

**MINUTES OF THE
BELTON CITY COUNCIL
REGULAR MEETING
JUNE 12, 2018
CITY HALL ANNEX, 520 MAIN STREET
BELTON, MISSOURI**

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

Councilwoman Peek led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Jeff Davis, Councilwomen Stephanie Davidson, Lorrie Peek, Councilmen Ryan Finn, Jeff Fletcher, Gary Lathrop, Tim Savage, Chet Trutzel, and Dean VanWinkle. Also present: Alexa Barton, City Manager; Megan McGuire, City Attorney; and Andrea Cunningham, Executive Secretary.

CONSENT AGENDA:

Before presenting the Consent Agenda for approval, the Mayor brought to the Council's attention a Scrivener's error in Resolution R2018-27. The list of Park Board members is incorrect. The corrected resolution was passed out to the Council. The error does not affect Rusty Sullivan's appointment to the Park Board. Councilman VanWinkle moved to approve the consent agenda consisting of a **motion approving the minutes of the May 8, 2018, City Council Regular Meeting and May 15, 2018, City Council Special Meeting; a motion approving the purchase of a Vermeer BC1000XL Brush and Debris Chipper for the total amount of \$30,972.00 from Vermeer Great Plains, using the Missouri Department of Transportation Cooperative Contract, for the Public Works Department; a motion approving the purchase of 1,083 regulatory signs for \$22,222.97 from Newman Signs Inc. for the Public Works Department Transportation Division; a motion canceling the Work Session on July 3, 2018, for the Independence Day holiday; a motion approving Resolution R2018-27: A resolution appointing Rusty Sullivan to the Municipal Park Board; a motion approving Resolution R2018-28: A resolution reappointing Dave Clark and Tom MacPherson to the Enhanced Enterprise Zone Board; a motion approving Resolution R2018-29: A resolution appointing Jim Brown as the City's coordinator in the implementation of the requirements associated with the Americans with Disabilities Act; a motion approving Resolution R2018-30: A resolution appointing Lorrie Peek to serve on the Code Enforcement Advisory Committee as the City Councilman Liaison.** Councilman Savage seconded. All voted in favor. Consent agenda approved.

PERSONAL APPEARANCES:

Cynthia Nelson (15511 White Drive) appeared before the Council to talk about the Northpoint project. She is concerned about noise pollution and air pollution from the trucks. She is concerned about the 24-hour nature of the area and the traffic impact, specifically to the roundabouts. She would like to know why Ward 2 Councilmen have not spoken to constituents about this project. She would also like "no truck traffic" signs posted on White Avenue and Allen Avenue.

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Chuck Ledford (6805 E 158th Terrace) appeared before the Council to talk about the Northpoint project. He has concerns about noise, flooding, and traffic. He said the residents have been

admonished for not considering the greater good of the community, but he hopes the citizens are protected by the city and developer. The prepared memorandum provided by Chuck Ledford is on file in the City Clerk's office.

Steve Hackett (15810 Allen Avenue) appeared before the Council to talk about the Northpoint project. He is concerned about noise, air, and light pollution. He didn't care for the walking trail connecting the neighborhood.

Rosemary Howard (15812 Allen Avenue) appeared before the Council to talk about the Northpoint project. She said it is best practice that industrial development should not be built next to single-family homes. She is concerned about truck traffic, light pollution, drainage impacts, and the building heights. She would like to limit the hours of operation and downsize the project or reconfigure the layout. She has requested the City Council vote no on this project. The prepared memorandum provided by Rosemary Howard is on file in the City Clerk's office.

Bianca Kirby (15616 White Drive) appeared before the Council to talk about the Northpoint project. She has concerns about tax breaks. What if they default? What will be stored here? Is it a fire hazard? She has concerns about traffic and infrastructure. She would also like "no truck traffic" signs posted in the residential areas.

Janice Urton (16103 Allen Avenue) appeared before the Council to talk about the Northpoint project. She said residents are entitled to "quiet enjoyment of our land." They can hear Quik Trip truck traffic from across the highway. What's going to happen when it's in the backyard? Many residents didn't know about this project.

ORDINANCES:

Andrea Cunningham, Executive Secretary, gave the final reading of Bill No. 2018-38: **An ordinance approving the reappropriation & revision of the City of Belton Fiscal Year 2019 Adopted City Budget.** Presented by Councilman VanWinkle, seconded by Councilwoman Peek. Sheila Erzen, Finance Director, said she had several questions about this. This is moving the money not spent in FY2018 into the reserve fund of each account. The Council was polled and the following vote recorded; Ayes: 9, Councilwoman Davidson, Councilmen Finn, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, Councilwoman Peek, and Councilman Savage; Noes: None; Absent: None. Bill No. 2018-38 was declared passed and in full force and effect as Ordinance No. 2018-4440, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2018-39: **An ordinance of the City of Belton, Missouri, authorizing the City of Belton to approve the Kansas City Power & Light Authorization for Street Light Changes form to install, maintain, and bill for nine new streetlights along Turner Road.** Presented by Councilwoman Peek, seconded by Councilman Lathrop. The Council was polled and the following vote recorded; Ayes: 9, Councilmen VanWinkle, Savage, Trutzel, Mayor Davis, Councilwoman Davidson, Councilmen Fletcher, Finn, Lathrop, and Councilwoman Peek; Noes: None; Absent: None. Bill No. 2018-39 was declared passed and in full force and effect as Ordinance No. 2018-4441, subject to Mayoral veto.

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Ms. Cunningham gave the final reading of Bill No. 2018-40: **An ordinance of the City of Belton, Missouri authorizing and approving the Missouri Highways and Transportation Commission Municipal and Cost Apportionment Agreement between the City of Belton, Missouri and the Missouri Highways and Transportation Commission for the Routes 58**

and Y Signal Transportation Improvement Project No. 735027. Presented by Councilman Trutzel, seconded by Councilman VanWinkle. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Fletcher, Savage, Councilwoman Peek, Mayor Davis, Councilwoman Davidson, Councilmen Trutzel, Finn, VanWinkle, and Lathrop; Noes: None; Absent: None. Bill No. 2018-40 was declared passed and in full force and effect as Ordinance No. 2018-4442, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-41: **An ordinance approving an amendment to the City's Zoning Map from C-2 PUD (General Commercial Planning Unit Development) to FCI (Flex Commercial / Industrial) District, for a 149.66 acre tract of land located south of 155th Street and north of 162nd Street on the East Frontage Road of Interstate 49, Belton, Cass County, Missouri.** Presented by Councilman Lathrop, seconded by Councilwoman Peek. The Mayor introduced Carolyn Yatsook, Economic Development Director. Ms. Yatsook said these ordinances for Northpoint Development, LLC before the Council tonight are the plan for redeveloping the Southview Golf Course. It will be called the Southview Commerce Center. These items went before the Planning Commission and had a public hearing on May 21, 2018. The Planning Commission is recommending approval to City Council. Sid Douglas, with Gilmore and Bell, is also present tonight as the City's bond counsel.

Ms. Yatsook introduced Brent Miles, owner and founder of Northpoint Development, LLC located in Riverside, Missouri. Mr. Miles said this site has been vacant for 12 years. It is bank owned. Mr. Miles addressed the residents' concerns. Because there were noise pollution concerns, Northpoint Development, LLC hired a company to do a noise study. They are working with City staff to increase the height of the berm. The intention is to cut off the line of sight. Cutting off the line of sight will reduce noise. There will be limited uses – no chemicals, fireworks, etc. Northpoint Development, LLC doesn't allow this and the City code doesn't allow this. It is part of the plan to extend the Outer Road. A traffic study of the area was sent to MoDOT and it was approved without comment. The City code requires notification of residents a certain distance from the site. Letters were sent to those residents. There is a storm water plan submitted for approval. Northpoint Development, LLC is working with the MoDNR on a plan to remediate the environmental issues on the site.

Mr. Miles said the buildings have a variety of uses from warehouse to assembly to office space. They are very efficient and have low energy costs. Councilman Savage asked about lighting and the parking lot. Mr. Miles said the City has a light pollution ordinance. We will adhere to it. Councilman Savage said new trucks don't have much in the way of emissions. He said he couldn't imagine the trucks being on the residential streets as there would be no benefit to this. He also said the way the bonds are written the City would not be responsible for repayment if Northpoint Development, LLC defaults. Councilman Finn said the median household income for Belton is around \$45,000. He is happy to see Northpoint Development, LLC reporting the jobs within this development to be an average of \$41,000.

Megan McGuire, City Attorney, said it would be appropriate to have a 1st and 2nd reading of all five Northpoint Development, LLC ordinances today. There will be Councilmen absent next week if we have a special meeting for the 2nd reading. This project really warrants the full

Council's attendance. This is a preliminary plan presented tonight. The City Council will have another chance to comment when the final plan is presented.

Being no further discussion, vote on the first reading was recorded with all voting in favor. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilwoman Peek seconded. Vote to hear the final reading was recorded with all voting in favor, except Councilwoman Davidson who voted no. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilwoman Peek. The Council was polled and the following vote recorded; Ayes: 9, Councilwoman Peek, Councilmen VanWinkle, Savage, Mayor Davis, Councilwoman Davidson, Councilmen Finn, Fletcher, Trutzel, and Lathrop; Noes: None; Absent: None. Bill No. 2018-41 was declared passed and in full force and effect as Ordinance No. 2018-4443, subject to Mayoral veto.

8:47 P.M. – The Mayor asked for a short recess. The City Council reconvene at 8:53 P.M.

Ms. Cunningham read Bill No. 2018-42: **An ordinance approving a Special Use Permit to allow warehousing in a FCI Flex Commercial/Industrial District in the Southview Commerce Center located south of 155th Street and north of 162nd Street on the East Frontage Road of Interstate 49, Belton, Missouri.** Presented by Councilman Trutzel, seconded by Councilman Fletcher. Vote on the first reading was recorded with all voting in favor. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilman Finn seconded. Vote to hear the final reading was recorded with all voting in favor, except Councilwoman Davidson who voted no. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Finn. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Finn, VanWinkle, Mayor Davis, Councilman Trutzel, Councilwoman Davidson, Councilmen Savage, Fletcher, Councilwoman Peek, and Councilman Lathrop; Noes: None; Absent: None. Bill No. 2018-42 was declared passed and in full force and effect as Ordinance No. 2018-4444, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-43: **An ordinance amending Section 18.8 of the Unified Development Code North Scott Corridor Overlay District & Guidelines, Chapter 3 – Permitted Uses, Table of Uses, Industrial Uses, dated November 7, 2017.** Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilman Finn seconded. Vote to hear the final reading was recorded with all voting in favor, except Councilwoman Davidson who voted no. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Finn. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Lathrop, VanWinkle, Mayor Davis, Councilmen Trutzel, Finn, Savage, Fletcher, Councilwomen Davidson, and Peek; Noes: None; Absent: None. Bill No. 2018-43 was declared passed and in full force and effect as Ordinance No. 2018-4445, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-44: **An ordinance approving a plan for an Industrial Development Project for Northpoint Development, LLC.** Presented by Councilman Trutzel, seconded by Councilman Finn. Vote on the first reading was recorded with all voting in favor. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilman Finn seconded. Vote to hear the final reading was recorded with all voting in favor, except Councilwoman Davidson who voted no. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilwoman Peek. Councilman Savage asked Sid Douglas,

building each year. There is no financial responsibility or obligation to the City. As each project is built, the paperwork will come to the City Council. The Council was polled and the following vote recorded; Ayes: 9, Mayor Davis, Councilmen VanWinkle, Savage, Trutzel, Fletcher, Finn, Councilwomen Davidson, Peek, and Councilman Lathrop; Noes: None; Absent: None. Bill No. 2018-44 was declared passed and in full force and effect as Ordinance No. 2018-4446, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-45: **An ordinance approving a Development and Performance Agreement for an Industrial Development Project for Northpoint Development, LLC.** Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilwoman Peek seconded. Vote to hear the final reading was recorded with all voting in favor, except Councilwoman Davidson who voted no. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilman Finn. The Council was polled and the following vote recorded; Ayes: 9, Councilman Trutzel, Councilwomen Davidson, Peek, Councilman Savage, Mayor Davis, Councilmen Finn, VanWinkle, Lathrop, and Fletcher; Noes: None; Absent: None. Bill No. 2018-45 was declared passed and in full force and effect as Ordinance No. 2018-4447, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-46: **An ordinance authorizing the City of Belton, Missouri through its Fire Department to purchase a three year subscription with Emergency Services Marketing Corporation, Inc., d/b/a IamResponding.com to provide messaging and a secondary means of alarm notification for the Fire Department.** Presented by Councilwoman Peek, seconded by Councilman Lathrop. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2018-47: **An ordinance of the City of Belton, Missouri authorizing and approving the Badger Meter Beacon Advanced Metering Analytics (AMA) Managed Solution Master Agreement and Badger Meter Terms and Conditions of Sale and Addendum between the City of Belton, Missouri and Badger Meter, Inc. for the purchase of the Badger Meter Beacon AMA Managed Solution Software from sole-source provider Midwest Meter, Inc. for an amount not-to-exceed \$24,500 to replace current water meter reading software.** Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the first reading was recorded with all voting in favor. First reading passed.

RESOLUTIONS:

Ms. Cunningham read Resolution R2018-31: **A resolution of the City of Belton, Missouri authorizing and approving Task Agreement 2018-1 with Wiedenmann, Inc. for the 160th Street and Oakland Avenue Stormwater Project in the not-to-exceed amount of \$30,965.00.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Vote on the resolution was recorded with all voting in favor. Resolution passed.

Ms. Cunningham read Resolution R2018-32: **A resolution approving Task Agreement 2018-02 with Earthworks Excavation and Associates, LLC for demolition of structures at 16104 Oakland Avenue.** Presented by Councilman Lathrop, seconded by Councilman Finn. Councilman Trutzel asked if there's some way to do these quicker in the future. Dave Clements, Director of Planning & Building, said there are some state statute requirements we have to

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follow. Ms. McGuire said when there is an absentee or reluctant owner, there are certain steps we have to follow. Ms. McGuire said there was supposed to be a meeting tomorrow night for

another structure, but the post office failed to deliver the notice letters. Alexa Barton, City Manager, said we are exploring alternate methods of delivery. Vote on the resolution was recorded with all voting in favor. Resolution passed.

Ms. Cunningham read Resolution R2018-33: **A resolution approving Change Order No. 1 in an additional not-to-exceed amount of \$12,283.00 to the Minor Construction Service Agreement with JR & Co., Inc. to fully adhere the new roof system to the concrete deck for the water services meter storage building and a force account for any additional unforeseen issues increasing the total project cost from \$86,975.00 to \$99,258.00.** Presented by Councilman Trutzel, seconded by Councilwoman Peek. Councilman Savage asked why we have this change order. Celia Duran, Public Works Director, said there wasn't any way to know there was concrete on the roof. When the project was approved the architect was looking from the bottom up at the roof. The concrete layer was hidden. He didn't see it until he did a core. A core is not typically done at the bid stage. Councilman Savage said this needs to be avoided in the future. Vote on the resolution was recorded with all voting in favor. Resolution passed.

Ms. Cunningham read Resolution R2018-34: **A resolution amending resolution R2017-35 on the Belton Nature Area Project along Oil Creek to amend the membership of the Belton Nature Area Advisory Board and provide for an extension of the formal evaluation period.** Presented by Councilwoman Peek, seconded by Councilman Lathrop. Vote on the resolution was recorded with all voting in favor. Resolution passed.

CITY COUNCIL LIAISON REPORTS:

Councilwoman Peek, Park Board liaison, announced:

- She will be stepping down as the Park Board liaison; Councilwoman Davidson will be taking her place.
- Food Truck Friday is June 15, 2018. 11 A.M.-1 P.M.
- Theatre in the Park is this weekend at Memorial Park. They are doing Peter Pan.
- Kids' Night Out at High Blue Wellness is next week.
- The Tree Board is updating and reviewing their bylaws.

MAYOR'S COMMUNICATIONS:

The Chamber of Commerce Spaghetti dinner fundraiser and touch-a-truck was last week. The money raised will help purchase Christmas lights and decorations for Downtown Main Street. Panera opened on June 8, 2018. The ribbon cutting will be next week. There is a ribbon cutting for Main Street Theater Saturday afternoon. Ross Dress for Less has told us they are planning to open the end of July or first of August.

CITY MANAGER'S REPORT:

Ms. Barton reported:

June & July 2018 meetings

6/19 special meeting – 7:00 pm – canceled

6/26 regular session – 7:00 pm

7/3 work session – canceled

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7/10 regular session – 7:00 pm

7/24 regular session – 7:00 pm

Being no further business, Councilman Lathrop moved to adjourn at 9:22 P.M. Councilman Savage seconded. All voted in favor. Meeting adjourned.

Andrea Cunningham, Executive Secretary

Jeff Davis, Mayor