

**MINUTES OF THE
BELTON CITY COUNCIL
SPECIAL MEETING
FEBRUARY 21, 2017
CITY HALL ANNEX, 520 MAIN STREET
BELTON, MISSOURI**

Mayor Davis called the special meeting to order at 8:06 P.M.

Councilman Trutzel 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 Van Winkle; Also present: Acting City Manager, Alexa Barton; 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 January 24, 2017, City Council Regular Meeting; a motion approving the January 2017 Municipal Police Judge's Report; a motion approving the purchase of one (1) new skid steer breaker attachment from Rex Spencer in the amount of \$6,000.00 for the Transportation Department; and a motion approving Resolution R2017-03: A Resolution authorizing the City Council of Belton, Missouri to appoint Patricia Porter to serve on the Belton Tree Board.** Councilman Peek seconded. All voted in favor. Consent agenda approved.

ORDINANCES:

Patti Ledford, City Clerk, gave the final reading of Bill No. 2017-10: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING AN AGREEMENT TO PYRAMID EXCAVATION AND CONSTRUCTION, INC. FOR THE EAST PACIFIC PROJECT INCLUDING STORMWATER DRAINAGE IMPROVEMENTS AND WATERLINE REPLACEMENTS IN THE AMOUNT OF \$632,355.00.** Presented by Councilman Savage, seconded by Councilman Finn. Alexa Barton, Acting City Manager, addressed a question from the last meeting regarding the bids. She said the table within the provision of information form made it appear as though there was separation in storm water when in all actuality that column shows the funding that would come from storm water and the funding that would come from water. This project was bid as an all or nothing bid. The recommendation is to go with the low \$632,355 bid with Pyramid Excavation with a breakout of costs going to those two separate funds. Councilman Lathrop commented that in the future he thinks we should have separate bids and if we don't like them then we can have all in one because if each one would have been bid separately we probably could have saved \$50,000. Ms. Barton said note taken and we will look at those projects as they come forward to determine the best method to bid those. Vote on the final reading was recorded: Ayes: 9, Mayor Davis, Councilmen Savage, Newell, Peek, Fletcher, Finn, Lathrop, Trutzel, and Van Winkle; Noes: None; Absent: None. Bill No. 2017-10 was declared passed and in full force and effect as Ordinance No. 2017-4309, subject to Mayoral veto.

Ms. Ledford read Bill No. 2017-11: **AN ORDINANCE ACCEPTING A DONATION FROM AUSTIN AND ROBERTA LANDRETH FOR THE PURCHASE OF A NEW TELEVISION FOR FIRE STATION #1 AND APPROVING A RE-APPROPRIATION AND REVISION OF THE FISCAL YEAR 2017 ADOPTED CITY BUDGET TO PROPERLY ACCOUNT FOR THE DONATION AND EXPENDITURE.** Presented by Councilman Lathrop, seconded by Councilman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford read Bill No. 2017-12: **AN ORDINANCE AUTHORIZING THE CHIEF OF POLICE TO SUBMIT FOR GRANT APPLICATIONS TO THE MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT) DIVISION OF HIGHWAY SAFETY FOR 2017-2018.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Vote on the first reading was recorded with all voting in favor. **Councilman Newell moved to hear the final reading.** Councilman Lathrop seconded. All voted in favor. The final reading was read. Presented by Councilman Finn, seconded by Councilman Peek. The Council was polled and the following vote recorded; Ayes: 9, Mayor Davis, Councilmen Trutzel, Savage, Lathrop, Newell, Fletcher, Van Winkle, Finn and Peek; Noes: None; Absent: None. Bill No. 2017-12 was declared passed and in full force and effect as Ordinance No. 2017-4310, subject to Mayoral veto.

Ms. Ledford read Bill No. 2017-13: **AN ORDINANCE APPROVING AN ACQUISITION FUNDING AGREEMENT BETWEEN THE CITY OF BELTON, MISSOURI, AND BELTON 58 CHOPPER, LLC. FOR RIGHT-OF WAY ACQUISITION.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford read Bill No. 2017-14: **AN ORDINANCE AMENDING SECTIONS: 42-36, RATES INSIDE THE CITY; 42-38, WATER RATES FOR APPROVED WATER DISTRICTS OR LOCAL GOVERNMENTS; 42-39, RATES FOR WATER CONSUMED OUTSIDE CITY; 42-296, SEWER SYSTEM USER RATES; OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF BELTON, MISSOURI.** Presented by Councilman Lathrop, seconded by Councilman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford read Bill No. 2017-15: **AN ORDINANCE APPROVING THE ENGAGEMENT OF TROUTT, BEEMAN AND COMPANY TO AUDIT THE CITY FINANCIAL RECORDS FOR FISCAL YEAR 2017.** Presented by Councilman Lathrop, seconded by Councilman Peek. Councilman Peek asked if this ever goes out for bid. Sheila Ernzen, Finance Director, said it did before she got here. Ms. Ernzen said the reasoning is if you change audit firms, the costs are probably going to be increased because they have a learning curve and it ends up being a higher cost. If council wants to do an RFP, we can, although we are getting too close for this year. We could plan on it for the next fiscal year. Mayor Davis said he can understand what the Councilman's concern is – if we are making a mistake somewhere we keep replicating it over and over year to year. It happened in the county. Ms. Ernzen said the county issue had to do with a process within their office that the state auditor's office would look at, not an outside audit firm. This is different. Ms. Ernzen said this audit firm is looking at our financial statements and making an opinion that they are materially correct. Based on an organization's size there are rules and formulas that have to be followed to determine materiality. They are looking at those numbers on a financial statement. With TIF information none of those numbers show up on a financial statement anywhere. Councilman Van Winkle asked Ms. Barton if she has an opinion or if there is a rule of thumb. Ms. Barton said typically when she would take a look at rebidding auditing services she would take a look at the reports we have been receiving, how long the

contract is we had, and if there were any renewals. As long as there are renewal options within a contract and the entity is happy with contract services we have been receiving, then she would continue to go with that company. If there were some issues with it or they changed the organization or we went with a company not used to governmental accounting, then we need to be careful. You need to be careful when you are putting these type of services out for bid. You want a company that is competent, experienced and educated in the line of governmental accounting. What Sheila is saying is correct, but if you want to see what those rates are we can put it out for bid, but we need to take a look at the qualifications. The current auditing firm is pretty outstanding in the field of governmental accounting. Councilman Trutzel asked if there has ever been a problem. Ms. Ernzen said no. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford read Bill No. 2017-16: **AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AUTHORIZING AND APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO SERVICE AGREEMENT FOR ON-CALL WATER, WASTEWATER, AND STORMWATER SERVICES BETWEEN THE CITY OF BELTON AND WIEDENMANN, INC.** Presented by Councilman Finn, seconded by Councilman Peek. Councilman Savage said the report said there was trouble getting bids. Councilman Savage he's ok with a one year agreement, but this one has four, one year extensions. He thought we should eliminate this. Michael Doi, Public Works Director, said it was out for bid twice. The first time it was sent to 7 contractors and we only got two bids back. We put it out for bid again only got one bid back. At a Council meeting in January, Pyramid and Precision were approved, so Wiedenmann will be the third. Vote on the first reading was recorded with all voting in favor. First reading approved.

Ms. Ledford read Bill No. 2017-17: **AN ORDINANCE AMENDING APPENDIX A PART I. - CODE OF ORDINANCES OF THE CITY OF BELTON MO AMBULANCE CHARGES FOR SERVICES.** Presented by Councilman Trutzel, seconded by Councilman Peek. Mayor Davis said he has discussed this with Ms. Barton and Ms. Ernzen. Ms. Ernzen said there were a lot of questions at the work session and we think they have all been addressed with the information included in the packet. We have a cost of about \$5.9 million for providing EMS service and under our current rate structure we are collecting approximately \$1.5 million in fees. That means the citizens are making up about \$4.7 million through taxes. This rate increase would generate an additional \$85,000. The reason we can't cover all of that cost is we have a lot of Medicaid/Medicare patents. We are trying to lessen the burden on taxpayers. Ms. Ernzen said it is important to note that the government will do a survey to find out what municipalities and districts are charging and they will use that to drive up costs to what they will pay. These rate increases are included in the budget which will have a public hearing on March 7. There was discussion. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford read Bill No. 2017-18: **AN ORDINANCE APPROVING THE REAPPROPRIATION & REVISION OF THE CITY OF BELTON FISCAL YEAR 2017 ADOPTED CITY BUDGET FOR THE PURPOSE OF REPLACING THE ANALOG VIDEO SYSTEM IN COUNCIL CHAMBERS.** Presented by Councilman Trutzel, seconded by Councilman Peek. All voted in favor of the first reading. **Councilman Trutzel moved to hear the final reading.** Councilman Finn seconded. All voted in favor. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Peek. Councilman Trutzel said he has heard from a lot of people that they miss watching the Council meetings. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Savage, Trutzel, Finn, Fletcher, Lathrop, Mayor Davis, Councilmen Van Winkle, Peek and Newell; Noes: None; Absent: None. Bill No. 2017-18 was declared passed and in full force and effect as Ordinance No. 2017-4311, subject to Mayoral veto.

Ms. Ledford read Bill No. 2017-19: **AN ORDINANCE APPROVING THE REAPPROPRIATION & REVISION OF THE CITY OF BELTON FISCAL YEAR 2017 ADOPTED CITY BUDGET FOR THE PURPOSE OF PURCHASING FOUR (4) DURESS BUTTONS FOR CITY HALL AND THE CITY HALL ANNEX.** Presented by Councilman Savage, seconded by Councilman Peek. Ms. Ernzen said Midwest Public Risk (MPR) has safety money we can use to pay for this. It is reimbursed 100%. We have had some intense situations at city hall. We had panic buttons at one time and we feel like it's time to get new panic buttons. It ties into the police station security system. Vote on the first reading was recorded with all voting in favor. **Councilman Lathrop moved to hear the final reading.** Councilman Trutzel seconded. All voted in favor. The final reading was read. Presented by Councilman Savage, seconded by Councilman Lathrop. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Finn, Trutzel, Savage, Lathrop, Newell, Fletcher, Van Winkle, Peek, and Mayor Davis; Noes: None; Absent: None. Bill No. 2017-19 was declared passed and in full force and effect as Ordinance No. 2017-4312, subject to Mayoral veto.

Ms. Ledford read Bill No. 2017-20: **AN ORDINANCE APPROVING THE FINANCIAL SERVICES AGREEMENT BETWEEN PIPER JAFFRAY & CO AND THE CITY OF BELTON, MISSOURI TO EVALUATE BOND ISSUANCE TERMS AND TRANSACTION MANAGEMENT WITH RESPECT TO THE PLANNED ISSUANCE OF SERIES 2017 REFUNDING CERTIFICATES OF PARTICIPATION AND GENERAL OBLIGATION REFUNDING BONDS.** Presented by Councilman Trutzel, seconded by Councilman Savage. All voted in favor of the first reading. **Councilman Lathrop moved to hear the final reading.** Councilman Savage seconded. All voted in favor. The final reading was read. Presented by Councilman Savage, seconded by Councilman Peek. The Council was polled and the following voted recorded: Ayes: 9, Councilmen Newell, Finn, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, Van Winkle, Peek, and Savage; Noes: None; Absent: None. Bill No. 2017-20 was declared passed and in full force and effect as Ordinance No. 2017-4313, subject to Mayoral veto.

CITY COUNCIL LIAISON REPORTS:

Councilman Newell said the Codes Committee met recently and met the new building official, Jim Brown. They all liked the way he presented himself.

MAYOR'S COMMUNICATIONS:

Mayor Davis said he attended the day prayer for first responders. Chief Forte was the guest speaker. There was a great response.

The Sewer plant had a fire in one of its panels. Ms. Barton said they have a great crew. The Fire department was right there and staff did what they needed to do. It ended up being a control. This control panel controlled a lot of our alarms. It did what it was supposed to do- it popped the circuit breaker. In an hour it was up and running. She learned we would be okay for about 24 hours, but after that there'd be problems. They had it up and running within an hour. She can't say enough about the public works department. They all pulled together as a team. They ended up taking shifts and worked 24-7 around the clock for a week. She gave kudo's to Michael Doi, Public Works Director, and his staff as well as Don Tyler and Rex Olinger. Norman Larkey, Fire Chief, said it was a mutual aid call.

Mayor Davis mentioned the power outage on 155th Street. Mr. Doi said about 300 customers were without service. Unfortunately, there was no communication from KCP&L about this. Ms. Barton said she is going to make some connections and see if we can improve communication.

CITY MANAGER’S REPORT:

In the last week we were targeted with Ransomware. There was quick action from our IT staff and the teamwork was great. Ryan Vaughn from GIS along with Ryan Countryman in IT utilized Net Standard and ended up going through checking each computer. It was pretty exhausting and stressful. Councilman Trutzel asked if it was reported. Police Chief James Person said there are thousands of these targets. Ms. Ernzen said we are a government and we get emails from people we don’t know all the time. Ms. Barton said there was a reminder sent to staff of safety steps and tips.

Ms. Barton informed the Council the city joined the Municipal Officials Training out of St. Louis. On March 23 there is a Right-of-Way and Telecom webinar. Every employee can participate in the webinars.

OTHER BUSINESS:

Review of January 2017 financial report:

Ms. Ernzen reported it is almost the end of the fiscal year. We are still ahead of what we anticipated for building permits, ambulance bills, and occupational licenses. We have received more from HIDA grants and the Victim advocate grant. We have a negative variance on sale tax for electric utility property tax and gas. We are \$143,000 behind on revenues. We do have a rainy day account balance, however, tonight the Council voted for an AV system and it will reduce the rainy day amount. We have approximately an \$86,000 shortfall in capital improvement.

At 8:56 P.M. Councilman Savage moved to enter Executive Session to discuss matters pertaining to legal actions, according to Missouri Statute 610.021.1; to discuss matters pertaining to leasing, purchase or sale of real estate, according to Missouri Statute 610.021.2; to discuss matters pertaining to the hiring, firing, disciplining or promotion of personnel, according to Missouri Statute 610.021.3; and to discuss matters pertaining to preparation, including any discussion 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 Peek seconded. The following vote was recorded: Ayes: 9, Mayor Davis, Councilman Savage, Peek, Newell, Finn, Fletcher, Lathrop, Trutzel, and Van Winkle; Noes: None; Absent: None.

The Council returned from Executive Session at 10:06 P.M. Being no further business, Councilman Peek moved to adjourn. Councilman Lathrop seconded. All voted in favor. Meeting adjourned.

Patti Ledford, City Clerk

Jeff Davis, Mayor

