

**BELTON CITY COUNCIL MEETING**  
**December 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, and Paul Sanderford. Councilmember Guy O'Banion was absent. Staff present included Sam Listi, John Messer, Jana Lewellen, Brandon Bozon, Gene Ellis, Francisco Corona, Mike Huber, Erin Newcomer, Charlotte Walker, Kim Kroll, and Aaron Harris.

The Pledge of Allegiance to the U.S. Flag was led by Grants and Special Projects Coordinator Aaron Harris, the Pledge of Allegiance to the Texas Flag was led by Councilmember Craig Pearson, and the Invocation was given by Jerry McGuire of the First Church of the Nazarene, Belton, Texas.

1. Call to Order: The Mayor called the meeting to order at 5:42 p.m.

2. Public Comments: None.

3. Presentations:

A. Swearing in Ceremony for Daric Henderson, Gerardo Torres, and Christopher MacDonald as Police Officers.

Police Chief Gene Ellis introduced Daric Henderson, Gerardo Torres, and Christopher MacDonald, who graduated from the Temple Police Academy on December 8, 2014, and will begin their service in the Field Training Officer (FTO) program. The City Attorney administered the oath of office to Officers Henderson, Torres, and MacDonald, and their family members pinned on their badges, in keeping with law enforcement tradition.

B. Swearing in Ceremony for Ethan White as Fire Fighter.

Fire Chief Francisco Corona introduced Ethan White. Paramedic Ethan White will be attending a fire academy in the near future to achieve his fire certification. The City Attorney administered the oath of office to Firefighter White, and his badge was pinned on by his wife.

Consent Agenda

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

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

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5. Consider appointments to the Belton Economic Development Corporation.

Mayor Grayson reappointed Griff Lord and Chris Moore for an additional three-year term.

6. Consider authorizing the City Manager to take all steps necessary to acquire 207 Smith Street and pursue its redevelopment, at a purchase price of \$5,500 plus a share of closing costs, comprising the north half of Lot 3, Block 3, W.Y. McFarland Addition, to include forgiveness of outstanding liens, and approve a budget amendment from TDHCA housing funds. Approved the City Manager to take all steps necessary to acquire 207 Smith Street as presented.

7. Consider ordinances granting commercial solid waste collection franchises to the following:

- A. Republic Services, Inc. (formerly Allied Waste)
- B. Waste Management, Inc.
- C. Progressive Waste Solutions (formerly IESI)
- D. Eagle Disposal
- E. Kerr Refuse Service
- F. Temple Iron & Metal

Approved the ordinances captioned below, granting a one-year extension to the six companies listed above, with a new expiration date of December 31, 2015:

**ORDINANCE NO. 2014-59**

**AN ORDINANCE AMENDING A LICENSE TO REPUBLIC SERVICE, INC., TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.**

**ORDINANCE NO. 2014-60**

**AN ORDINANCE AMENDING A LICENSE TO WASTE MANAGEMENT, INC., TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.**

**ORDINANCE NO. 2014-61**

**AN ORDINANCE AMENDING A LICENSE TO PROGRESSIVE WASTE SOLUTIONS, TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.**

**ORDINANCE NO. 2014-62**

**AN ORDINANCE AMENDING A LICENSE TO EAGLE DISPOSAL, TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.**

**ORDINANCE NO. 2014-63**

**AN ORDINANCE AMENDING A LICENSE TO KERR REFUSE SERVICE, TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.**

**ORDINANCE NO. 2014-64**

**AN ORDINANCE AMENDING A LICENSE TO TEMPLE IRON & METAL, TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.**

Miscellaneous

8. Conduct a public hearing regarding the proposed issuance by the City of up to \$4.5M of Combination of Tax and Revenue Certificates of Obligation, Series 2014 in order to implement AMI, Automated Meter Infrastructure for the City of Belton, and consider calling a Special Meeting on December 16, 2014 at 5:30 PM or an alternate date to take action on issuance.

Following discussion in Work Session prior to this meeting, Council indicated it would not to pursue the Certificate of Obligation at this time.

Mayor Grayson opened the public hearing. There being no questions or comments the public hearing was closed. No action regarding this item was taken.

9. Consider authorizing the City Manager to execute an amended contract in substantially the form presented, with a Guaranteed Maximum Price (GMP) with a Construction Manager at Risk (CMAR) for construction of the addition and renovation project at the police department.

Chief Ellis stated in late 2013, the City approved a 2013 Capital Improvement Plan and issued Certificates of Obligation to fund the projects totaling \$6.825 million, and said Council approved a contract with Baird/Williams Construction (BWC) on February 11, 2014, for CMAR services for this capital improvement project. Chief Ellis stated during the past 10 months, our architect, Architects Design Group (ADG), BWC, and staff have worked very hard on the planning, design, and construction documents for this project. BWC provided the City with a GMP on November 24, 2014 after a great deal effort by all stakeholders on project refinements, reductions, and other cost saving measures. Chief Ellis stated the City hired an independent estimator to verify project costs, and they returned a very comparable number to the one provided by BWC. Chief Ellis provided a breakdown of the GMP, and add alternates for this project.

City Manager Sam Listi provided an overview of the "all in" price to complete the addition, and some renovation to the police facility as proposed. Mr. Listi recommended authorizing the City Manager to execute an amended contract for services, substantially in the form presented, with Baird/Williams Construction, LTD, for Construction Manager at Risk services, with a guaranteed maximum price for the addition/renovation project at the Belton Police Department, and recommended use of existing 2013 CO funds principally for streets in the amount of \$1.1M to provide for temporary gap in funding.

Mayor Pro Tem Leigh stated the issues with the CMAR the City has been working with for this project have become public, and noted Council, as well as Staff has mitigated this risk by working with the Contractor to make sure this project moves forward. Mr. Leigh stated Baird/Williams Construction has been a good corporate citizen of Belton, and we are moving forward with our eyes wide open, as we want to see them successful in the future.

Mayor Pro Tem Leigh made a motion to execute an amended contract in substantially the form presented, at a GMP of \$2,702,360. The motion was seconded by Councilmember Pearson and carried unanimously.

10. Consider approval of a Reimbursement Resolution for the police department addition and renovation project, expressing official intent to reimburse certain expenditures in an aggregate maximum principal amount of \$1,100,000.

City Manager Sam Listi indicated based on the Council's previous action to utilize existing 2013 CO funds, recommended disapproval of this resolution as presented.

Councilmember Pearson made a motion to disapprove the Resolution as presented. The motion was seconded by Mayor Pro Tem Leigh and carried unanimously.

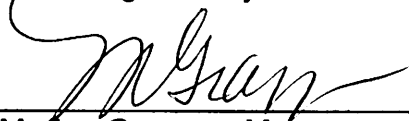
11. Consider award of bid and authorizing the City Manager to execute a contract for the West Martin Luther King Jr. Avenue Extension and Overpass Construction Project (West Ninth Avenue), and any change orders associated with the contract, not to exceed the amount authorized under state law, and authorize a budget amendment for non-reimbursable utility elements.

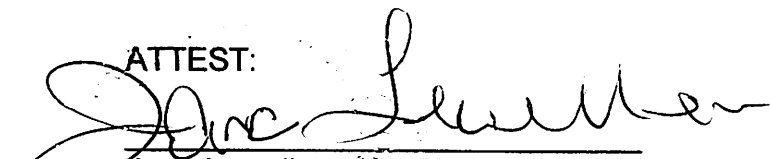
Councilmember Sanderford requested to abstain from this item. Public Works Director Mike Huber presented this item and provided the project summary. Mr. Huber stated bidding for this project began on November 3, 2014, and four qualified bids were received. Mr. Huber stated Part A low bid from James Construction Group (James) was \$4,034,059.70, and Part B low bid from James was \$117,762.00, and have determined that the low bidder, James Construction Group, as a TXDOT prequalified contractor, has the capability and the experience to perform to the requirements of the contract. Mr. Huber provided a funding summary and recommended award of bid in the amount of \$4,151,821.70, and authorizing the City Manager to execute a contract for the West Martin Luther King Jr. Avenue Extension and Overpass Construction Project (West Ninth Avenue Extension and Overpass Construction Project), and any change orders associated with the contract, not to exceed the amount authorized under state law, and authorize a budget amendment for non-reimbursable utility elements.

Mayor Grayson commended Mack Parker with KPA, as well as staff, and past and current Councilmembers, for their efforts in getting this project underway.

Councilmember Pearson made a motion to award the bid as presented. The motion was seconded by Councilmember Kirkley and carried by a vote of 5-0 with Councilmember Sanderford abstaining.

There being no further business, the meeting was adjourned at 6:31 p.m.

  
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Marion Grayson, Mayor

ATTEST:  
  
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Jana Lewellen, City Clerk