

**Minutes of the Belton City Council  
Work Session and Regular Meeting  
November 12, 2019  
City Hall Annex  
520 Main Street, Belton, Missouri**

Mayor Davis called the work session to order at 6:01 p.m.

Dave Clements, Director of Planning and Building, presented information to the Council about the proposed planned unit development (PUD) designation for the existing Shady Lane Duplexes. There is a new property owner who is creating a gated 55 and over community. The PUD is necessary to construct carports over the existing parking pads located in front of the units and to vacate the public streets making them private streets. The Planning Commission recommend approval at their October 21, 2019 meeting.

Being no further business, Mayor Davis adjourned the work session at 6:12 p.m. and called the regular meeting to order.

Councilmember Finn lead the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Davis, Tim Savage, Gary Lathrop, Chet Trutzel, Dean VanWinkle, Dave Clark, Ryan Finn, Stephanie Davidson, and Lorrie Peek

Staff present: Sheila Ernzen, Finance Director and Assistant City Manager; Padraic Corcoran, Attorney; and Andrea Cunningham, City Clerk

**CONSENT AGENDA**

Councilmember Trutzel moved to approve the consent agenda consisting of a motion:

- approving the minutes of the October 22, 2019, City Council Work Session & Regular Meeting and November 5, 2019, Special Meeting.
- approving a bid from Top Coat KC to paint the Police Department building for the amount of \$9,999.00.
- approving Resolution R2019-100: **A resolution approving actions of the City Manager to engage Breit Construction, LLC for emergency repair of sinkhole located at 204 Hillcrest Drive and ratifying Task Agreement No. 2019-9 in the amount of \$11,500.03.**

Councilmember Lathrop seconded. All voted in favor. Consent agenda approved.

**PERSONAL APPEARANCES**

Mayor Davis presented Dr. Andrew Underwood and Dr. Stacey Yurkovich with a proclamation congratulating the Belton School District for receiving the Ford Next Generation Learning (Ford NGL) designation.

Mayor Davis presented Mary Cummings and students with a proclamation declaring November 18, 2019, “Buckle Up, Phone Down” day in Belton in conjunction with MoDOT’s Buckle Up challenge. Ms. Cummings also presented to the City two Buckle Up, Phone Down MoDOT signs to put up in town.

Mayor Davis said the City of Belton received the 7 Seals Award from Missouri Employer Support of the Guard & Reserve (MO ESGR).

Scott Swaggart, 1009 Colbern Drive – Mr. Swaggart has concerns about the rental inspection program. He believes ordinances are already available to remediate problems. The City needs to find better ways to enforce them.

Nathan Priest, 204 Main Street – Mr. Priest believes the rental inspection program will be treating the owners of rental-occupied dwellings differently than owner-occupied dwellings. There are already current codes to accomplish what the City wants.

John Watt, Attorney, Baker Sterchi Cowden & Rice, LLC, Kansas City, MO – the ordinance is unconstitutionally vague, as written.

## **ORDINANCES**

Andrea Cunningham, City Clerk, gave the final reading of Bill No. 2019-55: **An ordinance approving a Rental Inspection Program in the City of Belton, Missouri, by adding a new Article V to Chapter 10 of the Unified Development Code.**

Presented by Councilmember Peek, seconded by Councilmember Trutzel. Councilmember Lathrop read citizen comments against the program. Councilmember Davidson read a citizen comment in favor of the program and her own comment in favor of the program. Councilmember Finn said he spoke with several property owners in Belton and the vast majority are not in favor of this program. Councilmember VanWinkle said he doesn't agree with the way the ordinance is written. Councilmember Clark said he doesn't like how the ordinance will be administered. Vote on the final reading was recorded:

Ayes: 4 Trutzel, Peek, Davidson, Mayor Davis

Noes: 5 Lathrop, Savage, VanWinkle, Clark, Finn

Absent: 0

Bill No. 2019-55 failed.

There was an interruption from the crowd by Mr. Joe Cooper. Mr. Cooper stated he believed Councilmen who are landlords should not vote on this.

Ms. Cunningham read Bill No. 2019-57: **An ordinance approving an amendment to the City's Zoning Map to authorize the creation of a Planned Unit Development in an existing R-2 (Single Family and Two Family Planned Unit Development) District, subject to plan documents and conditions herein specified, for Shady Lane, an existing two-family neighborhood located North of East North Avenue and East of Shady Lane, Belton, Cass County, Missouri.**

Presented by Councilmember Trutzel, seconded by Councilmember Clark. Vote on the first reading was recorded with all voting in favor. First reading passed.

## **CITY COUNCIL LIAISON REPORTS**

Councilmember Davidson gave a Park report.

- Good turnout for the Veteran's Day parade
- November 23, Kids' Night Out, High Blue Wellness
- High Blue Wellness is hiring
- Basketball league signups at High Blue Wellness
- December 2, 5:30 p.m., Mayor's Christmas Tree Lighting, Memorial Station

## **MAYOR'S COMMUNICATIONS**

- Good turnout at HyVee for their Veteran's Day breakfast
- There were 22 teams at the Turkey Bowl – fundraiser for Belton school district scholarships The Chamber of Commerce hosted the State of the City lunch today.

## **CITY MANAGER'S REPORT**

### November/December 2019 meetings

11/26 work session & regular meeting – 6:00 p.m.

12/10 work session & regular meeting – 6:00 p.m.

12/24 work session & regular meeting – Canceled

- Fire Chief, John Sapp, said there will be a retirement party on November 13 at 4 p.m. at Station 2 for Captain Robert Bellefy. On November 14 at 6 p.m. at Memorial Station there will be a badge pinning ceremony. The City Council is invited.
- Jay Kennedy, Golf Course Manager, said the new rain station is installed.

## **OTHER BUSINESS**

Councilmember Clark asked if our ordinance on “smoking prohibited in enclosed public places” could be amended to include vaping. Padraic Corcoran, Attorney, said the code already addresses this. Councilmember Clark suggested we send a letter to business owners reminding them of this.

Councilmember Clark asked about revisiting the discussion of a possible recycling center.

At 7:13 p.m. Councilmember Trutzel 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, and the meeting adjourn from there. Councilmember Savage seconded. The following vote was recorded.

Ayes: 9 VanWinkle, Lathrop, Clark, Savage, Finn, Mayor Davis, Peek, Trutzel, Davidson

Noes: 0

Absent: 0

Being no further business, the meeting was adjourned following the executive session.

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Andrea Cunningham, City Clerk

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Mayor Jeff Davis