

**BELTON CITY COUNCIL MEETING
MARCH 2, 2010**

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 (arrived 5:35), Wayne Carpenter, Craig Pearson, and John Agan. There were no members absent. Staff present were John Messer, Sam Listi, Connie Torres, Fred Morris, Les Hallbauer, Gene Ellis, Roy Harmon, Byron Sinclair, Jerri Gauntt, and Kim Kroll.

The Pledge of Allegiance to the U.S. Flag was led by Police Chief Gene Ellis, the Pledge of Allegiance to the Texas Flag was led by Councilmember Clifton Peters, and the Invocation was given by Pastor Andy Davis of the First Baptist Church.

The Mayor called the meeting to order at 5:32 p.m.

Public comments.

Tommy Wilson, 419 W. 8th Street, UMHB Student Body President, extended an invitation to events being held on campus March 4-5, 2010 to benefit Haiti in the wake of an earthquake.

Silvia Chavez, 410 W. 3rd Avenue, protested the City's installation of a privacy fence along the back of her son's property (adjacent to Harris Community Center parking lot). She indicated her handicapped son owns the house and suffers from seizures. With the fence added, she fears nobody would notice, and if a fire occurred, the back exit would be blocked. Ms. Chavez requested the City leave access to their backyard entrance for safety, and indicated a ramp will soon be added in the back, and leaving the 4' gate open would allow her son access to the park, etc. via wheelchair.

Paul Chavez, 410 W. 3rd Avenue, Mrs. Chavez's son came before the Council, but had no additional comment.

Joe Trevino, Jr., 3501 Village Hill, asked that the Council show compassion for the Chavez family by allowing Paul Chavez handicapped access at the rear of his property. He requested the City break the curb a little over 3' for access and move the dumpster elsewhere.

Michael Flores, 301 N. 8th Street, Temple, Home Health Aide for Paul Chavez, requested consideration of the family's request, indicating Paul has limited motility and uses the back entrance daily.

Swearing in Ceremony of Cadets as Police Officers.

Police Chief Gene Ellis introduced the new officers identified below, the City's first round of Police Officers from the Cadet program. The City Attorney administered the oath of office and the officers' badges were pinned on by family members.

Daniel Aguirre	Jeffrey Lerom
Kenneth Haase	John Londrie
Jackie Holmes	

The Police Chief recognized participants in the Police Department's Citizens' Police Academy present in the audience.

Consent Agenda

The Mayor pulled the item regarding commercial solid waste collection franchises from the consent agenda. Upon motion by Councilmember Leigh, seconded by Councilmember Pearson, the following items were unanimously approved:

Minutes of the January 26, 2010 meeting. Approved as presented.

Consider a resolution authorizing submission of a grant application to the Office of the Governor Criminal Justice Division for equipment for the Police Department.

Approved the resolution captioned below, authorizing application of a no match grant for \$27,000 to purchase four Optical Thermal Imaging Cameras and two Centurion Scout Surveillance Systems:

RESOLUTION NO. 2010-07

RESOLUTION AUTHORIZING THE 2010 OFFICE OF THE GOVERNOR CRIMINAL JUSTICE PROGRAM FUND GRANT APPLICATION.

Consider authorizing the City Manager to execute an interlocal agreement with Belton Independent School District for use of the Harris Community Center.

Approved the agreement with BISD providing for occasional use of the T. B. Harris Community Center at no cost. Given the donation of the building and land by the school district, the City believes BISD should be allowed to host weekday events at the Center if there is no conflict in scheduling, in addition to its elections.

Consider authorizing the City Manager to execute an amendment to a professional services agreement with Volz & Associates for consultation and design services associated with the Harris Community Center.

Approved the amendment at a not-to-exceed amount of \$12,300, as the scope of the previous agreement has been exceeded. This is the next step in the City's deliberative process to complete construction administration services concerning window removal and reinstallation, pointing of brick mortar joints, and guidance on installation of window film, in compliance with National Historic Preservation Act. At this time, funding will come from the General Fund Capital Projects Fund, and when the project is completed, a budget amendment from fund balance of the General Fund to reimburse the Capital Projects Fund will be presented.

Miscellaneous

Consider a resolution authorizing a contract for professional management services for administration of Texas Department of Housing & Community Affairs (TDHCA) Owner Occupied Housing Rehabilitation grant through the 2009 Texas HOME Owner Occupied Housing Assistance Program.

Support Services Coordinator Jerri Gauntt explained the Council authorized submission of a HOME-Owner Occupied Housing Rehabilitation Grant Application to TDHCA in June 2009, and gave an overview of the HOME program. The application was for a total of \$416,000 with a \$54,000 match commitment from the City.

Ms. Gauntt stated the City issued a request for proposals for grant management services in January 2010 in accordance with TDHCA requirements. One proposal was received on February 12, 2010 from GrantWorks of Austin, the firm used in previous HOME program cycles. She reviewed a summary of their proposal which included: Administration-\$16,000 and HR Management-\$51,750, for a total \$67,750.

Ms. Gauntt recognized Tres Davis from GrantWorks, who was present to address any questions. The City Manager indicated this program will be similar to grant cycles in the past, and will allow the City to rehab five homes. He recommend approval of the contract with GrantWorks for administration services related to the City's 2009-2010 HOME Program, with funds coming from the Housing Rehabilitation Fund.

Councilmember Carpenter made a motion to approve the resolution authorizing the contract. The motion was seconded by Mayor Pro Tem Grayson, and the following captioned resolution was unanimously adopted:

RESOLUTION NO. 2010-08

A RESOLUTION BY THE CITY OF BELTON, TEXAS, AUTHORIZING THE AWARD OF CONTRACT FOR ADMINISTRATION SERVICES AND SOFT COST PROJECT MANAGEMENT SERVICES FOR THE PROGRAM YEAR 2009-2010, HOME OWNER OCCUPIED HOUSING ASSISTANCE PROGRAM.

Conduct a work session on alternatives for lighting for the Central Avenue project and consider direction to staff if appropriate.

The City Manager introduced Trae Sutton, KPA Engineers, who presented a comparison of high pressure sodium (HPS) lights vs. LED lights, for use in the Central Avenue project. In summary,

the use of LED lights would require an additional capital investment of \$112,363, for an annual power consumption difference of only \$16.83. In addition, Oncor Electric would maintain the HPS lights, as opposed to the City having to maintain the LED lights.

Steve Kiewit, Oncor Electric, was present to address any questions for John Toone who could not be present. Councilmember Pearson asked if the technology would improve to make it worthwhile to retrofit HPS lights to LED. Mr. Kiewit stated there has been a lot of advance in LED lights in recent years, and if improvements continue at that pace, that may present an option. Mr. Pearson asked about the spacing requirement – more LED lights to equal output of HPS lights. Mr. Sutton responded 78 LED lights vs. 63 HPS lights are required.

Mayor Pro Tem Grayson indicated she was in favor of the LED lights conceptually, but after seeing the cost, she's fine with staying with HPS lights. Councilmember Peters asked about the light standards, and Mr. Sutton stated they are identical to the existing lights in downtown Belton.

Mayor Pro Tem Grayson made a motion to use the HPS lights. The motion was seconded by Councilmember Peters and carried unanimously.

At 6:10 p.m. the Mayor announced the Council would go into executive session, and the City Council relocated to the Smith Room for the closed meeting.

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 551.071, to consult with City Attorney on pending or possible litigation.

At 6:55 p.m. the Mayor reconvened the Council meeting in the Wright Room to consider the following items:

Consider amendment of the residential solid waste collection contract with Waste Management.

The City Manager stated the residential solid waste collection franchise with Waste Management (WM) scheduled for action on February 23rd, was deferred to this meeting due to the weather. Though the franchise expired February 28, 2010, it was extended by mutual agreement pending Council action.

Mr. Listi explained staff originally intended to develop a Request for Proposals (RFP) for all solid waste collection services in early 2010 to evaluate options for enhanced services, cost comparisons, among other issues, but has been focused on other needs. While the RFP process is in early stages of development, WM has proposed the following alternatives for extension of residential service:

Alternative 1 – A 60 day extension of WM services to April 30, 2010, at a rate of \$16.08 per residence (currently \$12.81) with no change in current services.

- A 60 day extension of current services is the maximum negotiable with WM.
- The proposed rate adjustment from \$12.81 to \$16.08 represents a 25.5% increase.
- Services would essentially remain unchanged during this 60 day extension.

Alternative 2 – A 10 month extension of WM services to December 31, 2010, at a rate of \$15.00 per residence, with a 30 day transition, and significant changes in services.

- A 10 month extension would provide a meaningful time period to develop a comprehensive residential and commercial RFP, obtain and evaluate proposals, and select vendor(s) for service implementation January 1, 2011.
- The proposed rate adjustment from \$12.81 to \$15.00 represents a 17% increase.
- Services, after a 30 day transition period, would change significantly, as WM moves away from brush pickup:
 - A limit of 5 "items" (bag, bundle, box, can, appliance, etc.) would be established for waste collection per service day (twice a week);
 - Branches may not exceed 3" in diameter;
 - No loose yard trimmings or debris will be picked up; and
 - A rolloff container will be provided at the City's Public Works Department offices at 1001 W. Avenue D, for large amounts of loose yard waste and tree trimmings. One 30 yard rolloff haul is included per month from March-December 2010, and the City will be charged \$350 for additional hauls.

The City Manager stated he believes the 10 month term provides the best opportunity for a comprehensive evaluation of services and options for the long term, and gives the City an opportunity to educate its residents on service limits. He introduced Terry Woodson, Municipal Marketing

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Manager for WM, who gave an overview of the changes in service and the transition/education process. She indicated WM will mail the information to each resident and the City will send the information through its water bills, so customers will receive the information twice. Though the changes will go into effect April 1, 2010, WM will be lenient and assist customers as the process gets underway. Ms. Woodson indicated WM has exciting recycling programs it hopes to offer its customers in the future.

The City Manager requested any direction from Council include adoption of the following, with an effective date of March 1, 2010:

Price Matrix – Effective March 1, 2010

Residential		
Service	Current Rate	Proposed 2010 Rate
Curbside	\$12.81	\$15.00
Back Door	\$23.66	\$25.00

Commercial Hand Load Collection		
Service	Current Rate	Proposed 2010
One-Minute Collection	\$22.74	\$25.00
Two-Minute Collection	\$45.48	\$45.00
Three-Minute Collection	\$61.41	\$60.00
Additional Minutes	\$15.93	\$20.00

Waste Management's Residential Waste Collection Rates			
Current/Proposed March 2, 2010			
Components	Current⁽¹⁾	Initial Proposal (Modified service to 12/31/10)	Alternate Proposal (Current service extended to 04/30/10)
Residential Waste Rate	\$10.63	\$15.00 ⁽²⁾	\$14.00 ⁽³⁾
Brush/Bulky Waste Rate	\$2.18	\$0.00	\$2.08 ⁽⁴⁾
TOTAL	\$12.81	\$15.00	\$16.08
⁽¹⁾ Waste Management Residential Waste Agreement expired February 28, 2010. ⁽²⁾ Significant limits established for waste collection – limit of 5 "items" per service day. An item includes a bag, bundle, box or can of debris, as well as a white appliance. All debris must be containerized or bundled, including branches, tree trimmings in 4' lengths and no more than 50 pounds. No loose yard trimmings or waste will be collected. ⁽³⁾ Alternate residential waste rate for 60 day period. ⁽⁴⁾ Continued brush, bulky waste rate during 60 day period. NOTE: Rate changes effective March 1, will be on April bills.			

Councilmember Leigh asked what options residents might have for excess dead brush/leaves due to the cold winter. The City Manager indicated the two alternatives include hauling material to a dumpster to be provided in the Public Works yard, but staff will present information regarding acquisition of a brush truck. Councilmember Leigh made a motion to approve extension of service by WM to 12/31/10, to include the charts shown above. The motion was seconded by Council-member Pearson, who expressed appreciation to WM for working with the City. The motion carried unanimously.

Consider ordinances amending commercial solid waste franchises with Waste Management, Allied Waste, Eagle Disposal, IESI Corporation, Kerr Refuse Service, and Bell County Iron & Recycling, for containerized commercial solid waste disposal services.

The City Manager explained all commercial franchises expire between March and May 2010. To give staff additional time to fully evaluate residential and commercial solid waste collection services, he recommended extension of commercial franchises until December 31, 2010 for the following companies: Waste Management, Allied Waste (formerly BFI), Eagle Disposal, IESI Corporation, Kerr Refuse Service, and Bell County Iron & Recycling (formerly Temple Iron & Metal).

Upon motion by Councilmember Carpenter, seconded by Councilmember Agan, the following captioned ordinances were unanimously adopted:

ORDINANCE NO. 2010-04

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

ORDINANCE NO. 2010-05

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

ORDINANCE NO. 2010-06

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. 2010-07

AN ORDINANCE AMENDING A LICENSE TO IESI CORPORATION TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.

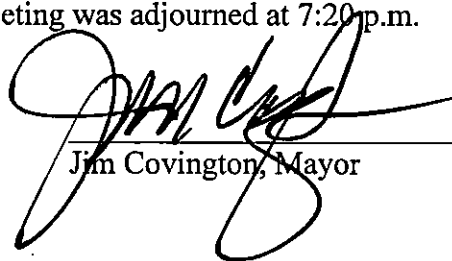
ORDINANCE NO. 2010-08

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. 2010-09

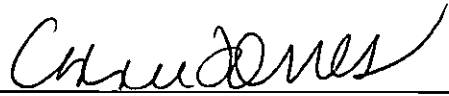
AN ORDINANCE AMENDING A LICENSE TO BELL COUNTY IRON & RECYCLING TO PROVIDE SOLID WASTE COLLECTION SERVICES WITHIN THE CITY OF BELTON; AND MAKING OTHER PROVISIONS.

There being no further business, the meeting was adjourned at 7:20 p.m.



Jim Covington, Mayor

ATTEST:



Connie Torres, City Clerk