

**MINUTES OF THE
BELTON CITY COUNCIL MEETING
MARCH 13, 2018
CITY HALL ANNEX
520 MAIN STREET
BELTON, MISSOURI**

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

Councilman VanWinkle led the Pledge of Allegiance to the Flag.

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

CONSENT AGENDA:

Councilman Savage moved to approve the consent agenda consisting of a **motion approving the minutes of the February 27, 2018, regular meeting and March 6, 2018, City Council Special Meeting**. Seconded by Councilwoman Peek. All present voted in favor. Councilman Trutzel absent. Consent agenda approved.

ORDINANCES:

Andrea Cunningham, Executive Secretary, gave the final reading of Bill No. 2018-09, as amended: **An ordinance approving a renewed and upgraded service agreement between the City of Belton, Missouri and NSI Holdings of Kansas, Inc. to provide remote data backup and disaster replication services for City Hall, Annex, Fire Stations 1&2, Park, and Water/Street departments**. Presented by Councilman Newell, seconded by Councilman Lathrop. Councilman Fletcher moved to amend the ordinance to include the Park Department, seconded by Councilwoman Peek. All present voted in favor. Councilman Trutzel absent. Vote on the final reading was recorded; Ayes: 8, Councilmen VanWinkle, Fletcher, Lathrop, Councilwoman Peek, Councilman Finn, Mayor Davis, Councilmen Newell, and Savage. Noes: None; Absent: 1, Councilman Trutzel. Bill No. 2018-09 was declared passed and in full force and effect as Ordinance No. 2018-4412, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2018-11: **An ordinance approving a contract between the City of Belton and Earthworks Excavation and Associates, LLC to provide demolition of dangerous residential structures services on an as needed basis**. Presented by Councilwoman Peek, seconded by Councilman Lathrop. Councilman Savage asked Jim Brown, Certificate Building Official, to clarify if this is for a 90 yard truck. Mr. Brown said it was. Vote on the final reading was recorded; Ayes: 8, Councilman Lathrop, Councilwoman

Peek, Councilmen VanWinkle, Fletcher, Mayor Davis, Councilmen Savage, Newell, and Finn; Noes: None; Absent: 1, Councilman Trutzel. Bill No. 2018-11 was declared passed and in full force and effect as Ordinance No. 2018-4413, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2018-12: **An ordinance amending sections 1-5; 4-1 (d) (10); 6-4 (h); 26-4 (g); 26-5 (4); 26-8 (b); 40-1 (h); 40-3 (5); 40-4 (3); and 40-4 (14) of the Unified Development Code to eliminate inconsistencies and provide language that is easier to understand for all users of the code.** Presented by Councilwoman Peek, seconded by Councilman Savage. Vote on the final reading was recorded; Ayes: 8, Mayor Davis, Councilwoman Peek, Councilmen Lathrop, Fletcher, Newell, Savage, Finn, and VanWinkle; Noes: None; Absent: 1, Councilman Trutzel. Bill No. 2018-12 was declared passed and in full force and effect as Ordinance No. 2018-4414, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2018-13: **An ordinance of the City of Belton, Missouri authorizing and approving a construction service agreement with SAK Construction, LLC for the 30”, 27”, and 18” interceptor lining in a not-to-exceed amount of \$1,167,949.50.** Presented by Councilman Savage, seconded by Councilwoman Peek. Mayor Davis asked if we had money budgeted for this. Michael Christopher, Acting City Engineer, said yes. The bids actually came in under the budgeted amount. Vote on the first reading was recorded with all present voting in favor. Councilman Trutzel absent. First reading passed.

Ms. Cunningham read Bill No. 2018-14: **An ordinance authorizing and approving the City of Belton, Missouri through its fire department to enter into a professional services agreement for medical director services with Dr. Erik J. Stamper, D.O.** Presented by Councilman Newell, seconded by Councilwoman Peek. Vote on the first reading was recorded with all present voting in favor. Councilman Trutzel absent. First reading passed.

Ms. Cunningham read Bill No. 2018-15: **An ordinance approving the proposed fiscal year 2019 City budget, as revised, and appropriating funds from the revenues of the City.** Presented by Councilwoman Peek, seconded by Councilman Finn. Councilman Lathrop said he needs more clarification on this budget before passing it. He sees several things that don't seem to fit. We need to do better at keeping our expenses in line with our revenues. We spent more than we took in and had to use almost a million dollars of reserves to make it up. But the cuts listed are close to three million dollars. Sheila Ernzen, Finance Director, explained the cuts listed are from what was requested by departments for FY19 vs. what is proposed for the FY19 budget. The cuts are not from one fiscal year to the next fiscal year. Councilman VanWinkle said the three million dollars is not reducing the FY19 budget by three million dollars.

Councilman Lathrop asked about the use tax. Early on Ms. Ernzen stated the city could see \$400,000 from this, but now the flier says \$200,000-300,000. Ms. Ernzen said an email was sent to all councilmen last week answering this question. Alexa Barton, City Manager, said we used MML's formula. But they listed Belton incorrectly. Stuart Haynes, with MML, said all of this is a guesstimate. We didn't want to overestimate so we lowered it to \$200,000-300,000. Councilman Lathrop said he will get his questions to Ms. Barton for clarification and discussion.

Councilwoman Peek said she spent some time with Ms. Ernzen today. All positions budgeted in FY18 are still budgeted in FY19. The only cuts were the ones listed previously – HR Director (which would include Assistant City Manager), Planner, Emergency Management, and Annex Receptionist. These are not included in the FY19 budget. If someone retires this year, will that position still be in FY19? Ms. Barton said yes.

Councilwoman Peek asked why our general fund expenses are higher than projected revenues. Ms. Barton said we reduced revenues by approximately \$265,000, but we had additional expenses of approximately \$450,000. We are making up the shortfall with reserves. This will leave our reserves at about 16%. Councilwoman Peek asked if revenues come in higher than expected, will we un-freeze positions. Ms. Barton said yes, but we'll have to watch if these positions can be sustained in the future. James Person, Police Chief, clarified the frozen positions will come from retirements. We are currently filling entry-level positions and dispatchers.

Mayor Davis asked if the Lagers L-6 will end up being a hidden expense. Ms. Ernzen said no, we paid for this change by changing the way the Fire Department calculates overtime, and by changing the way the city calculates overtime across the board.

Councilman Newell said Ms. Barton did a major re-organization to get us where we are. It felt like we didn't know about the changes ahead of time. If you do this again will you tell us? Ms. Barton said yes. Mayor Davis reminded the councilmen the City Manager has the authority to re-organize and do appropriate raises. Ms. Barton said it was never her intention to not tell the council. It saved a total of \$131,000 with all the department changes. Ms. Barton said she would like to fill the position of Assistant City Manager/HR as soon as she fiscally can, but it will probably not be until FY20 or FY21.

Councilman Savage said Ms. Barton may have the authority to re-organize, but the staff are stretched so thin, can we get the work done? We're working people to death. Ms. Barton said it was done in an attempt to save money in the general fund and realign the work load in the Administration Department. The City Clerk didn't have a full time Deputy City Clerk before; now she does, and she doesn't have to share the position with the Executive Secretary.

Councilman Savage asked what 1% of our reserves is. Ms. Ernzen said approximately \$158,000. Councilman Savage said we should take our reserve down to the required 15% and use the extra 1%. We could provide a salary increase or cover the increase in insurance costs.

Councilman Fletcher suggested a work session on March 20, 2018, to discuss this. Councilman Finn agreed. We could have a work session and then approve this ordinance, as amended. Ms. Ernzen reminded the council the work session will only be productive if the councilmen provide their questions to her ahead of time.

The council asked Ms. Barton to bring information to the work session on the cost of the HR position and the cost to cover the insurance increase. Councilman Savage asked Ms. Barton to bring to them the best way for the money to be used.

It was decided to have a work session on March 20, 2018, starting at 6:30 P.M. and then a special meeting to discuss the budget. Vote on the first reading was recorded; Ayes: 4, Councilmen Finn, VanWinkle, Mayor Davis and Councilwoman Peek; Noes: 4, Councilmen Savage, Lathrop, Newell and Fletcher; Absent: 1, Councilman Trutzel. The first reading of Bill No. 2018-15 was declared failed for lack of the required 5 aye votes.

Ms. Cunningham read Bill No. 2018-16: **An ordinance approving the participating course agreement with the Club Membership, LLC for individual and corporate club membership benefits at the Eagles' Landing Golf Course.** Presented by Councilman Lathrop, seconded by Councilwoman Peek. Vote on the first reading was recorded with all present voting in favor. Councilman Trutzel absent. First reading passed.

Ms. Cunningham read Bill No. 2018-17: **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 Newell, seconded by Councilwoman Peek. Councilman Savage said there were increases, but there were also savings, so ultimately the cost to the citizens is going down. Ms. Ernzen said yes. Overall, the minimum monthly bill will decrease by \$2.78. Vote on the first reading was recorded with all present voting in favor. Councilman Trutzel absent. First reading passed.

Ms. Cunningham read Bill No. 2018-18: **An ordinance of the City of Belton, Missouri, as a participating agency, authorizing and approving a Cooperative Agreement one-year extension including Addendum #1 adding and expanding the scope of work for the City of Belton with Superior Bowen Asphalt Company, LLC for the 2017 Street Preservation Project Overlay finalized in January 2018.** Presented by Councilwoman Peek, seconded by Councilman Newell. Mayor Davis asked Mr. Christopher how many streets we are planning to do. Mr. Christopher said we're spending around \$1.8 million. There is a rating system for the streets. We'll start with the worse ones and do as many as we fiscally can. Vote on the first reading was recorded with all present voting in favor. Councilman Trutzel absent. First reading passed.

Ms. Cunningham read Bill No. 2018-19: **An ordinance approving the reappropriation & revision of the City of Belton Fiscal Year 2018 Adopted City Budget.** Presented by Councilman Lathrop, seconded by Councilwoman Peek. Vote on the first reading was recorded with all present voting in favor. Councilman Trutzel absent. First reading passed.

RESOLUTIONS:

Ms. Cunningham read Resolution R2018-16: **A resolution providing an endorsement for the renovation of Granada Senior Apartments by Wallick Communities and providing a letter of support to the Missouri Housing Development Commission in the City of Belton, Cass County, Missouri.** Presented by Councilwoman Peek, seconded by Councilman VanWinkle.

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Vote on the resolution was recorded; Ayes: 6, Councilmen Finn, Newell, Fletcher, VanWinkle, Mayor Davis and Councilwoman Peek; Noes: 2, Councilmen Savage and Lathrop; Absent: 1, Councilman Trutzel. Resolution approved.

Ms. Cunningham read Resolution R2018-17: **A resolution approving Task Agreement 2018-01 with Earthworks Excavation and Associates, LLC, under the contract.** Presented by Councilman Lathrop, seconded by Councilman Savage. Councilman Savage asked what the cost was on this contract. Mr. Brown answered that it will not exceed \$23,100.34. This demolition is a little more extensive than the usual demolition and clean up. There will also be erosion control needed afterward. Councilman Savage asked what the chances were of reimbursement. Mr. Brown said there was a slim chance for full reimbursement, perhaps a partial. It will be assessed to the property owner as a lien. Councilman Savage asked Mr. Brown to please let the council know of the final cost when it was completed. Vote on the resolution was recorded with all present voting in favor. Councilman Trutzel absent. Resolution approved.

MAYOR'S COMMUNICATIONS:

Mayor Davis asked the council for a moment of silence for fallen police officer in Clinton, Missouri. The mayor also informed the council of a Belton officer whose car was hit last night by a drunk driver. The officer was not seriously injured.

Vicie Avenue opened last week. There will still be a mill and overlay at the edges when the weather is better.

The theater is open at the museum next door. The St Patrick's Day parade is March 17 at 5 P.M.

CITY MANAGER'S REPORT:

The city received a letter from the Government Finance Officers Association that our Comprehensive Annual Financial Report qualifies for their certificate of excellence.

Upcoming Meeting Schedule

March & April 2018 meetings

3/27 regular session – 7:00 pm

4/3 work session – 7:00 pm

4/10 regular session – 7:00 pm

4/17 special meeting – 6:30 pm

4/24 regular session – 7:00 pm

The Mayor and Ms. Barton attended the Academies of Nashville conference last week with the Belton school district. Ford NGL (New Generation Learning) has a program in Nashville called

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the Academies of Nashville. The Belton school district is planning to adopt a similar program starting next year. It's special programs and pathways for students in something they have an interest in.

The school has broken ground for the new addition. There will be at least 18 months of construction.

OTHER BUSINESS:

Fairfield Inn has their ground breaking March 16 at 9:30 A.M. There was a ribbon cutting last Friday for Party City, Petco, Marshalls, and Five Below.

At 8:30 P.M., Councilman Lathrop moved to enter Executive Session to discuss matters pertaining to Legal Actions, according to Missouri Statute 610.021.1, and matters pertaining to the hiring, firing, disciplining or promotion of personnel, according to Missouri Statute 610.021.3, and that the record be closed. Councilwoman Peek seconded. The following vote was recorded; Ayes: 8, Councilman Fletcher, VanWinkle, Lathrop, Finn, Mayor Davis, Councilmen Savage, Newell, and Councilwoman Peek; Noes: None; Absent 1: Councilman Trutzel. Motion approved.

The Council returned from Executive Session at 9:28 P.M. Being no further business, Councilwoman Peek moved to adjourn. Councilman Lathrop seconded. All present voted in favor. Councilman Trutzel absent. Meeting adjourned.

Andrea Cunningham, Executive Secretary

Jeff Davis, Mayor