

**MINUTES OF THE  
BELTON CITY COUNCIL MEETING  
MARCH 27, 2018 – 6:15 P.M.  
CITY HALL ANNEX  
520 MAIN STREET, BELTON, MISSOURI**

Mayor Davis called the meeting to order at 6:15 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, Councilwoman Lorrie Peek, Councilmen Tim Savage, Chet Trutzel, and Dean VanWinkle. Also present: Alexa Barton, City Manager; Megan McGuire, City Attorney; and Patti Ledford, City Clerk.

**POLICE DEPARTMENT PRESENTATION OF 2017 DEPARTMENTAL AWARDS**

Police Chief James Person said the Police Department gives out certain awards yearly. They have the office of the year, civilian of the year and commendations for certain events that may have gone on during the year. Also, we have been going through a promotion process. At the end of last year we had some retirements and have been filling some slots. He announced that Ken Hitterman has been promoted to Corporal and will serve as an assistant shift commander and Dan Davis has been promoted to Lieutenant and will become the Patrol Division Commander.

The following awards were presented:

**Combat Valor Award:**

Officer Josh Adamson for a traffic violation incident on October 21, 2017. The driver failed to yield, a pursuit ensued into a residential area, ending in a cul-de-sac. The suspect fled on foot and Officer Adamson followed. The suspect turned and pointed a hand gun in his direction and fired several times. Thankfully, Officer Adamson was not hit but did sustain minor injuries during a foot pursuit. Backing officers assisted searching for the suspect, tactically clearing a vacant building during hazardous weather, conducting several residence check and further investigation. The suspect was subsequently arrested at a residence in Lawrence, Kansas and returned to Cass County for prosecution.

**Meritorious Service Bar:**

For the response team to a potentially dangerous incident with Officer Josh Adamson on October 21, 2017:

Dispatcher Brittany Smith  
Dispatcher Jannell Hulbert  
Lt. Travis George  
Lt. Norman Shriver  
Sgt. Shawn Hornbeck  
Sgt. James Hasch  
Det. Jeff DeCook  
Det. Orion Mata

Officer Stephen Jackson  
Officer Rusty Sullivan  
Officer Zach Lane  
Officer A.J. Haus  
Officer Patrick Hepner  
Officer Domenic Difiore  
Officer Tim Vogel  
Officer LaShaya Folvarcik

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Det. Jeff Richardson  
Det. Mike Strong

Officer Logan Harrison  
MPO Ken Hitterman

Corporal Bill Peek  
Corporal Brain Witherspoon

MPO Shane Trotter

**Combat Valor Award:**

Officer Josh Adamson for a deadly incident on February 14, 2018. For his unconditional bravery in confronting an armed suspect.

**Medal of Honor:**

MPO Ronald Trotter, Police Officer Brittany Smith and MPO Ken Hitterman for a deadly incident on February 14, 2018, for their courageous calm response, pursuit and confrontation on I-49.

**Honorable Service Bar:**

Corporal Brian Witherspoon for his incident command during a deadly incident on February 14, 2018.

**Honorable Service Bar:**

Communication Officers Tabatha Talley and Ernie Sheldrake for their calm professional abilities displayed in communications during a deadly incident on February 14, 2018.

**Civilian of the Year:**

Ernie Sheldrake

**Officer of the Year:**

Domenic Difiore

Chief Person said 1 ½ weeks ago Ernie and Domenic attended the annual law enforcement dinner at the Cass County Elks Lodge and were presented their awards. Chief Person said he met Domenic's mother when he graduated from the Police Academy and she was a proud mother. She made an impression on him and Domenic has made quite an impression on the Police Department since he came on board.

At 6:36 P.M. Councilman Lathrop 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. Councilwoman Peek seconded. The following vote was recorded: Ayes: 9, Mayor Davis, Councilwoman Peek, Councilmen Finn, VanWinkle, Newell, Fletcher, Lathrop, Savage, and Trutzel.

Before entering Executive Session the Council took a quick break for a reception to honor the Police Department award recipients.

The Council returned from Executive Session at 8:19 P.M.

**CONSENT AGENDA:**

Councilman Savage moved to approve the consent agenda consisting of a motion approving the

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minutes of the March 13, 2018, City Council Regular Meeting; a **motion approving the February 2018 Municipal Police Judge's Report; a motion canceling Work Session on April 3, 2018; a motion approving renewal of Blue Cross & Blue Shield employee provided health insurance, Delta Dental employee provided dental insurance, Superior Vision**

**employee provided vision insurance and the EAP plan beginning July 1, 2018; and a Motion approving Resolution R2018-18:A resolution appointing Paul Fyffe to the Municipal Park Board.** Councilman Lathrop seconded. All voted in favor. Consent agenda approved.

#### **PERSONAL APPEARANCES:**

Diane Huckshorn, Belton Chamber of Commerce (323 Main Street, Belton) – requested from Downtown Belton Main Street Design and Promotion Committee to host a community wide spaghetti dinner fundraising event at Belton Fire Station #2 (223 Main Street, Belton) Friday June 8 or Friday June 15, 2018. Funds raised will be used for Christmas ornaments and decorations for Main Street. She said she has talked with Norman Larkey Fire Chief and he is in favor of this at the fire station.

**Councilman Savage moved to approve a community wide spaghetti dinner fundraising event at Belton Fire Station #2 (223 Main Street) on Friday June 8 or Friday June 15, 2018 hosted by Downtown Main Street, Inc., to raise money for Christmas lights and decorations for Main Street.** Councilman Fletcher seconded. Vote on the motion was recorded with all voting in favor. Motion carried.

Councilman Trutzel suggested Downtown Main Street, Inc., consider in the future free WiFi for which might encourage shoppers to Main Street.

Mayor Davis asked Ms. Huckshorn how many chamber members there are. Ms. Huckshorn said as of today there are 303 members. He said he appreciates the work the Chamber does.

Rusty Sullivan, Downtown Belton Main Street, Inc., (117 W. North Avenue, Belton) – requested permission for road closure from Herschel Street to Chestnut Street, down Main Street, for 2018 Cruisin' Main Street Car Cruises – April 28, May 26, June 23, July 28, August 25, September 22, & October 27, 2018, from 3:00-9:00 pm; and October 7, 2018, from 9:00 am – 4:00 pm, for a car show. If a cruise is canceled due to weather, the cruise will be rescheduled for the following Saturday.

**Councilman Fletcher moved to approve road closure from Herschel Street to Chestnut Street, down Main Street, for 2018 Cruisin' Main Street Car Cruises – April 28, May 26, June 23, July 28, August 25, September 22, & October 27, 2018, from 3:00-9:00 pm; and October 7, 2018, from 9:00 am – 4:00 pm. (if inclement weather the cruise will be held the following Saturday).** Councilwoman Peek seconded. All voted in favor. Motion carried.

Mr. Sullivan noted Downtown Main Street, Inc., signed a check today for WiFi on Main Street.

#### **ORDINANCES:**

Patti Ledford, City Clerk, gave the final reading of Bill No. 2018-13: **An ordinance of the City of Belton, Missouri authorizing and approving a construction service agreement with SAK**  
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**Construction, LLC for the 30", 27", and 18" interceptor lining in a not-to-exceed amount of \$1,167,949.50.** Presented by Councilman Trutzel, seconded by Councilman Savage. The Council was polled and the following vote recorded: Ayes: 9, Councilmen Newell, Finn, Trutzel, Mayor Davis, Councilmen Lathrop, Fletcher, VanWinkle, Councilwoman Peek, and Councilman Savage; Noes: None; Absent: None. Bill No. 2018-13 was declared passed and in full force and effect as Ordinance No. 2018-4416, subject to Mayoral veto.

Ms. Ledford gave the final reading of 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. The Council was polled and the following vote recorded: Ayes: 9, Councilmen Fletcher, Trutzel, Savage, Lathrop, Newell, Mayor Davis, Councilmen VanWinkle, Finn, and Councilwoman Peek; Noes: None; Absent: None. Bill No. 2018-14 was declared passed and in full force and effect as Ordinance No. 2018-4417, subject to Mayoral veto.

Ms. Ledford gave the final reading of 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 Finn, seconded by Councilman Lathrop. The Council was polled and the following vote recorded: Ayes: 9, Mayor Davis, Councilwoman Peek, Councilmen Finn, VanWinkle, Newell, Fletcher, Lathrop, Savage and Trutzel; Noes: None; Absent: None. Bill No. 2018-16 was declared passed and in full force and effect as Ordinance No. 2018-4418, subject to Mayoral veto.

Ms. Ledford gave the final reading of 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 Councilwoman Peek, seconded by Councilman Lathrop. The Council was polled and the following vote recorded: Ayes: 9, Councilman Trutzel, Councilwoman Peek, Councilmen Savage, VanWinkle, Newell, Fletcher, Lathrop, Finn, and Mayor Davis; Noes: None; Absent: None. Bill No. 2018-17 was declared passed and in full force and effect as Ordinance No. 2018-4419, subject to Mayoral veto.

Ms. Ledford gave the final reading of 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 Councilman Trutzel, seconded by Councilwoman Peek. The Council was polled and the following vote recorded: Ayes: 9, Councilmen Lathrop, Finn, Trutzel, VanWinkle, Newell, Fletcher, Mayor Davis, Councilwoman Peek and Councilman Savage; Noes: None; Absent: None. Bill No. 2018-18 was declared passed and in full force and effect as Ordinance No. 2018-4420, subject to Mayoral veto.

Ms. Ledford gave the final reading of Bill No. 2018-19: **An ordinance approving the reappropriation & revision of the City of Belton Fiscal Year 2018 Adopted City Budget.** Presented by Councilwoman Peek, seconded by Councilman Trutzel. The Council was polled

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and the following vote recorded: Ayes: 9, Councilmen Finn, Fletcher, VanWinkle, Trutzel, Savage, Newell, Councilwoman Peek, Mayor Davis, and Councilman Lathrop; Noes: None; Absent: None. Bill No. 2018-19 was declared passed and in full force and effect as Ordinance No. 2018-4421, subject to Mayoral veto.

Ms. Ledford gave the first reading of Bill No. 2018-20: **An ordinance amending Chapter 15 – Offenses, Article IV – Offenses Against Property, Section 15-250 - Trespassing of the Code of Ordinances of the City of Belton, Missouri to provide an alternative enforcement and**

**penalty structure for trespass upon property of others in the second degree.** Presented by Councilwoman Peek, seconded by Councilman Newell. Police Chief James Person said City Prosecutor Bill Marshall requested the revision to this ordinance. It makes it a strict liability for the person doing the trespassing. This ordinance brings ours in line with all jurisdictions and the state and also relieves the city prosecutor of having to prove some communication to the trespasser not to be on property. Councilman Trutzel asked if there is a procedure for reporting a trespasser, specifically someone three wheeling. Chief Person said if there is open ground and someone is three/four wheeling or trespassing and they don't have explicit permission from the property owner then it is trespassing. Councilman Lathrop asked if it is a minor offense. Bill Marshall, City Prosecutor, said it is called an infraction which is lesser than regular trespassing and has a limited maximum fine of \$400. The maximum fine allowed by law is \$500. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford gave the first reading of Bill No. 2018-21: **An ordinance approving the engagement of Troutt, Beeman and Company to audit the city financial records for fiscal year 2018.** Presented by Councilman Lathrop, seconded by Councilwoman Peek. It was noted that per the Council's request, the City will request proposals in Fall 2018 to audit Fiscal Year 2019. Sheila Erzen, Finance Director, said the City will probably see the price increased. Troutt, Beeman has kept the fees relatively the same, they already have the work paper files set up, they know our ordinances and charter and they have all the background information so they can easily go in and go right to testing. A new firm would have to get familiar with our ordinances, charter, policies and procedures. There is a good chance the City will see increased fees when go out for bid. Vote on the first reading was recorded with all voting in favor. First reading passed.

Ms. Ledford gave the first reading of Bill No. 2018-22: **An ordinance of the City of Belton, Missouri authorizing and approving the mowing and abatement contract with KMT Services, LLC for public works and planning and building properties.** Presented by Councilwoman Peek, seconded by Councilman Trutzel. All voted in favor. **Councilman Newell moved to hear the final reading.** Councilwoman Peek seconded. All voted in favor. The final reading was read. Presented by Councilman Trutzel, seconded by Councilwoman Peek. The Council was polled and the following vote recorded; Aye: 9, Councilwoman Peek, Mayor Davis, Councilmen Finn, VanWinkle, Newell, Fletcher, Lathrop, Savage, and Trutzel; Noes; None; Absent: None. Bill No. 2018-22 was declared passed and in full force and effect as Ordinance No. 2018-4422, subject to Mayoral veto.

Ms. Ledford gave the first reading of Bill No. 2018-23: **An ordinance of the City of Belton, Missouri approving a cost-sharing agreement with Mid-America Regional Council (MARC) for the Kansas City Metropolitan Regional Aerial Photography Project at a cost of \$3,326.36.** Presented by Councilman Trutzel, seconded by Councilman Lathrop. Ms. Barton said this is generated through MARC and will provide the City with updated mapping. The cost

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is slightly more than last year. Vote on the first reading was recorded with all voting in favor. **Councilman Lathrop moved to hear the final reading.** Councilwoman Peek seconded. All voted in favor. The final reading was read. Presented by Councilwoman Peek, seconded by Councilman Lathrop. The Council was polled and the following vote recorded; Ayes: 9, Councilmen Savage, Newell, Finn, VanWinkle, Mayor Davis, Councilmen Trutzel, Lathrop, Councilwoman Peek, and Councilman Fletcher. Bill No. 2018-23 was declared passed and in full force and effect as Ordinance No. 2018-4423, subject to Mayoral veto.

**RESOLUTIONS:**

Ms. Ledford read Resolution R2018-19: **A resolution formally accepting the Belton Gateway Addition Unit Number Two new public infrastructure including 2,183 feet of 8” water line, 662 feet of 10” sanitary sewer line, 720 feet of 8” sanitary sewer line and three fire hydrants with an irrevocable letter of credit securing the two year maintenance guarantee through Great Southern Bank.** Presented by Councilman Lathrop, seconded by Councilwoman Peek. Vote on the resolution was recorded with all voting in favor. Resolution passed.

#### **CITY COUNCIL LIAISON REPORTS:**

Councilwoman Peek, Park Board Liaison, said the Park held an Easter egg hunt last Saturday. It was a huge success.

The 5<sup>th</sup> annual Belton stream event will be held at Wallace Park March 31 starting at 8:00 A.M., registration pick up begins at 9:00 A.M.

The Park Department will be competing for a “Meet Me at the Park” Earth Month campaign grant. The National Recreation and Park Association is collaborating with The Walt Disney Company, including Disney, ABC Television Group and ESPN, to help fund local park improvement projects across the country through the national “Meet Me at the Park” Earth Month campaign. The City that receives the most nominations will receive a \$20,000 grant to improve a local park. She said we have a chance to help make a difference to one of our parks and could get a \$20,000 grant. Voting begins April 1 by going to [www.nrpa.org](http://www.nrpa.org). Further information can be found on the park website at [www.beltonparks.org](http://www.beltonparks.org).

The Tree Board still working on their long range plan

**MAYOR’S COMMUNICATIONS:** None

#### **CITY MANAGER’S REPORT:**

Alexa Barton, City Manager, said the City has been nominated for an Innovative Award for our composting project, through the Missouri Municipal League (MML). She encouraged Council members to vote. Voting ends March 28. There are numerous projects nominated for the Innovative Award and Belton is the first city listed.

Ms. Barton provided an update on the interceptor that failed due to the storm yesterday. It is located at near the Timbercreek Subdivision, south of Cambridge and north and east of The Plateau. We called our on-call contractor Pyramid. They have already been onsite and contacted Department of Natural Resources (DNR) who encouraged us to stabilize and do stream bank

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work. We are also putting in a pumping system to stop the flow of water which occurred right before the manhole. She gave kudos to the public works, transportation and water and wastewater departments for providing a gravel road as well as access to the emergency area which was required by DNR to have a pumping station put into place so we are catching that downstream. Those departments are a fine oiled machine and she is so proud of each and every one of them. This situation caused a representative from DNR to come out and they were impressed at how quickly we moved and how responsive we were at getting the situation under control. More information will be provided as repairs go on.

The farm lease agreement for Markey Industrial Parkway has gone out for bid and closes this Thursday. That contract was in place last year for one year and extended in prior years. The

Council will be hearing more information on that as those bid results come in and a contract put into place to farm that land.

The City has a Use Tax issue on the April 3 ballot. The City, in conjunction with Liberty, Blue Springs and Odessa, has issued a factual news release today on the Use Tax issue. We are holding and hosting a media event tomorrow at 10:30 A.M. at City Hall. Laura Holloway from the Missouri Municipal League will be present to talk about the Use Tax as well as Chief Person and herself on how the use tax works and the impact that it could have for the community. She reminded people to vote on Tuesday, April 3.

Below are the April meetings:

April 2018 meetings

- 4/3 work session – canceled
- 4/10 work session – 6:30 pm  
regular session – 7:00 pm
- 4/17 special meeting – 6:30 pm
- 4/24 regular session – 7:00 pm

**MOTIONS:**

Mayor Davis said as the city staff has begun to apply the North Scott Corridor Plan designated zones and uses with potential developers of several large tracts of land, a few questions have come up. One of the questions in particular is the Table of Uses as it relates to industrial type development and the distinction between general and limited uses. I would like to recommend that the Council ask the city staff and ultimately the Planning Commission to explore this distinction. Knowing this, **Mayor Davis moved Pursuant to Section 20-1 (b) of the UDC, the City Council requests the city staff and the Planning Commission to hold a public hearing to review and discuss a text amendment to the North Scott Corridor Overlay District under Section 18-8 of the UDC regarding the Table of Uses, in particular, the Industrial Uses.** Councilman Fletcher seconded. Vote on the motion was recorded with all voting in favor. Motion carried.

**OTHER BUSINESS:**

Councilman Trutzel said there are cars parked on streets parallel to each other and he has had difficulty navigating through those areas which then led him to question the difficulty this must create for fire engines and emergency vehicles negotiating between two vehicles parked parallel

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on streets. Fire Chief Norman Larkey said it can be difficult. Police Chief James Person said the Police Department will enforce whatever the Council passes but often times the ordinances are rescinded because of complaints from constituents.

Being no further business, Councilman Lathrop moved to adjourn at 9:01 P.M. Councilwoman Peek seconded. All voted in favor. Meeting adjourned.

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