

**MINUTES OF THE
BELTON CITY COUNCIL
PUBLIC HEARING AND REGULAR MEETING
NOVEMBER 10, 2015
CITY HALL ANNEX
520 MAIN STREET, BELTON, MISSOURI**

Mayor Pro Tem Scott Von Behren called the public hearing to order at 7:00 P.M.

This public hearing was held in order to receive public input regarding the progress of the Y Highway Marketplace Tax Increment Financing Plan.

Brad Foster, Assistant City Manager, opened by stating that Missouri State Statutes require when a Tax Increment Financing plan is passed there has to be a status update provided every five years as to where they are in there process.

Kylie Stock, Group Belton LLC, the development company, was present. She said that the leasing agent Carl LaSala, could not attend because of a Navy reunion. She provided an update on the development process.

She said there hasn't been much leasing activity this past year. We currently have 12,600 square feet of inline retail space available for lease. In an effort to stay competitive in the market, we lowered the asking rental rates from \$17PSF to \$15PSF and reduced the triple net operating expenses from \$5.25PSF to \$3.50PSF. However, to date no new leases have been signed for the inline retail.

We've had numerous inquiries on the pad sites but have not been able to finalize a deal. We had two letters of intent from succeeding Hardee's franchisees for one of the pads. The last LOI was negotiated to contract, but they backed away from the deal. We have been very flexible on our sale price to accommodate both franchisees and were told Hardee's corporate had approved the site, but still no sale.

Carl LaSala's, our leasing agent, calls to find a second anchor to the property have not been well received. Many of the mid-sized anchors have been waiting to see if the redevelopment of Truman Corners was going to happen. Now that we know that it is in development, those tenants are going forward with stores at that site.

We believe that the increase in retail activity upon the opening of Menard's and other retailers in the vicinity will bring us the visibility and activity we need to finally produce an acceptable level of interest to lease our shops and sell or develop the outlots.

Being no further public input, the hearing was declared closed at 7:04 P.M.

Mayor Pro Tem Von Behren called the regular meeting to order at 7:05 P.M.

Councilman Savage led the Pledge of Allegiance to the flag.

Councilmen present: Mayor Pro Tem Scott Von Behren, Councilmen Jeff Fletcher, Al Hoag, Gary Lathrop, Bob Newell, Tim Savage, Chet Trutzel, and Dean VanWinkle; Absent: Mayor Jeff Davis. Also present were Ron Trivitt, City Manager; Megan McGuire, City Attorney; and Patti Ledford, City Clerk.

CONSENT AGENDA:

Councilman Hoag moved to approve the consent agenda consisting of a **motion approving the minutes of October 27, 2015, City Council regular meeting.** Councilman Lathrop seconded. All voted in favor. Mayor Davis absent. Consent agenda approved.

PERSONAL APPEARANCES:

Diane Huckshorn (16614 Kentucky Road) – was present to request road closure on Loop Road between Chestnut and Walnut on Saturday, November 28, 2015, from 7:00 am – 7:00 pm for an auction for Eleanor’s on Main, with the option of Sunday, November 29, 2015, as well. She said she is a representative of Mickelson Auction out of Freeman. For the auction they would like to request closure of Loop Road between Chestnut and Walnut to conduct the sale and have merchandise outside. The facility is too small to hold inside. We plan to start the auction at noon and should be done by 5:00 P.M.

Councilman Hoag moved to approve the closure of Loop Road between Chestnut and Walnut on Saturday, November 28, 2015, from 7:00 am – 7:00 pm for an auction for Eleanor’s on Main, with the option of Sunday, November 29, 2015. Councilman Trutzel seconded. All voted in favor. Mayor Davis absent. Motion carried.

Diane Huckshorn - (16614 Kentucky Road) – Requested on behalf of Downtown Belton Main Street, Inc. to sell advertising on 12” x 18” signs to place on the light poles on Main Street during the holiday season. She said they propose to offer a sign 12x18 and showed what sign would look like. This is a fundraiser to pay for decorations on Main Street now. The cost for advertising will be about \$40.00 and will only display the business name or individual name. It will be placed on the poles with grommets and zip ties. The signs will remain up until mid-January. The signs are made here in town.

Councilman Hoag asked if it is just for businesses or can an individual purchase a banner with their name on it. Ms. Huckshorn said it can have an individual’s name on it.

Councilman Hoag moved to approve to approve Downtown Belton Main Street, Inc., to sell advertising of a business or individual name only on 12”x18” signs to be placed on the light poles on Main Street during the holiday season and remain in place until mid-January 2016. Councilman Trutzel seconded. Megan McGuire, City Attorney, was asked to weigh in on this request. She questioned whether this is a council level action as it pertains to regulations of streets and signage. Ms. McGuire said we need to go through the process to make sure it meets the criteria. James Person, Police Chief, said it is up the Community Planning and Development Department to enforce temporary signs. Ron Trivitt, City Manager, said the signs are being attached to a pole which is city property and therefore, the city has some authority over it. There was continued discussion by the Council pertaining to who will maintain the integrity of the signs; making sure the signs do not impede traffic vision; and setting a precedent of approving temporary sign requests at the Council level. There was continued discussion and debate. Mayor Pro Tem Von Behren said he personally thinks it is a good thing to do for no longer than they are asking for the signs to be up. A vote on the motion was then taken with all voting in favor. Mayor Davis absent. Motion carried.

ORDINANCES:

Councilman Newell moved to postpone the final reading of Bill No. 2015-77: **AN ORDINANCE ACCEPTING THE RECOMMENDATIONS OF THE TAX INCREMENT FINANCING COMMISSION OF BELTON, MISSOURI, ADOPTING THE CEDAR TREE TAX INCREMENT FINANCING REDEVELOPMENT PLAN; DESIGNATING I-49 INVESTORS, L.L.C. AS THE DEVELOPER OF THE REDEVELOPMENT PROJECT; AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A REDEVELOPMENT AGREEMENT WITH I-49 INVESTORS, L.L.C. FOR IMPLEMENTATION OF THE PLAN.** Bill No. 2015 78: **AN ORDINANCE APPROVING AND DESIGNATING REDEVELOPMENT PROJECT 1 OF THE CEDAR TREE TAX INCREMENT FINANCING REDEVELOPMENT PLAN AS A REDEVELOPMENT PROJECT AND ADOPTING TAX INCREMENT FINANCING THEREIN;** and Bill No. 2015-79: **AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE CEDAR TREE COMMUNITY IMPROVEMENT DISTRICT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF I-49 AND 58 HIGHWAY, IN BELTON, CASS COUNTY, MISSOURI; DETERMINING THAT THE DISTRICT AREA IS A BLIGHTED AREA; AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN THE CITY, I-49 INVESTORS, L.L.C. AND THE DISTRICT; AND DIRECTING THE CITY CLERK TO REPORT THE CREATION OF THE DISTRICT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT.** Councilman Hoag seconded. All voted in favor to postpone. Mayor Davis absent. Motion to postpone carried.

Patti Ledford, City Clerk, gave the final reading of Bill No. 2015-86:

AN ORDINANCE DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING FOR PUBLIC USE TEMPORARY CONSTRUCTION EASEMENTS, PERMANENT UTILITY EASEMENTS, PERMANENT DRAINAGE EASEMENTS, AND RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION AND MAINTENANCE OF ROAD IMPROVEMENTS RELATED TO PHASE 1 OF THE MULLEN ROAD AND NORTH CASS PARKWAY PROJECT GENERALLY LOCATED IN SECTION 13 AND 24, TOWNSHIP 46 NORTH, RANGE 33 WEST, AND IN SECTION 18 AND 19, TOWNSHIP 46 NORTH, RANGE 32 WEST, ALL IN AND ADJACENT TO THE CITY OF BELTON, CASS COUNTY, MISSOURI; AUTHORIZING THE CITY AND ITS DESIGNEES TO NEGOTIATE FOR THE PURPOSE OF ACQUIRING THE EASEMENTS AND PROPERTY ACQUISITION BY CONTRACT OR CONDEMNATION; AND AUTHORIZING THE CITY ATTORNEY AND HIS/HER DESIGNEES TO INSTITUTE CONDEMNATION PROCEEDINGS IF SUCH INTERESTS IN LAND THAT CANNOT BE ACQUIRED BY PURCHASE THROUGH GOOD FAITH NEGOTIATIONS. Presented by Councilman Trutzel, seconded by Councilman Hoag. The Council was polled and the following vote recorded: Ayes: 8, Councilmen Savage, Trutzel, Lathrop, Mayor Pro Tem Von Behren, Councilmen Fletcher, VanWinkle, Hoag and Newell; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-86 was declared passed and in full force and effect as Ordinance No. 2015-4146, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2015-87: **AN ORDINANCE AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH BELTON 58 CHOPPER, LLC, IN REGARDS TO A PORTION OF THE NORTH CASS SHOPPING CENTER.** Presented by Councilman Lathrop, seconded by Councilman Hoag. The Council was polled and the following vote recorded: Ayes: 8, Councilmen Savage, Hoag, Newell, Mayor Pro Tem Von Behren, Councilmen Fletcher, Lathrop, Trutzel and VanWinkle; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-87 was declared passed and in full force and effect as Ordinance No. 2015-4147, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2015-88: **AN ORDINANCE APPROVING A SPECIAL USE PERMIT WITH ONE CONDITION TO ALLOW A HOME CHILD CARE ON PROPERTY ZONED R-1 (SINGLE-FAMILY RESIDENTIAL), AND LOCATED AT 307 APPLE VALLEY PARKWAY, BELTON, MISSOURI.** Presented by Councilman Hoag, seconded by Councilman Trutzel. The Council was polled and the following vote recorded: Ayes: 8, Councilmen Lathrop, Newell, Mayor Pro Tem VonBehren, Councilmen Savage, Hoag, Fletcher, Trutzel, and VanWinkle; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-88 was declared passed and in full force and effect as Ordinance No. 2015-4148, subject to Mayoral veto.

Mayor Pro Tem Von Behren announced Bill No. 2015-90. **AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO ALLOW AN IN-HOME CHILD CARE ON PROPERTY ZONED R-1 (SINGLE-FAMILY RESIDENTIAL), AND LOCATED AT 8406 E 166TH STREET, BELTON, MISSOURI.** Is being pulled from the agenda per recommendation by city staff.

Ms. Ledford read Bill No. 2015-91: **AN ORDINANCE APPROVING THE REAPPROPRIATION & REVISION OF THE CITY OF BELTON FISCAL YEAR 2016 ADOPTED CITY BUDGET.** Presented by Councilman Lathrop, seconded by Councilman Savage. All voted in favor. **Councilman Lathrop moved to hear the final reading.** Councilman Savage seconded. All present voted in favor. The final reading was read. Presented by Councilman Lathrop, seconded by Councilman Newell. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Hoag, Lathrop, Trutzel, Mayor Pro Tem Von Behren, Councilmen Fletcher, VanWinkle, Newell, and Savage; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-91 was declared passed and in full force and effect as Ordinance No. 2015-4149, subject to Mayoral veto.

Ms. Ledford read Bill No. 2015-92: **AN ORDINANCE REPEALING ORDINANCE NO. 2015-4133 AND AMENDING THE LANGUAGE OF DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING FOR PUBLIC USE TEMPORARY CONSTRUCTION, PERMANENT EASEMENTS, AND RIGHT-OF-WAY FOR THE CONSTRUCTION AND MAINTENANCE OF ROAD IMPROVEMENTS RELATED TO THE 155TH STREET WIDENING PROJECT GENERALLY LOCATED IN SECTION 1, TOWNSHIP 46 NORTH, RANGE 33 WEST, ALL IN THE CITY OF BELTON, CASS COUNTY, MISSOURI; AUTHORIZING THE CITY AND ITS DESIGNEES TO NEGOTIATE FOR THE PURPOSE OF ACQUIRING THE EASEMENTS AND PROPERTY ACQUISITION BY CONTRACT OR CONDEMNATION; AND AUTHORIZING THE CITY ATTORNEY AND HIS/HER DESIGNEES TO INSTITUTE CONDEMNATION PROCEEDINGS IF SUCH INTERESTS IN LAND CANNOT BE ACQUIRED BY PURCHASE THROUGH GOOD FAITH NEGOTIATIONS.** Presented by Councilman Hoag, seconded by Councilman Lathrop. All voted in favor. **Councilman Lathrop moved to hear the final reading.** Councilman Fletcher 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 recorded; Ayes: 8, Councilmen Savage, Hoag, Newell, Mayor Pro Tem Von Behren, Councilmen Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-92 was declared passed and in full force and effect as Ordinance No. 2015-4150, subject to Mayoral veto.

Ms. Ledford read Bill No. 2015-93: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING A SERVICE AGREEMENT WITH J.A. LILLIG, TO PROVIDE CONSTRUCTION CONSULTING SERVICES FOR THE FIRST PHASE OF THE PROCUREMENT PROCESS FOR THE MULLEN ROAD CULVERT**

(RCB) REPLACEMENT PROJECT IN A NOT-TO EXCEED AMOUNT OF \$4,000.00.

Presented by Councilman Trutzel, seconded by Councilman Hoag. Jeff Fisher, Public Works Director, briefly reviewed the Summary of Proposal Review with the Council. There was some discussion. Vote on the first reading was recorded with all voting in favor. Mayor Davis absent. **Councilman Savage 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 Lathrop. The Council was polled and the following vote recorded; Ayes: 8, Newell, Trutzel, Lathrop, Mayor Pro Tem Von Behren, Councilmen Fletcher, Van Winkle, Hoag and Savage; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-93 was declared passed and in full force and effect as Ordinance No. 2015-4151, subject to Mayoral veto.

Ms. Ledford read Bill No. 2015-94: **AN ORDINANCE MAINTAINING THE BUSINESS LICENSE TAX ON GROSS RECEIPTS OF KANSAS CITY POWER AND LIGHT COMPANY AND/OR ITS SUCCESSORS.** Presented by Councilman Hoag, seconded by Councilman Lathrop. All voted in favor. Mayor Davis absent. **Councilman Lathrop moved to hear the final reading.** Councilman Hoag seconded. All voted in favor. The final reading was read. Presented by Councilman Lathrop, seconded by Councilman Savage. The Council was polled and the following vote recorded; Ayes: 8, Mayor Pro Tem Von Behren, Councilmen Trutzel, Savage, Lathrop, Newell, Fletcher, VanWinkle and Hoag; Noes: None; Absent: 1, Mayor Davis. Bill No. 2015-94 was declared passed and in full force and effect as Ordinance No. 2015-4152, subject to Mayoral veto.

OTHER BUSINESS:

Councilman Fletcher announced that the Chamber of Chamber Turkey Bowl is this Saturday November 14, at 6:30 at Aaron's Family Fun Center.

Being no further business, Councilman Hoag moved to adjourn at 7:33 P.M. Councilman Newell seconded. All voted in favor. Mayor Davis absent. Meeting adjourned.

Patti Ledford, City Clerk

Jeff Davis, Mayor