



**CITY OF BELTON  
CITY COUNCIL  
WORK SESSION  
TUESDAY, JUNE 21, 2016 – 7:00 P.M.  
CITY HALL ANNEX  
520 MAIN STREET  
AGENDA**

**I. CALL WORK SESSION TO ORDER**

**II. ITEMS FOR REVIEW AND DISCUSSION**

**A. REVIEW OF DANGEROUS BUILDING ORDINANCE RECOMMENDED REVISION.**

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**B. REVIEW OF TRASH AND RECYCLE FOLLOW UP INFORMATION.**

During the last discussion by the City Council, there was a request for information regarding rates charged in other cities for trash service. Attached is information provided by the MARC Solid Waste Management District. The first is a list of cities that contract out solid waste, the rates, and services provided. The other is a summary of the benefits of contracting out solid waste.

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**C. REVIEW OF CERTIFIED BUILDING OFFICIAL RECOMMENDATION.**

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**D. REVIEW OF FIBER OR CELLULAR CONNECTION BETWEEN FIRE STATION HEADQUARTERS AND POLICE HEADQUARTERS.**

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**E. OTHER BUSINESS**

**III. ADJOURN**

# **SECTION II**

## **A**



CITY OF BELTON  
CITY COUNCIL INFORMATION FORM

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MEETING DATE: June 21, 2016

ASSIGNED STAFF: Jay C. Leipzig, AICP

DEPARTMENT: Community and Economic Development

<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Consent Item	<input type="checkbox"/> Change Order
<input type="checkbox"/> Agreement	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> FYI/Update	<input type="checkbox"/> Public Hearing

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**ISSUE**

Since the hiring of the City Attorney, Community and Economic Development staff have been working on developing a more concise proactive Dangerous Building Ordinance as stipulated in Chapter 10, Article III – Dangerous Buildings of the Unified Development Code.

**REQUESTED COUNCIL ACTION**

Review and discuss the proposed code revisions to make the process more clear and define the roles of the Building Official, Building Commissioner and Building Commission.

**BACKGROUND**

One of the immediate deficiencies noted in an administrative audit by the City Attorney of City processes were changes needed in the enforcement and processing of dangerous buildings as noted in the Dangerous Building Ordinance, Article III of Chapter 10 in the Unified Development Code. The attached Ordinance was developed after reviewing similar provisions from other Cities as well as a review of current legal statutes. Primary cities that were reviewed and studied include Lees Summit, Liberty and Gladstone.

A key feature of the proposed Ordinance is a refinement of the pertinent definitions as well as establishing a Hearing process for owners of dangerous buildings before the Building and Fire Prevention Board of Appeals, defined as the Building Commission in the proposed Ordinance. This Board would act as an adjudicating body to make determinations and hear evidence concerning dangerous building and structures.

It is anticipated that the proposed Ordinance will provide greater efficiency as well as a clear, concise process for the mitigation of dangerous buildings and provide direction to staff and the Building and Fire Prevention Board of Appeals.

The proposed Ordinance was reviewed by this Board on May 19, 2016 as well as an overview of the proposed administrative process as stipulated by the Ordinance.

During the City Council Work Session on June 21, 2016, the Community and Economic Development Director and the City Attorney will provide a review of this document as well as an overview of the proposed administrative process.

**STAFF RECOMMENDATION**

None at this time.

**ATTACHMENTS**

Proposed Ordinance, Chapter 10, Article III of the Unified Development Code.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING AND APPROVING AN AMENDMENT TO CHAPTER 10 – BUILDINGS AND STRUCTURES, ARTICLE III – DANGEROUS BUILDINGS, SECTIONS 10-90 TO 10-112 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF BELTON, MISSOURI.

WHEREAS, the current codes, including the standards of property owner notification and processing of a dangerous building or structure, are incomplete, do not provide for efficient and clear procedures for the building inspection department and do not name a qualified commission or body to serve as the hearing officers in the determination of a dangerous building; and

WHEREAS, the proposed amendment provides for 1) proper property owner notification, 2) clear timeframes for steps in the dangerous building declaration process, including abatement and 3) definition of the roles of the Building Official, Building Commissioner and Building Commission.

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

**SECTION 1.** To amend the Article III heading to read as follows: Dangerous Buildings and Structures.

**SECTION 2.** To amend and replace Sections 10.90 to 10.112 with the following amendments in total:

**10.90. Purpose and scope.**

It is the purpose of this code to provide for just, equitable, and practicable methods for the determination, notification, repair, vacation, and/or demolition of buildings and structures that may endanger the life, limb, health, property, safety, and/or welfare, of either the occupants or the general public. This code shall apply to all dangerous buildings and structures, as herein defined, that exist now or that may exist in the future in the City of Belton, Missouri.

**10.91. Definitions.** The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) ***Building Commission*** means the Building Fire Prevention and Appeals Board
- (2) ***Interested parties*** means any all owner(s), occupant(s), lessee(s), mortgagee(s), agent(s), and all other persons having an interest in the building or structure at issue, as shown by the land records of the recorder of deeds office in the county where the property is located.
- (3) ***Building Official*** means the Building Inspectors, Code Enforcement Official, Community Development Director and any designee of the same.

#### **10.92. Dangerous building and structure defined.**

(1) Any and all buildings, structures, and/or portions thereof, which have **any or all of the conditions** listed in the following subsections, shall be deemed a "dangerous building or structure" for purposes of this code.

- (a) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
- (b) Those which show 33 percent or more, of damage or deterioration of the supporting member or members, or 50 percent of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- (c) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- (d) Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, or the general health and welfare of the occupants or the people of the city.
- (e) Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to cause or contribute to cause injury to the health, safety or general welfare of those occupying such building.
- (f) Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.
- (g) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of evacuation.
- (h) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
- (i) Those which because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this city.

(2) The above listed conditions are hereby deemed detrimental to the health, safety, and/or welfare of the city's residents, the existence of which constitutes a public nuisance.

**10.93. Dangerous buildings and structures declared a public nuisance.** All dangerous buildings and structures as defined by Section 10.92 of this Chapter are hereby declared to be a public nuisance and shall be vacated, repaired and/or demolished in accordance with the procedures specified in this code and under authority of state law RSMo 67.400 to 67.450.



**10.94. Building Official duties, procedures and notices.** The Building Official shall have the following duties under this article:

**(1) Conduct inspections.**

(a) When there are reasonable grounds to believe a building or structure is a dangerous building, the building official shall inspect, or cause to be inspected, as often as may be necessary, all residential, institutional, assembly, commercial, industrial, garage, special or miscellaneous occupancy buildings and structures for the purpose of determining whether any conditions exist that render such places to be declared a dangerous building(s) or structure(s).

(b) When any complaint or report is filed with the City alleging that a building or structure exists in violation of this code and the Building Official believes such report or complaint provides reasonable grounds that such building or structure is dangerous.

(c) The building official shall prepare a written inspection report of findings and photographic evidence of any violations.

**(2) Enter premises.**

(a) When it is necessary to make an internal inspection or other inspection not visible from a public right-of-way to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or structure or upon a premises a condition that is contrary to or in violation of this code that makes the building, structure or premises unsafe, dangerous, or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building, structure or premises are unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure or premises and request entry.

(b) If entry is refused, the Building Official shall report to the Building Commissioner and may seek an administrative search warrant as provided for in this Code.

**(3) Interpret code.** The Building Official is hereby authorized to enforce the provisions of this code. The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

**(4) Grant extension of time to perform work.** Upon receipt of an application from, the person required to conform to any order and by agreement of such person to comply with such order if allowed additional time, the Building Official may grant an extension of time, not to exceed a total of an additional 120 days, within which to complete said repair, rehabilitation, or demolition, if the Building Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Building Official's authority to extend time is limited to the physical repair, rehabilitation, or demolition of the premises and will not in any way affect the time to appeal any order.

**(5) Appear and testify at hearings.** The Building Official shall appear at all hearings conducted by the Building Commission and testify as to the condition(s) and area(s) of noncompliance of the building or structure in question.

**(6) Declare dangerous/nuisance; issue orders and notifications.**

(a) Once the Building Official has determined that the building or structure is dangerous under the terms of this Code, he/she shall cause notice of such declaration to be served upon all interested parties in accordance with this section. All interested parties shall be made parties to any action pursuant to this Code.

(b) The declaration of nuisance and order shall contain:

- (i) The street address (or other description sufficient for the accurate identification) of the premises upon which the building or structure is located;
- (ii) A statement that an inspection revealed that the building or structure is a dangerous, with a concise description of the conditions found to render this conclusion;
- (iii) A statement of the remedial action(s) required to be taken as determined by the Building Official including vacating, repairing and/or demolishing the building or structure and cleaning up the lot or property on which the building or structure is located in accordance with the terms of the notice and this Chapter; and
- (iv) A statement that such remedial action(s) shall commence within a reasonable time which shall not exceed 30 days from the date of such notice and proceed continuously without unnecessary delay.

(c) Service of the notification with the declaration of nuisance and order shall be sent via both first class U.S. mail (postage prepaid) and certified mail (postage prepaid) return receipt requested to the interested parties. Notice sent via the U.S. Postal Service shall be effective as the date received. If the Building Official learns that neither the regular mailed notice nor the certified mailed notice was received by the recipient (for any reason other than refusal), the Building Official may attempt to have such party personally served with such notice.

If any one of the interested parties does not receive such notice, for whatever reason, such fact shall not invalidate any proceedings hereunder as to any other person duly served nor relieve any such person from any duty or obligation imposed by the provisions of this code. Mail returned by the U.S. Postal Service marked "refused" shall constitute proof of service.

If service cannot be had by either personal service or by certified mail, then service may be had by publication in a newspaper qualified to publish legal notices, for two successive weeks.

**(7) Post building/structure.** Once the building official has determined that a building or structure constitutes a dangerous building for purpose of this code and the building or structure is occupied or believed to be occupied, he/she shall post a notice to vacate the building or structure, which shall state:



DANGEROUS BUILDING/STRUCTURE

DO NOT ENTER, UNSAFE TO OCCUPY

It is a violation to occupy this building,  
or to remove or deface this notice.

Community Development Department  
City of Belton, Missouri

BY ORDER OF THE CITY BUILDING INSPECTOR

NAME: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

No person shall remain in or enter any building or structure that has been posted pursuant to this section, except that entry may be made to repair, demolish, or remove such building under a properly issued access permit and/or building permit. No person shall remove or deface any such notice after it has been posted until the required repairs, demolition, or removal have been completed and all provisions of the declaration of nuisance and order have been duly met.

**(8) Prepare notice to Building Commission.** The Building Official shall report to the Building Commission if there is noncompliance with any order of repair or demolition pursuant to this code.

**(9) Record demolition.** If a building is repaired or demolished by the property owner or city under an order of repair or demolition, the Building Official shall report changes through the monthly report with the County Assessor notifying that the building has been repaired or demolished.

**10.95. Procurement of building permit.** The act of procuring a building permit alone without some actions to abate the dangerous conditions and public nuisance following receipt of the notice will not extend the thirty (30) days to repair or demolish the building or structure subject to this dangerous building notification and order by the Building Official.

**10.96. Building Commissioner duties.** The Director of Community Development shall act as the Building Commissioner under this Article. The Building Commissioner shall supervise all inspections required by this Code.

#### **10.97. Building Commission duties; procedures and notices.**

(1) **Building Commission notified of noncompliance and evidentiary hearing set.** If no interested party complies with the declaration of nuisance and order within the time specified therein, or upon failure of any such party to proceed continuously with such work without unnecessary delay, the Building Commissioner and Commission shall be notified and set a full and adequate hearing on the matter, joining all interested parties. Such hearing shall be recorded in accordance with RSMo 536.130, and shall be considered a contested case for purposes of judicial review.

(2) **Written notification to owners and interested parties.** The property owner(s) and interested party(ies) shall be notified in person or by certified and regular U.S. mail of such hearing date at least twenty-one (21) days in advance of such hearing directing the interested parties to appear before the Building Commission on the date specified in such notice to show cause why the building or structure reported to be a dangerous should not be ordered to be repaired, vacated, and/or demolished in accordance with the statement of particulars set forth in the declaration of nuisance and order.

(3) **Representation by Counsel.** Any party may be represented by counsel and all parties shall have an opportunity to be heard. The City Attorney for Belton shall present evidence of the alleged violations before the Building Commission.

(4) **Minutes and records at evidentiary hearing.** The Building Commission shall keep minutes of its proceedings, showing the vote of such member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk, and shall be a public record.

(5) **Recordation of testimony.** All testimony, objections thereto and rulings thereon shall be taken down by a Court Reporter employed or contracted by the Building Commission for that purpose.

(6) **Findings of Fact and Conclusions at Law.** After the hearing, if the evidence supports a finding that the building or structure is a dangerous building, the Building Commission shall issue an order of abatement along with specific findings of fact and conclusions of law, based upon competent and substantial evidence, that shows the building or structure to be a dangerous building and ordering the building or structure to be vacated, demolished and removed, or vacated and repaired. If the evidence does not support a finding that the building or structure is a dangerous building, no order shall be issued.

(7) **Order of abatement.** The written order of abatement from the Building Commission shall be delivered, in person or by certified mail and regular U.S. mail, to each party of the hearing, or the attorney of record. The order shall state a reasonable time, to be no less than thirty (30) days from the date of issuance, within which to comply with the order, and shall further provide that if the work is not substantially completed within the time stated in the order, the city may bring the non-compliant owner back before the Building Commission or hire a contractor to perform the work necessary to demolish or repair and clean up the property to bring the building or structure into compliance with the order of abatement, with

costs levied to the property owner and by a lien placed upon the property. The order may also prescribe fines and/or imprisonment for the breach of the dangerous building order of abatement.

**(8) Cost of City abatement levied against property and owner.** If the city performs or contracts for abatement pursuant to Subsection\_\_\_\_\_, the cost of such abatement and other associated costs shall be certified to the City Clerk, who shall cause a special tax bill or special assessment against the property owner(s) and property. At the request of the taxpayer, the tax bill may be paid in installments over a period of not more than ten years. The tax bill from its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid.

**10.98. Appeals.** Any person aggrieved by an action of the Building Commission may appeal such decision to the Cass County Circuit Court as provided in RSMo Chapter 536.

**10.99. Emergencies.** In any case where it reasonably appears that there is an immediate danger to the health, safety, or welfare of any person, the Building Official may take emergency measures to vacate and repair or demolish a dangerous building or structure. Notification to the owner and any interested parties will be attempted by and in a manner commensurate with the level of emergency determined by the Building Official. A hearing will be conducted if there is time to hold such a hearing commensurate with the level of emergency determined by the Building Official. If the city performs or contracts for abatement pursuant to Subsection\_\_\_\_\_, the cost of such abatement and other associated costs shall be certified to the City Clerk, who shall cause a special tax bill or special assessment against the property owner(s) and property. At the request of the taxpayer, the tax bill may be paid in installments over a period of not more than ten years. The tax bill from its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid.

**10.100. Violations and penalties.**

(1) It shall be a violation of this code for:

- (a) Any property owner to fail to comply with any order of either the Building Official or the Building Commission.
- (b) Any person to occupy any building that has been posted as a dangerous building pursuant to this Code.
- (c) Any person to remove or deface any dangerous building notice that has been posted on such building until the repairs, demolition, or removal ordered have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.
- (d) Any person to obstruct, impede, or interfere with any officer, employee, contractor, or authorized representative of the City or with any person who owns or holds any estate or interest in any building that has been ordered repaired, vacated, or demolished under the provisions of this Code, when such repair, vacation or demolition is authorized and being conducted on any such building, pursuant to the provisions of

this Code, or in performing any necessary act preliminary to or incidental to such work authorized or directed pursuant to this Code.

- (2) The City shall have the right to collect fines and penalties for any violation of this Code and to punish the violation thereof by a fine or imprisonment, or by both fine and imprisonment. Such fine may not exceed \$1,000.00; unless the owner of the property is not also a resident of the property, then such fine may not exceed \$2,000.00.

**10.101. Insurance proceeds from damage or loss to buildings or structures.** If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, and if the covered claim payment is in excess of fifty (50) percent of the face value of the policy covering a building or other structure, then the following procedure shall apply:

- (1) The insurer shall withhold from the covered claim payment twenty-five (25) percent of the covered claim payment, and shall pay that amount to the city to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this section. If a special tax bill or assessment is issued by the City for the expenses of demolition of such building as a dangerous building, the moneys held by the City shall be applied toward payment of special tax bill or assessment. If there is any excess, it shall be paid by the City to the insured or as the terms of the policy, including any endorsements thereto, provide.
- (2) The City shall release the proceeds and any interest which has accrued on such proceeds received under subsection (1) of this section to the insured or as the terms of the policy and endorsements thereto provide when substantial progress is determined to be made by the Community Development Director or his or her designee, after receipt of such insurance moneys, unless the City has instituted legal proceedings under the provisions of section 10-95. If the City has proceeded under the provisions of section 10-95, all moneys in excess of that necessary to comply with the provisions of section 10-104 for the removal of the building or structure, less salvage value, shall be paid to the insured.
- (3) The City may certify that, in lieu of payment of all or part of the covered claim payment under this section, it has obtained satisfactory proof that the insured has or will remove debris and repair, rebuild or otherwise make the premises safe and secure. In this event, the City shall issue a certificate within 30 days after receipt of proof to permit covered claim payment to the insured without deduction. It shall be the obligation of the insured or other person making claim to provide the insurance company with the written certificate provided for this subsection.
- (4) No provision of this section shall be construed to make the City a party to any insurance contract.

**SECTION 3.** This ordinance shall take effect and be in full force from and after its passage and approval.



**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

READ FOR THE FIRST TIME:

READ FOR THE SECOND TIME AND PASSED:

\_\_\_\_\_  
Mayor Jeff Davis

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor Jeff Davis

ATTEST:

\_\_\_\_\_  
Patricia Ledford, City Clerk  
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 \_\_\_\_\_ day of \_\_\_\_\_, 2016, and thereafter adopted as Ordinance No. 2016-\_\_\_\_\_ of the City of Belton, Missouri, at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, after the second reading thereof by the following vote, to-wit:

AYES:                   COUNCILMEN:

NAYES:                 COUNCILMEN:

ABSENT:                COUNCILMEN:

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



# **SECTION II**

## **B**

MO Cities that Contract for Solid Waste Services	2016 Rate	Curbside Recycling	Bulky Pick-Up	Yardwaste Pick-Up	HHW Program	Service Provider	Notes
Archie	\$9.96	YES	YES	NO	NO	Town & Country/WCA	City provides yard waste drop-off.
Claycomo	\$7.20	NO	NO	NO	NO	Republic Services	City pays for services.
Cleveland	\$12.15	YES	YES	YES	YES	Town & Country/WCA	
Excelsior Springs	\$17.96	YES	NO	NO	YES	Republic Services	City provides bulky item, yard waste, and recycling drop-off.
Freeman	\$8.56	NO	NO	NO	NO	Town & Country/WCA	Drop-off recycling available
Greenwood	\$12.20	YES	NO	YES	YES	Town & Country/WCA	
Hardin	\$9.45	NO	NO	NO	NO	AAA Disposal Service	
Harrisonville	\$12.49	YES	NO	YES	YES	Town and Country/WCA	
Kearney	\$12.34	YES	NO	NO	YES	Republic Services	Drop-off center available for recycling and yard waste (city)
Lake Tapawingo	\$14.10	YES	NO	YES	YES	Envirostar Waste Systems	
Lake Waukomis	\$9.00	NO	NO	NO	YES	Republic Services	
Lake Winnebago	\$11.44	YES	NO	YES	YES	Town & Country/WCA	
Lawson	\$13.26	YES	NO	NO	YES	Red Gate Disposal	Bulky by appointment, limit 2 items per week
Liberty	\$14.25	YES	NO	NO	YES	Republic Services	Drop-off recycling is available (city) 2x/yr for bulky
North Kansas City	\$11.68	YES	YES	NO	YES	Town & Country/WCA	City pays for services
Orrick	\$9.12	NO	NO	NO	NO	Town & Country/WCA	
Peculiar	\$14.50	YES	YES	YES	NO	Town & Country/WCA	Monthly drop-off recycling available
Pleasant Hill	\$14.50	YES	YES	YES	YES	Town & Country/WCA	Monthly drop-off recycling available (city)
Raymore	\$11.91	YES	YES	YES	YES	Town & Country/WCA	
Richmond	\$11.75	YES	YES	NO	YES	Heartland Waste	Curbside recycling upon request. Yard waste drop-off & curbside yard waste 2x year.
Riverside	\$9.50	YES	NO	YES	YES	Town & Country/WCA	City pays for services.
Smithville	\$7.00	NO	NO	NO	YES	Jims Disposal	Curbside recycling available for additional \$2.22 per month
Weatherby Lake	\$10.00	NO	NO	NO	YES	Republic Services	
Weston	\$13.39	NO	NO	NO	YES	Red Gate Disposal	Drop-off recycling, bulky item available (city) and yard waste.
Wood Heights	\$14.00	NO	YES	NO	NO	Deffenbaugh	Community Drop-off Recycling Container provided by hauler
Glenaire	<del>\$21</del> \$24.30				NO	Contract Now?	City provides annual yard waste drop-off
Updated March, 2016					HHW Program fees are separate from trash contract fees.		

## **Benefits to Contracting for Solid Waste Services**

Ability to oversee proper waste collection and recyclables collection

Ability to manage escalation collection costs for residents.

Often results in lower rates for residents

Ability to generate revenue from recyclables

Ability to ensure that all residential households secure trash collection services

Uniformity in service levels

Avoid variable collection schedules that result in collection on multiple days of the week, and in some instances, create confusion for both the residents and haulers.

Ability to maintain city waste and recycling ordinances

Ability to ensure proper handling and processing of recyclables after collection

Ability to properly educate residents and businesses with a uniform recycling message

Ability to ensure proper yard waste management

Increased air quality

Improved road impacts

Neighborhood aesthetic impacts

A concern for contracting is the potential for only one contract, most likely a relatively large hauler, resulting in lost opportunity for small haulers. However a franchise system could be established that allows more than one hauler to serve the jurisdiction.

1. Establish a limited number of franchises which allow franchised haulers to serve in all regions of the municipality
2. Divide the municipality into distinct geographic regions or zones and have each franchised hauler be the exclusive hauler in one or more zones. In this manner, the operational efficiencies and environmental and aesthetic benefits still result.

**Source: SWANA Recycling Technical Assistance Study for East Whiteland Township, Chester County, PA. 2007**

# **SECTION II**

## **C**



CITY OF BELTON  
CITY COUNCIL INFORMATION FORM

MEETING DATE: June 21, 2016  
ASSIGNED STAFF: Jay C. Leipzig, AICP  
DEPARTMENT: Community and Economic Development

<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Consent Item	<input type="checkbox"/> Change Order
<input type="checkbox"/> Agreement	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> FYI/Update	<input type="checkbox"/> Public Hearing

**ISSUE**

Due to increased construction activity currently in the City, staff is requesting to hire a Certified Building Official to facilitate inspections, ensure an efficient and timely design review and an effective process.

**PROPOSED CITY COUNCIL ACTION**

For Discussion only.

**BACKGROUND**

As you may be aware, as the economy has continued to improve and the level of construction activity has continued to improve in Belton, existing staff of the Community and Economic Development Department has reached the administrative capacity for the facilitation of inspections. This is demonstrated by the release of building permits for several proposed commercial construction projects including Menards, the Gateway Phase 1 and 2 projects, the expansion of Carnegie Village, and the issuance of over 40 single family permits since January 1, 2016. This estimation is greater than the anticipated planning process for the 2017 Budget where staff had requested to hire an additional plan reviewer/building inspector for the Department. Due to other budget needs and the scarce allocation of resources, this request was not funded in the 2017 budget.

At this time, in addition to the growth in commercial activity that was expected in the 2017 budget request, staff has been working with several homebuilders and has noted an increase in residential construction. The breakdown below provides a summary of anticipated construction of new housing units for FY 2017 and part of FY 2018. The breakdown below does not include all building activity but only focuses on new residential and multi-family construction. Using an assumed valuation of \$165,000 per unit, or a permit fee of \$885.00 per unit, this level of building activity as summarized below will generate approximately \$193,000 of additional building permit revenue. In addition, it is anticipated that the constructed activity below will provide an additional \$1,437,000.00 in additional revenue across all permit revenue categories including sewer, water and street impact fees.

Total New Residential Permits issued 2016	40
New Residential Permits Pending Review	15
Traditions- Sallee- Single Family	25
Traditions- Sallee- 12 Four Plexes	48
Autumn Woods- 12 Tri Plexes	39
Fairway Ridge- Single Family	21
Emerson Park- Single Family	30
Autumn Ridge- Single Family	40
 Total Number of Anticipated Residential Units	 218

The hiring of a Certified Building Official will further the Department as we move forward to accommodate the additional building activity. A critical component that is needed is daily assignment of inspection activities and the supervision of inspection work, which could be completed by a Certified Building Official. This position would provide a key role of responsibility in the Department and would function under the direction of the Community and Economic Development Director, but would also oversee all building code enforcement, building property maintenance code enforcement, possibly zoning code enforcement, and if directed by the Council for future budget considerations, nuisance code enforcement

Attached to this summary memorandum is a proposed Organizational Chart that illustrates how the proposed position would fit into the overall structure of the Department and a proposed job description and salary range- a Grade 44, which has an annual salary range of \$44,694.23-\$68,007.55. The salary range is similar to budget allocations for identical positions in Gladstone, Missouri and Liberty, Missouri.

#### **IMPACT/ANALYSIS:**

##### **FINANCIAL IMPACT**

Building Official: FY 2017		
Amount of Request/Contract:	\$	64,800
Amount Budgeted:	\$	Not budgeted for FY 2017, however will be funded from permit revenue.
Funding Source:		Permit Revenue
Additional Funds:	\$	
Encumbered:	\$	
Funds Remaining:	\$	

#### **STAFF RECOMMENDATION**

Staff recommends hiring of a Certified Building Official and if directed, will repair an appropriate budget amendment for FY 2017.



## **ATTACHMENTS**

Proposed Organization Chart.

Proposed Job Description.

Proposed Budget Line Item Detail.

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**COMMUNITY AND ECONOMIC DEVELOPMENT**

**DIRECTOR**  
Jay C. Leipzig, AICP

**ADMIN. ASST. & RECEPTIONIST**  
Ashley Scherer

**INSPECTIONS**

**Building Official**  
*Vacant*

**Building Inspector**  
Don Johnson

**Building Inspector**  
Greg Glayton

**PLANNING**

**City Planner**  
Rob Cooper

**ECONOMIC  
DEVELOPMENT**

**E.D. Coordinator**  
Carolyn Yatsook



## City of Belton

### CITY BUILDING OFFICIAL

Department: **Community Planning & Development**  
Reports to: **Director, Community Planning & Development**

Revised Date: **June 2016**

**GENERAL PURPOSE:** Under general direction, conducts and documents building inspection activities to ensure compliance with adopted building codes and related municipal codes and zoning ordinances for the City.

#### **PRIMARY DUTIES AND RESPONSIBILITIES:**

*The following duties **ARE NOT** intended to serve as a comprehensive list of all duties performed by all team members in this classification, only a representative summary of the primary duties and responsibilities. Incumbent(s) may not be required to perform all duties listed and may be required to perform additional, position-specific duties.*

- Oversees the enforcement of the building and construction ordinance as adopted by the city; conducts inspections when necessary; reviews plans, specifications and other documents for code compliance.
- Assists with zoning and land development review, inspection, and compliance.
- Manages and supervises the department staff; reviews current trends and developments in the field of construction.
- Prepares revisions to city codes, ordinances, and local regulations; provides technical building code advice to department staff, developers, contractors, builders, the Assistant City Manager, staff, and the citizens of Belton; explains, interprets, and provides guidance regarding codes to architects, engineers, contractors, developers, and other parties.
- Researches problems and complaints concerning commercial and residential building, building construction, and code compliance; resolves complex customer service issues; coordinates plan reviews, permits, inspections, and enforcement actions.
- Supervises staff; conducts performance evaluations.
- Monitors revenues and the operating budget for division; reviews new construction materials and supplies to ensure conformance with code; initiates pre-development conferences with commercial or large multiple building developers to ensure efficient coordination with city services.
- Knowledge of management principles and practices, including budgeting, policy and procedure development, and personnel supervision.
- Reviews plans and related technical materials for compliance with adopted codes, regulations and industry standards.

## **JOB DESCRIPTION**

### **City Building Inspector**

- Reviews permit applications for adherence to associated codes, regulations, and industry standards; approves permits; documents and enters approval into records/files.
- Responds to questions from the public, property owners, and other parties/agencies by explaining the applicability of codes, ordinances, city and state statutes and related regulations and industry standards, the codes enforcement processes, and case-specific information while maintaining required security and confidentiality of information created or encountered in the course of assigned duties.
- Creates and maintains files and related records in manual and automated systems, and assures proper retention and archiving.
- Conducts field work and inspections of properties related to building codes and other codes enforcement for compliance with permitted activities, adopted codes, regulations and industry standards; writes up violations, if found; and documents and takes pictures of violation issues.
- Researches code issues; ensures familiarity with adopted codes; identifies discrepancies, anomalies and conflicts in City codes and regulations and refers the same to management for attention.
- Prepares and submits routine, recurring and special reports to management.
- Assists with the review and development of policies and procedures associated with building, zoning, and related codes and regulations for the City.
- Supports the relationship between the City of Belton and the constituent population by providing excellent customer service; promotes the City goals and priorities in compliance with all policies and procedures; maintains absolute confidentiality of work-related issues, client records and City information; and performs related duties as required or assigned.
- Ensures that job duties are completed in strict adherence to established safe work practices.
- This position has direct supervision over Building Inspector (2).

### **MINIMUM QUALIFICATIONS:**

#### **Education and Experience:**

Bachelor's Degree and three to five years of experience in general construction, contracting, planning, project design or materials procurement that includes leadwork or supervisory experience over assigned projects; OR an equivalent combination of education, training and experience.

#### **Required Licenses or Certifications:**

Possession of a valid State of Missouri Driver's License.

#### **Required Knowledge of:**

- Construction permitting processes; industry standard building construction practices, methods and materials.
- Principles and techniques of review and evaluation of construction plans and related technical data for compliance with codes and standards.

## **JOB DESCRIPTION**

### **City Building Inspector**

- City/departmental standards for the creation and maintenance of records, including automated records and databases.
- Procedural and legal processes involved in the resolution of code violations.
- Federal, state, and local laws applicable to building and zoning codes.
- Effective communication principles and practices to include public relations.
- Modern office procedures, methods, and equipment including computers, computer applications such as word processing, spreadsheets, and statistical databases.
- English usage, spelling, grammar, and punctuation.
- Principles of business letter writing.

#### **Required Skill in:**

- Utilizing personal computer software programs and other relevant software affecting assigned work and in compiling and preparing spreadsheets.
- Establishing and maintaining effective working relationships with staff, management, vendors, outside agencies, community groups and the general public.
- Interpreting and applying building codes, laws, ordinances, statutes and construction industry standards.
- Analyzing construction plans, specifications and associates technical data for compliance with codes and standards.
- Detecting and documenting defects and deviations from permitted construction activities and codes and standard.
- Preparing and maintaining files and records for code violations in both manual and computer-based systems.
- Scheduling worksite inspections and technical plans reviews in response to code violations or allegations.
- Communicating effectively verbally and in writing sufficient to explain the codes enforcement processes and requirements to interested and affected parties.
- Conducting code interpretation, building inspections, and code enforcement.
- Maintaining confidentiality and communicating with tact and diplomacy.

#### **Physical Demands / Work Environment:**

- Work is performed in a standard office environment; routinely travels to various inspection sites and occasionally may be exposed to dangerous machinery, extreme weather conditions, and potential physical harm when conducting on-site inspections.

**JOB DESCRIPTION**  
**City Building Inspector**

**Salary Range:**

- Salary range of \$44,694.23- \$68,007.55 per year, DOQ, with a competitive benefit package.



# INSPECTION 010-2100-

		FY2017 Department Request	FY 2017 Approved Budget	FY 2017 Additional Building	FY 2017 Prorated 8 months	
<b><u>SALARY &amp; WAGES</u></b>						
4001110	Salaries- Regular	148,380	\$91,650	<b>\$55,000</b>	\$ 36,666.67	
4001130	Salaries- Overtime	5,030	\$5,030	<b>\$5,000</b>	\$ 3,333.33	
	<b>TOTAL SALARIES &amp; WAGES</b>	<b>153,410</b>	<b>\$96,680</b>	<b>\$60,000</b>	<b>\$ 40,000.00</b>	
<b><u>EMPLOYEE BENEFITS</u></b>						
4001205	Health Insurance	27,390	\$16,770	<b>\$10,408</b>	\$ 6,939.00	0.173459
4001210	Dental Insurance	3,600	\$2,400	<b>\$1,489</b>	\$ 993.00	0.024824
4001215	Life Insurance	510	\$320	<b>\$199</b>	\$ 132.67	0.00331
4001220	Vision Insurance	600	\$400	<b>\$248</b>	\$ 165.34	0.004137
4001225	Disability Insurance	620	\$390	<b>\$242</b>	\$ 161.34	0.004034
4001230	Social Security	11,740	\$7,400	<b>\$4,592</b>	\$ 3,061.34	0.076541
4001235	LAGERS Retirement	17,650	\$11,120	<b>\$6,901</b>	\$ 4,600.67	0.115019
4001240	Deferred Compensation	-	\$0	<b>\$0</b>	\$ -	0
4001255	Worker's Compensation	8,400	\$5,300	<b>\$3,289</b>	\$ 2,192.67	0.05482
4001265	Employee Asst. Plan	70	\$50	<b>\$31</b>	\$ 20.67	0.000517
	<b>TOTAL BENEFITS</b>	<b>70,580</b>	<b>\$44,150</b>	<b>\$27,400</b>	<b>\$ 18,266.70</b>	0.456661
<b><u>SERVICES</u></b>						
4002015	Maintenance Agreements	-				
4003020	Contractual	45,000	\$25,000	\$0	\$ -	
4003030	Medical	370	\$370	\$0	\$ -	
4003035	Legal	500	\$500	\$0	\$ -	
4003230	Hazard Insurance	8,800	\$8,800	\$0	\$ -	
4003235	Expense Allowance	2,875	\$2,875	\$2,000	\$ 1,333.34	
4003405	Training	2,800	\$2,800	\$2,000	\$ 1,333.34	
4003425	Membership Dues	360	\$360	\$300	\$ 200.00	
4003505	Public Information	800	\$800	\$0	\$ -	
4003605	Printing	1,125	\$1,125	\$0	\$ -	
4003705	Telephone	3,690	\$3,690	\$1,500	\$ 1,000.00	
	<b>TOTAL SERVICES</b>	<b>66,320</b>	<b>\$46,320</b>	<b>\$5,800</b>	<b>\$ 3,866.68</b>	
<b><u>SUPPLIES</u></b>						
4004005	Postage	750	\$750	\$0	\$ -	
4004008	Minor Supplies	850	\$850	\$0	\$ -	
4004009	Clothing	1,550	\$1,550	\$750	\$ 500.00	
4004012	Minor Equipment	2,700	\$2,700	\$2,000	\$ 1,333.34	
4004014	Office Supplies	2,000	\$2,000	\$500	\$ 333.34	
2040	Motor Fuels	2,035	\$2,035	\$750	\$ 500.00	
4004054	Publications	500	\$500			
	<b>TOTAL SUPPLIES</b>	<b>10,385</b>	<b>\$10,385</b>	<b>\$4,000</b>	<b>\$ 2,666.68</b>	
	<b>TOTAL INSPECTION</b>	<b>300,695</b>	<b>\$197,535</b>	<b>\$97,200</b>	<b>\$ 64,800.00</b>	

# **SECTION II**

## **D**



CITY OF BELTON  
CITY COUNCIL INFORMATION FORM

DATE: June 12, 2016 **AGENDA DATE: June 21, 2016**

ASSIGNED STAFF: Norman K. Larkey Sr., Fire Chief

DEPARTMENT: Fire

**Approvals**

Engineer: ☐ Dept. Dir: ☐ Attorney: ☐ City Manager.: ☐

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

**ISSUE/REQUEST**

Need for a Fiber or Cellular connection between Fire Headquarters (Fire Station #2) and Police Headquarters to allow the two buildings to communicate.

**PROPOSED CITY COUNCIL MOTION**

Approve the proposal of the Fire Department

**BACKGROUND: (including location, programs, department affected, and process issues)**

On March 22, 2016 the City Council approved the Fire Department to enter into an agreement with Kenton Brothers Locksmiths, Inc. to provide a new and upgraded door scan access system for Fire Station #1 and Fire Station #2.

This new system is designed to work off of the Police Department's system, (the brain). Kenton Brothers has started the installation of these systems.

With the start of the installation of these systems it has come to the department's and Kenton Brother's attention that there was no Fiber Connection made between the Police Headquarters and Fire Headquarters when the fiber system was installed in the past.

It was terminated in an underground pit in front of the Police Station and never run into the building.

There needs to be some kind of connection between the Police Headquarters and Fire Headquarters to be able to use the Police Department's operating system.

**IMPACT/ANALYSIS:**

The two types of connections that we have been told will work is to either connect the fiber from the pit in front of the police headquarters, or a point to point cellular connection.

The point to point cellular connection will work, but it is not recommended by Kenton Brothers as the best and most reliable system. It comes with an approximate cost of \$2,200.

The second option is finishing the connection of the fiber from the pit into the police station and is recommended by Kenton Brothers. It comes with an approximate cost of \$3,800.

The department would recommend that we move forward with finishing the connection of the fiber from the pit into the police station.

#### **FINANCIAL IMPACT**

Contractor:	
Amount of Request/Contract:	\$ 3,800
Amount Budgeted:	\$ 0
Funding Source:	Capital Outlay/ Improvements/Capital Building
Additional Funds:	\$ 0.00
Funding Source:	N/A
Encumbered:	\$ 0.00
Funds Remaining:	\$ 16,200

<b>TIMELINE:</b>	<b>START:</b>	<b>FINISH:</b>
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#### **OTHER INFORMATION/UNIQUE CHARACTERISTICS:**

The department, through Lt. Shriver of the Police Department, looked into the ability and cost to finish the connection. He contacted Lan-Tel Communications and they said it would be no problem and would cost approximately \$3,800 to finish the connection.

Lan-Tel Communications is the original contractor that installed the fiber in the first place.

#### **STAFF RECOMMENDATIONS:**

Approve recommendation by staff.

**Action and Date:**

#### **LIST OF REFERENCE DOCUMENTS ATTACHED:**