

**MINUTES OF THE  
BELTON CITY COUNCIL MEETING  
JANUARY 24, 2017  
CITY HALL ANNEX  
520 MAIN STREET  
BELTON, MISSOURI**

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

Councilman Peek led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Jeff Davis, Councilmen Ryan Finn, Jeff Fletcher, Gary Lathrop, Bob Newell, Lorrie Peek, Chet Trutzel, and Dean Van Winkle; Absent: Councilman Tim Savage. Also present: Alexa Barton, Assistant 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 January 10, 2017, City Council Regular Meeting; and a motion approving the December 2016 Municipal Police Judge's Report.** Seconded by Councilman Trutzel. All present voted in favor of the consent agenda. Councilman Savage absent. Consent agenda approved.

**PERSONAL APPEARANCES:**

**Cynthia Randazzo**, Cass Community Health Foundation (2316 E Meyer Blvd, KCMO) – appeared before the Council to request road closure May 6, 2017, for the 23<sup>rd</sup> Annual 5K Walk/Run for Health, sponsored by Belton Regional Medical Center and Cosentino's Price Chopper. Police Chief James Person said Ms. Randazzo has served on the Board of Cass Community Health Foundation. For the last 22 years the walk for health started at the hospital and has been the major fundraiser for Cass Community Health Foundation. This year they are going in a little different direction in that this year includes a run. Ms. Randazzo said some of the changes include moving from a 4 mile walk to 5k run/walk. We have not requested street closure in the past and this year we do not want to close them for a long period of time, but there will be some crossover traffic to main intersections to stop and pause the traffic. In the Council packets is a proposed map of the new course. We are still starting at Belton Regional Medical Center. We don't anticipate any issues. We will utilize volunteers for key intersections and they will have safety vests and will go through training class. We have provided a certificate of insurance naming the city as insured. Even though we are not closing the streets we are requesting authorization from the Council to move ahead with the event in the new format. Mayor Davis said this is a great cause and asked how many participants they had in the past. Chief Person said about 400 over the years and we are anticipating at least that many walkers. Kevin Wood, former Harrisonville Mayor, is chair of the event this year. The honorary chair of the event this year is Chase Kauffman. Mayor Davis volunteered Councilman Finn to get teams together. **Councilman Lathrop moved to approve the Cass Community Health Foundation**

**5K Walk/Run for Health on Saturday, May 6, 2017 at 8:00 a.m.** Councilman Peek seconded. All present voted in favor. Councilman Savage absent. Motion carried.

**Richard Smith**, (6405 Trott Road, Belton) Downtown Belton Main Street, Inc (408 Main Street, Belton) appeared before the Council to request road closed for the 2017 Cruisin' Main Street Car Cruises – April 22, May 27, June 24, July 22, August 26, September 23, & October 28, 2017; 3:00-9:00 pm; and a Car Show on October 8, 2017; 11:00 am – 5:00 pm. Any rainouts will be the following Saturday, barring any conflict. **Councilman Trutzel moved to approve the 2017 Cruisin' Main Street Car Cruises – April 22, May 27, June 24, July 22, August 26, September 23, & October 28, 2017; 3:00-9:00 pm; and a Car Show on October 8, 2017; 11:00 am – 5:00 pm, with any rainouts the following week, barring any conflict.** Councilman Fletcher seconded. All present voted in favor. Councilman Savage absent. Motion carried.

## **ORDINANCES:**

Ms. Ledford gave the final reading of Bill No. 2016-130: **AN ORDINANCE APPROVING THE PETITION TO AMEND THE FIRST AMENDED PETITION TO ESTABLISH THE GRAND HILL COMMUNITY IMPROVEMENT DISTRICT GENERALLY LOCATED EAST OF THE SOUTH OUTER ROAD OF INTERSTATE 49 ALONG GRAND STREET AND HILL STREET, ALL IN THE CITY OF BELTON, MISSOURI; AUTHORIZING COLLECTION OF SPECIAL ASSESSMENTS ON PROPERTIES LOCATED IN THE DISTRICT; AND DIRECTING THE CITY CLERK TO REPORT THE AMENDMENT AND AUTHORIZATION TO ASSESS A SPECIAL ASSESSMENT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT.** Presented by Councilman Trutzel, seconded by Councilman Peek. The Council was polled and the following vote recorded: Ayes: 8, Councilmen Trutzel, Finn, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, Peek, and Newell; Noes: None; Absent: 1, Councilman Savage. Bill No. 2016-130, was declared passed and in full force and effect as Ordinance No. 2017-4301, subject to Mayoral veto.

Ms. Ledford gave final reading of Bill No. 2017-01: **AN ORDINANCE AMENDING CHAPTER 1 – GENERAL PROVISIONS, SECTION 1-17 – GENERAL PENALTY AND CONTINUING VIOLATIONS OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI TO REVISE THE CITY CODES AND BE IN COMPLIANCE WITH THE MANDATES OF MISSOURI SENATE BILL 572 EFFECTIVE AUGUST 28, 2016.** Presented by Councilman Newell, seconded by Councilman Fletcher. Mayor Davis said he was informed today there may be some push back. Megan McGuire, City Attorney, said that is a possibility and if it does we will be back revising numbers. Councilman Lathrop said there is a group from the Cass County League of Cities going down to Jefferson City, February 14-15, to push for these changes. The Council was polled and the following vote recorded: Ayes: 8, Councilmen Finn, Peek, Lathrop, Mayor Davis, Councilmen Trutzel, Fletcher, VanWinkle and Newell; Noes: None; Absent: 1, Councilmen Savage. Bill No. 2017-01 was declared passed and in full force and effect as Ordinance No. 2017-4302, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2017-02: **AN ORDINANCE AMENDING CHAPTER 8 – COURTS AND JAILS OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI TO REVISE THE CITY CODES AND BE IN COMPLIANCE WITH THE MANDATES OF MISSOURI SENATE BILL 572 EFFECTIVE AUGUST 28, 2016.** Presented by Councilman Trutzel, seconded by Councilmen Lathrop. The Council was polled and the following vote recorded: Ayes: 8, Councilmen VanWinkle, Newell, Peek, Fletcher, Finn, Lathrop, Trutzel, and Mayor Davis; Noes: None; Absent: 1, Councilmen Savage.

Bill No. 2017-02 was declared passed and in full force and effect as Ordinance No. 2017-4303, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2017-03: **AN ORDINANCE AMENDING CHAPTER 14 – NUISANCES, ARTICLES I, II AND III OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI TO REVISE THE CITY CODES AND BE IN COMPLIANCE WITH THE MANDATES OF MISSOURI SENATE BILL 572 EFFECTIVE AUGUST 28, 2016.** Presented by Councilman Finn, seconded by Councilman Peek. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Peek, VanWinkle, Mayor Davis, Councilmen Newell, Finn, Fletcher, Trutzel, and Lathrop; Noes: None; Absent: 1, Councilmen Savage. Bill No. 2017-03 was declared passed and in full force and effect as Ordinance No. 2017-4304, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2017-04: **AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY’S ZONING MAP, FROM M-1 (LIGHT MANUFACTURING) TO C-2 (GENERAL COMMERCIAL), FOR A 1.07-ACRE TRACT OF LAND, LEGALLY DESCRIBED AS SECTION 18, TOWNSHIP 46, RANGE 32, ADDRESSED AS 234 PECULIAR DRIVE, IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.** Presented by Councilman Lathrop, seconded by Councilman Trutzel. The Council was polled and the following vote recorded: Mayor Davis, Councilmen Peek, Newell, Finn, Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: 1, Councilman Savage. Bill No. 2017-04 was declared passed and in full force and effect as Ordinance No. 2017-4305, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2017-06: **AN ORDINANCE AUTHORIZING THE CITY OF BELTON, MISSOURI THROUGH ITS POLICE DEPARTMENT TO ENTER INTO AN INSTALLATION AGREEMENT TO UPGRADE ANALOG CAMERAS WITH KENTON BROTHERS LOCKSMITHS, INC. TO COMPLETE THE CONVERSION TO ALL DIGITAL CAMERAS FOR THE BUILDING VIDEO SECURITY SYSTEM.** Presented by Councilman Finn, seconded by Councilman Peek. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Trutzel, Newell, Finn, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, and Peek; Noes: None; Absent: 1, Councilman Savage. Bill No. 2017-06 was declared passed and in full force and effect as Ordinance No. 2017-4306, subject to Mayoral veto.

Ms. Ledford read Bill No. 2017-08: **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 PRECISION CONSTRUCTION & CONTRACTING, LLC.** Presented by Councilman Trutzel, seconded by Councilman Peek. Alexa Barton, Assistant City Manager, said both readings are requested because of a safety issue and we need to make some repairs. Vote on the first reading was recorded with all voting in favor. Councilman Savage absent. **Councilman Newell moved to hear the final reading.** Councilman VanWinkle seconded. All present voted in favor. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Peek. The Council was polled and the following vote recorded; Ayes: 8, Councilmen Finn, Trutzel, Lathrop, Newell, Fletcher, VanWinkle, Peek, and Mayor Davis; Noes: None; Absent: 1, Councilman Savage. Bill No. 2017-08 was declared passed and in full force and effect as Ordinance No. 2017-4307, subject to Mayoral veto.

Ms. Ledford read Bill No. 2017-09: **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 PYRAMID EXCAVATION AND CONSTRUCTION, INC.** Presented by Councilman Lathrop, seconded by Councilman Newell. All voted in favor. Councilman Savage absent. **Councilman Finn moved to hear the final reading.** Councilman Peek 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 Newell, Finn, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, and Peek; Noes: None; Absent: 1, Councilman Savage. Bill No. 2017-09 was declared passed and in full force and effect as Ordinance No. 2017-4308, subject to Mayoral veto.

Ms. Ledford read 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 Trutzel, seconded by Councilman Peek. Councilman Lathrop said if Phase 1 is separate, the city could save \$16,000 with Redford Construction and \$57,000 on Phase 2 with Midwest Heavy. He asked why we were using Pyramid. Alexa Barton, Assistant City Manager, asked if it is an all or nothing bid. Michael Doi, Public Works Director, said he would have to check. But it makes for dealing with one contractor easier than dealing with two. Megan McGuire, City Attorney, said Pyramids QAP score was much higher and more concise and complete. Vote on the first reading was recorded with all present voting in favor. Councilman Savage absent. First reading passed.

#### **MAYOR'S COMMUNICATIONS :**

Mayor Davis announced that Chris Osterberg, former Belton Emergency Management Director is very ill and requested prayers for him.

The Polar Plunge is Saturday, January 28 and Mayor Pro Tem Fletcher has volunteered to take the Mayor's place. Mayor Davis said he donated \$100 today for the cause.

Belton Emergency Management Volunteer dinner is Saturday, January 28 at 7:00 at Memorial Station. He encouraged the Council to attend.

#### **OTHER BUSINESS:**

##### **Lot Line Adjustment requested by Mr. Todd Christy, 412 Bradford Lane, Belton**

Jay Leipzig, Community Development Director, said Mr. Christy is asking the City to convey about 1,500 feet of property so he can install a fence on his property. Mr. Leipzig said per Chapter 34 of the Unified Development Code, the Council can instruct the Planning Commission to hold a public hearing to consider the vacation of any public easement or right-of-way and that is what staff is recommending. Councilman Trutzel asked if there is a drainage easement. Mr. Leipzig said there is a drainage way. Councilman Newell asked if that would move the property into a flood plain. Mr. Leipzig said it will encroach on it. Councilman Newell asked if we have to get corps of engineers involved. Mr. Leipzig said no it will be a local review. Councilman Trutzel said we need to check closely on the flood control as it could cost them in the long run. Alexa Barton, Assistant City Manager, said we are trying to accommodate this fence on their property probably through an easement; a conveyance is probably not on the table. **Councilman Newell moved to approve the Planning Commission to hold a public hearing to consider the**

**vacation of any public easement or right-of-way.** Councilman Peek seconded. All voted in favor. Councilman Savage absent. Motion carried.

Police Chief James Person announced the DARE graduation is Thursday. Councilmen Fletcher and/or Councilmen Peek will read the proclamations.

Reminder next Tuesday is a 5<sup>th</sup> Tuesday and there will not be a City Council meeting.

At 7:39 P.M. Councilman Finn moved to enter Executive Session to discuss matters pertaining to Legal Actions, according to Missouri Statute 610.021.1, and that the record be closed. Councilman Fletcher seconded. The following vote was recorded; Ayes: 8, Mayor Davis, Councilmen Peek, Newell, Finn, Fletcher, Lathrop, Trutzel, and VanWinkle; Noes: None; Absent: 1, Councilman Savage.

The Council returned from Executive Session at 8:07 P.M. Being no further business, Councilman Lathrop moved to adjourn, seconded by Councilman Peek. All voted in favor. Councilman Savage absent. Meeting adjourned.

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Patti Ledford, City Clerk

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Jeff Davis, Mayor