

**MINUTES OF THE BELTON CITY COUNCIL  
REGULAR MEETING  
JUNE 14, 2016  
CITY HALL ANNEX, 520 MAIN STREET  
BELTON, MISSOURI**

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

Councilman VanWinkle led the Pledge of Allegiance to the Flag.

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

**CONSENT AGENDA:**

Councilman Trutzel moved to approve the consent agenda consisting of a motion **approving the minutes of the May 24, 2016, City Council regular meeting; a motion approving Resolution R2016-22: a Resolution reappointing William Keeney to the Enhanced Enterprise Zone Board; a motion authorizing the Mayor to sign the Notice of Assignment from Municipal Asset Management, Inc., dated May 11, 2016, acknowledging that Municipal Asset Management has assigned all of its rights, title and interest in, to and under the Municipal Lease and Option Agreement between the City of Belton, Missouri and Municipal Asset Management, Inc., dated as of October 15, 2015 to the Martin 1991 Trust; and a motion authorizing the Mayor to sign the KCPL Facilities Extension Agreement related to the Cedar Tree lift station removal project.** Councilman Lathrop seconded. All present voted in favor. Councilman Savage absent. Consent agenda approved.

Mayor Davis said due to the necessity of approving Resolution R2016-24 before Ordinance 2016-70, the resolutions will be presented first on this week's agenda.

**RESOLUTIONS:**

Patti Ledford, City Clerk read Resolution R2016-23: **A RESOLUTION APPROVING AND AUTHORIZING TASK AGREEMENT NO. 10 WITH SUPERIOR BOWEN ASPHALT COMPANY, LLC IN A NOT TO EXCEED AMOUNT OF \$1,275,217.00 TO COMPLETE THE FY17 STREET PRESERVATION PROGRAM AND THE ASPHALT ADA COMPLIANCE WORK.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Vote on the resolution was recorded with all present voting in favor. Councilman Savage absent. Resolution passed.

Ms. Ledford read Resolution R2016-24: **A RESOLUTION APPROVING AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BELTON AND LOCAL NO. 42 – INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, SPECIFICALLY ARTICLES IV, XII, XIII, XVI, XX, XXII, XXV, AND APPENDICES C, E, F, G.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. All present voted in favor. Councilman Savage absent. Resolution passed.

**ORDINANCES:**

Ms. Ledford read Bill No. 2016-66: **AN ORDINANCE APPOINTING RYAN FINN TO FILL THE UNEXPIRED TERM OF SCOTT VON BEHREN, WARD 1 CITY COUNCILMAN.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Vote on the first reading was recorded with all voting in favor. Councilman Savage absent. **Councilman Lathrop moved to hear the final reading.** Councilman Trutzel seconded. All voted in favor. Councilman Savage absent. The final reading was read. Presented by Councilman Lathrop, seconded by Councilman Newell. The Council was polled and the following vote recorded; Ayes: 7, Mayor Davis, Councilmen Newell, Peek, Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-66 was declared passed and in full force and effect as Ordinance No. 2016-4229, subject to Mayoral veto.

Mayor Davis said there were four very qualified candidates that applied for the vacancy.

Patti Ledford, City Clerk, administered the oath of office to newly appointed Councilman Ryan Finn. He took his seat at the Council table.

Ms. Ledford gave the final reading of Bill No. 2016-62: **AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO ALLOW, AN ELECTRONIC MESSAGE CENTER SIGN FOR THE PHILLIPS 66 MINIT-MART, LOCATED IN A C-2 (GENERAL COMMERCIAL) DISTRICT, ADDRESSED AS 500 E NORTH AVENUE, BELTON, MISSOURI.** Presented by Councilman Lathrop, seconded by Councilman Trutzel. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Lathrop, VanWinkle, Peek, Fletcher, Mayor Davis, Councilmen Trutzel, Finn, and Newell; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-62 was declared passed and in full force and effect as Ordinance No. 2016-4230, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-63: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING A MUNICIPAL AGREEMENT WITH MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION SPLITTING COST EQUALLY BETWEEN THE CITY OF BELTON, MISSOURI, THE CITY OF GRANDVIEW, MISSOURI, AND THE CITY OF KANSAS CITY, MISSOURI FOR AESTHETIC TREATMENTS FOR THE INTERCHANGE IMPROVEMENTS AT 155<sup>TH</sup> STREET.** Presented by Councilman Trutzel, seconded by Councilman Fletcher. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Newell, Trutzel, Mayor Davis, Councilmen Lathrop, Finn, VanWinkle, Peek, and Fletcher; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-63, was declared passed and in full force and effect as Ordinance No. 2016-4231, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-64: **AN ORDINANCE APPROVING AND AUTHORIZING THE REAPPROPRIATION AND REVISION OF THE CITY OF BELTON FISCAL YEAR 2017 ADOPTED CITY BUDGET IN THE STREET FUND (225) TO MOVE FUNDS FROM STREET RAINY DAY TO STREET SIGN MAINTENANCE TO UPGRADE TRAFFIC SIGNAL ON MARKEY PARKWAY AT THE ENTRANCE TO MENARDS.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Peek, Lathrop, Fletcher, Mayor Davis, Councilmen Finn, Trutzel, VanWinkle, and Newell; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-64, was declared passed and in full force and effect as Ordinance No. 2016-4232, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2016-65: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING AN ON-CALL ENERGY**

**CONSULTATION PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENERGY SOLUTIONS, INC. DBA 360 ENERGY ENGINEERS, LLC.** Presented by Councilman Trutzel, seconded by Councilman Newell. The Council was polled and the following vote recorded; Ayes: 8, Mayor Davis, Councilmen Peek, Newell, Fletcher, Lathrop, Trutzel, Finn, and VanWinkle; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-65, was declared passed and in full force and effect as Ordinance No. 2016-4233, subject to Mayoral veto.

Ms. Ledford read Bill No. 2016-67: **AN ORDINANCE APPROVING AND AUTHORIZING THE REAPPROPRIATION AND REVISION OF THE CITY OF BELTON FISCAL YEAR 2017 ADOPTED CITY BUDGET IN THE STREET FUND (225) TO MOVE FUNDS FROM STREET RAINY DAY TO STREET PRESERVATION AND ADA COMPLIANCE IMPROVEMENTS LINE ITEMS.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Councilman Newell said although he understands the ADA compliance he feels it may not have been fully thought out or figured out before now; but are we going to revise the budget each time or are we going to do something to get more on top of this. Zach Matteo, City Engineer, said as far as revisiting this in terms of this building (City Hall Annex) and City Hall there are future discussions to be had on future facilities and buildings. There are parades, and other park events that will need to be considered, but for now these are the two we are starting with, City Hall and City Hall Annex. We budgeted a certain amount and tried to be as productive with the money we had. We determined we really needed more at both buildings to be fully ADA compliant. Mr. Matteo said in the future we will plan on it in the budget. Councilman Lathrop said he understands needing more money, but \$123,000 is a big mistake – did we miss that much that needs to be done. Mr. Matteo said the reality is we need more than even the amount we are requesting. We are trying to allocate available dollars for the work we can do, we pulled out some items and created a change in the total. The funds are available in the rainy day account and the recommendation is to spend it as soon as we can and get streets improved. Mayor Davis said he is glad to see money from chip and seal pulled. We need to get organized ahead of time and not just use money in the rainy day account. Vote on the first reading was then recorded with all present voting in favor. Councilman Savage absent. **Councilman Lathrop moved to hear the final reading.** Councilman Trutzel seconded. All present voted in favor. The final reading was read. Presented by Councilman Lathrop, seconded by Trutzel. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Newell, Finn, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, and Peek; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-67 was declared passed and in full force and effect as Ordinance No. 2016-4234, subject to Mayoral veto.

Ms. Ledford read Bill No. 2016-68: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING CHANGE ORDER #2 WITH TERRY SNELLING CONSTRUCTION, INC. IN THE NOT-TO EXCEED AMOUNT OF \$25,000 TO COMPLETE THE CONCRETE PORTION OF THE ADA COMPLIANCE IMPROVEMENTS PROJECT.** Presented by Councilman Trutzel, seconded by Councilman Fletcher. Vote on the first reading was recorded with all present voting in favor. Councilman Savage absent. **Councilman Lathrop moved to hear the final reading.** Councilman Trutzel seconded. All present voted in favor. The final reading was read. Presented by Councilman Lathrop, seconded by Councilman Fletcher. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Trutzel, Lathrop, Newell, Fletcher, VanWinkle, Peek, Finn, and Mayor Davis; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-68, was declared passed and in full force and effect as Ordinance No. 2016-4235, subject to Mayoral veto.

Ms. Ledford read Bill No. 2016-69: **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 COMPLETE THE DOCUMENTATION NECESSARY FOR DONATION OF A PIECE OF CITY RIGHT-OF-WAY THROUGH A PREVIOUSLY APPROVED QUITCLAIM DEED TO THE STATE OF MISSOURI ACTING BY AND THROUGH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION.** Presented by Councilman Newell, seconded by Councilman Lathrop. Vote on the first reading was recorded with all present voting in favor. Councilman Savage absent. **Councilman Lathrop moved to hear the final reading.** Councilman Trutzel 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, Mayor Davis, Councilmen Trutzel, Lathrop, Newell, Fletcher, VanWinkle, Peek, and Finn; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-69, was declared passed and in full force and effect as Ordinance No. 2016-4236, subject to Mayoral veto.

Norman Larkey, Fire Chief, requested both readings of Bill No. 2016-70.

Ms. Ledford read Bill No. 2016-70: **AN ORDINANCE APPROVING THE RE-APPROPRIATION & REVISION OF THE FISCAL YEAR 2017 ADOPTED CITY BUDGET.** Presented by Councilman Lathrop, seconded by Councilman Trutzel. Vote on the first reading was recorded with all present voting in favor. Councilman Savage absent. **Councilman Lathrop moved to hear the final reading.** Councilman Fletcher seconded. All present voted in favor. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Lathrop. The Council was polled and the following vote recorded; Ayes: 8, Councilmen VanWinkle, Trutzel, Lathrop, Newell, Fletcher, Finn, Peek, and Mayor Davis; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-70, was declared passed and in full force and effect as Ordinance No. 2016-4237, subject to Mayoral veto.

Ms. Ledford read Bill No. 2016-71: **AN ORDINANCE APPROVING THE FINAL PLAT OF TRADITIONS – 1<sup>ST</sup> PLAT, A PART OF GOVERNMENT LOT 2, OF THE SW ¼ OF SECTION 18, TOWNSHIP 46, RANGE 32, A 49.40-ACRE TRACT OF LAND, LOCATED DIRECTLY ON THE EAST SIDE OF S. MULLEN ROAD, AND SYCAMORE DRIVE, IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Jay Leipzig, Economic Development Director, gave a quick introduction on the following two items. The first one is approval of the final plat, the second item is approval of the development and maintenance agreement. He said the Mullen Road infrastructure is already in place and was approved in 2007. The development team is interested in getting this completing. The Planning Commission approved this in May, and it was discussed at the May 16 Council work session. Councilman Lathrop asked if there is any reason why we can't do both readings tonight. Mr. Leipzig said timing is critical and they want to get closed on the property, so both readings would be great. Vote on the first reading was recorded with all voting in favor. Councilman Savage absent. **Councilman Lathrop moved to hear the final reading.** Councilman Trutzel seconded. All voted in favor. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Fletcher. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Peek, VanWinkle, Mayor Davis, Councilmen Newell, Fletcher, Trutzel, Lathrop, and Finn; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-71 was declared passed and in full force and effect as Ordinance No. 2016-4238, subject to Mayoral veto.

Ms. Ledford read Bill No. 2016-72: **AN ORDINANCE APPROVING THE DEVELOPMENT AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF BELTON, MISSOURI AND DEVELOPER SALLEE REAL ESTATE INVESTMENTS, LLC REGARDING THE FIRST PHASE OF THE TRADITIONS SUBDIVISION FOR REPAIRING, REPLACING AND MAINTAINING CERTAIN PUBLIC**

**INFRASTRUCTURE, INSTALLING CERTAIN TEMPORARY STORM WATER FACILITIES AND DEFINING CERTAIN RESTRICTIONS IN THE DEVELOPMENT.**

Presented by Councilman Trutzel, seconded by Councilman Peek. Mayor Davis asked Zach Matteo, City Engineer, if he is comfortable with everything infrastructure wise. Mr. Matteo said yes. Vote on the first reading was approved with all present voting in favor. Councilman Savage absent. **Councilman Fletcher moved to hear the final reading.** Councilman Trutzel seconded. All voted in favor. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Newell. Mayor Davis said this is the first big housing development in Belton in years. Jay Leipzig, Economic Development Director said since 2006. He said we have 40 building permits completed and another 15 permits we are reviewing. Mayor Davis congratulated the Sallee Group and said we are happy they are coming to our town. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Peek, Lathrop, Mayor Davis, Trutzel, Fletcher, VanWinkle, Finn and Newell; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-72 was declared passed and in full force and effect as Ordinance No. 2016-4239, subject to Mayoral veto.

**Ms. Ledford gave the first reading of Bill No. 2016-73: AN ORDINANCE AUTHORIZING THE CITY COUNCIL TO APPROVE A WATER SHUT-OFF AGREEMENT FOR NON-PAYMENT OF SEWER SERVICES BETWEEN THE CITIES OF BELTON AND RAYMORE, MISSOURI TO FACILITATE AND COORDINATE PROVIDING SANITARY SEWER TO PROPERTIES ADJACENT TO THE CITY OF BELTON.**

Presented by Councilman Trutzel, seconded by Councilman Peek. Councilman Peek asked how this will be billed. Zach Matteo, City Engineer, said this resident is on Raymore water and Belton sewer. City Code specifies higher rates for outside city customers. The water will be read by Raymore and the gallons provided to city utility billing and finance department and we will follow our code for outside customers. The bill will go directly to the resident. There was discussion on the billing. Megan McGuire, City Attorney, pointed out that the City has public water supply customers; this just happens to be the first Raymore customer. We do have procedures in place and it is organized. Mayor Davis asked if we anticipate this being often. Mr. Matteo said no. Councilman Lathrop had a few questions pertaining to the wording and reference to adjacent properties and the 4" line. Mr. Matteo said referring to the agreement between Belton and Raymore for future requests but this is for only the one customer for a 4" line. Vote on the first reading was recorded with all present voting in favor. Councilman Savage absent. First reading passed.

**Ms. Ledford read Bill No. 2016-74: AN ORDINANCE APPROVING THE VACATION OF AN UNUSED UTILITY EASEMENT AT 234 PECULIAR DRIVE LOCATED IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.**

Presented by Councilman Lathrop, seconded by Councilman Trutzel. Vote on the first reading was recorded with all voting in favor. Councilman Savage absent. First reading passed.

**CITY COUNCIL LIAISON REPORTS:**

Councilman Peek said she attended her first Tree Board meeting on Thursday. Mayor Davis said the Tree Board is doing a lot and he is proud of them.

Councilman Peek said there is a Park Board meeting next Monday.

Councilman Newell said there is a Code Advisory meeting tomorrow night.

**MAYOR'S COMMUNICATIONS:**

Said he attended the Junk in Trunk on Saturday and it was hot and made the following announcements:

- Car show on June 25
- Community Days carnival rides start tomorrow and booths and vendors Friday and Saturday
- Community Days Parade 10:00 A.M. Saturday

Mayor Davis said he and Councilman Fletcher visited some residents that had sewer back up problems. A couple of constituents are in a bad way. An 84 year-old women doesn't have the correct insurance and is in a bad way as far as the house and probably shouldn't be living there. Her air conditioning and water heater are not working because of the back-up. Mayor Davis said there is a heat advisory and we need to check on them and others in the community and also reminded people about protecting their pets in this heat and not to leave kids or animals in cars. There is a concentrated effort in the nation not leave kids in car. We want to make sure to keep everyone in the community safe.

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

Bob Miller, Belton Emergency Management Director reported on BEMA activities –

- June 1 - State came in and changed the way we are doing business on operations plan. they reviewed ours - we got an A+ rating. Working hard getting back on keel. He couldn't do it without the help from all the departments knowing their responsibilities.
- He and Jeff Fisher working on a debris management program in case have major storm. With this agreement working on City get more reimbursement then not having it. Might take a few more months to get the state to get it approved.
- We have had a mild storm season – we have activated the EOC three times this year. Fully staffed, running through state web EOC.
- Cass County areas group that goes out on storms on amateur 2 meters
- Just completed volunteers CPR training
- Completed professional series with State and Federal, they came out with advanced classes
- Working on a fire squad team to assist fire department on requests if the fire department would ask for it.
- Community Days this week – we will be doing night security Thursday and Friday and helping Police Department with traffic control on Saturday.
- Contacted national weather bureau - will be getting a briefing each day in case we have any severe weather. Will call every morning to give weather update.
- Got with Jay Kennedy, Golf Course Manager, and Jimmy Joe Mosby, BCPI, we have a plan of action to get people out of the park. If we have to evacuate Eagles Landing gave us a key so we can get kids in the basement for shelter if needed.
- This Thursday going to Oak Grove for a new Red Cross program - Shelter in site, might be doing a lot of the set up.
- Monday will go to Nevada for appliance workshop for grant funding. Will bring back for Mayor and Ron to sign.
- Hope storms stay away but we are ready if they come.

Councilman Lathrop asked at what point does the school open its storm shelter during a storm. James Person, Police Chief, said according to the plan when the warning is issued for this area that is when they will open the shelter. Councilman Trutzel asked who will open the school. Chief Person said the school has personnel they have assigned and the list of those individuals is

in our dispatch center. If no one is available the Superintendent has said he will open it himself. They have indicated they will respond within 5 minutes.

Mayor Davis said he appreciates the efforts of the emergency management department. Everyone is doing a great job.

Ron Trivitt, City Manager, said there is a TIF meeting at 7:00 P.M. tomorrow night. Brad Foster, Assistant City Manager, said the main topic is an outstanding TIF that the developer lost to the bank when the economy went downhill. It's a request to take it off the books.

**OTHER BUSINESS:**

Councilman Trutzel commended the city clean-up over the weekend and asked how much it costs the city. Mr. Foster said dumpsters cost around \$14,000 each but he is not sure of the labor cost. Councilman Trutzel said he had a lot of people comment they did a super job and how positive it was.

Councilman Trutzel said there was an incident in his neighborhood. There were three kids out at 3:00 a.m. and he just wanted to remind people there is a curfew and police were called to check on these kids.

Councilman Trutzel said Operation 21 is gathering steam around the Kansas City which pertains to raising the legal age to purchase cigarettes and tobacco and it is something we may want to consider.

Councilman Newell said he was down at city trash days and echoes Councilman Trutzel's sentiment, it is a very well run machine. They did a great job.

Being no further business, Councilman Lathrop moved to adjourn at 7:56 P.M. Councilman Trutzel seconded. All present voted in favor. Meeting adourned.

---

Patti Ledford, City Clerk

---

Jeff Davis, Mayor