941.45	
Fordyce Conc Co	\$ 2,159.00	107.95	\$ 2,266.95	
CRITSITE	\$ 2,889.50	144.48	\$ 3,033.98	\$ 48,660.45

Grand Total \$ 167,552.58