

**MINUTES OF THE
BELTON CITY COUNCIL
REGULAR MEETING
MARCH 14, 2017
CITY HALL ANNEX
520 MAIN STREET
BELTON, MISSOURI**

Mayor Davis called the meeting to order at 7:01 P.M.

Councilman Lathrop 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: Alexa Barton, Acting City Manager; Megan McGuire, City Attorney; and Andrea Cunningham, Executive Secretary.

CONSENT AGENDA:

Councilman Lathrop moved to approve the consent agenda consisting of a **motion approving the minutes of the February 21, 2017, City Council Special Meeting; February 28, 2017, City Council Regular Meeting, and March 7, 2017, City Council Special Meeting.** Councilman Peek seconded. All voted in favor. Consent agenda approved.

PERSONAL APPEARANCES:

Mayor Davis recognized the Boy Scouts who were in the audience.

POLICE DEPARTMENT PRESENTATION OF 2016 DEPARTMENTAL AWARDS

Police Chief James Person said every year police department employees select a civilian employee of the year and a police officer employee of year. He presented Tabatha Talley with the 2016 Civilian Employee of the Year Award and Officer Tim Vogel with the 2016 Police Officer of the Year award. There was a recess for a reception to honor the award recipients.

Mayor Davis called the meeting back to order at 7:20 P.M.

ORDINANCES:

Andrea Cunningham, Executive Secretary, gave the final reading of Bill No. 2017-21: **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 and Danny and Phyllis Berry to facilitate and coordinate providing sanitary sewer to the Berry property adjacent to the City of Belton.** Presented by Councilman Savage, seconded by Councilman Peek. The Council was polled and the following vote recorded; Ayes: 9, Councilmen VanWinkle, Fletcher, Trutzel, Lathrop, Peek, Finn, Mayor Davis, Councilmen Newell, and Savage; Noes: None; Absent: None. Bill No. 2017-21 was declared passed and in full force and effect as Ordinances No. 2017-4321, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2017-22: **An ordinance determining the salary of the Police Chief position to be elected on April 4, 2017.** Presented by Councilman Lathrop, seconded by Councilman Peek. Councilman Fletcher said a few weeks ago there was discussion about the Police Chief's salary grade and steps and possibly writing the ordinance differently. Police Chief James Person said there is concern that the ordinance be written so as not to allow for the salary to arbitrarily change over the 4 year term. The salary has to be prescribed. There are two ways to do this – with prescribed step increases or take the 4 step amounts during the duration and average them and write the ordinance as a set amount each year. Writing it as a set amount each year would not be challenged. Ms. Alexa Barton, Acting City Manager, said the proposed amended ordinance is an averaged set amount for each year. The average amount amendment does not allow for a COLA. The Mayor asked if Chief Person is on the City insurance. He said yes, the code allows for full-time elected officials to be on the insurance. Councilman Savage said he didn't have an issue with the amended ordinance, but he would prefer the original ordinance. **Councilman Fletcher moved to amend Bill No. 2017-22 by listing an averaged, flat salary amount each year of \$115,720.81 and removing the language about grade/step.** Councilman Savage seconded. All voted in favor of the amendment. Vote on the final reading, as amended, was then recorded; Ayes: 9, Councilmen Trutzel, Fletcher, VanWinkle, Lathrop, Finn, Mayor Davis, Councilmen Savage, Newell, and Peek; Noes: None; Absent: None. Bill No. 2017-22 was declared passed and in full force and effect as Ordinances No. 2017-4322, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2017-24: **An ordinance approving a Special-Use Permit to allow used auto sales and service on property zoned C-2- (General Commercial) to be located at 1421 E. North Avenue in Belton, Missouri.** Presented by Councilman Lathrop, seconded by Councilman Trutzel. Councilman Peek said she still believes Belton doesn't need another used car lot. The Council was polled and the following vote recorded; Ayes: 7, Councilmen Lathrop, VanWinkle, Trutzel, Fletcher, Mayor Davis, Savage, and Finn; Noes: 2, Councilmen Peek and Newell; Absent: None. Bill No. 2017-24 was declared passed and in full force and effect as Ordinances No. 2017-4323, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2017-25: **An ordinance approving the proposed Fiscal Year 2018 City Budget, as revised, and appropriating funds from the revenues of the City.** Presented by Councilman Savage, seconded by Councilman Peek. Councilman Trutzel said he still believes there needs to be something in the park emergency fund. Ms. Sheila Erzen, Finance Director, said the park has the special revenue sales tax fund. This fund makes debt service payments, but there is more in the fund than is needed for the debt service. If a park emergency comes up, they can use that fund to pay for it. The Council was polled and the following vote recorded; Ayes: 9, Mayor Davis, Councilmen Peek, Lathrop, Trutzel, Fletcher, Newell, Savage, Finn, and VanWinkle; Noes: None; Absent: None. Bill No. 2017-25 was declared passed and in full force and effect as Ordinances No. 2017-4324, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2017-26: **An ordinance accepting the recommendations of the Assistant City Manager of Belton, Missouri, and authorizing the execution of the First Amendment to the Tax Increment Financing contract between the City and Herman Enterprises, LLC. for implementation of Redevelopment Project 3 of the Plan.** Presented by Councilman Savage, seconded by Councilman Lathrop. Mr. Jay Leipzig, Economic and Community Development Director, said this ordinance is for the Southtowne Plaza TIF. It extends the completion date. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-27: **An ordinance accepting the recommendations of the Assistant City Manager of Belton, Missouri, and authorizing the execution of the First Amendment to the Tax Increment Financing contract between the City and Menard, Inc. for implementation of Redevelopment Projects 1 and 2 of the Plan.** Presented by Councilman Lathrop, seconded by Councilman Peek. Ms. Barton said this is similar to Bill No. 2017-26. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-28: **An ordinance approving the reappropriation & revision of the City of Belton fiscal year 2017 adopted City budget.** Presented by Councilman Savage, seconded by Councilman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-29: **An ordinance authorizing and approving a Public Services Agreement between the City of Belton, Missouri and Downtown Main Street, Inc. to provide public services support for the Fall Festival in Belton, Missouri in September 2017.** Presented by Councilman Finn, seconded by Councilman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-30: **An ordinance extending and amending the Farm Lease Agreement with Danny Chevalier to continue leasing the City property adjacent to Markey Road for planting, cultivating and harvesting agricultural crops.** Presented by Councilman Newell, seconded by Councilman Trutzel. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-31: **An ordinance authorizing the City of Belton, Missouri through its Police Department to purchase an upgrade for the phone system software through Dice Communications.** Presented by Councilman Trutzel, seconded by Councilman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-32: **An ordinance authorizing the City of Belton, Missouri through its Police Department to purchase an upgrade to the phone system to include IP based extensions and soft phones through Dice Communications.** Presented by Councilman Lathrop, seconded by Councilman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2017-33: **An ordinance authorizing and directing the Mayor to enter into a Funding Agreement between Salina Hotel Corporation, a Kansas corporation, and the City of Belton, Missouri, a constitutional charter city of the State of Missouri, for the preparation and implementation of an application for incentives, a redevelopment plan, and a redevelopment agreement.** Councilman Newell recused himself due to a potential conflict of interest. Presented by Councilman Trutzel, seconded by Councilman Peek. Mr. Leipzig explained that this ordinance allows us to accept the developer's check to review the hotel/retail project for financial feasibility. Councilman Savage said there is no obligation on our part to use all the money, but if it costs more, the developer will pay it. Councilman Peek asked why we need to do both readings tonight. Mr. Leipzig said we've already received the check and we'd like to get this review underway. Councilman Finn confirmed that there is no risk to the city. Ms. Megan McGuire, City Attorney, answered yes, there is no risk. Councilman Trutzel asked how long this review takes. Mr. Leipzig said 3-4 months. Vote on the first reading was recorded with all present voting in favor, Councilman Newell abstained. First reading passed. **Councilman Finn moved to hear the final reading.** Councilman Savage seconded. All present voted in favor, Councilman Newell abstained. The

final reading was read. Presented by Councilman Savage, seconded by Councilman Finn. The Council was polled and the following vote recorded; Ayes: 8, Councilmen VanWinkle, Peek, Savage, Fletcher, Lathrop, Mayor Davis, Councilmen Finn, and Trutzel; Noes: None; Absent: None; Abstain: Newell. Bill No. 2017-33 was declared passed and in full force and effect as Ordinance No. 2017-4325, subject to Mayoral veto.

RESOLUTIONS:

Ms. Cunningham read Resolution R2017- 04: **A resolution approving Task Agreement No. 2017-001 with JCI Industries, Inc. under the On-Call Pump Repair and Service Agreement per Ordinance 2016-4277 to replace two existing wastewater pumps and piping at the Kentucky View Lift Station in the amount of \$33,660.** These pumps will be new. Presented by Councilman Lathrop, seconded by Councilman Trutzel. Vote on the resolution was recorded with all voting in favor. Resolution passed.

Ms. Cunningham read Resolution R2017- 05: **A resolution approving actions of the Acting City Manager to engage Precision Construction & Contracting, LLC for emergency replacement of storm sewer pipe at 7809 East 170th Street, Belton, Missouri and ratifying Task Agreement No. 2017-1 in the amount of \$21,159.87.** Presented by Councilman Trutzel, seconded by Councilman Peek. This is located in Ward 1. Vote on the resolution was recorded with all voting in favor. Resolution passed.

CITY MANAGER'S REPORT:

Police Chief Person reviewed with the Council the 2016 annual incidents report. He commented the motor vehicle theft is a direct connection to cars left unattended and running. If there are any questions, contact Chief Person.

Mr. Leipzig handed out the 2016 annual economic development report. It's also available on the website and Facebook. If there are any questions, contact Mr. Leipzig.

Councilman Lathrop moved to adjourn at 8:01 P.M. Councilman Peek seconded. All voted in favor. Meeting adjourned.

Andrea Cunningham, Executive Secretary

Jeff Davis, Mayor