

**MINUTES OF THE BELTON
CITY COUNCIL
REGULAR MEETING
MAY 26, 2015
CITY HALL ANNEX
520 MAIN STREET, BELTON, MISSOURI**

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

Councilman Lathrop led the Pledge of Allegiance to the Flag.

Councilmen present: Mayor Jeff Davis, Councilmen Jeff Fletcher, Al Hoag, Gary Lathrop, Bob Newell, Tim Savage, Chet Trutzel, and Dean Van Winkle; Absent: Councilman Scott Von Behren. Also present: Aaron March, City Attorney; Ron Trivitt, City Manager; and Patti Ledford, City Clerk.

CONSENT AGENDA:

Councilman Hoag moved to approve the consent agenda consisting of a **motion approving the minutes of the May 12, 2015, City Council regular meeting; and a motion approving the April 2015 Police Judge's Report.** Councilman Lathrop seconded. All in favor. Councilman Von Behren absent. Consent agenda approved.

ORDINANCES:

Patti Ledford, City Clerk gave the final reading of Bill No. 2015-36: **AN ORDINANCE APPROVING THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION STP-URBAN PROGRAM AGREEMENT FOR THE 155TH STREET IMPROVEMENTS PROJECT.** Presented by Councilman Trutzel, seconded by Councilman Hoag. Vote on the final reading was recorded: Ayes: 8, Councilmen Trutzel, Hoag, Mayor Davis, Councilmen Lathrop, Fletcher, Newell, Van Winkle, and Savage; Noes: None; Absent: 1, Councilman Von Behren. Bill No. 2015-36, was declared passed and in final force and effect as Ordinance No. 2015-4100, subject to Mayoral veto.

Ms. Ledford read Bill No. 2015-38: **AN ORDINANCE APPROVING THE FINAL PLAT OF AUTUMN WOODS, A MULTI-UNIT TOWNHOUSE DEVELOPMENT, LOCATED ON A 9.81-ACRE TRACT OF LAND, LOCATED ON THE NORTH SIDE OF MARKEY ROAD, DIRECTLY NORTH OF BELTON AVENUE, IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Hoag, seconded by Councilman Trutzel. The following vote was recorded; Ayes: 8, Councilmen Trutzel, Newell, Hoag, Van Winkle, Fletcher, Lathrop, Mayor Davis, and Councilman Savage; Noes: None; Absent: 1, Councilman Von Behren. **Councilman Lathrop moved to hear the final reading.** Councilman Hoag seconded. Councilman Savage asked why the final reading was necessary tonight. Jay Leipzig, Economic Development Director, said because the developer requested it to close on the construction loan. All present voted in favor of hearing the final reading. The final reading was read. Presented by Councilman Hoag, seconded by Councilman Trutzel. Councilman Van Winkle had some questions pertaining to the traffic flow on Markey and snow removal. Jeff Fisher, Public Works Director, said the city engineer is looking at other options - possibly three lanes on Markey and re-striping it. It will operate the same as private communities would. Councilman Van Winkle also questioned the two detention ponds and the small playground. He asked if staff knew how many children would be living at this development. Mr. Leipzig said he

doesn't have an answer other than they are two/three bedroom units. He said he can find out. Police Chief James Person asked about off street parking; will it be end to end parking or require side to side parking. Staff said they were told it would be two parking lots. Chief Person said he has some concerns for adequate off street parking for emergency vehicles. Mr. Leipzig said the Planning Commission looked at this and the engineer indicated there is adequate clearance for emergency vehicles. Parking does meet the requirements for separate parking lots. Councilman Van Winkle asked if there is any type of protection to the keep kids out of pond and said there is not much area around the playground. Mr. Fisher said he can't speak to the space for the playground but basins are dry basins. Councilman Savage then had questions on the driveways and parking. If the streets are private what type of policing do we have if there is a parking problem and what is the city's ability to correct it? Police Chief James Person said if it is not a public street we can't restrict it – it is not enforceable for writing summons for illegal parking. Mr. Leipzig said that is the reason behind the development agreement. Fire Chief Norman Larkey said Bobby Sperry, Fire Marshal, has reviewed it and would make sure emergency vehicles can get through. Aaron March, City Attorney, said if it is the pleasure of the Council and staff to have a development agreement to tie to as a condition of approval in order for the them to pull permits for the project; without a development agreement there is nothing to keep them from pulling permits. Vote on the final reading was recorded: Ayes: 8, Councilmen Savage, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, Van Winkle, Hoag, and Newell; Noes: None; Absent: 1, Councilman Von Behren. Bill No. 2015-38, was declared passed and in full force and effect as Ordinance No. 2015-4101, subject to Mayoral veto.

Ms. Ledford read Bill No. 2015-39: **AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR AUTUMN WOODS, A MULTI-UNIT TOWNHOUSE DEVELOPMENT, ON A 9.81-ACRE TRACT OF LAND, LOCATED ON THE NORTH SIDE OF MARKEY ROAD, DIRECTLY NORTH OF BELTON, AVENUE, CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Lathrop, seconded by Councilman Hoag. Aaron March, City Attorney, suggested amending Section 3 to read: That this ordinance shall be in full force and effect upon the execution and recording of a development agreement between the city and developer. **Councilman Hoag moved to amend according to the city attorney recommendation, Section 3. That this ordinance shall be in full force and effect upon the execution and recording of a development agreement between the city and developer.** Councilman Fletcher seconded. Vote on the amendment was recorded with all voting in favor. Councilman Von Behren absent. Vote on the first reading, as amended, was then recorded; Ayes: 8, Mayor Davis, Councilmen Savage, Hoag, Newell, Fletcher, Lathrop, Trutzel and VanWinkle; Noes: None; Absent: 1, Councilman Von Behren. **Councilman Hoag moved to hear the final reading.** Councilman Lathrop seconded. All present voted in favor. The final reading was read. Presented by Councilman Hoag, seconded by Councilman Trutzel. Councilman Savage said he would like to hold off on the final reading. Mr. Leipzig said staff concurs with that. **Councilman Savage moved to postpone the final reading of Bill No. 2015-39.** Councilman Lathrop seconded. All voted in favor. Councilman Von Behren absent. Motion to postpone carried.

Ms. Ledford read Bill No. 2015-40: **AN ORDINANCE ACCEPTING A COOPERATIVE AGREEMENT WITH THE MID-AMERICA REGIONAL COUNCIL FOR FUNDING OPERATIONS OF OPERATION GREEN LIGHT TRAFFIC CONTROL SYSTEM IN THE AMOUNT OF \$4,800.** Presented by Councilman Hoag. Seconded by Councilman Trutzel.

There was some discussion pertaining to the amount, what the city gains from this and who is in control of the signals. Dave Frazier, Street Superintendent, said the amount is budgeted over two budget years; if the lights malfunction or there is a problem with the lights, it gives remote

access, coordination and allows us to adjust the timing; OGL is in control of the signals. Mr. Frazier said at a future meeting he will have a presentation on how all this works. This is the standard agreement they have with the cities that are participating. Councilman Trutzel asked for clarification asking isn't the purpose to stagger the lights and time directly? Mr. Frazier said there is the potential with coordination. Mayor Davis asked who owns the fiber under I-49. Mr. Frazier said the city does. Vote on the first reading was recorded: Ayes: 8, Councilmen Lathrop, Newell, Savage, Hoag, Fletcher, Mayor Davis, Councilmen Trutzel and VanWinkle; Noes: None; Absent: 1, Councilman Von Behren. First reading passed.

Ms. Ledford read Bill No. 2015-41: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,977,000 PRINCIPAL AMOUNT OF SEWERAGE SYSTEM REVENUE BONDS (STATE OF MISSOURI – DIRECT LOAN PROGRAM) SERIES 2015 OF THE CITY OF BELTON, MISSOURI, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S SEWERAGE SYSTEM; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THEIR PAYMENT AND PRESCRIBING OTHER RELATED MATTERS.** Presented by Councilman Hoag, seconded by Councilman Trutzel. Vote on the first reading was recorded: Ayes: 8, Councilmen Lathrop, Newell, Savage, Hoag, Fletcher, Mayor Davis, Councilmen VanWinkle, and Trutzel; Noes: None; Absent: 1, Councilman Von Behren. **Councilman Lathrop moved to hear the final reading.** Councilman Hoag seconded. All present voted in favor. The final reading was read. Presented by Councilman Hoag, seconded by Councilman Newell. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Newell, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, Hoag, and Savage; Noes: None; Absent: 1, Councilman Von Behren. Bill No. 2015-41, was declared passed and in full force and effect as Ordinance No. 2015-4102, subject to Mayoral veto.

MAYOR'S COMMUNICATIONS:

Mayor Davis said he and Mr. Leipzig attended the RECON convention in Las Vegas. There were 10,000 vendors. Mr. Leipzig said it was a great conference. There were 65,000 in attendance. It was a very productive three days. Mayor Davis said it is justifying spending the money. Mr. Leipzig said every possible restaurant chain and retail chain was there looking at various locations throughout country. Mayor Davis said it was a great outing and learning experience.

CITY MANAGER'S REPORT:

Mr. Trivitt reminded the Council of the Missouri Municipal League Newly Elected Officials conference June 11-12 in Columbia.

June 5 is the MARC annual regional assembly and leadership awards luncheon in KC. If you haven't gone it is a good event. It's a chance to see people in the area given regional awards and to see and listen to the presentations.

Jeff Fisher, Public Works Director, announced clean-up days is June 6-7 at the high school. Dave Frazier, Street Superintendent said no brush, yard debris or household hazardous waste will be accepted but appliances, mattresses, couches, etc. will be taken. Also, we will be taking electronics for recycling.

Mayor Davis asked how the recycling is going at the fire department. Fire Chief Norman Larkey said it is going well and the bins have already been dumped three times.

MOTIONS:

Councilman Hoag moved to approve an agreement between the City and Professional Resources Development, Inc. associated with Heartland Dental at Lot 2 of Belton Gateway to participate in the Markey Regional Detention Program. Councilman Trutzel seconded. All voted in favor. Councilman Von Behren absent. Motion carried.

OTHER BUSINESS:

Councilman Lathrop commented that he feels the RECON conference to Las Vegas is the best way to spend money to get to know who is looking for what.

Mayor Davis said a number of investors from California are pulling up stakes and coming to the mid-west because they can get more bang for the buck. He said Belton is a regional destination. It was amazing how many people were talking about Belton – it is a one stop shop. It is amazing how much little things like gas prices dictate when they want to build. When fuel costs are down they want to build. It is a critical component to have the right people in the right spots, with receptive and respectful relationships – it is critical. Mr. Leipzig has done a great job.

Being no further business, Councilman Lathrop moved to adjourn 7:40 P.M. Councilman Hoag seconded. All voted in favor. Councilman Von Behren seconded. Meeting adjourned.

Patti Ledford, City Clerk

Jeff Davis, Mayor