

**MINUTES OF THE
BELTON CITY COUNCIL MEETING
AUGUST 23, 2016
CITY HALL ANNEX, 520 MAIN STREET
BELTON, MISSOURI**

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

Councilman Newell led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Jeff Davis, Councilmen Ryan Finn, Jeff Fletcher, Gary Lathrop, Bob Newell, Lorrie Peek, Tim Savage, Chet Trutzel and Dean VanWinkle. Also present, Ron Trivitt, City Manager; Megan McGuire, City Attorney; and Patti Ledford, City Clerk.

CONSENT AGENDA:

Councilman Lathrop moved to approve the consent agenda consisting of a **Motion approving the minutes of the August 9, 2016, City Council regular meeting and the August 16, 2016, City Council special meeting; a motion approving the July 2016 Municipal Police Judge's Report and a motion approving the purchase of 12 laptop computers, accessories, 3 Wi-Fi access points and installation materials for Council Meetings/Work Sessions in the amount of \$8,098.64 which was approved in the FY2017 budget.** Councilman Trutzel seconded. All voted in favor. Consent agenda approved.

PERSONAL APPEARANCES:

Diane Huckshorn, Executive Director of the Chamber of Commerce (323 Main St) – requested permission to use the three empty lots on Main Street on September 16, 2016, to host Vintage Market Days, 5:00-8:00 p.m. She said the event coming to Cass County is an upscale vendor event. She met the promoters and they have since joined the Chamber. The event is coming to Cleveland for its next event. Their last event was in Overland Park and brought in 15,000 people. We asked if we could form a partnership with the Cleveland event asked how we could get them to Belton. They need 70,000 square feet and ended up at Lone Wolf Arena in Cleveland. We are promoting Belton and specifically Downtown Belton Mainstreet. The shops on Main Street are exactly what their shows have. They are using our hotels, stores and restaurants. It has been a good partnership already and we want to promote it even farther. The Chamber will announce the event and let members know. What we would like to do is host the event on September 16. We are asking to use the city lots and we have already talked to Norman Larkey about using his side of lot. We have some request to ask of the city: the food vendors will need electricity for food and a DJ. We will visit with police and fire departments. The train will do runs for us Friday night. There is an issue with street lights in the 300 block of Main and we are concerned about a large number of people parking and also having clearance on the sidewalks.

Jeff Fisher, Public Works Director, said they are checking into lights in the 300 block – we are testing them. She asked about the possibility of timers for the street lights. The Fall festival is the weekend before that and Sally Smith said the pole on Walnut will have power and we will

leave it on for the next week to pull power. Mayor Davis asked how many Chamber members are there. Ms. Huckshorn said 306 as of today. He said the Chamber is doing a great job. Councilman Peek asked her to explain the sidewalk issue. Ms. Huckshorn said there is a business on Main Street that has a large amount of merchandise on the sidewalk and repairs items on the sidewalk. It is difficult walking on that stretch of sidewalk and we are looking at a large number of visitors and she is concerned for the safety of those visiting. Jay Leipzig, Economic Development Director, said the code enforcement and fire department continue to review and make sure there is access. Councilman Trutzel asked about the insurance. Brad Foster, Assistant City Manager, said he will look into a rider for the city lots. Megan McGuire, City Attorney, said she will try to pull together a public service agreement and try to expedite it for the event. As far as sidewalks we need to be sure we have ADA compliance. We have a number of disabled individuals in the community that have the right to use the sidewalks and we need to be able to pass 5-6 feet of clearance and make sure we are not blocking the ramps. These are issues we deal with on a routine basis but it applies to every day of the week.

Ms. Huckshorn said we have already visited with most every merchant on Main street and many of the shops are doing specials and staying open late - not all but a majority. We have visited with several businesses up and around Main Street and we visited with City Clerk about the Fraternal Order of Eagles and the possibility of having alcohol at the event. They have a state liquor license for the fall festival and the license is a 7 day license. We will follow all state and city requirements. This is just not just a Chamber event but a Downtown Belton Main Street event as well.

Councilman Lathrop moved to approve alcohol being served by the Fraternal Order of Eagles provided they have the necessary city and state liquor licenses. Councilman Fletcher seconded. All voted in favor. Motion carried.

ORDINANCES:

Patti Ledford, City Clerk, gave the final reading of Bill No. 2016-81: **AN ORDINANCE AMENDING CHAPTER 19 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES OF THE CODE OF ORDINANCES AND CHAPTER 34 - STREETS AND SIDEWALKS OF THE UNIFIED DEVELOPMENT CODE TO CREATE A CONSOLIDATED AND COMPLETE CHAPTER 19 - STREETS, SIDEWALKS, RIGHTS-OF-WAY AND OTHER PUBLIC PLACES OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI.** Presented by Councilman Trutzel, seconded by Councilman Peek. Megan McGuire, City Attorney, said there are some highlighted amendments, definitions and a few grammatical corrections. **Councilman Lathrop moved to amend the final reading as highlighted in the agenda.** Councilman VanWinkle seconded. All voted in favor of the amendment. Vote on the final reading, as amended, was then recorded: Ayes: 9, Mayor Davis, Councilmen Savage, Newell, Peek, Fletcher, Finn, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: None. Bill No. 2016-81, was declared passed and in full force and effect as Ordinance No. 2016-4255, as amended, subject to Mayoral veto.

Ms. Ledford gave the final reading Bill No. 2016-82: **AN ORDINANCE AMENDING APPENDIX A – SCHEDULE OF FEES AND CHARGES, PART II. – UNIFIED DEVELOPMENT CODE OF THE UNIFIED DEVELOPMENT CODE AND THE CODE OF ORDINANCES AND CHAPTER 36 – SUBDIVISION REGULATIONS OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF BELTON, MISSOURI TO REFLECT THE CORRECT NOMENCLATURE, FEES AND CHARGES RELATED TO PUBLIC WORKS ENGINEERING ITEMS INCLUDING RIGHT-OF-WAY**

PERMITTING, SANITARY SEWER IMPACT FEES, AND ENGINEERING REVIEW FEES. Presented by Councilman Trutzel, seconded by Councilman Newell. Megan McGuire, City Attorney, said there are some highlighted changes on pages 138 and 139 of the agenda mainly dealing with traffic control and registration fees and an amendment if necessary. **Councilman Lathrop moved to amend the final reading as highlighted in the agenda.** Councilman Peek seconded. All voted in favor of the amendment. Vote on the final reading, as amended, was then recorded: Ayes: 9; Councilmen Newell, Finn, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle; Peek, and Savage; Noes: None; Absent: None. Bill No. 2016-82, was declared passed and in full force and effect as Ordinance No. 2016-4256, as amended, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-88: **AN ORDINANCE READOPTING ORDINANCE NO. 91-2073, AS AMENDED, ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICT OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS.** Presented by Councilman Savage, seconded by Councilman Finn. The Council was polled and the following vote recorded; Ayes: 9, Mayor Davis, Councilmen Trutzel, Savage, Lathrop, Newell, Fletcher, VanWinkle; Finn, and Peek; Noes: None; Absent: None. Bill No. 2016-88 was declared passed and in full force and effect as Ordinance No. 2016-4257, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-89: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING A MUNICIPAL AGREEMENT BETWEEN THE CITY OF BELTON, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO RESURFACE 58 HIGHWAY FROM BEL RAY AVENUE TO HOLMES ROAD INCLUDING CURB REPLACEMENTS AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS.** Presented by Councilman Trutzel, seconded by Councilman Peek. Mayor Davis asked who paying for this, is it ADA compliant, and when is it expected to be done. Jeff Fisher, Public Works Director, said MODOT and it should be done by late spring. Councilman Newell said most of it is already ADA compliant and wheelchair accessible. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Peek, VanWinkle, Savage, Mayor Davis, Councilman Newell, Finn, Fletcher, Trutzel, and Lathrop; Noes: None; Absent: None. Bill No. 2016-89 was declared passed and in full force and effect as Ordinance No. 2016-4258, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-90: **AN ORDINANCE APPROVING A TIPS HOTLINE ANNUAL CONTRACT WITH THE KANSAS CITY METROPOLITAN CRIME COMMISSION.** Presented by Councilman Newell, seconded by Councilman Peek. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Finn, Peek, Lathrop, Mayor Davis, Councilmen Trutzel, Fletcher, VanWinkle, Newell, and Savage; Noes: None; Absent: None. Bill No. 2016-90 was declared passed and in full force and effect as Ordinance No. 2016-4259, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-92: **AN ORDINANCE LEVYING AND FIXING THE RATE OF TAX FOR MUNICIPAL PURPOSES, FOR THE PARK FUND, AND THE DEBT SERVICE FUND FOR FISCAL YEAR 2017.** Presented by Councilman Finn, seconded by Councilman Savage. The Council was polled and the following vote recorded; Ayes: 9, Mayor Davis, Councilmen Savage, Peek, Newell, Finn, Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: None. Bill No. 2016-92 was declared passed and in full force and effect as Ordinance No. 2016-4260, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-94: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING A DEMOLITION SERVICE AGREEMENT AWARD AND AMENDMENT TO ARTICLES 5, 7 AND 8 ~~5-AND-7~~ TO DOUBLED D, INC. DOING BUSINESS AS DALE BROTHERS FOR THE STP 3322 (409) 155TH STREET IMPROVEMENTS – RESIDENTIAL DEMOLITION PROJECT IN THE NOT-TO –EXCEED AMOUNT OF \$45,811.80.** Presented by Councilman Trutzel, seconded by Councilman Peek. Mayor Davis said that averages out to about \$15,000 per house. Councilman Lathrop asked why Belton is paying for the demolition of the houses in Grandview. Jeff Fisher, Public Works Director, said 80% is through the STP funds and the other 20% is split between Belton and Grandview. Mr. Trivitt said Belton initiates the payment and processes a request for the project. Belton is the lead on this project. There are some changes to the ordinance from the first reading as highlighted. **Councilman Lathrop moved to amend Articles 5, 7 & 8 of the ordinance.** Councilman VanWinkle seconded. All voted in favor of the amendment. Vote on the final reading, as amended, was then recorded; Ayes: 9, Mayor Davis, Councilmen Savage, Peek, Newell, Finn, Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: None. Bill No. 2016-94, was declared passed and in full force and effect as Ordinance No. 2016-4261, as amended. Mr. Fisher said the project will be bid out this fall with major construction next spring and summer and should be complete by the end of the construction period next year. Councilman Trutzel asked how long the bridge will be out and what will the detours be. Mr. Fisher said he hasn't seen the detours yet but it will be coming in the next months and we will provide it to the Council when we have it.

Ms. Ledford read Bill No. 2016-95: **AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY'S ZONING MAP, FROM M-1 (LIGHT MANUFACTURING) TO C-2 (GENERAL COMMERCIAL), FOR A 0.66-ACRE TRACT OF LAND, LEGALLY DESCRIBED AS SECTION 18, TOWNSHIP 46, RANGE 32, ADDRESSED AS 17229 S. OUTER ROAD, IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Trutzel, seconded by Councilman Peek. All voted in favor. Mike Neighbors, 675 St. James Court, Belton, requested the Council hear the final reading. He said the company wants to start doing a lot of remodel work and plans to open Nov 1. Megan McGuire, City Attorney, said this is an amendment for a zoning change which requires a higher level public information. She doesn't know if it is a controversial issue but we normally don't hear both readings the same night on a zoning issue. She asked if staff has sent out public notices to property owners within 185 ft. however, Jay Leipzig, Community and Economic Development Director, said it is standard practice not to have both readings in one meeting. But notices have been sent out and at the Planning Commission did not have any negative comments and unanimously approved it at their August 15, 2016 meeting. Zach Matteo, said staff had one DRC on it and talked about conceptual ideas but we need a site plan. We haven't seen any proposals on the site, don't know if will be paved, haven't seen storm water, etc. Mr. Leipzig said we need to see elevations and grading plans as part of engineering document. Councilman Newell asked why we would hear a final reading when we haven't seen plans for the final project. Mr. Neighbors said the company is called Tough Sheds and it needs to be rezoned M-1 because it doesn't meet the cities master plan. There was no motion to hear the final reading.

Ms. Ledford read Bill No. 2016-96: **AN ORDINANCE AMENDING CHAPTER 6, AGRICULTURAL AND RESIDENTIAL ZONING DISTRICTS, SECTION 6-4. – ADDITIONAL REGULATIONS, OF THE BELTON UNIFIED DEVELOPMENT CODE, WITH REVISIONS TO PARAGRAPH (F) KEEPING OF ANIMALS.** Mayor Davis said this item is being pulled from the agenda and will be brought back at a later time.

Ms. Ledford read Bill No. 2016-97: **AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF BELTON, MISSOURI AND TIME WARNER CABLE BUSINESS CLASS TO INCREASE INTERNET BANDWIDTH SERVICES FOR BELTON CITY HALL AND BELTON CITY HALL ANNEX.** Presented by Councilman Savage, seconded by Councilman Lathrop. All voted in favor. **Councilman Lathrop moved to hear the final reading.** Councilman Peek seconded. All voted in favor. The final reading was read. Presented by Councilman Finn, seconded by Councilman Newell. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Finn, Trutzel, Savage, Lathrop, Newell, Fletcher, VanWinkle, Peek, and Mayor Davis; Noes: None; Absent: None. Bill No. 2016-97 was declared passed and in full force and effect as Ordinance No. 2016-4262, subject to Mayoral veto.

Ms. Ledford read Bill No. 2016-98: **AN ORDINANCE APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CONFLUENCE, A LANDSCAPE ARCHITECT AND PLANNING CONSULTANT, TO CREATE A NORTH SCOTT CORRIDOR FLEX-INDUSTRIAL ZONING DISTRICT PLUS DESIGN GUIDELINES.** Presented by Councilman Trutzel, seconded by Councilman Peek. All voted in favor. First reading passed.

Ms. Ledford read Bill No. 2016-99: **AN ORDINANCE APPROVING THE REAPPROPRIATION & REVISION OF THE CITY OF BELTON FISCAL YEAR 2017 ADOPTED CITY BUDGET FOR THE PURPOSE OF PURCHASING A FURNACE & AIR CONDITIONING UNIT FOR THE GOLF COURSE.** Presented by Councilman Lathrop, seconded by Councilman Savage. Jay Kennedy, Golf Course Manager, said he received a call from Councilman Peek regarding the proposals in front of you. Councilman Peek pointed out that the proposal from Rudroff furnace efficiency is 80% efficiency and the other two unit proposals have a 93% efficiency. He contacted Rudroff and to go with a 93% efficiency unit would raise the bid by \$1,600. He recommended amending to accept the bid from Comfort Systems in the amount of \$6,845 from the golf course rainy day fund. **Councilman Newell moved to amend to accept the bid from Comfort Systems in the amount of \$6845.00.** Councilman Finn seconded. All voted in favor of the amendment. Vote on the first reading, as amended, was recorded with all voting in favor. **Councilman Newell moved to hear the final reading.** Councilman Peek 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: 9, Mayor Davis, Councilmen Trutzel, Savage, Lathrop, Newell, Fletcher, VanWinkle, Finn, and Peek; Noes: None; Absent: None. Bill No. 2016-99, was declared passed and in full force and effect as Ordinance No. 2016-4263, as amended, subject to Mayoral veto.

RESOLUTIONS:

Ms. Ledford read Resolution 2016-31: **A RESOLUTION AUTHORIZING THE AFFIRMATIVE ASSENT OF THE CITY OF BELTON, MISSOURI ON THE QUESTION OF WHETHER LITTLE BLUE VALLEY SEWER DISTRICT SHOULD ISSUE REVENUE BONDS PAYABLE FROM REVENUES TO BE DERIVED FROM THE OPERATION OF THE LITTLE BLUE VALLEY SEWER SYSTEM IN AN AMOUNT NOT TO EXCEED TWENTY-MILLION DOLLARS (\$20,000,000) FOR THE PURPOSE OF IMPROVING, EXTENDING, OR REHABILITATING THE LITTLE BLUE VALLEY SEWER DISTRICT SYSTEM INCLUDING, BUT NOT LIMITED TO, ADVANCED AIR EMISSIONS CONTROLS FOR THE ATHERTON WASTEWATER**

TREATMENT FACILITIES. Presented by Councilman Trutzel, seconded by Councilman Savage. All voted in favor. Resolution passed.

OTHER BUSINESS:

Review of July 2016 Financial Report

Sheila Ernzen, Finance Director, reviewed the General Fund noting that revenues are falling short. She said it is still very early in the budget year. We anticipated sales tax to grow, but so far this year it has happened. She said she is still hopeful and wanted the Council to be aware. She also pointed out the General Fund fund balance did drop this month due entirely to paying the work comp and liability insurance which is paid once a year in July. We anticipate it to continue growing especially after property tax comes in. Ambulance revenue is up due to more ambulance calls but also due to electronic reporting which requires reports be complete when they are submitted to the insurance companies.

Update from Eagle's Landing Golf Course

Jay Kennedy – Golf Course Manager reported the golf course is having a very good year. Things are on track and forecast spot on. Things continue to look good for August as well. We budget front heavy for April-September realizing a majority of revenue in those 6 months. We give plenty of time to make adjustment if we fall short. We are right on pace. Our goal is to make sure we have next year's payment already in the bank and currently our only funding coming from the city to the golf course is only for debt service. That is how we stand. He went on to review the following:

- Water issue – we are working with Public Works staff to update our irrigation map and have digitized it so repairs needed are identified through the GIS and it's an added tool. It is 18 years old.
- We have 20 miles of PCP pipe, 700 sprinkler heads and 2 pumps to keep pressure up
- Our irrigation systems equal about 26% of pipe which is a vast and expansive system.
- We have a new water meter that is digitized so we can go online and look at meter usage which allows us to identify leaks within the system so we have a plan in place and are working through it as far as isolating and fixing all surface leaks as they come up.
- We are working with the street department on ADA compliant parking places – we currently have a bid for striping the parking lots. As we get a price will come back to Council but we don't expect it to be more than \$1,000.
- Our last project – water smart and water wise – will be bringing to Council a long term plan to consider converting our current fairways to warm season grass – zoysia grass which is a warm season grass. Blue grass takes a lot of water. We have 40 acres of fairways we maintain – it will reduce water consumption by 40% or more. Golf course average 28-30 million gallons of water and it would reduce it to 13 million gallons of water. It will cost about \$320,000 to strip in zoysia. The future goal is it would fully pay for the water. We see this in the horizon and we will see it in the CIP in future. We need to be proactive.

Councilman Finn said at \$320,000, it will cost a better part of a decade to make the change to zoysia. Councilman Fletcher asked about adding other features with the Park. Mr. Kennedy said they are still exploring options and talking with Shane DeWald, Park Director, and hope to ramp it up in spring.

At 8:02 P.M. Councilman Finn moved to enter Executive Session to discuss matters pertaining to the hiring, firing, disciplining or promotion of personnel, according to Missouri Statute 610.021.3, and that the record be closed. Councilman Peek seconded. The following vote was recorded: Ayes: 9, Mayor Davis, Councilmen Savage, Peek, Newell, Finn, Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: None.

The Council returned from Executive Session at 9:28 P.M. Being no further business, Councilman Lathrop moved to adjourn. Councilman Peek seconded. All voted in favor. Meeting adjourned.

Patti Ledford, City Clerk

Jeff Davis, Mayor