

**MINUTES OF THE  
BELTON CITY COUNCIL  
REGULAR MEETING  
MARCH 24, 2015 – 7:00 P.M.  
CITY HALL ANNEX  
520 MAIN STREET**

Mayor Davis called the regular meeting to order at 7:00 P.M.

Councilman Loughridge led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Jeff Davis, Councilmen Jackie Cook, Jeff Fletcher, Gary Lathrop, Everett Loughridge, Scott Von Behren, Al Hoag, Chet Trutzel, and Tim Savage. Also present were Mary Jo Shaney, City Attorney; Ron Trivitt, City Manager; and Andrea Cunningham, Executive Secretary.

At 7:02 P.M. **Councilman Savage moved to enter into executive session to discuss matters pertaining to preparation, including any discussions 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, and that the record be closed.** Councilman Hoag seconded. The following vote was recorded; Ayes: 9, Councilmen Von Behren, Trutzel, Cook, Lathrop, Loughridge, Fletcher, Hoag, Mayor Davis, Councilman Savage; Noes: None; Absent: None. Motion carried.

The Council returned from Executive Session at 7:11 P.M. The Mayor called the regular meeting back to order.

**CONSENT AGENDA:**

Councilman Hoag moved to approve the consent agenda consisting of **a motion approving the minutes of the March 10, 2015, City Council regular meeting and the March 17, 2015, City Council special meeting; the February 2015 Police Judge's Report; a motion approving the purchase of Live Smart Cartridges and Live Smart Cartridges for Training for Tasers for the Police Department; a resolution reappointing Gary Lathrop and appointing Bobby Davidson to the Building and Fire Prevention Codes Board of Adjustment.** Councilman Loughridge seconded. All voted in favor. Consent agenda approved.

**PERSONAL APPEARANCES:**

Jerry & Kim Steele, 16312 Hight Ave, have had flooding problems in their neighborhood. They said the catch basin pond at Somerset Park isn't deep enough. There are also a lot of leaves and branches that need to be cleaned up. They had flooding problems in May 2012 and June 2013. They contacted Ron Raines, Engineer Technician, and David Frazier, Street Superintendent. The guys came out and said there was something in the works to fix this, but nothing has happened. Mr. Steele stated they can't get flood insurance because the neighborhood is not in a flood plain. Councilman Loughridge asked the Steeles if they've contacted their councilmen. Councilmen Von Behren and Fletcher reported they were not aware of this. They told the Steeles they will talk with them. Councilman Loughridge asked public works and the engineering department for a follow-up. Mr. Jeff Fisher, Public Works Director, said this project is in the stormwater master

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plan. They are aware of this. Mr. Fisher said he's been out there. Councilman Von Behren asked if this was park property? Do we need to work with them to clean this up? Mr. Fisher said he will talk to the park director.

Lisa Paxton, 710 Fall Creek Circle, Fraternal Order of the Eagles, said she wasn't here when the boot block ordinance was passed, but is there any way for this to be reconsidered by the Council? Last year, they raised \$8000 for kids in Belton. The Mayor said they can talk about this and see if they can bring it up at a work session.

## **PURPLE HEART CITY PRESENTATION AND PROCLAMATION**

The Mayor read the proclamation proclaiming Belton as a Purple Heart City. The Military Order of the Purple Heart (MOPH) from Springfield was present and gave some facts about the MOPH. Margo Aldridge with the Little Blue River Chapter of the Daughters of the American Revolution and Sandy McNeil were also present. The Mayor presented the proclamation to the MOPH and Sandy McNeil.

## **ORDINANCES:**

Andrea Cunningham gave the final reading of Bill No. 2015-12: **AN ORDINANCE APPROVING THE ENGAGEMENT OF TROUTT, BEEMAN AND COMPANY TO AUDIT THE CITY FINANCIAL RECORDS FOR FISCAL YEAR 2015.** Presented by Councilman Trutzel. Seconded by Councilman Hoag. The Council was polled and the following vote recorded: Ayes: 9, Councilmen Cook, Savage, Fletcher, Lathrop, Trutzel, Mayor Davis, Councilmen Hoag, Von Behren, and Loughridge; Noes: None; Absent: None. Bill No 2015-12 was declared passed and in full force and affect as Ordinance No. 2015-4080, subject to Mayoral veto.

Andrea Cunningham gave the final reading of Bill No. 2015-13: **AN ORDINANCE APPROVING THE PROPOSED FISCAL YEAR 2016 CITY BUDGET, AS REVISED, AND APPROPRIATING FUNDS FROM THE REVENUES OF THE CITY.** Presented by Councilman Trutzel. Seconded by Councilman Hoag. Councilman Lathrop brought up that many departments have received step increases in pay, but the Council has not. He would like to propose a \$100/month raise for the council. Councilman Von Behren said he appreciated the thought, but didn't think this was the right time to do this. It may not give the right perception. The Mayor asked if Councilman Lathrop wanted to make this a formal motion. **Councilman Lathrop moved for the Council to receive a \$100/month pay increase, following Charter regulations.** The motion did not receive a second. The motion failed. Councilman Savage asked if page 52 is included in the proposed budget. Mr. Ron Trivitt, City Manager, answered that it's an illustration of the estimated ending fund balance. It's not really part of the budget, just an illustration. Councilman Savage stated he would still like to add money into the water infrastructure. Councilman Loughridge commented that doesn't have effect on this ordinance, but that's a discussion point we can consider later. He encouraged the Council to vote on the budget now and not hold it up. Councilman Trutzel said they need to accept the budget as-is, for now. After the audit there will be a better idea of what's going on. The Council was polled and the following vote recorded: Ayes: 9, Councilmen Fletcher, Lathrop, Cook, Savage, Trutzel, Hoag, Von Behren, Mayor Davis, and Councilman Loughridge; Noes: None; Absent: None. Bill No 2015-13 was declared passed and in full force and affect as Ordinance No. 2015-4079, subject to Mayoral veto.

Andrea Cunningham gave the final reading of Bill No. 2015-14: **AN ORDINANCE APPROVING THE FINAL PLAT OF A RE-PLAT OF LOT(S) 1, 2, AND 3, QUIKTRIP 233R, A 3.18-ACRE TRACT OF LAND, LOCATED AT 501 E. NORTH AVENUE, IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Lathrop. Seconded by Councilman Hoag. Mr. Jay Leipzig said QT is scheduled to start the work on April 6. The Council was polled and the following vote recorded: Ayes: 9, Councilmen Cook, Savage, Loughridge, Fletcher, Trutzel, Mayor Davis, Councilmen Lathrop, Von Behren, and Hoag; Noes: None; Absent: None. Bill No 2015-14 was declared passed and in full force and affect as Ordinance No. 2015-4076, subject to Mayoral veto.

Andrea Cunningham gave the final reading of Bill No. 2015-15: **AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR QUIKTRIP, A C-STORE AND GAS CANOPY DEVELOPMENT, ON A 3.18-ACRE TRACT OF LAND, LOCATED AT 501 E. NORTH AVENUE, ON THE SOUTHEAST CORNER OF MO-58 HIGHWAY AND MO STATE HIGHWAY, ROUTE Y, CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Hoag. Seconded by Councilman Trutzel. Councilman Trutzel said he's received a lot of positive comments about the look of the new building. Police Chief James Person said the speed limit through that area has increased. There will be a lot of traffic through this intersection. The Council was polled and the following vote recorded: Ayes: 9, Mayor Davis, Councilmen Savage, Lathrop, Fletcher, Trutzel, Hoag, Loughridge, Von Behren, and Cook; Noes: None; Absent: None. Bill No 2015-15 was declared passed and in full force and affect as Ordinance No. 2015-4077, subject to Mayoral veto.

Andrea Cunningham read Bill No. 2015-17: **AN ORDINANCE AMENDING CHAPTER 14, ENTITLED "NUISANCES", OF THE BELTON CITY CODE.** Presented by Councilman Hoag. Seconded by Councilman Cook. Councilman Lathrop asked about the [24 months] and the blanks in section 14-2-(a), (3-4-5). The city Attorney said this was one of the changes brought up by the council at the October 7, 2014, work session. Does the city want to set a time limit? The attorney explained that many cities do not have a time period. The way this is written it would allow the court to increase the fine if the person is a repeat offender. The judge would make the decision. It would simply say a minimum fine of \$50 up to a maximum fine of \$500. Councilman Cook said she was the one who raised the question back in October. She believes there shouldn't be a time frame because after the 24 month period, the fine would go back down to the minimum again. The fine would actually decrease for a perpetual offender. Councilman Loughridge agreed with Councilman Cook. Police Chief Person agreed with no time frame but believes the amount should be totally up to the discretion of the judge. Councilman Cook suggested leaving the step fine increases, but taking out any time frame. She also added that she'd like to see the city provide more for the codes department. The Attorney purposed amending the ordinance by removing the 24 month period, but leaving the step fine increase in. The Mayor asked if someone would make this motion. **Councilman Loughridge moved to amend the ordinance by removing the 24 month period.** Seconded by Councilman Cook. All voted in favor of the amendment. The Council was polled and the following vote on the first reading, as amended, was recorded: Ayes: 9, Mayor Davis, Councilmen Loughridge, Hoag, Fletcher, Trutzel, Lathrop, Savage, Cook and Von Behren; Noes: None; Absent: None. First reading passed.

Andrea Cunningham read Bill No. 2015-18: **AN ORDINANCE APPROVING THE RATIFICATION OF A CONTRACT WITH SEAL-O-MATIC FOR THE OVERLAYS OF TOWNE CENTER DRIVE AND MULLEN ROAD BEGINNING WITH THE HEADERS WITH THE NEW MARKEY PKWY PROJECT AND ENDING AT 58 HWY IN A NOT TO EXCEED AMOUNT OF \$135,000.** Presented by Councilman Trutzel. **Copies of the proposed ordinances & resolutions are available for public inspection at the City Clerk's office, 506 Main Street, Belton, MO. 64012.**

Seconded by Councilman Loughridge. Councilman Von Behren asked Jeff Fisher if this needed a second reading. Mr. Fisher said yes. The subcontractor is already here and this is a good rate. It will hopefully be finished next week. The Council was polled and the following vote on the first reading was recorded: Ayes: 9, Councilmen Loughridge, Cook, von Behren, Hoag, Trutzel, Mayor Davis, Councilmen Fletcher, Savage, and Lathrop; Noes: None; Absent: None. First reading passed. **Councilman Hoag moved to hear the final reading.** Councilman Loughridge seconded. All voted in favor. The final reading was read. Presented by Councilman Hoag. Seconded by Councilman Von Behren. The Council was polled and the following vote was recorded: Ayes: 9, Councilmen Von Behren, Lathrop, Savage, Cook, Trutzel, Fletcher, Hoag, Mayor Davis, Councilman Loughridge; Noes: None; Absent: None. Bill No 2015-18 was declared passed and in full force and affect as Ordinance No. 2015-4081, subject to Mayoral veto.

Andrea Cunningham read Bill No. 2015-19: **AN ORDINANCE ELECTING A CHANGE TO BENEFIT PROGRAM L-6 FOR CITY EMPLOYEES UNDER THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM.** Presented by Councilman Trutzel. Seconded by Councilman Cook. Councilman Trutzel commented that he was delighted that the Council will hopefully pass this tonight. This will help the employees when they retire. The Council was polled and the following vote was recorded: Ayes: 9, Councilmen Lathrop, Loughridge, Mayor Davis, Councilmen Cook, Hoag, Fletcher, Trutzel, Savage, and Von Behren; Noes: None; Absent: None. First reading passed. **Councilman Von Behren moved to hear the final reading.** Councilman Lathrop seconded. All voted in favor. The final reading was read. Presented by Councilman Hoag. Seconded by Councilman Trutzel. The Council was polled and the following vote was recorded: Ayes: 9, Councilmen Loughridge, Mayor Davis, Councilmen Hoag, Fletcher, Trutzel, Cook, Savage, Lathrop, and Von Behren; Noes: None; Absent: None. Bill No 2015-19 was declared passed and in full force and affect as Ordinance No. 2015-4078, subject to Mayoral veto.

Andrea Cunningham read Bill No. 2015-20: **AN ORDINANCE AUTHORIZING THE CITY OF BELTON, MISSOURI TO ENTER INTO AN EQUIPMENT LEASE PURCHASE AGREEMENT AND CERTAIN OTHER DOCUMENTS IN CONNECTION WITH THE ACQUISITION OF EQUIPMENT AND THE REFINANCING OF IMPROVEMENTS TO THE MUNICIPAL GOLF COURSE; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH SAID FINANCING.** Presented by Councilman Trutzel. Seconded by Councilman Cook. The Council was polled and the following vote was recorded: Ayes: 9, Councilmen Von Behren, Loughridge, Mayor Davis, Councilmen Cook, Trutzel, Fletcher, Hoag, Lathrop, and Savage; Noes: None; Absent: None. First reading passed. **Councilman Lathrop moved to hear the final reading.** Councilman Savage seconded. All voted in favor. The final reading was read. Presented by Councilman Hoag. Seconded by Councilman Lathrop. The Council was polled and the following vote was recorded: Ayes: 9, Councilmen Cook, Savage, Hoag, Von Behren, Trutzel, Fletcher, Mayor Davis, Councilmen Lathrop, and Loughridge; Noes: None; Absent: None. Bill No 2015-20 was declared passed and in full force and affect as Ordinance No. 2015-4082, subject to Mayoral veto.

Andrea Cunningham read Bill No. 2015-21: **AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, DIVISION 4 – PERSONNEL CODE, OF THE CODE OF ORDINANCES FOR THE CITY OF BELTON, MISSOURI.** Presented by Councilman Hoag. Seconded by Councilman Cook. The Council was polled and the following vote was recorded: Ayes: 9, Councilmen Loughridge, Von Behren, Hoag, Cook, Trutzel, Savage, Mayor Davis, Councilmen Lathrop, and Fletcher; Noes: None; Absent: None. First reading passed. **Councilman Lathrop moved to hear the final reading.** Councilman Hoag seconded. All voted in favor. The final **Copies of the proposed ordinances & resolutions are available for public inspection at the City Clerk's office, 506 Main Street, Belton, MO. 64012.**

reading was read. Presented by Councilman Lathrop. Seconded by Councilman Cook. The Council was polled and the following vote was recorded: Ayes: 9, Councilman Cook, Mayor Davis, Councilmen Von Behren, Loughridge, Trutzel, Fletcher, Savage, Lathrop, and Hoag; Noes: None; Absent: None. Bill No 2015-21 was declared passed and in full force and affect as Ordinance No. 2015-4083, subject to Mayoral veto.

## **RESOLUTIONS:**

Andrea Cunningham read Resolution R2015-13: **A RESOLUTION APPROVING A SERVICES AGREEMENT BETWEEN THE CITY OF BELTON, MISSOURI, AND CBIZ BENEFITS AND INSURANCES SERVICES, INC.** Presented by Councilman Loughridge. Seconded by Councilman Hoag. The Council was polled and all voted in favor of the resolution. Resolution passed.

Andrea Cunningham read Resolution R2015-15: **A RESOLUTION APPROVING THE REAPPROPRIATION & REVISION OF THE FISCAL YEAR 2015 ADOPTED CITY BUDGET.** Presented by Councilman Hoag. Seconded by Councilman Lathrop. The Council was polled and all voted in favor of the resolution. Resolution passed.

Andrea Cunningham read Resolution R2015-16: **A RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BELTON AND LOCAL NO. 42 – INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.** Presented by Councilman Trutzel. Seconded by Councilman Lathrop. Councilman Loughridge thanked the staff and the fire department for a good negotiation. The Council was polled and all voted in favor of the resolution. Resolution passed.

## **MAYOR'S COMMUNICATIONS:**

The staff and the police are still working on the framework to begin the collective bargaining agreement talks. Things are still being worked out.

Thank you to those who cleaned up Oil Creek. Councilman Fletcher thanked the staff who showed up.

Markey Parkway ribbon cutting is April 2 at 11A.M. Congresswoman Hartzler will cut the ribbon.

## **CITY MANAGER'S REPORT:**

Jeff Fisher reported that last year, there were two sanitary sewer overflows, the Markey Parkway project and the wastewater treatment plant. The City received letters from the state regarding fines. We'll work on negotiating the fines. We're also looking to see if contractors are responsible for any of this at Markey Pkwy.

Public Works is working on a task agreement for the April 14 meeting for the Oil Creek culvert replacement. **Councilman Savage moved to allow public works to move forward with the engineering of this project in a not to exceed amount of \$55,000.** Seconded by Councilman Trutzel. Vote on the motion was recorded with all voting in favor. Motion carried.

## **MOTIONS:**

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**Councilman Hoag moved to approve Apparatus and Capital Equipment Replacement Plan proposed in the Fire Department's FY16 budget.** Presented by Councilman Hoag. Seconded by Councilman Loughridge. Fire Chief Norm Larkey said there are some changes. The department took out the thermal imaging camera replacement. We can get a couple more years out of the ones we have. They are about \$8000 a piece and we need three. Vote on the motion was recorded with all voting in favor. Motion carried.

**Councilman Hoag moved to approve the purchase of an annual software subscription service from ITI for the Police Department with the FY16 budget.** Seconded by Councilman Trutzel. Chief Person said this is what we talked about at the last work session. Councilman Lathrop asked if this was an annual purchase. Chief Person said yes, they've purchased it for several years. Vote on the motion was recorded with all voting in favor. Motion carried.

#### **OTHER BUSINESS:**

Councilman Loughridge said we may need to revisit our vision plan/beautification plan this spring. We're accumulating lots of trash. He believes part of this is because we only have one person in code enforcement. Maybe we could get volunteers to help staff.

Mayor Davis said election night is April 7. We've always cancelled the council meeting before. **The Mayor polled the Council and the consensus of the Council was to cancel the meeting April 7.**

Josh Burnett is officially withdrawing his name for council candidate for Ward 2. He is moving out of the city limits.

On April 2 at 7:30 A.M. there is a Boy Scout event at Memorial Station.

There are two councilmen who will not be returning. Mayor Davis thanked Councilman Cook for her time on the council. Councilman Cook said she appreciated working with each councilmember. She has a new appreciation for the staff and how hard their jobs are. Mayor Davis thanked Councilman Loughridge for his many years on the council. Councilman Loughridge said he agreed with Councilman Cook's comments.

Councilmen Von Behren and Loughridge asked about the status of Google Fiber. Jay Leipzig said they've talked to Google several times. We continue to reach out to them. We're also looking at AT&T's product. The reviews are good on it. Councilman Von Behren said the rumor is that the city said "no" to Google Fiber. Mr. Leipzig said no, the city has made it clear we want Google Fiber.

Chief Person said the Cass Community Health Foundation walk for health is May 2. Everyone is invited. The roads will not be closed for this. Councilman Cook said her son has received a scholarship from this walk.

Jay Leipzig said Belton Regional Medical Center received additional grant funding for their ER. In the next couple of months, they should be starting this project. They are working on the design.

Being no further business, Councilman Lathrop moved to adjourn at 8:45 P.M. Councilman Loughridge seconded. All present voted in favor. Meeting adjourned.

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Andrea Cunningham, Executive Secretary

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Jeff Davis, Mayor