



Agenda of the Belton City Council
July 11, 2023 – 6:00 p.m.
520 Main Street, Belton Missouri
<https://www.belton.org/watch>

- I. CALL MEETING TO ORDER
- II. PLEDGE OF ALLEGIANCE – Councilmember Powell
- III. ROLL CALL
- IV. PERSONAL APPEARANCES
 - A. Proclamation for Parks and Recreation Month
- V. UNFINISHED BUSINESS
 - A. Motion approving the final reading of Bill No. 2023-33
An ordinance accepting a Missouri Secretary of State Electronic Records Initiative Grant.
 - B. Motion approving the final reading of Bill No. 2023-34, as amended
An ordinance approving the Reappropriation and Revision of the City of Belton Fiscal Year 2024 adopted city budget.

Page 4

- VI. NEW BUSINESS
 - A. Motion approving the first reading of Bill No. 2023-35
Presented by Matt Wright, Planning and Building Director
An ordinance approving the Seventeenth Amendment to the Old Town Belton Redevelopment Plan to approve the 712 Main Street Project as Redevelopment Project 2023-04 and to authorize tax abatement as described therein.

A public hearing regarding the proposed Seventeenth Amendment to the Old Town Belton Redevelopment Plan for Redevelopment Project 2023-04 pursuant to Section 353.110.3(2), RSMo.

Page 10

- B. Motion approving the first reading of Bill No. 2023-36
Presented by Matt Wright, Planning and Building Director
An ordinance amending Sections 20-2; 20-6; and 40-2; and adding Section 20-7 of the Unified Development Code related to public noticing requirements and alternative development standards for platting processes.

Page 21

- C. Motion approving the first reading of Bill No. 2023-37
Presented by Matt Wright, Planning and Building Director
An ordinance adding Article V to Chapter 10 of the Unified Development Code to implement a Rental Inspection Program.

Page 30

- D. Motion approving the first reading of Bill No. 2023-38
Presented by Matt Wright, Planning and Building Director
An ordinance amending Article XXI to Chapter 6 of the Code of Ordinances to implement a Rental Inspection Program.

Page 52

- E. Motion approving the first reading of Bill No. 2023-39
Presented by Matt Wright, Planning and Building Director
An ordinance approving a Special Use Permit for a digital billboard located near the southeast corner of Interstate 49 and E. 163rd Street in the City of Belton, Cass County, Missouri.

Page 59

- F. Motion approving the first reading of Bill No. 2023-40
Presented by Matt Wright, Planning and Building Director
An ordinance approving a Special Use Permit for a body art services business at 827-829 E. North Avenue in the City of Belton, Cass County, Missouri.

Page 79

- G. Motion approving Resolution R2023-73
Presented by John Sapp, Fire Chief
A resolution approving the purchase of mobile data terminal equipment from Turn-Key Mobile, Inc. in the amount of \$69,094.00.

Page 85

VII. CONSENT AGENDA

One motion, non-debatable, to approve the “recommendations” noted. Any member of the Council may ask for an item to be taken from the consent agenda for discussion and separate action.

Presented by Greg Rokos, Assistant City Manager

A. Motion approving the Minutes of the June 27, 2023, City Council Meeting.

Page 90

B. Motion approving Resolution R2023-74

A resolution approving the purchase of two (2) box units for the Animal Control trucks in the total amount of \$55,896 from Hartstra Manufacturing.

Page 94

C. Motion approving Resolution R2023-75

A resolution approving a contract for services for Orb Gate replacement for the Wastewater Treatment Plant with David E. Ross Construction Company in the not-to-exceed amount of \$105,400.00.

Page 105

VIII. COMMUNICATIONS FROM CITY COUNCIL

IX. COMMUNICATIONS FROM MAYOR

X. CITY MANAGER’S REPORT

July/August 2023 City Council Meetings – 6:00 p.m.

July 25, 2023

August 8, 2023

August 22, 2023

XI. ITEMS FOR REVIEW AND DISCUSSION

A. Public Safety Advisory Committee

Presented by Scott Lyons, Police Chief

XII. Motion to enter Executive Session to discuss matters pertaining to individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, according to Missouri Statute 610.021.13, and that the record be closed, and the meeting adjourned from there.



Bill No. 2023-34 COUNCIL ACTION REPORT

Title: Reappropriation and Revision of the FY 2024 Budget, as Amended

Agenda Date: July 11, 2023

Presented by: Casey Koehn, Director of Finance

Background

- Budgeted FY23 expenditures that were not expensed in FY23 need to be reappropriated for FY24.
- As requested during the June 27, 2023, City Council meeting and first reading of Bill No 2023-34, the part-time animal control position has been amended to a full-time position.

Financial/Budget Considerations

- The Cash balance in each fund supports the reappropriation of the expenses.
- Itemized list of expenditures and transfers:

<u>Expenditures</u>					
Fund	Dept	Account	Amended Exp/Rev/Transfer	Amended Amount	Reason for Amendment
General-10	4400	495-7300	Bldg Imp-Fire	61,579	Work was not completed
10	4400	495-7400	Riot Shield/Helmet-PD	5,623	Item not purchased in FY23
10	4400	495-7500	Brush Truck-Fire	93,407	Item not purchased in FY23
10	4400	495-7500	Shift Cmdr - Fire	9,947	Item not purchased in FY23
10	4400	495-7500	Det Veh - PD	140,000	Item not purchased in FY23
10	4400	495-7500	SWAT - PD	273,400	Item not purchased in FY23
10	4400	495-7500	Patrol Cars - PD	160,000	Item not purchased in FY24
10	2100		Animal Control position to fulltime	50,617	Moving the budgeted part-time position to full-time
Park-220	3010	495-7300	Playground Equip	168,871	Work was not completed
220	3040	495-7300	Fire Panel	19,599	Work was not completed
Hotel/Motel-224	0000	495-7300	Asbestos/Demo	91,550	Work was not completed
Street-225	0000	495-7500	Truck	60,000	Item not purchased in FY23
225	0000	400-4032	Street Striping	137,978	Work was not completed
Cap Proj-442	5415	495-7117	Route 58 & Powell	1,000,000	Work was not completed
Street Cap Proj-445	5318	495-7117	Capital - Construction	5,000,000	Work was not completed
Storm Water-451	5608	495-7117	Construction Costs	600,000	Work was not completed
Wastewater-660	0000	495-7300	Central Square-upgrade	50,000	Incorrect amount in budget



660	0000	495-7300	Stream Bank Stabilization	356,249	Work was not completed
660	0000	495-7300	Public I & I Program	495,428	Work was not completed
660	0000	495-7400	Remote Real Time Reading	45,000	Item not purchased in FY23
660	0000	495-7400	Jetter Easement Machine	65,000	Item not purchased in FY23
660	0000	495-7400	Forestry Cutter 1/3	16,000	Item not purchased in FY23
660	0000	495-7400	Water Meter Register Replacement	242,400	Item not purchased in FY23
Water-662	0000	495-7300	Water Line replacement	1,316,534	Work was not completed
662	0000	495-7300	Holmes Pump Station Erosion Improvements	250,000	Work was not completed
662	0000	495-7300	Water Hydraulic Study	64,749	Work was not completed
662	0000	495-7400	SCADA North Scott Pump Station	11,000	Item not purchased in FY23
662	0000	495-7400	Remote Real Time Meter Reading System	105,000	Item not purchased in FY23
662	0000	495-7400	Water Meter Register Replacement	142,800	Item not purchased in FY23
Golf-665	0000	495-7400	Used J Deere 7400A Terrain Cut	16,500	Item not purchased in FY23
Total Expenditures				11,049,231	
<u>Transfers</u>					
Fund	Dept	Account	Amended Exp/Rev/Transfer	Amended Amount	Reason for Amendment
General-10	0000	391-4012	Trf from Public Safety Sales Tax	743,956	Total of transfer from PSST Fund for Police and Fire
PSST-12	3600	400-8510	Transfer to Gen Fund	579,023	Total of transfer to General Fund for Fire
12	3800	400-8510	Transfer to Gen Fund	164,933	Total of transfer to General Fund for Police
Street Cap Proj-445	0000	367-2100	MoDOT Cost Share	-1,080,000	Incorrect amount in budget
445	0000	391-2334	Trf from GO Bond Fund 334	11,641,000	This will be transferred with the assumption that the City sells bonds
Water Impact-462	0000	400-8562	Trf to Water Fund	1,800,000	Transfer to Water Fund for improvements
Water-662	0000	391-4620	Trf from Water Impact Fee	1,800,000	Transfer from Water Impact Fund for improvements
Total Transfers				15,648,912	
Total of all Amendments				26,698,143	



Legal Considerations

- There are no legal considerations.

Policy Considerations

- There are no policy considerations.

Staff Recommendation

- Staff recommends approval of this amended reappropriation and revision to the FY 2024 budget.

AN ORDINANCE APPROVING THE REAPPROPRIATION & REVISION OF THE CITY OF BELTON FISCAL YEAR 2024 ADOPTED CITY BUDGET.

WHEREAS, on March 28, 2023, the City Council approved the Fiscal Year 2024 City Budget; and

WHEREAS, amounts that were approved in the Fiscal Year 2023 City Budget that were not spent and need to be reappropriated in the Fiscal Year 2024 City Budget are now known.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council hereby appropriates, reappropriates, carries over, or otherwise revises the following accounts, funds, and monies as set forth below:

Fund	Account	Account Name	Approved Budget	Amended Amount	Amended Budget
10 -General	0000-391-4012	Trf from Public Safety Sales Tax	3,299,360	743,956	4,043,316
10	4400-495-7300	Capital - Improvements	345,000	61,579	406,579
10	4400-495-7400	Capital - Equipment	582,700	5,623	588,323
10	4400-495-7500	Capital - Vehicles	2,081,243	676,754	2,757,997
10	2100	Animal Control	161,026	50,617	211,643
12- PSST	3600-400-8510	Transfer to General Fund	1,631,973	579,023	2,210,996
12	3800-400-8510	Transfer to General Fund	1,667,386	164,933	1,832,319
220 - Parks	3010-495-7300	Capital - Improvements	97,000	168,871	265,871
220	3040-495-7300	Capital - Improvements	25,000	19,599	44,599
224	0000-495-7300	Capital Improvements	0	91,550	91,550
225 – Street	0000-400-4032	Street Striping	30,000	137,978	167,978
225	0000-495-7500	Capital - Vehicles	0	60,000	60,000
442 – Cap Proj	5415-495-7117	Route 58 & Powell	3,746,450	1,000,000	4,746,450
445 – Street Cap Proj	0000-367-2100	MoDOT Cost Share	1,080,000	-1,080,000	0
445	0000-391-2334	Trf from GO Bond Fund 334	0	11,641,000	11,641,000
445	5318-495-7117	Capital - Construction	4,478,796	5,000,000	9,478,796
451	5608-495-7117	Construction Costs	2,200,000	600,000	2,800,000

462 – Water Impact	0000-400-8562	Trf to Water Fund	0	1,800,000	1,800,000
660 - Wastewater	0000-495-7300	Capital - Improvements	3,997,846	901,677	4,899,523
660	0000-495-7400	Capital - Equipment	1,641,000	368,400	2,009,400
662 - Water	0000-391-4620	Trf from Water Impact Fee	0	1,800,000	1,800,000
662	0000-495-7300	Capital - Improvements	1,750,000	1,631,283	3,381,283
662	0000-495-7400	Capital - Equipment	48,500	258,800	307,300
665 - Golf	0000-495-7400	Capital - Equipment	75,392	16,500	91,892
				26,698,143	

SECTION 2. That this ordinance shall be in full force and effect from and after its passage and approval.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

READ FOR THE FIRST TIME: June 27, 2023

READ FOR THE SECOND TIME, AS AMENDED, AND PASSED:

Approved this ____day of _____, 2023

Mayor Norman K Larkey, Sr

Mayor Norman K Larkey, Sr

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the 27th day of June, 2023, and thereafter adopted as Ordinance No. 2023-_____ of the City of Belton, Missouri, at a meeting of the City Council held on the ___ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



Bill No. 2023-35 COUNCIL ACTION REPORT

Title: Old Town Belton Redevelopment Corporation – 712 Main St.

Agenda Date: July 11, 2023

Presented by: Matt Wright, Planning & Building Director

Background

- The applicant/owner of 712 Main St. is requesting project approval for \$28,000 in improvements (all exterior).

Financial/Budget Considerations

- The estimated taxes with improvements will increase from \$17,337 to \$34,223 over the 10-year abatement period. Although there will be a short-term loss in taxes for taxing entities, the long-term impact is positive by encouraging reinvestment in Old Town Belton.

Legal Considerations

- If the project is approved, staff will prepare a Memorandum of Understanding, Quit Claim Deed, and Certificate of Tax Abatement for approval by the Old Town Belton Redevelopment Corporation Board. Once all improvements have been completed, the Quit Claim Deed and Certificate of Tax Abatement will be processed with the County.

Policy Considerations

- The requested project is in compliance with the Old Town Belton Redevelopment Plan Policy adopted in 2021.

Staff Recommendation

- Staff recommends approval of the project for 712 Main St.
- The Old Town Belton Redevelopment Corporation Board recommended unanimous approval of the project for 712 Main St. on June 15, 2023.

AN ORDINANCE APPROVING THE SEVENTEENTH AMENDMENT TO THE OLD TOWN BELTON REDEVELOPMENT PLAN TO APPROVE THE 712 MAIN STREET PROJECT AS REDEVELOPMENT PROJECT 2023-04 AND TO AUTHORIZE TAX ABATEMENT AS DESCRIBED THEREIN.

WHEREAS, on March, 30, 2021, the City Council of the City of Belton, Missouri (the “**City**”) adopted Ordinance No. 2021-4621 approving the Old Town Belton Redevelopment Plan (the “**Development Plan**”) pursuant to Chapter 353 of the Revised Statutes of Missouri (“**Chapter 353**”), also known as the Urban Redevelopment Corporations Law, establishing a redevelopment area described therein (the “**Redevelopment Area**”), and granting tax abatement to the Old Town Belton Redevelopment Corporation (the “**OTBRC**”), or its successors and assigns, all in accordance with Chapter 353 on land improvements for redevelopment projects as more particularly described within the Development Plan; and

WHEREAS, the Development Plan contemplates that applications for additional redevelopment projects will be considered and approved in the future, with said projects to be approved as an amendment to the Development Plan and numbered consecutively; and

WHEREAS, an application was received on May 30, 2023, from Ashley Stanley, (the “**Application**”) for approval of an additional project located within the Redevelopment Area at 712 Main Street for the repair and remediation work to an existing structure therewith; and

WHEREAS, on June 15, 2023, the OTBRC Board met and reviewed the Application, for the proposed redevelopment project to be designated as Redevelopment Project 2023-04 and voted unanimously to recommend approval of said Redevelopment Project 2023-04 to the City Council; and

WHEREAS, notice of a public hearing on June 23, 2023, before the City Council regarding the proposed amendment to the Development Plan for Redevelopment Project 2023-04 was provided in accordance with the provisions of Chapter 353; and

WHEREAS, on July 11, 2023, the public hearing was opened and interested parties were provided with an opportunity to present evidence and hear testimony regarding the proposed amendment to the Development Plan for Redevelopment Project 2023-04; and

WHEREAS, the City Council having heard and considered the comments, testimony, and other evidence adduced at the public hearing and its meeting, desires to approve the proposed amendment to the Development Plan for Redevelopment Project 2023-04.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI AS FOLLOWS:

Section 1. The Seventeenth Amendment to the Old Town Belton Redevelopment Plan for Redevelopment Project 2023-04 is hereby approved in the form submitted to and reviewed by the City Council on the date hereof and attached hereto as **Exhibit A** and incorporated herein by reference.

Section 2. The Old Town Belton Redevelopment Corporation, or its successors and assigns, all in accordance with Chapter 353, is hereby granted tax abatement on land improvements as more particularly described within the Seventeenth Amendment to the Old Town Belton Redevelopment Plan for Redevelopment Project 2023-04.

Section 3. Except as amended by the Seventeenth Amendment to the Old Town Belton Redevelopment Plan for Redevelopment Project 2023-04, the Old Town Belton Redevelopment Plan shall remain unmodified.

Section 4. This ordinance is effective upon its passage and approval.

READ FOR THE FIRST TIME: July 11, 2023

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ day of _____, 2023.

Mayor Norman K. Larkey Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON)SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the ____day of _____, 2023, and thereafter adopted as Ordinance No. 2023-_____of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

Exhibit A

Seventeenth Amendment to the
Old Town Belton Redevelopment Plan
for Redevelopment Project 2023-04

[see attached]

**SEVENTEENTH AMENDMENT TO
OLD TOWN BELTON REDEVELOPMENT PLAN
REDEVELOPMENT PROJECT 2023-04**

Section III Redevelopment Projects of the Old Town Belton Redevelopment Plan is revised to add the following Redevelopment Project:

III. Redevelopment Projects

The Redevelopment Area will have within it many redevelopment projects, the number, location and construction details of which cannot be predicted at this time. The following are current projects:

Redevelopment Project 2023-04. 712 Main Street, Belton, Missouri. Applicants/Owners: Amanda Stanley. This project consists of the repair and remediation work to an existing structure at a cost of approximately \$28,000. The work includes roof replacement, new gutters, exterior painting to both the house and accessory structure, front porch and fence staining, new storm door, and new landscaping.

The redevelopment projects are within a larger area that has been determined by the City Council to be blighted and the clearance, replanning, rehabilitation or reconstruction of certain portions of the Redevelopment Area to be necessary to effectuate the purposes of the Urban Redevelopment Corporations Law.

Section IV. Tax Abatement of the Old Town Belton Redevelopment Plan is revised to add the following tax abatement:

IV. Tax Abatement.

Redevelopment Project 2023-04 qualifies for Level A-2 incentive and will be granted up to ten (10) years of tax abatement at ninety percent (90%) or for the cost of the improvements, whichever occurs first. Tax abatements for all projects are subject to the property owners entering into a written agreement with the OTBRC regarding the terms of the abatement, including the obligation to make payments in lieu of taxes for ten percent (10%) of the property taxes that would be due if no tax abatement were granted. The development rights including the tax abatements for each project shall expire in the event of the failure of OTBRC to acquire ownership of the properties for the project within two (2) years of the date of approval of each project.

Exhibit 3 Tax Impact Analysis to the Old Town Belton Redevelopment Plan is added to include the attached Tax Impact Analysis for Redevelopment Project 2023-04

[see attached]

Address:	712 Main St.
Application Date:	5/30/2023
Valuation:	\$28,000

Project Description	Valuation	
Roof Replacement	\$17,000.00	Exterior
New Gutters	\$3,700.00	Exterior
Paint Exterior (house and shed/garage)	\$3,800.00	Exterior
Stain Front Porch	\$500.00	Exterior
Add Storm Door (back door)	\$500.00	Exterior
Stain Fence	\$1,000.00	Exterior
New Landscaping	\$1,500.00	Exterior
Total Exterior Costs	\$28,000.00	100.00%
Total Interior Costs	\$0.00	0.0%
Total Projected Costs	\$28,000.00	

Chapter 353 Tax Impact Analysis

Section A Assumptions:

Section 1	Property	Address	Parcel #	Market Value	Class	AV
		712 Main St.	05-06-13-203-000-047-000	\$104,760	19%	\$19,900

Section 2	2022 Tax Levies (Per \$100 AV)	
	Cass County Sheltered Workshc	0.0454
	City	2.0446
	County	0.0000
	Hospital Maintenance	0.1242
	Junior College	0.2028
	Library	0.2545
	Mt. Pleasant Special Road	0.1839
	School District	5.4119
	State	0.0300
	Total	8.2973

Section 3	Land AV is as follows:	Total AV	Land AV	Improvement AV
		\$19,900	\$2,650	\$17,250

Section 4	Inflation per year:	2%
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Section 5	Abatement Term
	10 Years 90% Improvement AV OR cost of improvement (whichever occurs first)

Section 6	Improvements				
	Total Improvement Cost	Estimated New Appraised Value using 50% of Total Cost	Estimated New AV	Estimated Land AV	Estimated Improvement AV
	\$28,000.00	\$118,760.00	\$38,003.20	\$2,650.00	\$35,353.20

Section B Estimated taxes without the improvement projects

Tax:	
2023	\$1,651.16
2024	\$1,684.19
2025	\$1,684.19
2026	\$1,717.21
2027	\$1,717.21
2028	\$1,750.23
2029	\$1,750.23
2030	\$1,783.26
2031	\$1,783.26
2032	\$1,816.28
Totals	\$17,337.21

Section C Estimated abated taxes with improvement projects (without abatement)

Tax:	
2023	\$3,259.29
2024	\$3,324.48
2025	\$3,324.48
2026	\$3,389.66
2027	\$3,389.66
2028	\$3,454.85
2029	\$3,454.85
2030	\$3,520.03
2031	\$3,520.03
2032	\$3,585.22
Totals	\$34,222.55

Estimated Taxes To Be Abated (10 years)

Year	Cass County Sheltered Workshop	City	County	Hospital Maintenance	Junior College	Library	Mt. Pleasant Special Road	School District	State	Total
% of tax rate:	0.00547166	0.24641751	0	0.01496872	0.024441686	0.030672628	0.022163836	0.652248322	0.00361563	
2023	\$17.83	\$803.15	\$0.00	\$48.79	\$79.66	\$99.97	\$72.24	\$2,125.87	\$11.78	\$3,259.29
2024	\$18.19	\$819.21	\$0.00	\$49.76	\$81.26	\$101.97	\$73.68	\$2,168.38	\$12.02	\$3,324.48
2025	\$18.19	\$819.21	\$0.00	\$49.76	\$81.26	\$101.97	\$73.68	\$2,168.38	\$12.02	\$3,324.48
2026	\$18.55	\$835.27	\$0.00	\$50.74	\$82.85	\$103.97	\$75.13	\$2,210.90	\$12.26	\$3,389.66
2027	\$18.55	\$835.27	\$0.00	\$50.74	\$82.85	\$103.97	\$75.13	\$2,210.90	\$12.26	\$3,389.66
2028	\$18.90	\$851.33	\$0.00	\$51.71	\$84.44	\$105.97	\$76.57	\$2,253.42	\$12.49	\$3,454.85
2029	\$18.90	\$851.33	\$0.00	\$51.71	\$84.44	\$105.97	\$76.57	\$2,253.42	\$12.49	\$3,454.85
2030	\$19.26	\$867.40	\$0.00	\$52.69	\$86.04	\$107.97	\$78.02	\$2,295.94	\$12.73	\$3,520.03
2031	\$19.26	\$867.40	\$0.00	\$52.69	\$86.04	\$107.97	\$78.02	\$2,295.94	\$12.73	\$3,520.03
2032	\$19.62	\$883.46	\$0.00	\$53.67	\$87.63	\$109.97	\$79.46	\$2,338.45	\$12.96	\$3,585.22
Total:	\$187.25	\$8,433.03	\$0.00	\$512.27	\$836.46	\$1,049.70	\$758.50	\$22,321.60	\$123.74	\$34,222.55

CASS COUNTY **** REAL ESTATE **** TAX RECEIPT: 2022

STANLEY, ASHLEY M
 712 MAIN ST
 BELTON, MO 64012

TAX YEAR: 2022
 ACCT #: 1516600
 TOTAL PAID: \$1,427.13
 PAID ON: 12/8/2022

Personal Description

Map Number:

05-06-13-203-000-047-000

Situs Address:

712 MAIN ST
 BELTON, MO 64012
 SEC: 13 TWP: 46
 RNG: 33 Book/Page: 4761/64

ACREAGE: 0.00

Legal Description:

ORIG BELTON LOTS 5-8 BLK 43

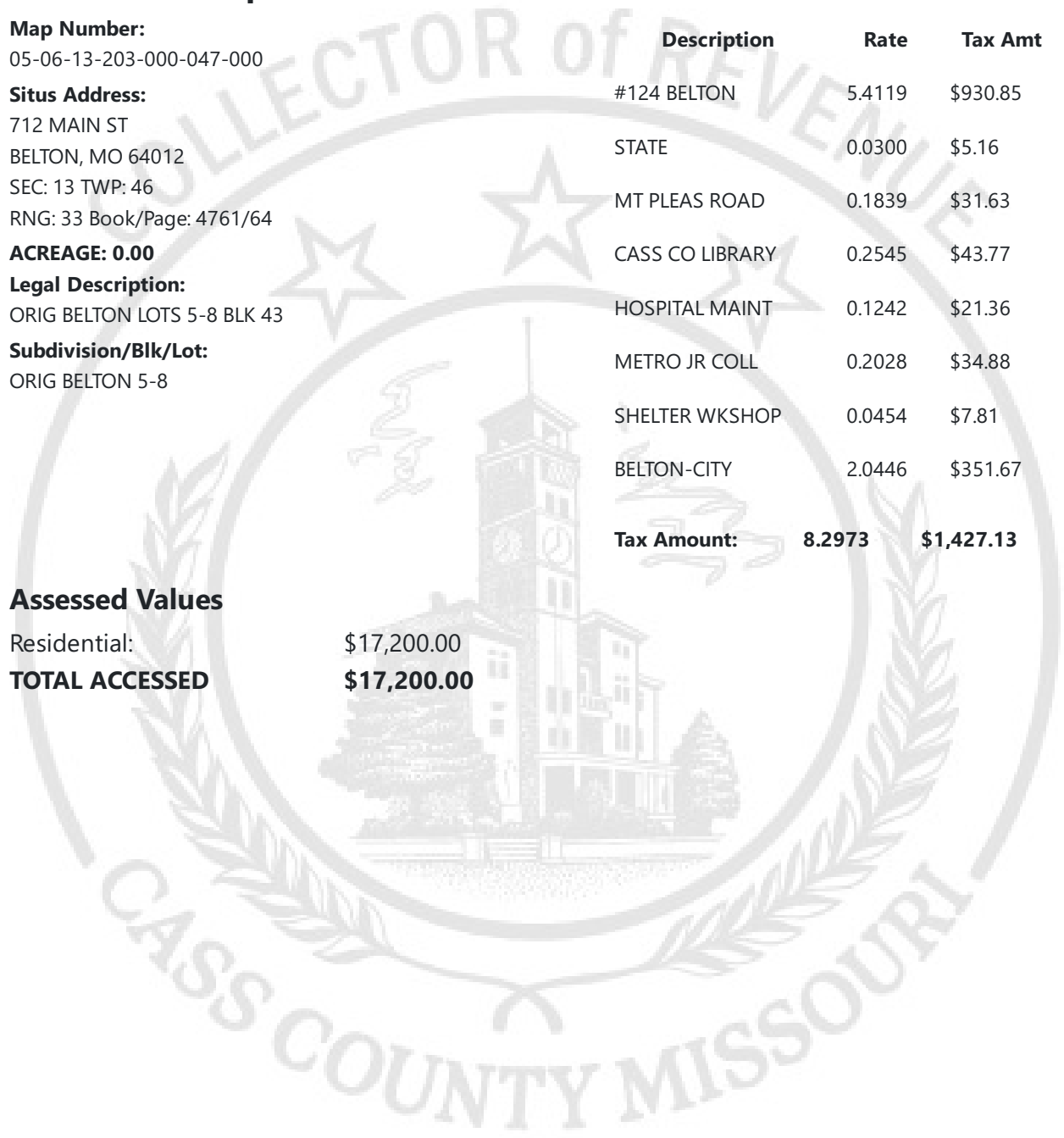
Subdivision/Blk/Lot:

ORIG BELTON 5-8

Description	Rate	Tax Amt
#124 BELTON	5.4119	\$930.85
STATE	0.0300	\$5.16
MT PLEAS ROAD	0.1839	\$31.63
CASS CO LIBRARY	0.2545	\$43.77
HOSPITAL MAINT	0.1242	\$21.36
METRO JR COLL	0.2028	\$34.88
SHELTER WKSHOP	0.0454	\$7.81
BELTON-CITY	2.0446	\$351.67
Tax Amount:	8.2973	\$1,427.13

Assessed Values

Residential: \$17,200.00
TOTAL ACCESED \$17,200.00





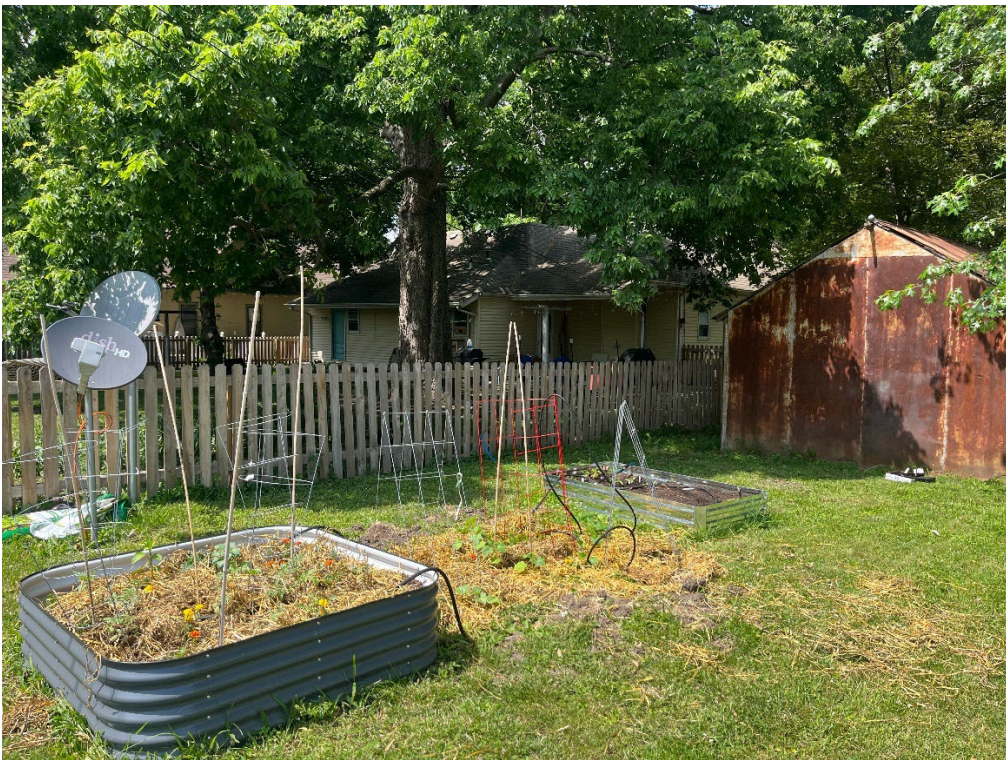
Front photo



Front photo



Rear photo



Rear photo



Bill No. 2023-36 COUNCIL ACTION REPORT

Title: UDC Text Amendments – Public Noticing & Alternative Development Standards

Agenda Date: July 11, 2023

Presented by: Matt Wright, Planning & Building Director

Background

- Staff is recommending updates to the public noticing process to streamline the process and limit the potential for errors in the process.
- Staff is also recommending adding platting processes to the Alternative Development Standards process to allow minor modifications to the subdivision regulations and other applicable sections of the UDC. This would particularly be beneficial for smaller subdivisions to make modifications through a platting process, rather than going through a variance or PUD process.
- The Planning Commission recommended unanimous approval of these amendments after conducting a public hearing, at which no one spoke in favor or in opposition to, on June 20, 2023. The Planning Commission also recommended that staff bring forward potential options to increase the notification distance, which is currently set at 185-ft. from the property boundaries. After further review, staff researched 8 other cities on the Missouri-side of the metro, of which 6 notify at 185-ft. Both Lee's Summit and Peculiar notify at 300-ft. Raymore notifies at 185-ft., but will also mail notice to Councilmembers representing the ward in which the project is located and the HOA representative on record for any project in which an HOA is located within the notification area.

Financial/Budget Considerations

- These UDC text amendments will require a slight increase in postage to mail public hearing notices to property owners. However, eliminating the certified mailing requirement will greatly reduce this burden.

Legal Considerations

- The proposed amendments are in compliance with State statutes.

Policy Considerations

- Staff believes that the recommended code changes will improve the development review process.

Staff Recommendation

- Staff recommends approval of the UDC Text Amendments as provided for in the Ordinance language. Additional background information is provided in the staff report provided to the Planning Commission and attached to the Ordinance as Exhibit A.

AN ORDINANCE AMENDING SECTIONS 20-2; 20-6; AND 40-2; AND ADDING SECTION 20-7 OF THE UNIFIED DEVELOPMENT CODE RELATED TO PUBLIC NOTICING REQUIREMENTS AND ALTERNATIVE DEVELOPMENT STANDARDS FOR PLATTING PROCESSES.

WHEREAS, the City of Belton adopted the Unified Development Code (“UDC”) by Ordinance No. 2011-3772 on December 13, 2011, which has subsequently been amended; and

WHEREAS, City staff has prepared UDC text amendments to update public noticing requirements to streamline the review and noticing process for development applications that require a public hearing; and add Alternative Development Standards requests to platting processes for minor code modifications to be requested through said process; and

WHEREAS, after due public notice was given in the manner prescribed by law, the Planning Commission held a public hearing on June 20, 2023, to review and make a recommendation on the proposed UDC text amendments. After said public hearing, the Planning Commission voted 7-0 to recommend approval of the UDC text amendments to the City Council. The staff report is attached as Exhibit A; and

WHEREAS, the City Council believes that the UDC text amendments are in the best interest of the citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. That Section 20-2 – Procedure for zoning map and text amendments is hereby amended with the additions in **bold print** and deletions with ~~strikethrough~~ notation as follows:

- (a) Planning commission public hearing. All proposed text and map amendments must be submitted to the planning commission for review and recommendation. The planning commission must hold a public hearing on the application. The public hearing must be held at the next regular meeting of the planning commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. **All means of public notice shall follow the standards in Sec. 20-7.** ~~The applicant shall send certified letters to the most recent property owner of record for all properties within 185 feet of the subject property 15 days prior to the public hearing. The applicant shall provide proof of such mailing to city staff prior to the public hearing. In the case of a rezoning application or special use permit, the applicant shall place a sign on the property informing the public that a hearing will be held at a specific time and place concerning proposed changes in use.~~
 - ~~(1) The sign shall be placed at a property line abutting the street and be readily~~

~~visible to the general public.~~

- ~~(2) The sign shall be furnished by the city to the applicant.~~
- ~~(3) The applicant shall maintain the sign for at least 15 days immediately preceding the date of the public hearing.~~
- ~~(4) The applicant shall file an affidavit with the secretary of the planning commission at the time of the public hearing verifying that the sign has been maintained and posted as required by this ordinance and applicable resolutions.~~
- ~~(5) Upon conclusion of the public hearing, the applicant shall remove the sign and return it to the city.~~

Section 2. That Section 20-6 – Alternative development standards is hereby amended with the additions in **bold underlined print** and deletions with ~~strikethrough~~ notation as follows:

(a) *Alternative development standards.*

(1) Requests to deviate from, modify, or waive one or more applicable regulations, restrictions, or standards through the preliminary or final development plan, ~~or special use permit,~~ **or platting** process shall be known as an "alternative development standard." The purpose of the alternative development standard process is to streamline the review of development projects in which a preliminary or final development plan is already required. Alternative development standards may only be requested through a preliminary or final development plan, ~~or special use permit,~~ **or plat** application if associated with new or redevelopment of an existing property, unless otherwise deemed eligible by this Code. Alternative development standards are not intended to replace the variance or PUD process and are intended to be only utilized for minor deviations, modifications, or waivers. The director shall have the authority to determine if a request for alternative development standards is more appropriate to be processed as a variance or a PUD. Requests for alternative development standards are limited to the following chapters and sections within this Code:

- a. Chapter 4—Accessory uses and structures.
- b. Chapter 6—Agricultural and residential zoning districts.
- c. Chapter 12—Commercial, industrial, parks, recreation and public use zoning districts.
- d. Chapter 18—General use regulations—Limited to dimensional and design standards only.
- e. Chapter 22—Landscaping and screening.
- f. Chapter 26—Parking, loading and access.
- g. Chapter 28—Performance standards.
- h. Chapter 30—Signs.
- i. Chapter 36—Subdivision regulations.
- j. Chapter 40—Use-specific standards - residential, commercial, other— Limited to conditions or restrictions for conditional or special use

standards only.

Section 3. That Section 40-2 – Special use provisions is hereby amended with the additions in **bold underlined print** and deletions with ~~striketrough~~ notation as follows:

(d) *Approval process.*

(1) The special use permit application must be submitted to the planning commission for review and recommendation. The planning commission must hold a public hearing on the application, notice of which must be given 15 days prior. The public hearing must be held at the next regular meeting of the planning commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. ~~The applicant shall send certified letters to the most recent property owner of record for all properties within 185 feet of the subject property 15 days prior to the public hearing. The applicant shall provide proof of such mailing to city staff prior to the public hearing.~~ **All means of public notice shall follow the standards in Sec. 20-7.**

Section 4. That Section 20-7 – Public notice requirements is hereby added with the additions in **bold underlined print** and deletions with ~~striketrough~~ notation as follows:

Sec. 20-7. Public notice requirements.

(a) Required public notice. Notice of a public hearing is required for the following application types:

(1) Unified Development Code Text Amendments

(2) Vacation of Right-of-Way or Easement

(3) Special Use Permit

(4) Variance

(5) Rezoning

(6) Preliminary Development Plan

(7) Planned Unit Development

(b) Newspaper public notice. A notice of public hearing must be published in a newspaper of general circulation in the city at least fifteen (15) days prior to the public hearing date. The public notice shall provide the time, place, and purpose of the public hearing.

(c) Notice to surrounding property owners. A notice of public hearing shall be sent by regular mail to the last known property owner of record to all properties within 185-feet of the property boundaries of the application under consideration at least fifteen (15) days prior to the public hearing date. The mailed notice shall provide the time, place, and purpose of the public hearing. Failure to receive mailed notice shall not invalidate any action taken on the application.

(d) Posting of public hearing sign. A notice of public hearing sign shall be posted on the premises of the property for which the application is under consideration at least fifteen (15) days prior to the public hearing date. The sign shall be provided to the applicant by the city for posting. The sign shall

be placed in a location that is readily visible to the public. The applicant shall make a good faith effort to maintain the sign on the property for at least fifteen (15) days prior to the public hearing. The sign shall not be removed until after all proceedings have been completed or the application is withdrawn.

Secs. 20-~~78~~—20-26. Reserved.

Section 5. That this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 6. All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.

READ FOR THE FIRST TIME: July 11, 2023

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ day of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the ____ day of _____, 2023, and thereafter adopted as Ordinance No. 2023-_____ of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



PROJECT: **UDC TEXT AMENDMENTS**

APPLICATION:

Applicant – City of Belton / Planning & Building

PROJECT SUMMARY

DESCRIPTION:

The request is to consider certain amendments to the Unified Development Code related to public hearing notices and alternative development standards for plats.

STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL

PROPOSED AMENDMENTS

Amendments are periodically proposed to the Unified Development Code (UDC) to advance new regulations/land use techniques, address conflicts, and revise wording to help with administrative situations that arise through use of the code.

The following is a summary of proposed amendments to the UDC:

1. Amendments to Sec. 20-2 (Procedure for zoning map and text amendments) and Sec. 40-2 (Special use provisions).
2. Addition of Sec. 20-7 (Public notice requirements)
3. Amendments to Sec. 20-6 (Alternative development standards)

Staff is requesting to simplify the public noticing requirements to reduce the potential for errors in the process. Prior to April 2018, staff was responsible for providing mailed notice on development applications in which a public notice is required. In April 2018, the code was amended to require the applicant to handle the mailing of letters via certified mail to all property owners within 185-ft. of the project site. Staff is proposing to once again handle the mailing of public notice letters to ensure letters are consistent and are mailed on time. Additionally, staff believes that mailing via regular mail (rather than certified mail) provides sufficient notice. State law only requires a newspaper notice. Public hearing signs and mailed notices are additional courtesies that help make the public aware of development proposals.

In September 2022, the code was amended to add Alternative Development Standards to the development process. These Standards allowed applicants to request modifications to certain standards when reviewed with a preliminary or final development plan or a special use permit. Staff is proposing to add the platting process or plats to this process to allow minor modifications to certain subdivision standards. The current platting processes and subdivision regulations are in need of a significant update, however, this is best handled after the Comprehensive Plan is updated as part of a larger Unified Development Code update. In the meantime, the addition of platting to the Alternative Development Standards process will help allow modifications until these significant updates have been made.

REVIEW CRITERIA / FINDINGS OF FACT

Section 20-3, provides certain criteria that must be addressed with a Text Amendment to the Unified Development Code. These criteria are summarized below, with analysis for consideration of the Planning Commission:

(1) Whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Belton. The proposed amendments are consistent with the intent and purpose of the Code.

(2) Whether the proposed text amendment corrects an error or inconsistency in the Code. The proposed amendments for public hearing notices modify changes that were made in 2018 that have been determined to increase the potential for errors in the public noticing process. The proposed amendments for alternative development standards expands the use of the process to plats to allow additional flexibilities from subdivision regulations, which often apply a one size fits all approach that can be overly burdensome or rigid.

(3) The areas which are most likely to be directly affected by such change and in what way they will be affected. The proposed amendments apply citywide. The changes to the public notice process generally only impacts the applicant and staff, with the exception of mailed letters that will change from certified letters to regular mail.

(4) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it. The proposed amendments do not specifically impact zoning or are related to any specific zoning district.

(5) Whether the proposed text amendment is in the best interests of the city as a whole. The proposed amendments are in the best interests of the city as a whole. The public notice processes still provide three forms of public notice (newspaper, sign, and letter) for development projects to notify the public and encourage public participation, while reducing the potential for errors in the process. The addition of plats to the Alternative Development Standards process will allow flexibility in situations where the subdivision regulations are overly burdensome or rigid.

STAFF RECOMMENDATION

Staff recommends approval of the UDC Text Amendments.

The Planning Commission is tasked with considering the UDC Text Amendments recommended by staff. The Commission may recommend modifying any recommendations by staff or add additional recommendations for the City Council's consideration.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **recommend approval** of the UDC Text Amendments, with or without conditions.
2. Motion to **recommend denial** of the UDC Text Amendments.

3. Motion to continue the application for further information.

ATTACHMENTS

1. UDC Text Amendments (Redlined) – 7 pages



Bill No. 2023-37 COUNCIL ACTION REPORT

Title: UDC Text Amendments – Rental Inspection Program

Agenda Date: July 11, 2023

Presented by: Matt Wright, Planning & Building Director

Background

- City staff began reviewing past history of rental inspection program proposals in September 2022. A survey was published in December 2022 and community meeting held in January 2023 to receive feedback from the community. Based on feedback received, staff developed a program that balances the interests of landlords and tenants in a manner that is intended to achieve the program goal of protecting the health, safety, and welfare of residents while maintaining property values throughout the community.
- The Code Enforcement Advisory Committee unanimously recommended approval of the program on February 23, 2023 with minor recommended revisions, the most significant revision being an addition that at least one inspection be conducted every five years if there was no tenant turnover in a unit.
- Planning Commission held a public hearing on May 21, 2023, at which two landlords requested clarification, but did not specifically speak in favor or in opposition to the program.
- Planning Commission recommended unanimous (7-0) approval of the UDC Text Amendments as proposed with the Code Enforcement Advisory Committee's recommendations.
- Staff presented the proposed program as a work session topic at the March 28, 2023 City Council meeting. At that time, concerns were raised regarding the addition of the one inspection every five years for long-term tenants. This addition has been removed from the final text based on feedback received from the City Council.

Financial/Budget Considerations

- The Planning & Building Department will monitor and conduct required inspections with current staffing. Fees are proposed to be assessed at \$10.00 per inspection with no additional fees being added to the landlord business license, which is currently \$70.00 annually. Overall, these fees are lower than any other cities in the region with a rental inspection program. Staff will re-evaluate the program after the first year to determine if any changes in fees or staffing are necessary to successfully manage the program.

Legal Considerations

- As inspections are only proposed when unoccupied (unless requested otherwise by the landlord or tenant), there are no legal concerns with the adoption of the rental inspection program as proposed. Several cities in the region (and across the United States) have rental inspection



programs, many of which could be considered to be more intrusive to landlords and tenants, and have not been determined to be illegal under the Constitution.

Policy Considerations

- Staff is proposing an effective date of July 1, 2024 for the program. This allows staff approximately 1 year to complete the following:
 - Notify currently licensed landlords of the program and how they need to prepare for it;
 - Coordinate with utilities and ownership data to locate and notify current landlords who are not licensed;
 - Complete the Central Square upgrade to streamline the licensing and inspection processes in advance of the program taking effect; and
 - Conduct staff trainings and certifications.

Staff Recommendation

- Staff recommends approval of the UDC Text Amendments to adopt the rental inspection program as proposed.

AN ORDINANCE ADDING ARTICLE V TO CHAPTER 10 OF THE UNIFIED DEVELOPMENT CODE TO IMPLEMENT A RENTAL INSPECTION PROGRAM.

WHEREAS, the City of Belton adopted the Unified Development Code (“UDC”) by Ordinance No. 2011-3772 on December 13, 2011, which has subsequently been amended; and

WHEREAS, the City Council has made code enforcement a priority throughout the City; and

WHEREAS, the City staff held a community meeting on January 19, 2023 to review and discuss the proposed Rental Inspection Program, and based upon community feedback, modifications were made to the proposed Program; and

WHEREAS, the Code Enforcement Advisory Committee held a meeting on February 23, 2023 to review and discuss the proposed Program and recommended unanimous approval to proceed with the Program with minor recommended revisions; and

WHEREAS, after due public notice was given in the manner prescribed by law, the Planning Commission held a public hearing on March 21, 2023, to review and make a recommendation on the proposed UDC text amendments to adopt the proposed Program. After said public hearing, the Planning Commission voted 7-0 to recommend approval of the UDC text amendments to the City Council. The staff report and supporting documents are attached as Exhibit A; and

WHEREAS, the City Council discussed the proposed UDC text amendments at a work session on March 28, 2023 and after discussion, it was determined that the Code Enforcement Advisory Committee recommendation to include a requirement that at least one (1) inspection shall be conducted every five (5) years for long-term occupancies should be removed from the final text; and

WHEREAS, the City Council believes that the UDC text amendments are in the best interest of the citizens and meet the Program’s intent to protect the general health, safety, and welfare of residents of the City residing in rental and non-owner occupied dwelling units as stated in the purpose and scope of the Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. That Article V (Rental Inspection Program) is added to Chapter 10 (Buildings and Structures) of the Unified Development Code, herein attached as “**Exhibit A**” and incorporated as if fully set forth herein. Supporting documentation and process history is attached as “**Exhibit B.**”

Section 2. That this Ordinance shall take effect and be in full force on July 1, 2024.

Section 3. All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.

READ FOR THE FIRST TIME: July 11, 2023

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ day of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the ____ day of _____, 2023, and thereafter adopted as Ordinance No. 2023-____ of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

UDC Text Amendments – Rental Inspection Program

Unified Development Code

Chapter 10 – Buildings and Structures

Article V. Rental Inspection Program

Sec. 10-140. Purpose and Scope

- (a) The purpose of this Article is to protect the general health, safety, and welfare of residents of the City residing in rental and non-owner occupied dwelling units. The intent of this Article is to:
 - (1) Promote safe living conditions in residential properties;
 - (2) Protect the character and stability of residential neighborhoods;
 - (3) Prevent and correct housing conditions which are likely to adversely affect the health, safety, and welfare of residents of rental and non-owner occupied properties;
 - (4) Preserve property and building values throughout the City; and
 - (5) Enforce minimum standards in accordance with adopted Building, Fire, and Property Maintenance codes for exterior and interior areas of rental and non-owner occupied dwelling units and properties.
- (b) It is not the intent of the City to intrude upon contractual relationships between occupants/tenants and landlords, owners, or property managers; nor does the City intend to intervene as an advocate for either party, act as an arbiter, or hear complaints from occupants/tenants or landlords, owners, or property managers which are not specifically related to the provisions of this Article.

Sec. 10-141. Applicability and Definitions

- (a) The provisions of this Article shall apply to all rental and non-owner occupied dwelling units as defined in Chapter 6, Article XXI of the Code of Ordinances and as further defined in this Section.
- (b) The City shall have the authority to exercise its powers under this Article including the power to issue, renew, deny, revoke, or suspend a rental license, as required by Chapter 6, Article XXI of the Code of Ordinances, for failure to comply with the provisions and processes in this Article. The City shall also have the authority to declare a rental or non-owner occupied dwelling in violation of this Article.
- (c) Definitions.

City: The City of Belton, Missouri.

Dwelling: Any building or structure that contains one (1) or more dwelling units designed for or used for human habitation and offered for rent or lease, but not including hotels/motels/lodging establishments, convalescent homes or nursing homes.

Dwelling unit: A building or portion of a building which is exclusively arranged, occupied, or intended to be occupied as living quarters for one (1) family; a separate, independent living quarter consisting of one (1) or more connected rooms with permanently installed bathroom and kitchen facilities.

Enforcement official: The official designated herein or otherwise charged with the responsibilities of administering this Article or their authorized representatives. For purposes of this Article, the enforcement official shall be the Chief Building Official and/or their designated representatives.

Landlord: The owner of a dwelling or dwelling unit who, in exchange for rent, leases it to an occupant/tenant.

Non-owner occupied: The dwelling is used by the owner as their primary residence for less than six (6) months during the calendar year.

Occupant/tenant: Any person holding a written or oral lease to occupy a dwelling or dwelling unit from a landlord.

Owner: Any person having legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Premises: A lot, plot, or parcel of land of any part thereof, including the buildings or structures thereon.

Property manager: A person charged with operating a dwelling or dwelling unit when the owner is unable or unavailable to personally attend to such details.

Rental and non-owner occupied property: Any contiguous real property situated in the City, under one (1) ownership, improved with one (1) or more buildings, each containing one (1) or more dwelling units, which are non-owner occupied, including premises rented or leased to the residential occupants thereof.

Sec. 10-142. Inspection Process

(a) Frequency of Inspections.

- (1) A required inspection shall be conducted when there is a change of occupancy between occupants/tenants for all rental and non-owner occupied dwelling units in the City.
- (2) A voluntary inspection may be requested at any time by an owner, landlord, property manager, or occupant/tenant, however, no more than one (1) inspection may be requested within a one (1) year period.

(b) Exceptions to inspection requirements.

- (1) An inspection is not required for dwelling units that are less than three (3) years old based on when a Certificate of Occupancy was issued for new construction (e.g. an inspection is required when a unit is 3 years and 1 day old). This exception only applies to new construction and not remodels or renovations of pre-existing structures.

(c) Conduct of Inspections.

- (1) Inspections will be conducted by the enforcement official upon notification of change of occupancy by the owner, landlord, property manager, or occupant/tenant.

- (2) The following items will be inspected by the enforcement official for compliance with applicable adopted building, fire, and property maintenance codes:
 - a. No exposed or open electrical wires; GFCIs tested within six (6) feet of a water source;
 - b. Smoke detectors and carbon monoxide detectors, as required, are in working order;
 - c. Property address numbers are visible on the exterior of the property;
 - d. Interior and exterior handrails, guardrails, stairs, and decks are secure;
 - e. Plumbing fixtures are maintained in working order;
 - f. Safe, continuous, and unobstructed egress between the unit and public right-of-way is provided;
 - g. Furnaces and water heaters are properly installed and operational; and
 - h. Exterior doors and windows are in proper working order for ingress/egress.
 - (3) Any structural conditions or hazards that are deemed by the enforcement official as an immediate threat to the life, health, safety, or welfare of the occupant/tenant may initiate the Dangerous Buildings and Structures process as defined in Article III of this Chapter.
- (d) Failed inspections.
- (1) If an inspection fails, the owner, landlord, and property manager will be notified of all items that must be corrected to pass reinspection. A reinspection by the enforcement official shall be scheduled prior to occupant/tenant occupancy within fourteen (14) calendar days of the failed inspection.
 - (2) Failure to correct any violations or schedule a reinspection by the deadline given will result in the issuance of a Violation Notice upon the owner, landlord, and property manager. The notice shall provide specific code sections in violation and provide a deadline for abating said violations.
- (e) Access for Inspections.
- (1) If access is refused onto the property or in the dwelling unit by owner, landlord, property manager, or occupant/tenant, the City reserves the right to utilize every legal remedy provided by law to secure access, including but not limited to application for an administrative search warrant.



CITY OF BELTON
DEPARTMENT OF PLANNING & BUILDING
 City Hall Annex: 520 Main St. Belton, MO 64012
 816-331-4331 | www.Belton.org

PLANNING APPLICATION STAFF REPORT

PLANNING COMMISSION: MARCH 21, 2023

PROJECT: **UDC TEXT AMENDMENTS – RENTAL INSPECTION PROGRAM**

APPLICATION:

Applicant – City of Belton / Planning & Building

PROJECT SUMMARY

DESCRIPTION:

City staff is requesting the consideration of certain amendments to the Unified Development Code related to the adoption of a Rental Inspection Program for rental dwelling units.

STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL

PROPOSED AMENDMENTS

The development of a Rental Inspection Program was initiated in 2018 with reviews of other programs in the metro area by staff, the Code Enforcement Advisory Committee, and City Council. Both a Rental Inspection Program and a Residential Rental/Landlord licensing requirement were submitted to the City Council in 2019. The licensing requirement was approved, while the inspection program was denied.

Since 2019, the City has approved over 1,000 new residential units that are planned to be rental dwelling units. As the number of rental dwelling units continue to increase in the City, it is important to ensure that existing and future units are being maintained to minimum building, fire, and property maintenance standards to protect tenants and property values.

The following is a timeline of the history of the currently proposed Rental Inspection Program:

- November 8, 2022 – staff notified the City Council that they would be bringing forward a new draft of the Program for consideration in the future. Staff provided a brief outline of the process and that they would be building the Program off of the 2019 proposal as a starting point.
- November 10, 2022 – staff notified the Code Enforcement Advisory Committee that they would be bringing forward a new draft of the Program and that the Committee would be the first to review and recommend at a future meeting.
- December 20, 2022 – staff published an informational handout summarizing the proposed Program and a community survey on the City’s website. A link to these items and an invitation to a community meeting on January 19, 2023 was emailed to 183 licensed landlords with email addresses on file.
- January 19, 2023 – staff held a community meeting in the Community Room at the Belton Police Department. Approximately 50 citizens attended the meeting and provided feedback on the proposed Program.

- January 24, 2023 – staff sent an email to 44 citizens that provided email addresses who attended the community meeting notifying them of how to follow program updates on the City’s website.
- January 29, 2023 – the community survey published on December 20, 2022 closed and survey data was tabulated and summarized. Survey data is not statistically valid, though did provide helpful insight from landlords, tenants, and homeowners.
- February 16, 2023 – the revised Program was posted online in the Code Enforcement Advisory Committee agenda packet, as well as on the City’s Planning & Building webpage. An email was sent on February 17, 2023 to the 44 citizens who attended the community meeting notifying them of the revisions.
- February 23, 2023 – the Code Enforcement Advisory Committee met to review and discuss the proposed Program and the revisions that were made through the citizen participation process. The Committee unanimously recommended approval of proceeding with the proposed Program with minor revisions, including the following:
 - Allow an option for voluntary inspections for occupied dwelling units;
 - Require at least one (1) inspection every five (5) years to protect long-term tenants; and
 - Reduce the exception for inspections for new construction from 5 years to 3 years from date of completion.

Staff has incorporated the Committee’s recommendations into the code amendments that are being provided to the Planning Commission for review and recommendation to the City Council. The table below provides a summary of the proposed program (items in **bold underline** were added by the Code Enforcement Advisory Committee; items in ***bold underline italics*** were added by staff for further clarification):

Topic	Original Proposal (Dec. 2022-Jan. 2023)	Revised Proposal (Feb. 2023)
Inspection Frequency	Every two (2) years	Between tenants (when unit is unoccupied); <u>minimum of 1 inspection every 5 years; voluntary inspections may be requested (maximum of 1 per year)</u>
Inspector	Qualified third party inspector	City staff (Planning & Building Dept.)
Number of units to be inspected	All detached and attached units with 4 or fewer units, 1 unit for 5-10 attached units, and 10% of units for buildings with more than 10 units	All rental dwelling units
Items to be inspected	<ul style="list-style-type: none"> • No exposed electrical wires/open electrical and GFCIs tested within 6’ of water source • Smoke and carbon monoxide detectors in working order • Address numbers visible on exterior • Interior and exterior handrails, guardrails, stairs, and decks are secure • Plumbing fixtures maintained in working order • Safe, continuous, and unobstructed egress between unit and public right-of-way • Furnaces and water heaters properly installed and operational • Free of insect and/or rodent infestation 	<ul style="list-style-type: none"> • No exposed electrical wires/open electrical and GFCIs tested within 6’ of water source • Smoke and carbon monoxide detectors in working order • Address numbers visible on exterior • Interior and exterior handrails, guardrails, stairs, and decks are secure • Plumbing fixtures maintained in working order • Safe, continuous, and unobstructed egress between unit and public right-of-way • Furnaces and water heaters properly installed and operational • Free of insect and/or rodent infestation • <u>Exterior doors and windows in working order (open/shut)</u>

Other items that are proposed to be included in the program:

- Units less than 5 3 years old (based on when unit was completed) will not require an inspection.
- Property taxes must be paid on the property before an inspection will be approved.
- If an inspection fails, a reinspection must be called in within fourteen (14) days.
- **Any structural conditions or hazards that are deemed as an immediate threat to the life, health, safety, or welfare of the tenant may initiate the Dangerous Buildings and Structures process.**

Items still in review and will be based on final recommendations and decisions from the Planning Commission and City Council:

- Some modifications to the landlord business license process will likely be required, including possible changes to licensing fees. This will likely include changes to Chapter 6 of the Code of Ordinances (Business Licenses and Regulations).
- Inspection fees have not been determined, though the goal is to keep fees to a minimum, particularly for initial inspections as an incentive for landlords and tenants to pre-inspect their units to ensure compliance with the program.
- The effective date of the program will be determined on any other changes that will be needed to accommodate the program, including the 2 items above, as well as the need for a new digital platform to efficiently monitor rental licensing and inspections with an online user component for scheduling and status updates on inspections. Staff is recommending a delay in the effective date to provide ample notice to landlords of the program and changes to processes and fees.

REVIEW CRITERIA / FINDINGS OF FACT

Section 20-3, provides certain criteria that must be addressed with a Text Amendment to the Unified Development Code. These criteria are summarized below, with analysis for consideration of the Planning Commission:

- (1) Whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Belton. The requested amendments meet the intent and purpose of the UDC, including the promotion of the health, safety, and general welfare of the City and the preservation and protection of property values throughout the City.
- (2) Whether the proposed text amendment corrects an error or inconsistency in the Code. The requested amendments are to adopt new regulations and are not intended to address error or inconsistencies in the Code.
- (3) The areas which are most likely to be directly affected by such change and in what way they will be affected. The requested amendments will predominantly impact residential zoning districts but could impact some commercial zoning districts that have upper-level rental dwelling units.
- (4) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it. The requested amendments will implement a Rental Inspection Program to ensure minimum building, fire, and property maintenance standards are being met for the interior of rental dwelling units. As the number of rental units continues to increase in Belton, the need to ensure rental dwelling units are maintained will be crucial for the long-term preservation of neighborhoods and the community as a whole.
- (5) Whether the proposed text amendment is in the best interests of the city as a whole. The requested amendments are in the best interests of the City to protect residents residing in rental dwelling units, preserve qualify housing units, and maintain and enhance property values throughout the community.

STAFF RECOMMENDATION

Staff recommends approval of the UDC Text Amendments.

The Planning Commission is tasked with considering the UDC Text Amendments recommended by staff and the Code Enforcement Advisory Committee. The Commission may recommend modifying any recommendations by staff or the Code Enforcement Advisory Committee or add additional recommendations for the City Council's consideration.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **recommend approval** of the UDC Text Amendments, with or without conditions, to the City Council.
2. Motion to **recommend denial** of the UDC Text Amendments to the City Council.
3. Motion to continue the application for further information.

ATTACHMENTS

1. UDC Text Amendments (Code Language) – 3 pages
2. Memo provided to the Code Enforcement Advisory Committee with background information and survey results – 3 pages
3. Community Meeting presentation (January 19, 2023) for reference of what was originally proposed – 8 pages



Code Enforcement Advisory Committee
Proposed Rental Inspection Program
February 23, 2023

The following is a summary of the proposed Rental Inspection Program, including revisions that have been made since the community meeting that was held on January 19, 2023.

Program purpose: Protect the general health, welfare, and safety of residents residing in rental dwellings.

Approximately 50 citizens attended the community meeting on January 19, 2023, including landlords and tenants. ***The presentation provided at the community meeting has been attached for reference.*** Staff has arrived at the revised proposal based on the following feedback that was received based on the community meeting and the community survey:

- Both landlords and tenants were concerned about requiring inspections while a unit was occupied. Tenants had privacy concerns, while landlords were concerned about the challenges of getting their tenants to comply.
- Landlords with fewer units or units that were single-family, duplexes, and fourplexes thought that the program favored larger apartment complexes. Several landlords expressed that either all units should be inspected or none at all.
- There were concerns about the costs of inspections, especially through a third-party inspector, and that those costs would be passed on to tenants.
- Landlords and tenants both expressed the need to have a well defined list of items that would be inspected.

A community survey was open between December 20, 2022 and January 29, 2023, during which 102 responses were received. The survey questions were based on the original rental inspection program proposal. The following is a summary of responses:

- Approximately 80% of respondents were somewhat or very familiar with rental inspection programs.
- Two-thirds of respondents were aware that the City requires landlord business licenses.
- 41 respondents were landlords; 29 were homeowners; and 21 were tenants. The remaining 11 respondents were a mix of business owners and employees.
- 52% of respondents thought that the original proposal for inspections every two (2) years was too frequent, with 36% responding that it was the right amount of time, and 12% responding that inspections should be conducting more frequently.
- 63% of respondents thought that the original proposal for third-party inspections was preferred. 73% of landlords preferred third-party inspectors, while 71% of tenants and 69% of homeowners preferred City staff conduct inspections.
- 46% of respondents thought that all units should be inspected and 23% of respondents thought that fewer units should be inspected than what was originally proposed. 67% of tenants wanted all units inspected, 52% of homeowners wanted all units inspected, and 34% of landlords wanted all units inspected.

- 58% of respondents thought that the list of items proposed to be inspected was fair, with 30% responding that fewer items should be inspected and 12% responding that they would like to see additional items inspected.

Based on community feedback, several revisions have been made to the original proposed rental inspection program that was posted in December 2022, which was built off of the proposed program from 2019. Staff believes that these revisions address the most significant concerns expressed by both landlords and tenants at the community meeting and through the survey results.

Topic	Original Proposal	Revised Proposal
Inspection Frequency	Every two (2) years	Between tenants (when unit is unoccupied)
Inspector	Qualified third party inspector	City staff (Planning & Building Dept.)
Number of units to be inspected	All detached and attached units with 4 or fewer units, 1 unit for 5-10 attached units, and 10% of units for buildings with more than 10 units	All rental dwelling units
Items to be inspected	<ul style="list-style-type: none"> • No exposed electrical wires/open electrical and GFCIs tested within 6’ of water source • Smoke and carbon monoxide detectors in working order • Address numbers visible on exterior • Interior and exterior handrails, guardrails, stairs, and decks are secure • Plumbing fixtures maintained in working order • Safe, continuous, and unobstructed egress between unit and public right-of-way • Furnaces and water heaters properly installed and operational • Free of insect and/or rodent infestation 	<ul style="list-style-type: none"> • No exposed electrical wires/open electrical and GFCIs tested within 6’ of water source • Smoke and carbon monoxide detectors in working order • Address numbers visible on exterior • Interior and exterior handrails, guardrails, stairs, and decks are secure • Plumbing fixtures maintained in working order • Safe, continuous, and unobstructed egress between unit and public right-of-way • Furnaces and water heaters properly installed and operational • Free of insect and/or rodent infestation • Exterior doors and windows in working order (open/shut)

Other items that are proposed to be included in the program:

- Units less than 5 years old (based on when unit was completed) will not require an inspection.
- Property taxes must be paid on the property before an inspection will be approved.
- If an inspection fails, a reinspection must be called in within fourteen (14) days.

Items still in review and will be based on final recommendations and decisions from the Committee, Planning Commission, and City Council:

- Some modifications to the landlord business license process will likely be required, including possible changes to licensing fees.
- Inspection fees have not been determined, though the goal is to keep fees to a minimum, particularly for initial inspections as an incentive for landlords and tenants to pre-inspect their units to ensure compliance with the program.

Next steps:

The CEAC is tasked with reviewing the program and providing any feedback or recommendations to staff to take to the Planning Commission and City Council.

PROPOSED ***RENTAL INSPECTION PROGRAM***

COMMUNITY MEETING PRESENTATION

THURSDAY, JANUARY 19TH, 2023



HISTORY & PURPOSE

- A Rental Inspection Program was proposed in 2019.
- The City Council at the time chose to only proceed with a Rental/Landlord Licensing requirement.
- The number of rental units has increased significantly in Belton, with over 1,000 units that are planned or anticipated to be rentals permitted over the past 3 years.
- The purpose of a rental inspection program is to protect the health, safety, and welfare of residents in rental dwelling units.
- ***The proposed program is based off of the proposed 2019 program and is subject to change based on community feedback, best practices from other communities in the metro area, recommendations of the Code Enforcement Advisory Committee, and final decisions from the City Council.***

PROPOSED PROGRAM

- Inspections required every 2 years.
- Inspections will be performed by third party inspectors (qualifications to be reviewed by City staff through Request for Qualifications process).
- Inspections required for all units and common areas, except for larger buildings (5+ units), which will require 1 unit to be inspected for buildings with 5-10 units, and 10% of units in buildings with more than 10 units.
- There is a list of 9 general categories of items to be inspected, a majority of which are for safety purposes.
- If an inspection fails, the item(s) must be corrected and re-inspected before occupancy of the unit.

COMMUNITY COMPARISONS

- The proposed program mostly closely aligns with **INDEPENDENCE'S** program, established in 2017.
- Other communities in the metro with similar programs, include:
 - **GRANDVIEW**
 - **HARRISONVILLE**
 - **NORTH KANSAS CITY**
 - **RAYTOWN**
- Based on a review of other programs, Belton's proposed program includes inspections of common items of concern and is generally interior focused. Most exterior items can already be addressed through the Property Maintenance Code.

ITEMS STILL IN REVIEW

City staff is still reviewing the following items and will have more details in the future:

- Rental inspection fees
(this will largely depend on who will conduct inspections)
- Inspections for MHDC or HUD-supported properties
- Any other changes to landlord licensing/registration and associated fees

PUBLIC PARTICIPATION

- If you haven't done so already, please take the online community survey. The survey closes Sunday, January 29, 2023.
- Comment cards have been provided this evening.
- If you would like to receive updates on the program, please leave your email address on the sign-in sheet. Status updates will be emailed out periodically as program details evolve.
- The items proposed are not finalized and subject to change. Our goal is to develop a program that best fits the community and balances the interest of all.

NEXT STEPS

- Staff will prepare a draft of the program and ordinance.
- The Code Enforcement Advisory Committee will review and make a recommendation (with any modifications) to the City Council.
- The City Council will review and consider the program and ordinance.
- If adopted, the program is projected to be effective October 1, 2023.
- Current licenses must be renewed by September 30, 2023, therefore, all current licenses that are renewed on time will not be subject to inspection requirements until the 2024 renewal year.

THANK YOU!

Thank you for attending this evening's meeting!



Community Survey



Rental Inspection Handout



Bill No. 2023-38 COUNCIL ACTION REPORT

Title: Chapter 6, Article XXI Code of Ordinance Amendments, Rental Inspection Program

Agenda Date: July 11, 2023

Presented by: Matt Wright, Planning & Building Director

Background

- The Belton City Council has made code enforcement a priority throughout the city. Staff has received community feedback on a proposed Rental Inspection Program.
- On March 21, 2023, the Planning Commission voted to approve UDC text amendments to adopt a Rental Inspection Program.
- Chapter 6, Article XXI *Residential Rentals/Landlords* requires text amendments to comply with the UDC amendments.

Financial/Budget Considerations

- There are no financial/budget considerations with amending Chapter 6.

Legal Considerations

- There are no legal considerations with amending Chapter 6.

Policy Considerations

- The proposed amendments to Chapter 6 are necessary to comply with the UDC amendments for implementation of a Rental Inspection Program.

Staff Recommendation

- Staff recommends the amendments to Chapter 6.

AN ORDINANCE AMENDING ARTICLE XXI TO CHAPTER 6 OF THE CODE OF ORDINANCES TO IMPLEMENT A RENTAL INSPECTION PROGRAM.

WHEREAS, on March 21, 2023, the Planning Commission voted 7-0 to recommend approval of UDC text amendments to adopt a Rental Inspection Program; and

WHEREAS, on July 11, 2023, these UDC text amendments were presented to the City Council; and

WHEREAS, Chapter 6 of the Code of Ordinances requires text amendments to comply with the amendments to the UDC; and

WHEREAS, the City Council believes these text amendments are in the best interest of the citizens and meet the Program’s intent to protect the general health, safety, and welfare of residents of the City residing in rental and non-owner occupied dwelling units as stated in the purpose and scope of the Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

- Section 1.** That Article XXI, Chapter 6, of the Code of Ordinances is hereby amended, herein attached as **Exhibit A** and incorporated as if fully set forth herein.
- Section 2.** That this Ordinance shall take effect and be in full force from and after its passage and approval.
- Section 3.** All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.

READ FOR THE FIRST TIME: July 11, 2023

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ day of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the ____ day of _____, 2023, and thereafter adopted as Ordinance No. 2023-____ of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

ARTICLE XXI. RESIDENTIAL RENTALS/LANDLORDS¹

Sec. 6-1076. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the city limits of City of Belton, Missouri.

Dwelling means any building or structure that contains one or more dwelling units designed for or used for human habitation and offered for rent or lease, but not including hotels/motels/lodging establishments, convalescent homes or nursing homes.

Dwelling unit means a building or portion of a building which is exclusively arranged, occupied, or intended to be occupied as living quarters for one family; a separate, independent living quarter consisting of one or more connected rooms with permanently installed bathroom and kitchen facilities.~~single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, sleeping, cooking and sanitation.~~

Family member means immediate family (spouse, domestic partner, child, step-child, parent, step-parent, sibling, grandparent, grandchild, and in-laws of the same).

Landlord means the owner of a dwelling or dwelling unit who, in exchange for rent, leases it to an occupant/tenant.

Non-owner occupied means a dwelling used by the owner as their primary residence for less than six months during the calendar year.

Occupant/tenant means any person holding a written or oral lease to occupy a dwelling or dwelling unit from a landlord.

Owner means any person having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Property manager means a person charged with operating a dwelling or dwelling unit when the owner is unable or unavailable to personally attend to such details.

Rental and non-owner occupied property means any contiguous real property situated in the city, under one ownership, improved with one or more buildings, each containing one or more dwelling units, which are non-owner occupied, including premises rented or leased to the residential occupants thereof.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

¹Editor's note(s)—Ord. No. 2019-4514, § 1, adopted May 28, 2019, set out provisions intended for use as art. XXI, §§ 6-1049—6-1056. To preserve the style of this Code, and at the editor's discretion, these provisions have been included as art. XXI, §§ 6-1076—6-1083.

Sec. 6-1077. Required.

It shall be unlawful for any landlord or property manager to rent or lease any residential dwelling or dwelling unit in this city without first obtaining a license and paying the license fee, as provided in this article.

License fees paid, and licenses obtained pursuant to this article shall be in addition to any other fees or licenses required pursuant to this Code or any other ordinances of this city, included but not limited to, rental inspection fees.

The provisions of this Article shall apply to all rental and non-owner occupied dwelling units as defined in this Article unless exempted by this Article.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6-1078. Exemptions.

The following shall be exempt from the landlord or property manager city business license herein provided:

- (1) Hotels/motels/lodging establishments licensed by the State of Missouri and defined in chapter 1, section 1-5 of the Belton Unified Development Code;
- (2) Bed and breakfast;
- (3) Convents/monasteries/parish houses or rectories;
- (4) Mosques/temples/synagogues;
- (5) Hospitals;
- (6) Jails; or
- (7) Dwellings or dwelling units occupied by a family member, as defined in this article.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6-1079. Residential landlord business license.

- (a) An applicant for a residential landlord city business license shall submit a completed license application to the city license officer accompanied by the license fee in the amount provided in the city schedule of fees and charges.
- (b) The first license shall be effective upon approval and expire June 30. Renewal notices will be mailed by the city clerk to the licensee.
- (c) It is the responsibility of the landlord to notify the city, in writing, of any change of information contained in the most recent license application within 30 days of the change.
- ~~(d) Biennially (once every two years), a copy of the approved rental inspection report from one of the city's approved inspection firms is required to accompany the renewal license application in addition to any other applicable required information.~~

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6-1080. Residential property manager business license.

- (a) If the residential landlord utilizes a property management company, the property management company is also required to obtain a city business license.
- (b) An applicant for a residential property manager city business license shall submit a completed license application to the city license officer accompanied by the license fee in the amount provided in the city schedule of fees and charges.
- (c) The first license shall be effective upon approval and expire June 30. Renewal notices will be mailed by the city clerk to the licensee.
- (d) It is the responsibility of property management company to notify the city, in writing, of any change of information contained the most recent license application within 30 days of the change.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6-1081. License non-transferable.

- (a) A landlord business license is not transferable to a new owner.
- (b) When an owner conveys the title of a dwelling or dwelling unit to a new owner, the owner conveying the title shall, on or before the day of such transfer, notify the city in writing of the name, address and phone number of the new owner.
- (c) If the new owner is a landlord, the new landlord is required to submit a completed license application to the city license officer accompanied by the license fee no later than 30 days from the date of taking title of the property.
- (d) As applicable, the property management company license is not transferable to a new property management company.
- (e) As applicable, when a landlord changes property management companies, the landlord shall notify the city in writing of the name, address and phone number of the new property management company.
- (f) The new property management company is required to submit a completed license application to the city license officer accompanied by the license fee no later than 30 days from the date of taking management of the property.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6-1082. Non-compliance and enforcement.

All provisions of chapter 6, division 3, enforcement, shall apply to residential landlords and property management companies.

Violations of this article or provisions under this chapter may include suspension, revocation, or denial of license. They may also include violation notices and order to abate as provided in chapter 10 of the Unified Development Code.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6-1083. Application to existing residential landlords/owners or property managers.

The provisions of this article shall apply to residential landlords and property managers existing within the city or conducting business within the city on the effective date of the ordinance from which this article is derived.

(Ord. No. 2019-4515 , § 1, 5-28-2019)

Sec. 6- . Rental Inspection

All residential landlord business licenses are subject to rental inspections at the change of occupancy pursuant to chapter 10, Article V of the Unified Development Code.



Bill No. 2023-39 COUNCIL ACTION REPORT

Title: Special Use Permit – Porlier Digital Billboard

Agenda Date: July 11, 2023

Presented by: Matt Wright, Planning & Building Director

Background

- The applicant, Porlier Outdoor Advertising Company, is requesting to convert an existing static billboard located immediately north of Hampton Inn on Stone Ridge Dr. to a digital billboard.
- The existing billboard was constructed in 1989 and does not meet the current placement (distance from an interchange), size (maximum height), and setbacks from property lines.
- Planning Commission held a public hearing on June 20, 2023, at which no one spoke in favor or in opposition to the request.
- Planning Commission recommended unanimous (7-0) approval of the Special Use Permit.

Financial/Budget Considerations

- There will be no financial/budget impact to the City on this conversion, other than revenue from sign and building permit fees.

Legal Considerations

- The proposed Special Use Permit is in compliance with both City and State regulations, with the exceptions of the Alternative Development Standards requested by the applicant to allow the existing billboard to remain at its current location and only change out the static face with a digital face.
- MoDOT has approved of the digital billboard conversion.

Policy Considerations

- Staff does not believe that approval of this Special Use Permit request will have any negative impact to current policy. The Alternative Development Standards process was specifically developed and approved for situations where reasonable modifications are warranted.

Staff Recommendation

- Staff recommends approval of the Special Use Permit request.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A DIGITAL BILLBOARD LOCATED NEAR THE SOUTHEAST CORNER OF INTERSTATE 49 AND E. 163RD STREET IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.

WHEREAS, the applicant, Porlier Outdoor Advertising Company, has requested to convert an existing static billboard to a digital billboard generally located near the southeast corner of the I-49 and 163rd Street interchange immediately north of Hampton Inn; and

WHEREAS, the applicant has requested the approval of the electronic message center sign with Alternative Development Standards subject to Sec. 20-6 of the Unified Development Code to allow the existing legal non-conforming billboard to keep existing non-conforming placement, size, and setbacks; and

WHEREAS, notice of the Special Use Permit was sent to property owners within 185-feet of the site; and

WHEREAS, after due public notice in the manner prescribed by law, a public hearing was held before the Belton Planning Commission on June 20, 2023; and

WHEREAS, the Belton Planning Commission voted to recommend approval of the application to the City Council by a 7-0 vote; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Belton hereby approves the Special Use Permit for a digital billboard generally located near the southeast corner of Interstate 49 and 163rd Street with the requested Alternative Development Standards on the property legally described as follows:

A tract of land being part of Lot-2 of Cornerstone Pointe first plat as recorded in plat book 20 page 32 of the Cass County, Missouri records and being part of section 12 township 46 north, range 33 west, Cass County, Missouri and being more particularly described as follows:

Commencing at the most Southern corner of Lot-2 of Cornerstone Pointe first plat as recorded in plat book 20 page 32 of the Cass County, Missouri records, thence along the Western line of said Lot-2, also being the Eastern right-of-way of U.S highway 71 North 48° 14'16" West, 196.51' feet to the point of beginning of the tract of land herein described; thence continuing along said right-of-way North 48°14'16" West, 27.43 feet; thence North 34°06'14" West, 10.95 feet; thence leaving said right-of-way and running through said Lot-2 the following: North 41°45'44" East, 58.25 feet; thence South 48°14'16" East, 38.05 feet; thence South 41°45'44" West, 60.93 feet to the point of beginning and containing: 2,303 square feet or 0.05 acres, more or less.

Section 2. Approval of the Special Use Permit is subject to the following conditions and all other items referenced in the staff report and supporting documentation attached as **Exhibit A**:

1. The Special Use Permit for the Porlier Electronic Message Center Billboard is hereby approved, as shown in the drawings and specs provided by Formetco and Porlier Outdoor Advertising Company, except as noted in the staff report and conditions.
2. The Special Use Permit includes modifications or exceptions to the height and placement of the sign to allow the existing billboard to remain in its current location.
3. The Electronic Message Center Signs must comply with the following:
 - a. Any portion of the message or image must have a minimum duration on screen of eight seconds. An exception to this requirement is made for a sign that displays time and temperature.
 - b. The change from one message to the next shall not take more than one second and shall not involve flashing or movement of text or images.
 - c. In case of malfunction, the sign display shall be defaulted to a blank screen.
 - d. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.
 - e. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

Section 3. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 4. All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.

READ FOR THE FIRST TIME: July 11, 2023

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the ____ day of _____, 2023, and thereafter adopted as Ordinance No. 2023-_____ of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



PROJECT: **PORLIER ELECTRONIC MESSAGE CENTER BILLBOARD**

SITE LOCATION: PROJECT REQUEST:

Southwest corner of
 Cornerstone Dr. and Stoneridge Dr. Special Use Permit
 Dr.

APPLICATION:

Property Owner – Belton Business Park, LLC
Applicant – Porlier Outdoor Advertising Company

PROJECT SUMMARY

CURRENT ZONING/USE: PROPOSED USE:

C-2 General Commercial / Vacant N/A

PROPOSED DEVELOPMENT: LAND AREA:

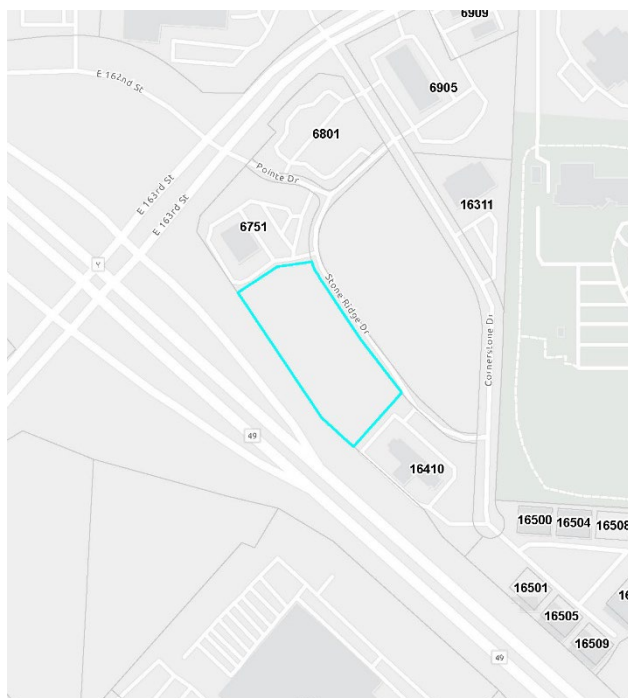
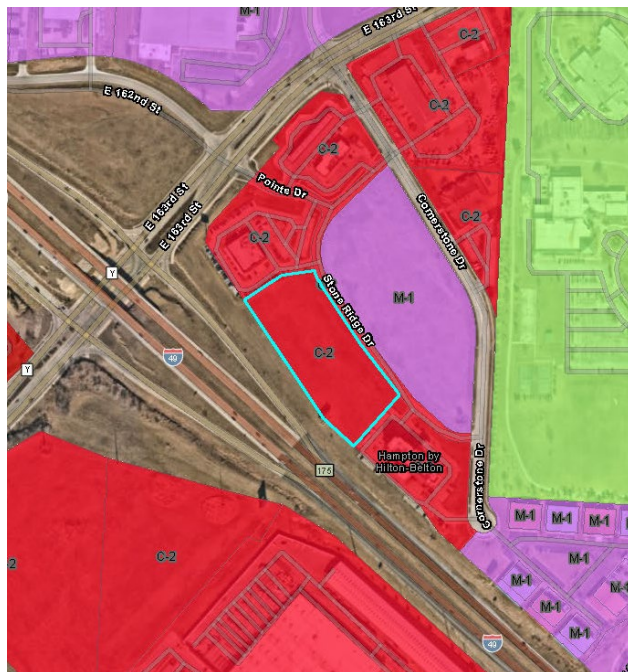
Convert an existing static billboard to a digital electronic message center sign
 3.45 Acres (parcel)
 0.05 Acres (easement)

UTILITY SERVICE: MODIFICATIONS REQUESTED OR SPECIAL NOTES:

ELECTRICITY
 Yes, available and will support the proposed use
 Yes – noted in staff report.

CONTEXTUAL DESCRIPTION:

An application was filed for a Special Use permit to convert an existing static billboard to an electronic message center sign. The billboard is located in a perpetual easement on a vacant 3.45-acre property at the Southwest corner of Cornerstone Dr. and Stoneridge Dr. The subject property is bound by Cracker Barrel, the Hampton Hotel, and I-49; where the billboard is oriented to serve I-49.



STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS

SIGNAGE STANDARDS

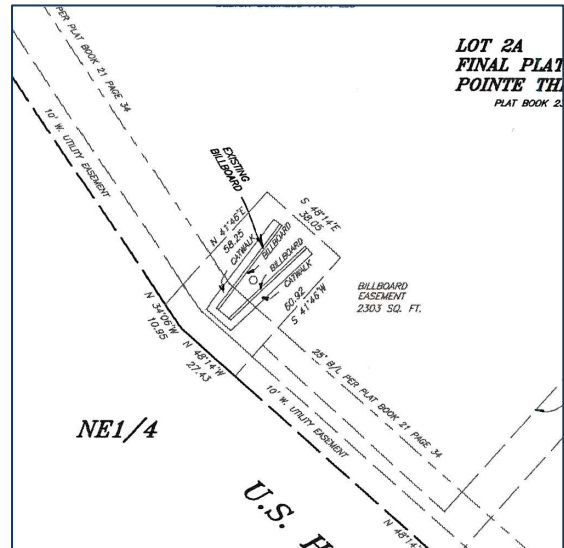
Compliance with Section 30-9 Off-Premises Sign and Electronic Message Center Sign standards of the Unified Development Code (UDC):

The proposed sign meets all UDC requirements except for these requested exceptions:

- Exception to the maximum height of 30-ft to 35-ft
- Exception to the setback from all property lines and interstate ROW of 90-ft to 35-ft
- Exception to the requirement to not be located adjacent to or within 1,500 feet of any interchange. The sign is currently located 750-ft from an intersection.

The tables below include the off-premises sign/electronic message center sign standards for the development. The plan meets all design requirements; however, exceptions are requested for the size and setbacks due to the sign being constructed in 1989 and being legal non-conforming.

OFF-PREMISES SIGN REQUIREMENTS	Meets Requirements	Exception
Placement	Meets All but One Requirement	Located within 1,500-ft of any interchange
Lighting	Meets All Requirements	N/A
Size	Meets All but One Requirement	Maximum Height of 30-ft
Setbacks	Meets All but One Requirement	90-ft setback from all property lines and interstate ROW

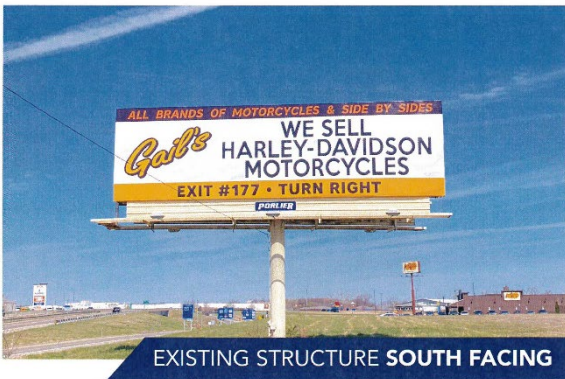
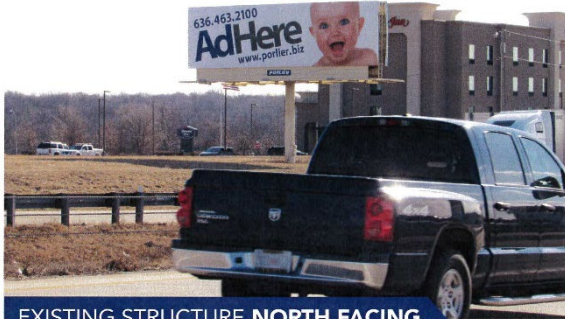


IN ADDITION TO THE ABOVE, THE APPLICANT HAS AGREED TO THE FOLLOWING ELECTRONIC MESSAGE CENTER SIGN REGULATIONS:

- Any portion of the message or image must have a minimum duration on screen of eight seconds. An exception to this requirement is made for a sign that displays time and temperature.
- The change from one message to the next shall not take more than one second and shall not involve flashing or movement of text or images.
- In case of malfunction, the sign display shall be defaulted to a blank screen.
- Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.
- The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

SIGN DESIGN

**Porlier Outdoor
Advertising Company**



**Porlier Outdoor
Advertising Company**



Electronic message center signs, or digital screens are proposed on both sides of the billboard to replace the existing static faces. The proposed upgrade would not alter the structure or placement of the existing billboard and the proposed screens, based on the drawings and specs provided, meet all the electronic message center sign requirements.

The proposed sign area meets UDC requirements and complies with all material standards.

STANDARDS FOR APPROVAL

UDC Section 40-2 requires Special Use Permits to be reviewed under the following criteria:

- a) The proposed use complies with all applicable provisions of these regulations, including yard regulations, parking requirements and use limitations.
- b) The proposed use at the specific location will not detract or encroach upon the welfare or convenience of the public.
- c) The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
- d) The location and size of the use, the nature and intensity of the operation in connection with it, and the location of the site with respect to the surrounding street network will not dominate the immediate neighborhood nor prevent the development of neighboring property. In determining such dominance, consideration shall be given to:
 - 1) The location, nature and height of buildings, structures, walls and fences on the site;
 - 2) The nature and extent of landscaping and screening on the site;
 - 3) The adequacy of the adjacent street system to carry the traffic generated by the use;

- 4) Adequate utility, drainage, and other such necessary facilities have been or will be provided;
- 5) Adequate access roads, loading areas and entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

UDC Section 20-6 requires any requested signage modifications (Alternative Development Standards) with a Special Use Permit to be reviewed under the following criteria:

- a) The proposed signage complies with the general purpose and intent of the Code.
- b) The proposed signage is appropriate for the site based on the site location, location of the signage on the property, size of the signage (height and area), and type and design of signage.
- c) The proposed signage will not adversely affect neighboring property owners or residents and is consistent or compatible with the image and aesthetics of the area, including any adverse impact the proposed signage will have on the visibility of adjacent signage in conformance with the Code.
- d) The proposed signage will not adversely affect the public health, safety, or welfare, including but not limited to, traffic on adjacent streets, based on signage design and location.
- e) The proposed signage, including the number of signs, does not significantly clutter or negatively impacts the visual landscape of the area.
- f) The proposed signage is warranted by unique conditions of the site, such as topography, line-of-sight, natural features, or other factors that limit the visibility of signage for the site.

Based on the above standards for approval, the Porlier Electronic Message Center Billboard meets all City standards and requirements in the UDC, outside of the exceptions requested. The proposed changes are in line with the character of the corridor, is consistent with adjacent developed properties, and would be considered an upgrade of what's currently present on the property.

The requested alternative development standards, or modifications, will not negatively impact surrounding properties, compromise the general purpose or intent of the UDC, or compromise the health, safety, and welfare of the community. The sign has been present on the property since 1989 and hasn't presented any issues regarding the location or height. In addition, MODOT has already approved the upgrade.

STAFF RECOMMENDATION

Staff recommends approval of Special Use Permit for the Porlier Electronic Message Center Billboard. The recommendation is subject to the following conditions:

1. The Special Use Permit for the Porlier Electronic Message Center Billboard is hereby approved, as shown in the drawings and specs provided by Formetco and Porlier Outdoor Advertising Company, except as noted in the staff report and conditions.
2. The Special Use Permit includes modifications or exceptions to the height and placement of the sign to allow the existing billboard to remain in its current location.
3. The Electronic Message Center Signs must comply with the following:
 - a. Any portion of the message or image must have a minimum duration on screen of eight seconds. An exception to this requirement is made for a sign that displays time and temperature.
 - b. The change from one message to the next shall not take more than one second and shall not involve flashing or movement of text or images.
 - c. In case of malfunction, the sign display shall be defaulted to a blank screen.
 - d. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.

- e. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **recommend approval of** a Special Use Permit for the Porlier Electronic Message Center Billboard.
2. Motion to **recommend denial of** a Special Use Permit for the Porlier Electronic Message Center Billboard.
3. Motion to continue the application for further information.

ATTACHMENTS

1. Project Narrative – 1 page
2. Site Plan – 1 page
3. Existing and Proposed Sign Elevations – 2 pages
4. Manufacturer Assurance – 1 page
5. Electronic Sign Drawings – 5 pages
6. MODOT Letter – 1 page

Porlier Outdoor Advertising Company

127 Mulberry Street • Foristell, MO 63348 • p: 636.463.2100 • f: 636.463.2114 • www.porlier.biz

SPECIAL USE PERMIT APPLICATION

Project Name: Porlier Outdoor Advertising Company – Electronic Message Center Billboard

Project Address (or location): Parcel #05011200000002016

Project Description:

Request Special Use Permit to convert existing static billboard (off-premise sign) to an electronic message center (digital) billboard. Convert north and south faces of the structure from static panels to digital panels.

The proposed use complies with Unified Development Code (UDC) Section 30-9(h). The existing structure meets current UDC Section 30-9(e) with the exception of (e)(2) and (e)(5). The sign was erected in 1989 and is considered a legal nonconforming sign. Therefore applicant requests an exception from current UDC on placement and setback requirements for new off-premise signs, section 30-9, (e)(2) placement requirements (c) and (d) and Section 30-9, (e)(5) setback requirements (i) and (ii).

Acknowledged & Signed:



Melissa Porlier Muehleisen

Vice-President

Porlier Outdoor Advertising Company

**SECTION 12
TOWNSHIP 46 NORTH
RANGE 33 WEST
CITY OF BELTON
CASS COUNTY, MO.**

PROPERTY N/F
BELTON BUSINESS PARK LLC

**LOT 2A
FINAL PLAT CORNERSTONE
POINTE THIRD PLAT**
PLAT BOOK 23 PAGE 21

**LOT 3A
CORNERSTONE POINTE
SECOND PLAT**
PLAT BOOK 21 PAGE 34

PROPERTY N/F
BELTON HOSPITALITY LLC
BOOK 3222 PAGE 232

ACCESS EASEMENT

DESCRIPTION
Centerline
15 feet wide access Easement

DESCRIPTION
Centerline
15 feet wide access Easement

A tract of land being part of Lot-2 of Cornerstone Pointe First Plat as recorded in Plat Book 20 page 32 of the Cass County, Missouri Records and being part of Section 12, Township 46 North, Range 33 West, Cass County, Missouri and being more particularly described as follows:

Commencing at the most southern corner of Lot-2 of Cornerstone Pointe First Plat as recorded in Plat Book 20 page 32 of the Cass County, Missouri Records; thence along the common line between lot-2 and lot-3 of said Cornerstone Pointe First Plat North 41°45'44" East, 245.00 feet; Thence leaving said common line North 48°14'16" West, 33.01 feet; thence along a curve to the right having a radius of 215.00 feet and an arc length of 37.02 feet; thence North 38°22'16" West, 24.72 feet the Point of Beginning of the centerline herein described; thence south 41°45'44" west, 244.92 feet; thence North 48°14'16" West, 102.31 feet to the point of terminus of the centerline herein described.

BOUNDARY DESCRIPTION

LOT 2A, CORNERSTONE POINTE SECOND PLAT, A SUBDIVISION IN THE CITY OF BELTON, CASS COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 21, PAGE 34.



04-17-2023

THIS IS TO CERTIFY THAT AT THE REQUEST OF "PORLIER OUTDOOR ADVERTISING" WE HAVE MADE A SURVEY AS SHOWN ABOVE AND THAT THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED UPON THIS PLAT.
LARRY P. BADE

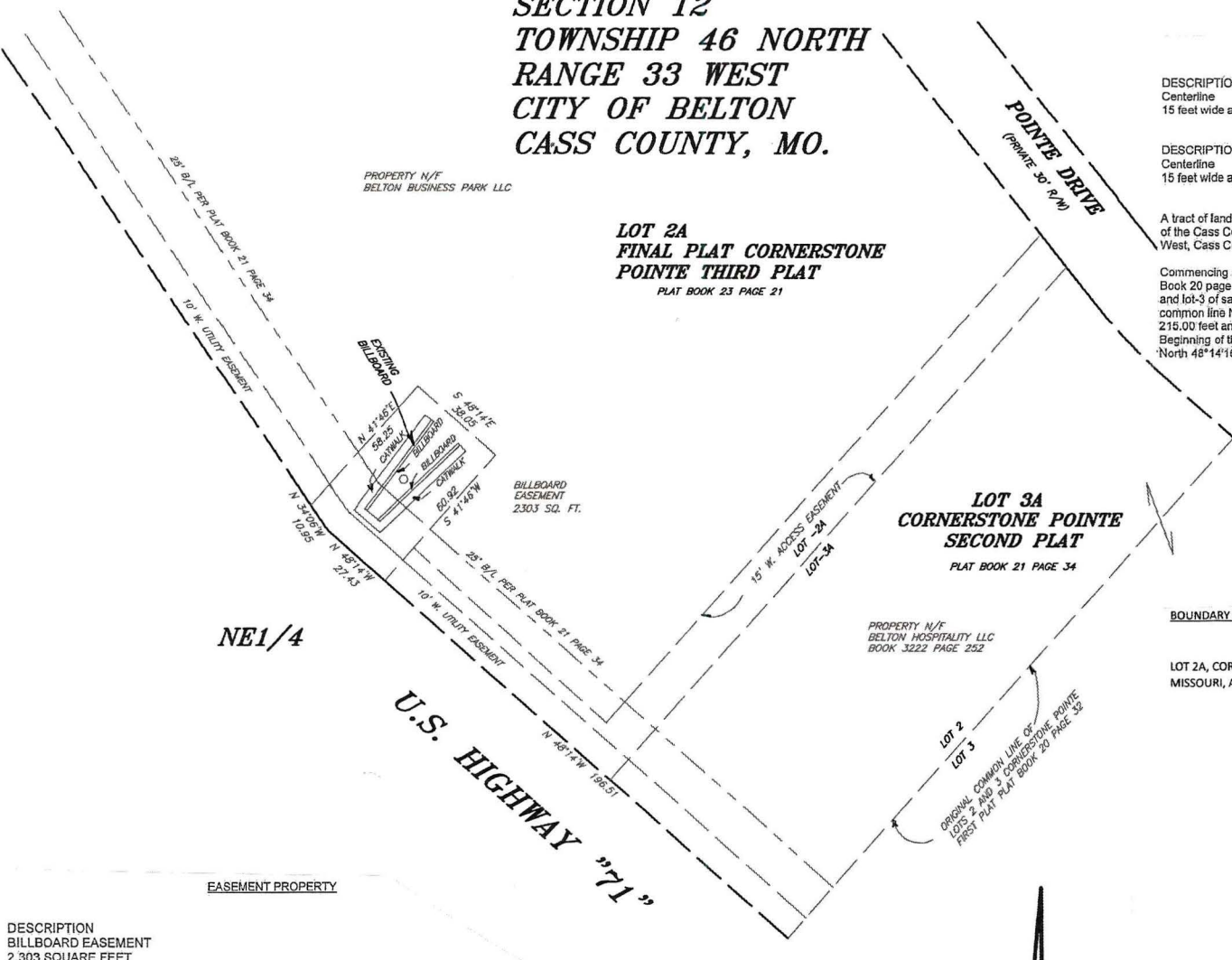
Larry P. Bade
PLS 1434

SITE PLAN SIGN #20

Lewis-Bade Inc. LSC-312
Professional Land Surveyors
and Professional Engineers

PHONE (636) 456-2615 101 EAST WALTON WARRENTON, MO. 63383

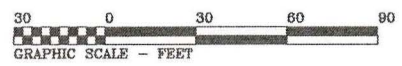
SURVEYED BY	DATE	REVISIONS
LARRY	APRIL 2023	
DRAWN BY:	CHECKED BY:	SCALE
LARRY		1"=30'
		FILE 23100



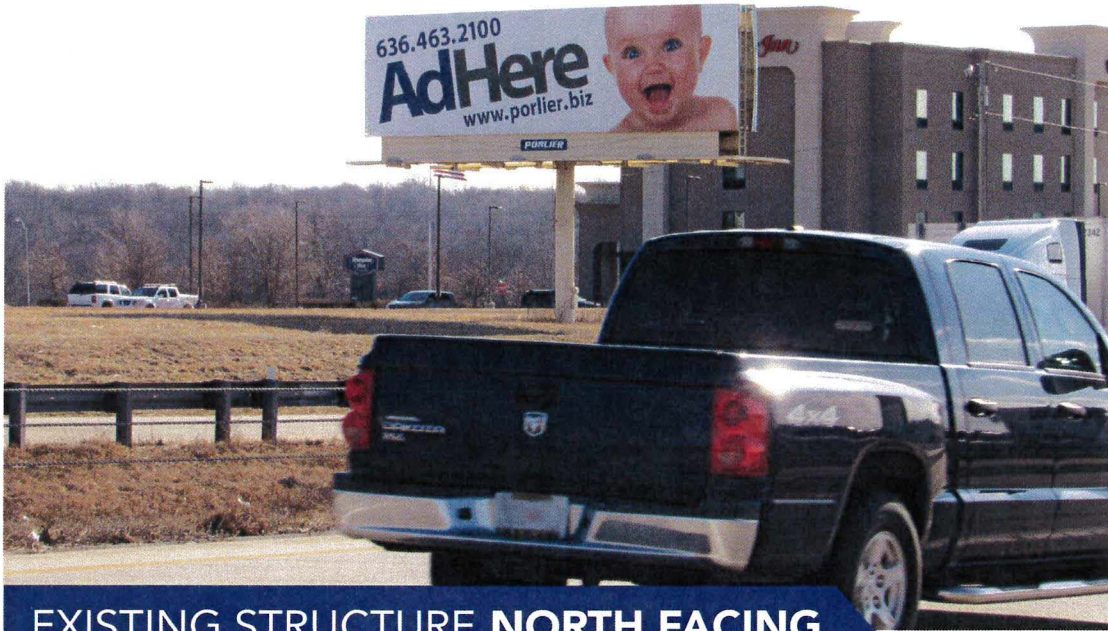
DESCRIPTION
BILLBOARD EASEMENT
2,303 SQUARE FEET

A TRACT OF LAND BEING PART OF LOT-2 OF CORNERSTONE POINTE FIRST PLAT AS RECORDED IN PLAT BOOK 20 PAGE 32 OF THE CASS COUNTY, MISSOURI RECORDS AND BEING PART OF SECTION 12, TOWNSHIP 46 NORTH, RANGE 33 WEST, CASS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

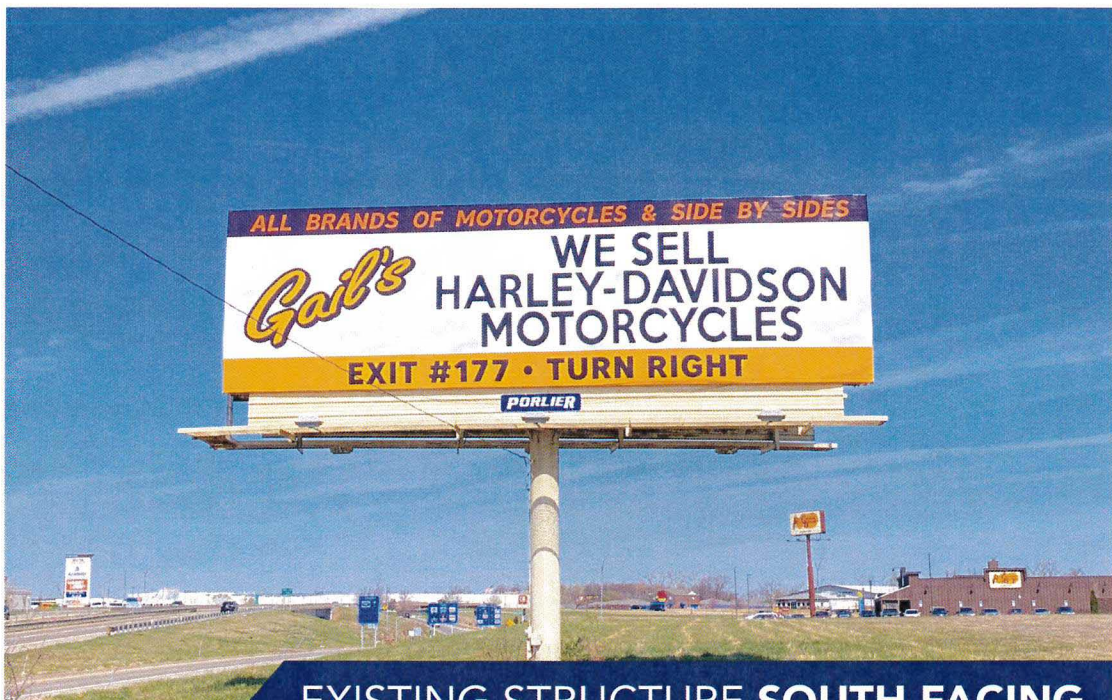
COMMENCING AT THE MOST SOUTHERN CORNER OF LOT-2 OF CORNERSTONE POINTE FIRST PLAT AS RECORDED IN PLAT BOOK 20 PAGE 32 OF THE CASS COUNTY, MISSOURI RECORDS, THENCE ALONG THE WESTERN LINE OF SAID LOT-2, ALSO BEING THE EASTERN RIGHT-OF-WAY OF U.S. HIGHWAY 71 NORTH 48°14'16" WEST, 195.51' FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 48°14'16" WEST, 27.43 FEET; THENCE NORTH 34°06'14" WEST, 10.95 FEET; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING THROUGH SAID LOT-2 THE FOLLOWING: NORTH 41°45'44" EAST, 58.25 FEET; THENCE SOUTH 48°14'16" EAST, 38.05 FEET; THENCE SOUTH 41°45'44" WEST, 60.93 FEET TO THE POINT OF BEGINNING AND CONTAINING: 2,303 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.



Porlier Outdoor Advertising Company



EXISTING STRUCTURE **NORTH FACING**



EXISTING STRUCTURE **SOUTH FACING**

***Porlier Outdoor
Advertising Company***





March 30, 2023

Mrs. Melissa Porlier
Porlier Outdoor Advertising
127 Mulberry St.
Foristell, MO 63348

Dear Mrs. Porlier

The Formetco Digital Billboard System offers features which enable Operators to comply with local regulations. Brightness will always be set to meet the following. The EMD display light output shall be as follows: a. limited to a maximum brightness level of 300 Nits between dusk and dawn and b. no more than 0.3 foot candles above ambient light at all times.

Each sign face has an onboard photocell brightness steps based on ambient light conditions at the face. Formetco's photocell, however, measures light with an effective dynamic range of from .01 lux to 83,000 lux, 23 bits; it is fully calibrated to report in Lumens (the measurement standard for measuring light). The photocell is positioned to match the position of the LEDs in the sign face and then it accurately measures the light shining on the LED screen face. Using the data from an accurate measurement of Lumens on the LED screen face, algorithms have been developed to set the LED screen brightness to the proper level. This is done continuously, 24 hours a day. By properly adjusting the Luminous intensity of the LED screen over the actual ambient light conditions improved the accuracy of the dimming curve.

Two additional safeguards are in place to monitor the proper brightness level of the sign. Each face has its Latitude and Longitude recorded. Upon loss of signal from the photocell, the sign will dim based on a sunrise sunset schedule. If the control system for the face loses framing data from the player PC, the sign goes dark based on a configuration timer. Post installation, a technician will verify the ambient light conditions applicable to the local ordinances. An Extech light meter is used to verify the nighttime ambient conditions. The sign will be set to not exceed 7000 nit during the day and 300 nits at night. Maximum Brightness will not exceed 300 Nit between dusk and dawn. The system will also be equipped with a remote controllable power control relay that enables operators to remotely shut all power down to the face.

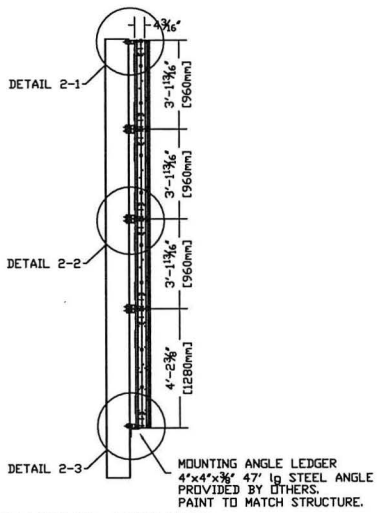
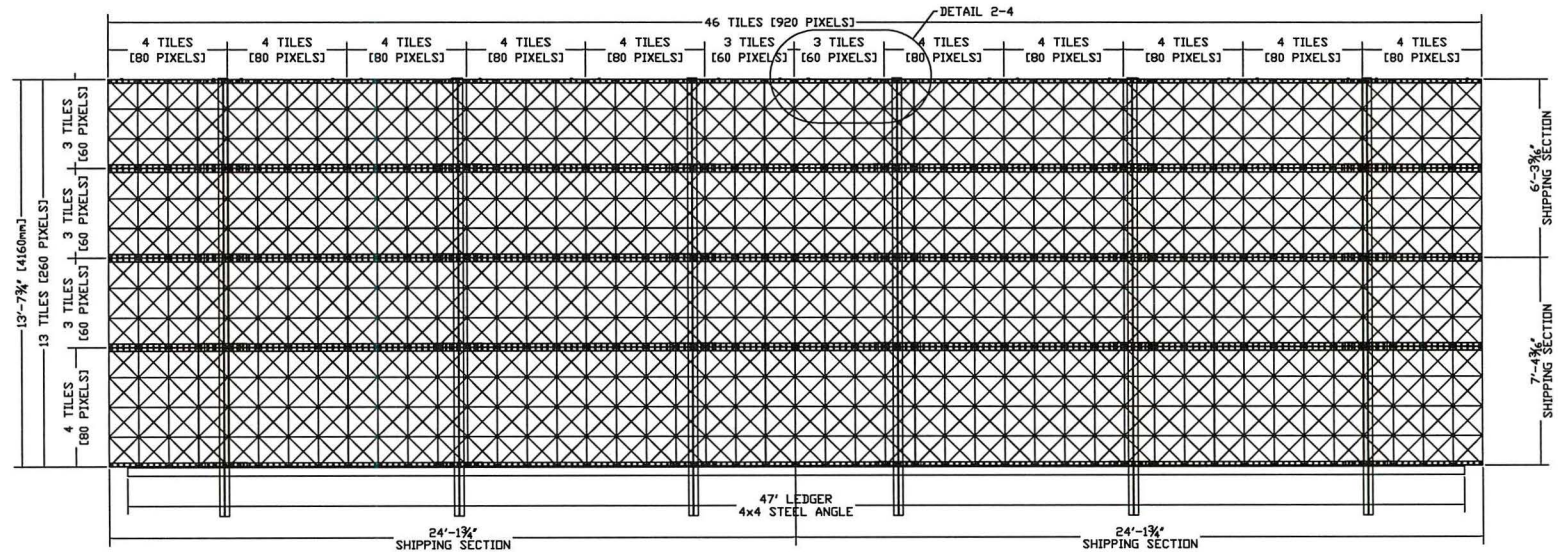
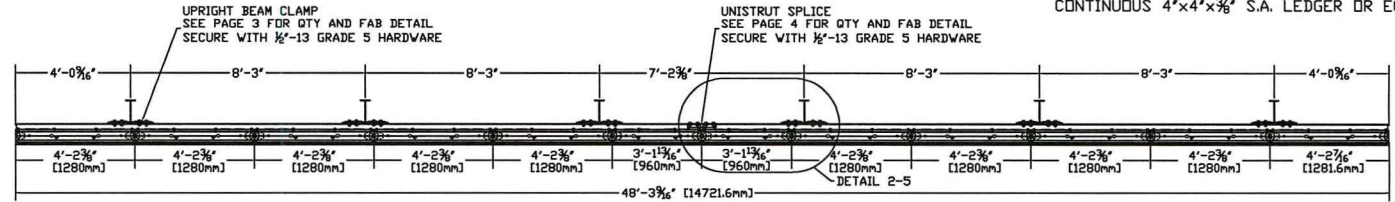
Sincerely,

Bobby Tatman
Digital Sales Manager
217-653-9842

Formetco, Inc. – P. O. Box 1989 – Duluth, GA 30096
Phone (770) 476-7000 – Fax (770) 495-8863

DESIGN PARAMETERS PER REQUIREMENTS OF IBC 2012/IBC 2015/FBC 2014/ASCE 7-10, 165 mph,

MAXIMUM UPRIGHT SPACING: 8'-4 1/8" (2560mm)
 ALLOWABLE CANTILEVER: 4'-2 3/8" (1280mm) MAX.
 CONTINUOUS 4"x4"x3/8" S.A. LEDGER OR EQUIVALENT



ON-SITE SERVICE REQUIREMENTS

- 1) THE DISPLAY MUST BE ACCESSIBLE THROUGH USE OF A 20 FOOT OR SHORTER LADDER.
- 2) THERE MUST BE A SECURE CATWALK OR BASE FROM WHICH SERVICE MAY BE PERFORMED.
- 3) ALL REAR SERVICED DIGITALS REQUIRE CATWALKS SPACED AT NO GREATER THAN 7'-6" IN HEIGHT.
- 4) THERE MUST BE A GUARD RAIL OR A SAFETY LIFELINE SECURELY ATTACHED TO THE SUPPORT STRUCTURE IF THE DISPLAY IS OVER 6 FEET OFF THE GROUND (COLLECTIVELY AN ACCESSIBLE SITE). IN THE ABSENCE OF AN ACCESSIBLE SITE, THE CUSTOMER IS RESPONSIBLE FOR THE COST OF A BUCKET OR BOOM TRUCK CAPABLE OF PROVIDING SAFE ACCESS TO THE DISPLAY. SERVICE WILL BE PERFORMED ONLY IF THERE IS SAFE ON-SITE ACCESS IN COMPLIANCE WITH APPLICABLE FEDERAL AND LOCAL LAWS AND REGULATIONS.

APPROXIMATE SIGN WEIGHT without TRIM

MOUNTING U-STRUT & BRACKETS	1,001#
ELECT SYSTEM	150#
F-TILE LED MODULES.	6,607#
TRIM	0#
CABLING.	144#
TOTAL	7,902#

PRODUCTION NOTES:

- 1) CABINET POWER PRE-WIRED BY COLUMN
- 2) TRIM COLOR - AS REQ'D
- 3) USE 3/8"-13 GRADE 5 SERRATED FLANGE BOLTS AND NUTS UNLESS OTHERWISE NOTED
- 4) ALL FABRICATED ALUMINUM AND STEEL PARTS TO BE PAINTED SATIN BLACK.

SEE B-2817 FOR POWER RISER AND DATA LAYOUT

PART NUMBER

APPROVALS

REV	DESCRIPTION	DATE	APPD

DO NOT SCALE THIS DRAWING.

FORMETCO

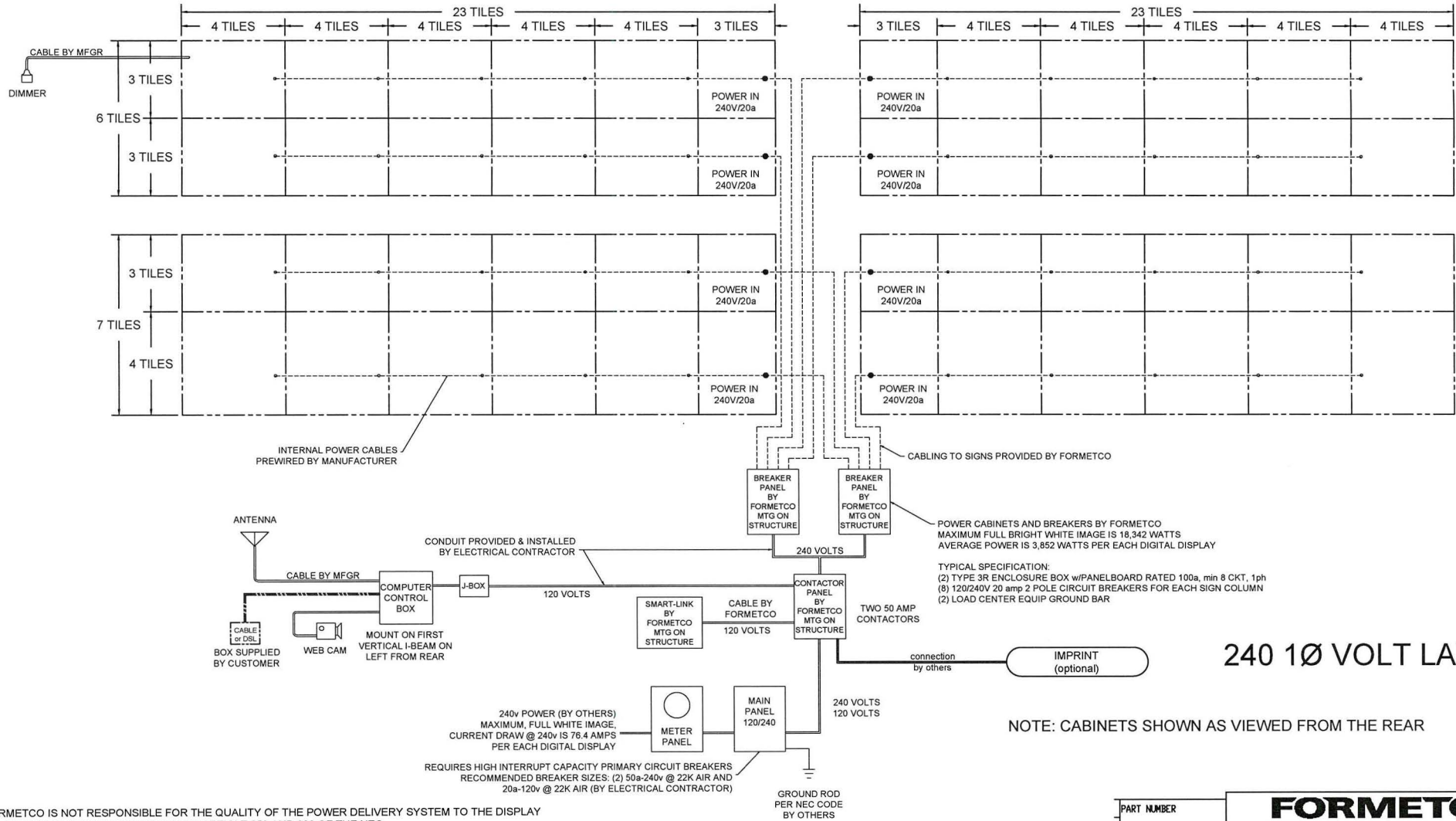
2963 Pleasant Hill Rd. Duluth, GA 30096-3808

16mm 260 x 920 DBB UNISTRUT MTG
 13'-8" x 48'-3" 16mm FTX-A DBB

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SCALE	1:55	DWG NO.	B-2816	SH	1	OF	
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**POWER CABINET AND BREAKER REQUIREMENTS AND
AMPERAGE AND WATTAGE RATINGS SHOWN
ARE PER DIGITAL DISPLAY UNLESS OTHERWISE INDICATED.**



240 1Ø VOLT LAYOUT

NOTE: CABINETS SHOWN AS VIEWED FROM THE REAR

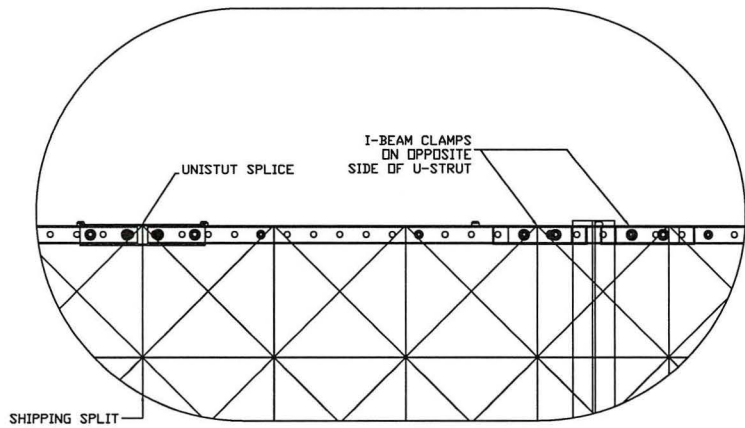
- FORMETCO IS NOT RESPONSIBLE FOR THE QUALITY OF THE POWER DELIVERY SYSTEM TO THE DISPLAY
- ALL DISPLAYS MUST BE GROUNDED PER ARTICLE 250 AND 600 OF THE NEC
- ALL ELECTRICAL WORK DONE MUST MEET OR EXCEED ANY LOCAL AND NATIONAL ELECTRICAL CODES
- THE OVER CURRENT PROTECTION DEVICE MUST BE MATCHED TO THE FAULT CURRENT THAT IS AVAILABLE IN THE POWER DELIVERY CIRCUIT.
- DUE TO THE INRUSH CURRENT CREATED BY THE DISPLAY ON STARTUP THE OVER CURRENT PROTECTION DEVICE(S) MAY HAVE TO BE OVERSIZED
- ALL PRIMARY FEEDER CIRCUITS TO THE DISPLAY MUST BE UL 489 LISTED
- ALL SPECIFICATIONS ARE SUBJECT TO CHANGE DUE TO FORMETCO'S CONTINUING PRODUCT IMPROVEMENT

REV	DESCRIPTION	DATE	APPD

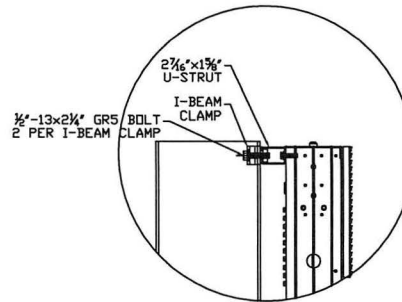
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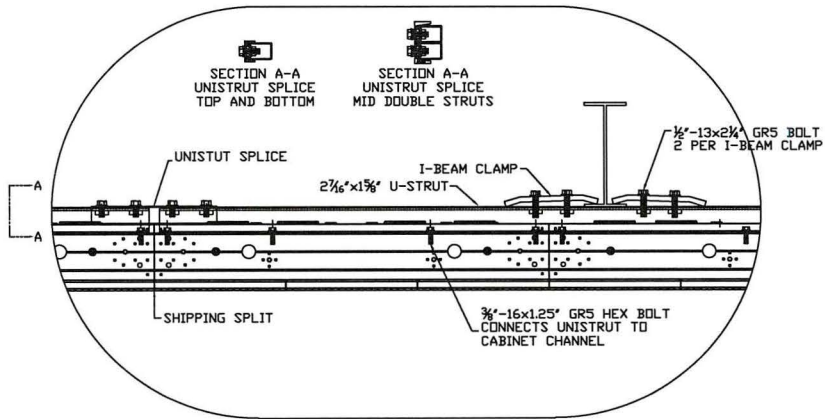
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APPROVALS		2963 Pleasant Hill Rd. Duluth, GA 30096-3808	
BY	DATE	FTX-A 260 x 920 - 16mm DBB	
ENGR	12-17	240V- 1Ø SUPPLY ELECT RISER	
UPDATED	12-29-17		
CUSTOMER			
DO NOT SCALE THIS DRAWING.	SIZE B	SCALE nts	DWG NO. B-2817 SH 2 OF -



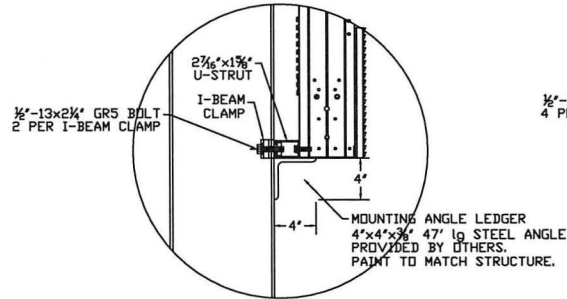
DETAIL 2-4
ATTACHMENT FRONT VIEW
SCALE 4X



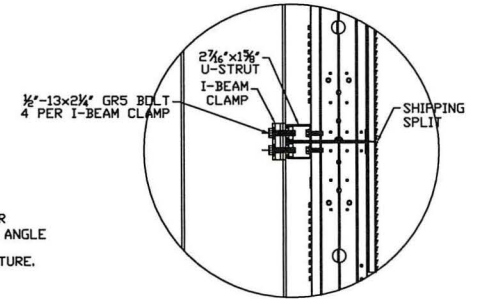
DETAIL 2-1
TOP SECTION
COLUMN ATTACHMENT
ASSY IN FIELD BY OTHERS
SCALE 4X



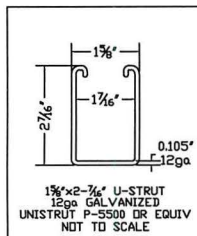
DETAIL 2-5
TYP ATTACHMENT AT UPRIGHTS
ASSY IN FIELD BY OTHERS
SCALE 4X



DETAIL 2-3
BOTTOM SECTION
COLUMN ATTACHMENT
ASSY IN FIELD BY OTHERS
SCALE 4X



DETAIL 2-2
CABINET JOINT
COLUMN ATTACHMENT
ASSY IN FIELD BY OTHERS
SCALE 4X



REV	DESCRIPTION	DATE	APPD
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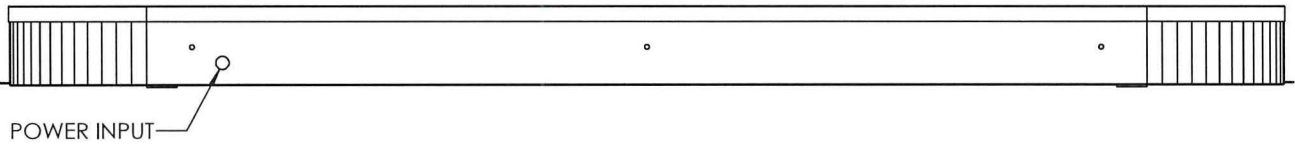
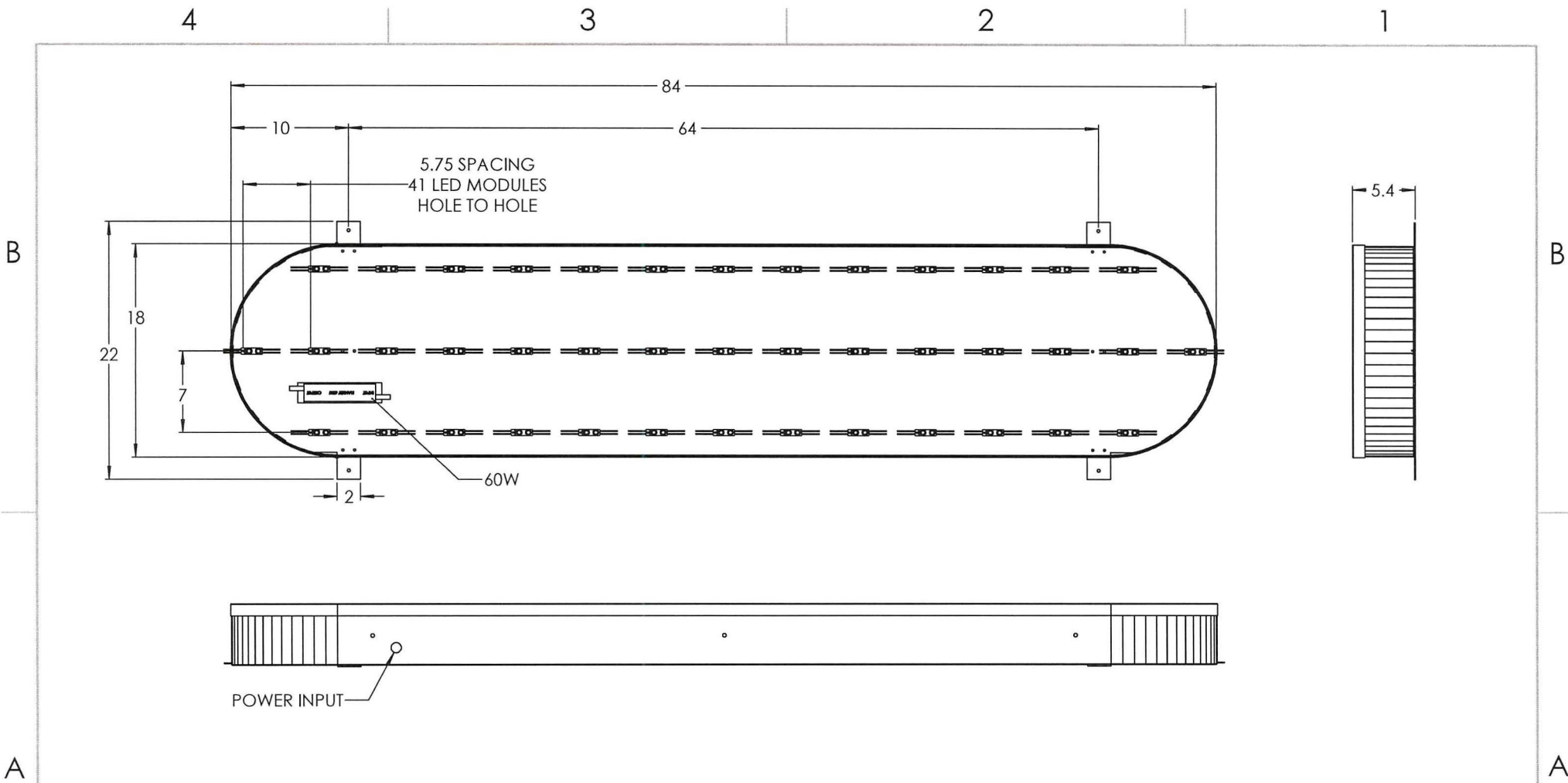
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PART NUMBER		-----	
APPROVALS			
OWN	ARB	12-17	
ENGR	UPDATE	12-29-17	
DO NOT SCALE THIS DRAWING.		SCALE 1:50	DWG NO. B-2816
SIZE B	SH 2	OF	REV. -

2963 Pleasant Hill Rd. Duluth, GA 30096-3808

UNISTRUT UPRIGHT CONNECTION DETAILS
13'-8" x 48'-3" 16mm FTX-A DBB



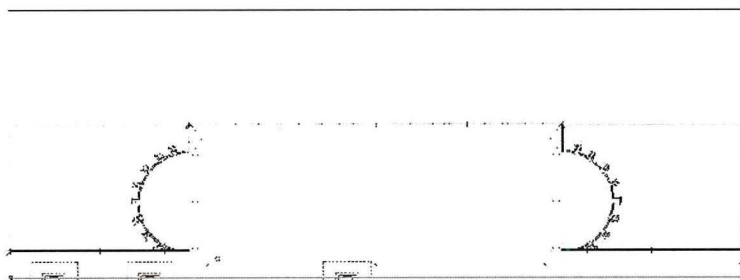
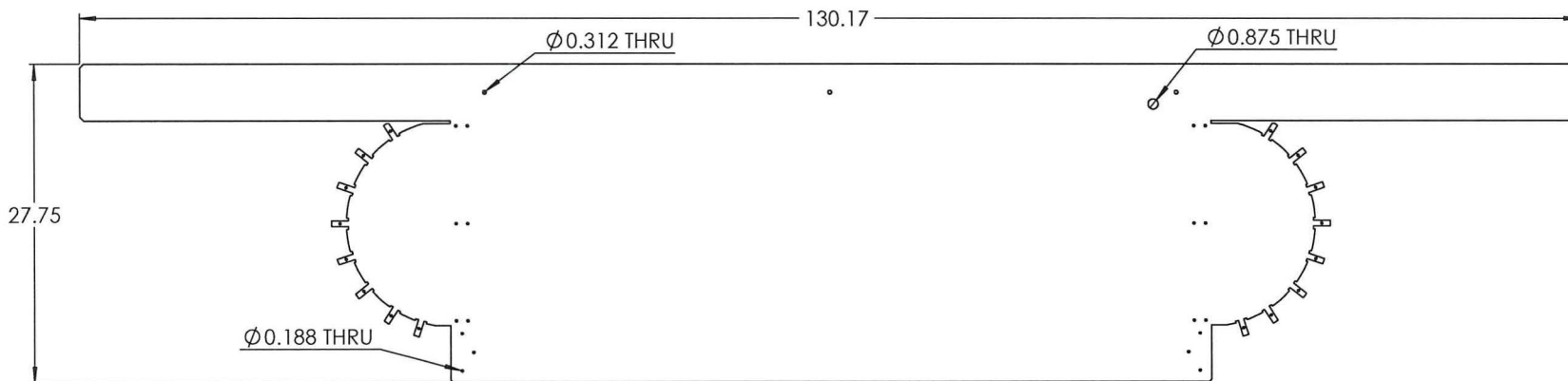
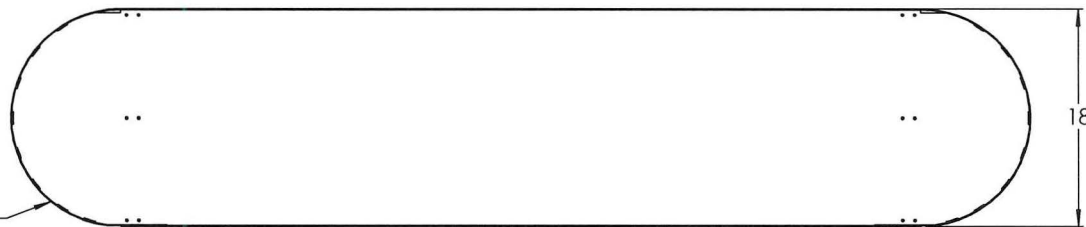
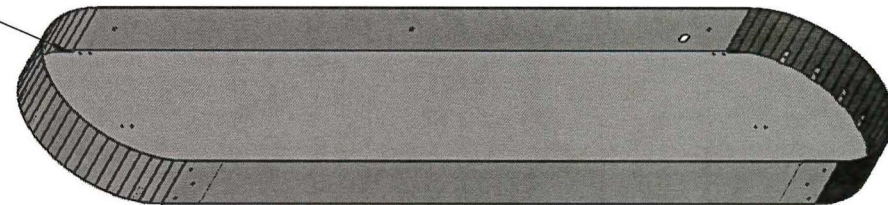
UNLESS OTHERWISE SPECIFIED		FORMETCO <small>POWERED BY AdTech</small>		2963 Pleasant Hill Road Duluth, GA 30096	
DIMENSIONS ARE IN INCHES		CREATED	BDJ	DATE	SIZE
TOLERANCES		4/6/2015 8:53:49 AM		B	DRAWING NUMBER
FRACTIONAL ± 1/16"					IMPRINT18X84
ANGULAR BEND ± 2°					REVISION
					A
MATERIAL		UPDATED		Thursday, August 2, 2018 9:15:57 AM	WEIGHT:
1&GA ALUMINUM					SHEET 1 OF 2
MATERIAL FINISH					
PAINTED B/W					

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4 3 2 1

(PART FILE NAME - IMPRINT18X84)
 (NC FILE NAME - IMPRINT18X84.NC)
 (SHEET FILE NAME - IMPRINT18X84)
 (MATERIAL - 16GA B/W ALUMINUM SHEET)
 (THICKNESS - 0.108)
 (BLANK SIZE - 131.000, 48.000)
 (SHEET USAGE - 38.32)
 (PART SIZE - 130.173, 27.748)
 (YIELD PER BLANK - 1 PART)
 (T354 RO 0.188 34)
 (T306 RO 0.312 3)
 (T113 RO 0.875 1)
 (T216 RE 0.250 X 1.000 A0.00 172)
 (T207 RE 0.250 X 1.950 A90.00 10)
 (T201 RE 0.250 X 4.000 A0.00 37)
 (CLAMPS - 8.00 25.00 60.00)
 (ESTIMATED TIME - 2 MIN. 14 SEC.)
 (PROGRAMMED BY - BRIAN J)
 (DATE - 8-2-2018)

USE BLACK CAULK
 INSIDE ROUND BOTTOM



UNLESS OTHERWISE SPECIFIED		FORMETCO®		2963 Pleasant Hill Road Duluth, GA 30096	
DIMENSIONS ARE IN INCHES		POWERED BY AutoTech			
TOLERANCES		CREATED	BDJ	DATE	REVISION
FRACTIONAL ± 1/16"		4/6/2015 8:53:49 AM		SIZE	DRAWING NUMBER
ANGULAR BEND ± 2°				B	IMPRINT18X84
MATERIAL				REVISION	
16GA ALUMINUM				A	
MATERIAL FINISH				WEIGHT:	
PAINTED B/W				SHEET 2 OF 2	
DO NOT SCALE DRAWING		UPDATED		Thursday, August 2, 2018 9:15:57 AM	

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*Missouri
Department
of Transportation*



Central District
1511 Missouri Blvd.
P.O. Box 718
Jefferson City, MO 65102
(573) 751-3322
Fax (573) 526-3261
Toll free 1-888 ASK MODOT
www.modot.org

March 15, 2023

PORLIER OUTDOOR ADV CO
127 MULBERRY STREET
FORISTELL, MO 63348

RE: Permit 861
CASS County, IS 49 N

Dear MELISSA PORLIER MUEHEISEN:

On 3/15/2023, the digital upgrade request for permit 861 was approved. You have twelve (12) months to upgrade this sign with digital technology pursuant to Section 226.541, RSMo and 7 CSR 10-6.040 (4)(I). MoDOT will consider the upgrade complete once the digital panel(s) has been installed on the structure. If the digital panel(s) is not installed, the approval to upgrade will expire twelve (12) months from the date issued pursuant to Section 226.541, RSMo and 7 CSR 10-6.040 (4) (I).

For additional information regarding outdoor advertising rules and regulations, please log onto http://www.modot.org/business/Outdoor_Advertising. If you have questions, please contact me at 573-751-7187.

Sincerely,

Aaron Distler
Sr Outdoor Advertising Permit Specialist



Bill No. 2023-40 COUNCIL ACTION REPORT

Title: Special Use Permit – Body Art Services (Matriarch Body Piercings)

Agenda Date: July 11, 2023

Presented by: Matt Wright, Planning & Building Director

Background

- The applicant, Melanie Gonzalez, is requesting approval of a Special Use Permit to expand the existing Belton’s Ink Spot Tattoos at 827 E. North Ave. to 829 E. North Ave. as a separate body piercings studio (Matriarch Body Piercings). The existing tattoo shop has been in business since 2001.
- Planning Commission held a public hearing on June 20, 2023, at which no one spoke in favor or in opposition to the request.
- Planning Commission recommended unanimous (7-0) approval of the Special Use Permit.

Financial/Budget Considerations

- There will be no financial/budget impact to the City on this conversion, other than any revenue from business licensing and permits.

Legal Considerations

- The proposed Special Use Permit can comply with all standards. There are no specific special use standards or conditions for body art service businesses.

Policy Considerations

- Staff does not believe that approval of this Special Use Permit request will have any negative impact to current policy. Additionally, as part of the overall land use code update, staff is proposing to eliminate the requirement for a Special Use Permit for body art service businesses in the future as 1) there are no specific review standards currently for these types of businesses, and 2) the State of Missouri requires Professional Registration for tattoo and piercing businesses/artists, similar to how cosmetologists and barbers are regulated.

Staff Recommendation

- Staff recommends approval of the Special Use Permit request.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A BODY ART SERVICES BUSINESS AT 827-829 E. NORTH AVENUE IN THE CITY OF BELTON, CASS COUNTY, MISSOURI.

WHEREAS, the applicant, Melanie Gonzalez, Matriarch Body Piercings, has requested a Special Use Permit for a Body Art Services business to operate at 829 E. North Avenue adjacent to Belton’s Ink Spot Tattoos and Piercings, which she also owns at 827 E. North Avenue; and

WHEREAS, notice of the Special Use Permit was sent to property owners within 185-feet of the site; and

WHEREAS, after due public notice in the manner prescribed by law, a public hearing was held before the Belton Planning Commission on June 20, 2023; and

WHEREAS, the Belton Planning Commission voted to recommend approval of the application to the City Council by a 7-0 vote; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Belton hereby approves the Special Use Permit for a body art services business at 827-829 E. North Avenue within the designated tenant spaces as part of the Apple Valley shopping center legally described as follows:
Block 2, Apple Valley Replat of Resurvey Blocks 2 & 3, a subdivision in Belton, Cass County, Missouri.

Section 2. Approval of the Special Use Permit is subject to the following conditions and all other items referenced in the staff report and supporting documentation attached as **Exhibit A**:

1. The Special Use Permit allows the operation of a body art services business at 827 and 829 E North Avenue and shall be valid for as long as the business is legally operating.
2. The Special Use permit is subject to all the standards of Section 40-2 Special Use provisions, including conditions, transferability, and revocations.

Section 3. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 4. All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.

READ FOR THE FIRST TIME: July 11, 2023

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was introduced for first reading at a meeting of the City Council held on the ____ day of _____, 2023, and thereafter adopted as Ordinance No. 2023-____ of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2023, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



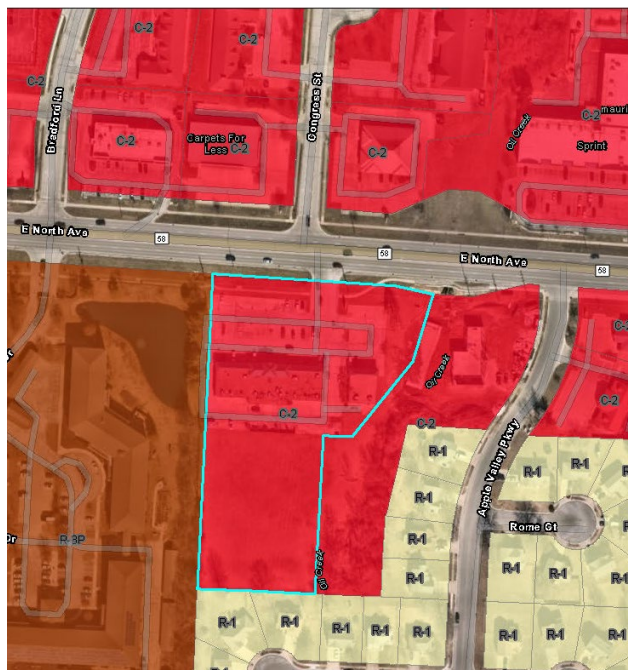
PROJECT: **BODY ART SERVICES**

SITE LOCATION:	PROJECT REQUEST:
Southeast corner of E North Ave. and Bernard Dr. (827 & 829 E North Ave)	Special Use Permit
APPLICATION:	
Applicant – Melanie Gonzalez (Belton’s Ink Spot Tattoos and Piercings / Matriarch Body Piercings)	

PROJECT SUMMARY

CURRENT ZONING/USE:	PROPOSED USE:
C-2 General Commercial / Vacant	Body Art Services
PROPOSED DEVELOPMENT:	LAND AREA:
Expand an existing business into an adjacent tenant space	3.6 Acres (parcel)
UTILITY SERVICE: ELECTRICITY	MODIFICATIONS REQUESTED OR SPECIAL NOTES:
Yes, available and will support the proposed use	N/A

CONTEXTUAL DESCRIPTION:
 An application was filed for a Special Use permit to expand an existing tattoo and piercing business (known as Belton’s Ink Spot Tattoos and Piercings) to an adjacent tenant space. The expansion would create a stand-alone piercing business (known as Matriarch Body Piercing), separating the uses. The business is located within a strip center on a 3.6-acre property at the Southeast corner of E North Ave. and Bernard Dr. The subject property is bound by the new Express Oil Change, Carnegie Village, and other commercial properties. The property was previously used as a massage parlor and subsequently was vacant, but the applicant has since completed extensive renovations.



STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS

STANDARDS FOR APPROVAL

UDC Section 40-2 requires Special Use Permits to be reviewed under the following criteria:

- a) The proposed use complies with all applicable provisions of these regulations, including yard regulations, parking requirements and use limitations.
- b) The proposed use at the specific location will not detract or encroach upon the welfare or convenience of the public.
- c) The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
- d) The location and size of the use, the nature and intensity of the operation in connection with it, and the location of the site with respect to the surrounding street network will not dominate the immediate neighborhood nor prevent the development of neighboring property. In determining such dominance, consideration shall be given to:
 - 1) The location, nature and height of buildings, structures, walls and fences on the site;
 - 2) The nature and extent of landscaping and screening on the site;
 - 3) The adequacy of the adjacent street system to carry the traffic generated by the use;
 - 4) Adequate utility, drainage, and other such necessary facilities have been or will be provided;
 - 5) Adequate access roads, loading areas and entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

Based on the above standards for approval, the Special Use Permit for Body Art Services at 827 & 829 E North Ave. meets all City standards and requirements in the UDC. The proposed business is in line with the character of the corridor, is consistent with adjacent developed properties, and would be considered an upgrade of what's currently present on the property.

Belton's Ink Spot has been in business since 2001 and staff believes an expansion of that business will not negatively impact surrounding properties, compromise the general purpose or intent of the UDC, or compromise the health, safety, and welfare of the community.

STAFF RECOMMENDATION

Staff recommends approval of Special Use Permit for Body Art Services. The recommendation is subject to the following conditions:

1. The Special Use Permit allows the operation of a body art services business at 827 and 829 E North Avenue and shall be valid for as long as the business is legally operating.
2. The Special Use permit is subject to all the standards of Section 40-2 Special Use provisions, including conditions, transferability, and revocations.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **recommend approval of** a Special Use Permit for Body Art Services.
2. Motion to **recommend denial of** a Special Use Permit for Body Art Services.
3. Motion to continue the application for further information.

ATTACHMENTS

1. Project Narrative

To whom it may concern,

I am requesting a special use permit for the expansion & renaming of part of my Tattoo & Body Piercing establishment currently known as Belton's Ink Spot Tattoos & Piercings. We have been in Belton since 2001 and are located at 827 E North Ave.

We have grown since 2001 and require more space to service our many clients so we've expanded our establishment into the adjacent building, 829 E North Ave, and are planning on utilizing our new space as our Body Piercing establishment which will be named Matriarch's Body Piercings.

It is our opinion this type of establishment fits well with the surrounding area given the fact that we are simply gaining additional space and giving the Piercing business its own name and identity.

Sincerely,

Melonie Gonzalez



Resolution No. 2023-73 COUNCIL ACTION REPORT

Title: Mobile Data Terminal Purchase

Agenda Date: July 11, 2023

Presented by: John Sapp, Fire Chief

Background

- The county is currently in the process of upgrading the Computer Aided Dispatching equipment (CAD). The updated capabilities of the new CAD system are allowing Belton Fire Department to add technology we have not used in the past. A mobile data terminal is basically a laptop computer. This equipment will be installed in our fire apparatus and gives a direct link to data that dispatchers receive and enter into the CAD. This gives crews quicker access to call information as well as specific information that can be added to the system about individual addresses without consuming time on the radio relaying messages.

Financial/Budget Considerations

- The total cost of the equipment is \$69,094.00.
- This will be \$4,094.00 over the requested and approved budget.
- The current Brush Truck and Fire Engine capital budget projects will be used to cover the over budget amounts.
- Pricing for this equipment was obtained via a shared cooperative purchasing contract with Jasper County Sheriff's Office.

Legal Considerations

- There were no legal concerns with this project

Policy Considerations

- There are no policy concerns with this purchase.
- Adding the MDT's to our fleet will ensure an increased and more efficient flow of information between dispatchers and responding crews. This will help crews be better prepared to deliver quick and competent services to the public.

Staff Recommendation

- Staff recommends this purchase.

R2023-73

A RESOLUTION APPROVING THE PURCHASE OF MOBILE DATA TERMINAL EQUIPMENT FROM TURN-KEY MOBILE, INC. IN THE AMOUNT OF \$69,094.00

WHEREAS, the Cass County Emergency Services Board is currently updating the county computer aided dispatching system (CAD); and

WHEREAS, the department wishes to purchase equipment for department vehicles that will connect to the CAD, which will enhance the transfer of communications and data between responding crews and dispatcher; and

WHEREAS, this capital item was approved in the FY24 budget; and

WHEREAS, Jasper County Sheriff's Office has a current cooperative purchasing agreement that allows the us by other governmental entities.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:

- Section 1.** That the City Council hereby authorizes and approves the purchase of mobile data terminal equipment from Turn-Key Mobile as defined in the Estimate, herein attached as, **EXHIBIT A**, in the amount of \$69,094.00
- Section 2.** That the fire chief is authorized to sign any necessary documents on behalf of the City of Belton.
- Section 3.** That this resolution shall be in full force and effect from and after its passage and approval.

Duly read and passed this _____ day of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton, Missouri, and that the foregoing Resolution was introduced at a meeting of the City Council held on the ____ day of _____, 2023, and adopted at a meeting of the City Council held the ____ day of _____, 2023 by the following vote, to-wit:

AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



**Turn-Key
Mobile, Inc.**

TURN-KEY MOBILE, INC.

4510 Country Club Drive
Jefferson City, Missouri 65109

Estimate

Estimate#	: EST-10530	Sales person/ISS	: Frederick Willis
Estimate Date	: 06/02/2023	Prepared By	: Terry Cage
Expiry Date	: 06/30/2023		

Bill To

Belton Fire Department
16300 N Mullen Road
Belton MO 64012

#	Item & Description	Qty	Rate	Amount
1	CF-33RZ-0AKM Public Sector Specific, Win10 Pro (Win11 DG), Intel Core i5-10310U 1.7GHz vPro (4.4 GHz), AMT, 12.0" QHD Gloved Multi Touch+Digitizer, 16GB, 512GB OPAL SSD, Intel Wi-Fi 6, Bluetooth, 4G LTE Band 14 (EM7511), Dual Pass (Ch1:WWAN/Ch2:WWAN-GPS), Infrared Webcam, 8MP Rear Camera, Contactless Smartcard, Standard Batteries (2), TPM 2.0, Flat, CF-SVCPDEP3Y - 3 Year Premier Deployment, FZ-SVC512SSD3Y - 3 Year No Return of Defective Drive, FZ-SVCTPNF3YR - 3 Year Protection Plus Warranty, CF-SVCBIOS1 - Custom BIOS, CF-SVCADDP12B - 1 Year Absolute Resilience Panasonic Warranty Bundle SKU Only PS/EDU/SLG Bundle SKU Only	10.00	3,612.00	36,120.00
2	CF-SVCPSYS Panasonic Public Sector 5th year Service Bundle. Includes 4th and 5th year of Premier Deployment service, 4th and 5th year of HDD no return service, and 4th and 5th year ProPlus warranty entitlement. Prerequisite is concurrent purchase of a 3 year Public Sector bundle model.	10.00	600.00	6,000.00
3	CF-VEK333LMP PANASONIC : PREMIUM KEYBOARD FOR CF-33 Mk1, Mk2. NEW IMPROVED, 3X BRIGHTER OUT-OF-THE-BOX. EMISSIVE RED BACKLIT (4 LEVELS). HANDLE/KICKSTAND DISPLAY CAN BE OPENED TO ANY ANGLE. COMPATIBLE WITH TABLET, 33 LAPTOP VEHICLE DOCK, AND 33 DESKTOP DOCK USB 2.0, USB 3.0 (2), HDMI, VGA, Serial, LAN, SDXC (full-size)	1.00	600.00	600.00
4	H-33-TVD0-L-LND Panasonic HAVIS CF-33 TABLET LITE VEHICLE DOCK (NO PASS) TABLET ONLY WITH LIND POWER SUPPLY. USB 2.0 (4), USB 3.0 (2), SERIAL, ETHERNET (2), HDMI, VGA, DOCKING CONNECTOR, POWER, RELEASE LEVER, LOCK (KEYED ALIKE).	11.00	1,014.00	11,154.00
5	C-HDM-201 Havis 5.5" Heavy-Duty Telescoping Pole, Short Handle	7.00	139.00	973.00
6	C-HDM-214 Havis 8.5" Heavy Duty Telescoping Pole, Side Mount	3.00	135.00	405.00
7	C-HDM-134 Havis Universal Heavy-Duty Short Adapter Plate Mount	3.00	72.00	216.00
8	C-MD-112 Havis 11" Slide Out Locking Swing Arm with Motion Adapter	3.00	275.00	825.00
9	C-MD-202 Havis Tilt Swivel Motion Device	8.00	69.00	552.00
10	MA3-0900120B-NNA Cradlepoint 3-yr NetCloud Mobile Essentials Plan and IBR900 router with WiFi (1000Mbps modem), no AC power supply or antennas, North America	9.00	1,096.00	9,864.00
11	SH-IN2440 Panorama Low profile Sharkfin, 5 in 1 Antenna: MiMo 2G/3G/4G LTE, MiMo 2.4/5GHz Wi-Fi, GPS/GNSS, 5m/16 cables for use with IBR600, IBR900, IBR1100. FirstNet compatible.	9.00	265.00	2,385.00
12	Contract-Jasper County Jasper County Sheriff's Office Contract # JCSO 2021-001 (Computers and Network Technology)	1.00	0.00	0.00

Order Notes:

#	Item & Description	Qty	Rate	Amount
13	Contract-Jasper County (VE) Jasper County Sheriff's Office Contract # 2021-003 (Vehicle Equip)	1.00	0.00	0.00
14	Shipping Included As Per Contract All Shipping Charges are to be included As Per Contract	1.00	0.00	0.00

Sub Total 69,094.00

Total \$69,094.00

Looking forward to doing business with you.
Shipping Charges are not included unless otherwise stated.

Terms & Conditions
All PO placed orders have net 30 day Terms, no discounts.

Authorized Acceptance Signature

Minutes of the Belton City Council
June 27, 2023
City Hall Annex
520 Main Street, Belton, Missouri

Mayor Larkey called the meeting to order at 6:00 p.m.

Councilmember Gough led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Larkey, Dave Clark, Angela Kraft (via videoconference), Allyson Lawson, Chris Richardson, Rob Powell, Perry Gough

Councilmembers absent: James Pryan, Bret White

Staff present: Joe Warren, City Manager; Andrea Cunningham, City Clerk; Julia Porter, Deputy City Clerk; Greg Rokos, Assistant City Manager/Public Works Director; Matt Wright, Planning and Building Director; Padraic Corcoran, Attorney; Police Chief Scott Lyons; Fire Chief John Sapp; Casey Koehn, Finance Director; Brian Welborn, Park Director; Jay Kennedy, Golf Course Manager

UNFINISHED BUSINESS

Julia Porter, Deputy City Clerk, gave the final reading of Bill No. 2023-31: **An ordinance approving the formalization of the Memorandum of Understanding (MOU) between the Belton School District and the City of Belton, Missouri.**

Presented by Councilmember Lawson, seconded by Councilmember Gough. Vote on the final reading was recorded:

Ayes: 6 Lawson, Gough, Powell, Richardson, Clark, Kraft

Noes: 0

Absent: 2 Pryan, White

Abstain: 1 Mayor Larkey

Bill No. 2023-31 was declared passed and in full force and effect as **Ordinance No. 2023-4783**, subject to Mayoral veto.

NEW BUSINESS

Mayor Larkey announced that Bill No. 2023-32 would be considered at a future City Council meeting: **An ordinance accepting a Mid-America Regional Council (MARC) Grant for services to individuals at the Belton Senior Center.**

Ms. Porter read Bill No. 2023-33: **An ordinance accepting a Missouri Secretary of State Electronic Records Initiative Grant.**

Presented by Councilmember Lawson, seconded by Councilmember Richardson. Andrea Cunningham, City Clerk, presented information about the grant and responded to questions from the City Council. Vote on the first reading was recorded with all present voting in favor. First reading passed.

Ms. Porter read Bill No. 2023-34: **An ordinance approving the Reappropriation and Revision of the City of Belton Fiscal Year 2024 adopted city budget.**

Presented by Councilmember Gough, seconded by Councilmember Lawson. A member of the public spoke out during the meeting. Mayor Larkey let him know that this was not the appropriate time for a member of the public to speak and advised him to contact the City Clerk's office for information about speaking at a future City Council meeting. Joe Warren, City Manager, and Casey Koehn, Finance Director, presented information about the budget amendment and responded to questions from the City Council. Councilmember Lawson made a motion amending Bill No. 2023-34 to reclassify the part-time animal control officer to a full-time position. Councilmember Richardson seconded. Vote on the motion to amend was recorded with all present voting in favor. Motion carried. Vote on the first reading, as amended, was recorded with all present voting in favor. First reading, as amended, passed.

Ms. Porter read Resolution No. R2023-68: **A resolution approving a professional services agreement with Confluence, Inc. to complete the 2024 Comprehensive Plan.**

Presented by Councilmember Lawson, seconded by Councilmember Richardson. Matt Wright, Planning & Building Director, presented information about the 2024 Comprehensive plan and responded to questions from the Council. Vote on the resolution was recorded with all present voting in favor. Resolution passed.

Ms. Porter read Resolution No. R2023-69: **A resolution authorizing the Mayor to execute a Quit Claim deed on behalf of the City of Belton, Missouri in favor of Earl and Tamara Lancour.**

Presented by Councilmember Lawson, seconded by Councilmember Gough. Greg Rokos, Assistant City Manager/Public Works Director, presented information about the pickleball court on the property that is being deeded to Earl and Tamara Lancour and responded to questions from the Council. Vote on resolution was recorded with all present voting in favor except Councilmember Powell who voted no. Resolution passed.

Ms. Porter read Resolution No. R2023-70: **A resolution dedicating marijuana sales tax revenues to economic development.**

Presented by Councilmember Lawson, seconded by Councilmember Richardson. Mr. Warren, responded to questions from the Council. Vote on resolution was recorded with all voting in favor. Resolution passed.

Ms. Porter read Resolution No. R2023-71: **A resolution approving Change Order No. 2 with Superior Bowen Asphalt Company, LLC for the FY23 Street Preservation Program in the amount of \$1,642,844.98.**

Presented by Councilmember Lawson, seconded by Councilmember Richardson. Mr. Rokos, presented information about the FY23 Street Preservation program and responded to questions from the Council. Councilmember Richardson moved to call for the question. Councilmember Gough seconded. Vote on the call for the question was recorded with all present voting in favor. Vote on the resolution was recorded with all present voting in favor. Resolution passed.

CONSENT AGENDA

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

- **approving the minutes of the June 13, 2023, City Council Meeting.**
- **Resolution R2023-72: A resolution approving the purchase of a 2022 Ford F350 Super Duty SRW Truck in the amount of \$48,193 from McCarthy Chevrolet.**

Councilmember Richardson seconded. All present voted in favor. Consent agenda approved.

COMMUNICATIONS FROM CITY COUNCIL

Councilmember Richardson encouraged residents to attend the Fourth of July events in downtown Belton this Friday and Saturday.

Councilmember Lawson gave a Park report

- Sign up for Fall Sports is beginning soon
- Recent Car Show was a success
- Farmer's Market on Thursdays at the Assembly of God church

Councilmember Powell gave an update on the Belton-Cass Regional Transportation Development District meeting:

- The TDD was approved for \$14,600,000 in bonds
- Utilities will be moved by the end of July

Councilmember Powell asked staff for an update on when Allen Road would be repaved. Mr. Rokos responded to the question by referencing the street maintenance plan. Councilmember Lawson requested that streets around schools be prioritized.

Councilmember Kraft thanked staff for including the Council Action Reports with the Council Agenda items.

Councilmember Lawson shared positive feedback she received on the Town Hall and requested that they be established on a regular basis.

CITY MANAGER'S REPORT

Mr. Warren stated that the City will be doing more Town Halls during the Budget season. Mr. Warren reminded the Council that he will be out of town July 10-15 and will not attend the July 11, 2023, Council meeting.

July/August 2023 City Council Meetings – 6:00 p.m.

July 11, 2023

July 25, 2023

August 8, 2023

August 22, 2023

ITEMS FOR REVIEW AND DISCUSSION

Mr. Warren shared with Council that staff have recently done an audit of the City's development process. Mr. Warren shared that his goal is to speed up the development process while maintaining transparency. Councilmember Clark complemented the Commercial development process but acknowledged that the residential development process needed to be improved.

Mr. Wright provided an update on the status of Markey Business Park and asked for input from the Council. Councilmember Lawson requested that this item be considered as a part of the Comprehensive Plan. Councilmember Clark requested that the infrastructure on the site be improved.

Police Chief Scott Lyons presented information about the City's noise ordinances and the complaint process. Chief Lyons said that one of the biggest issues for prosecuting noise complaints in Belton is that citizens are not typically willing to be complainants in a lawsuit. Councilmember Powell asked for information about using noise meters to write tickets for violators. Chief Lyons stated that he would not recommend the use of noise meters since they are very expensive to purchase, operate, and maintain.

Mr. Wright asked for feedback from the Council about establishing regulations for short-term rentals. The Council discussed different methods for allowing short-term rentals, including limiting them to certain districts or limiting the number of licenses allowed.

At 7:45 p.m. Councilmember Lawson moved to enter Executive Session to discuss matters pertaining the leasing, purchase or sale of Real Estate, according to Missouri Statute 610.021.2, and that the record be closed, and the meeting adjourned from there. Councilmember Gough seconded. The following vote was recorded:

Ayes: 7 Mayor Larkey, Gough, Richardson, Clark, Lawson, Powell, Kraft

Noes: 0

Absent: 2 Pryan, White

Motion carried.

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

Julia Porter, Deputy City Clerk

Mayor Norman K Larkey, Sr

R2023-74



**Belton, Missouri
Police Department**

Memo

To: Chief Lyons

Date: 14 June 2023

From: Lt. Baker

Re: Animal Control Truck Containment Boxes

In anticipation of adding a second animal control officer to the staff it was determined a second truck would be needed. These trucks require a specialized cargo box with compartments to place animals that have been captured.

In this budget year the council approved the purchase of two (2) chassis mounted animal containment boxes. The amount approved was **\$55,896** (General Ledger Account Number 010-4400-495-7500).

A bid process was completed with the following results:

DeerSkin Manufacturing: \$28,666 ea. Total \$57,332
24-30 month build and shipping time

Hartstra Manufacturing: \$27,948 ea. Total \$55,896
90-120 days build time

Jackson Creek: \$37,500 ea. Total \$75,000
price does not include mounting

In a follow up conversation with the Hartstra Manufacturing the cost has been confirmed to remain at the originally quoted cost of **\$55,896** for both boxes. This does take into consideration the additional animal control truck that is being considered for purchase.

I am asking for approval to purchase these containment boxes.

A handwritten signature in black ink, appearing to read "John Baker".

Lt. John Baker, 307

R2023-74

A RESOLUTION APPROVING THE PURCHASE OF TWO (2) BOX UNITS FOR THE ANIMAL CONTROL TRUCKS IN THE TOTAL AMOUNT OF \$55,896 FROM HARTSTRA MANUFACTURING.

WHEREAS, the current Animal Control Unit truck containment box is not working properly and has severe rust on it, making it unsafe for transporting animals; and

WHEREAS, the FY2024 approved budget includes the purchase of two (2) containment box units for the Animal Control Unit trucks in the amount of \$55,896; and

WHEREAS, during the bid process staff received three (3) bids; Hartstra Manufacturing is the lowest and best bid as well as has the fastest build time; and

WHEREAS, Police Staff recommends the purchase of two (2) containment box units for the Animal Control Unit trucks from Hartstra Manufacturing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:

- Section 1.** That the City Council approves the purchase of two (2) containment box units for the Animal Control Unit trucks from Hartstra Manufacturing in the amount of \$55,896.
- Section 2.** The Chief of Police, City Manager, Mayor, or other appropriate officer is authorized to execute any documents necessary to carry out the intent of this resolution.
- Section 3.** That this resolution shall be in full force and effect from and after its passage and approval.

Duly read and approved this _____ day of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON) SS
COUNTY OF CASS)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton, Missouri, and that the foregoing Resolution was introduced at a meeting of the City Council held on the ____ day of _____, 2023, and adopted at a meeting of the City Council held the ____ day of _____, 2023 by the following vote, to-wit:

AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



HARTSTRA MANUFACTURING LLC
 5635 N. HWY 6
 WACO, TX 76712
 United States of America

Ph: 254-848-8318

Fax: 254-848-8314

Quote

ID: 1398 Date: 01-Jun-23

To

CITY OF BELTON
 506 MAIN STREET
 BELTON, MO 64012
 United States of America

Quote To

SARA
 CITY OF BELTON
 506 MAIN STREET
 BELTON, MO 64012
 United States of America

Terms		Ship Via	Salesperson	
SEE SCOPE		PICKED UP	001	
Quantity	Description	Unit Price	Amount	
	Reference: ACU			
2	Line: 001 Expiration Date: 01-Sep-23 Part: MISC Rev: ANIMAL CONTROL BODY ea SCOPE OF WORK: REV 1.0 OCT, 2022 PROJECT: ANIMAL CONTROL BODY GENERAL: Design and Fabricate Animal Control Vehicles as per Scope DESIGN AND ENGINEERING: - Final design to be approved before construction and purchasing of materials - Full CAD drawings to be completed and maintained by Hartstra Manufacturing - Designed as per scope to include 6 Cage Compartments and 1 pass through storage area - Designed to be installed on 2016 FORD F250 Truck DIMENSIONS: - 110"L x 36"H x 80"W Nominal Dimensions - Refer to presentation drawings for detailed Dimensions FRAMEWORK: - Aluminum Tubing Perimeter Framework fabricated with 4 Chassis Mounting points BODY CONSTRUCTION: - Fabricate Aluminum Tubing Body Framework Wall Sections - Utilize 1.5" x 1/8" Aluminum Square Tubing	\$27,948.00	\$55,896.00	

	SLIDE OUT-DROP DOWN KENNEL SYSTEM: - Fabricate and Install single Kennel system - Installed on C.S. in the rear compartment. - Designed as a fully enclosed kennel with cage door		
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Home (<http://hartstra.com/>) » Main Feat Prod (<https://hartstra.com/category/main-feat-prod/>) » **Animal Control**

ANIMAL CONTROL

Our Animal Control Box Truck construction begins with the customer in mind. All of our animal control trucks are custom designed and fabricated to meet the specific needs of the client.

Our design department will model your animal control vehicle using Inventor software by Autodesk. All designs are reviewed with our clients prior to finalization to ensure the completed design meets your needs. By spending the time to understand our clients, we make sure you get the unit that matches the unique demands of your department.

ANIMAL CONTROL TRUCK OPTIONS

- 360-Degree rotating spotlight mounted on top of the vehicle.
- Fold-down stairs located in the back for easier access into the compartments.
- Lift for heavier animals on the back.
- Fully integrated LED lighting system.
- State-of-the-Art HVAC unit with separate compartment control, separate compartment temperature monitoring, and separate compartment Co2 monitoring.
- Custom designed compartments and sizes built to your exact preference.
- Emergency lighting features.
- Custom paint and colors.
- Customizeable bumper options with integral hitches.
- Air bags and load-leveling leaf springs.
- Manual or power-step options.
- Individual compartment drains with self-cleaning tank options.

- Customizable ramp options.
- Separate fan and ventilation options.



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EMAIL

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MESSAGE



R2023-75 MEMO

Title: Orb Gate Replacement for Wastewater Treatment Plant

Agenda Date: July 11, 2023

Presented by: Greg Rokos, Assistant City Manager

The three (3) Orb Gates at the Wastewater Treatment Plant are not functioning.

The City issued Request for Proposals (RFP) 23-013 for Orb Gate Replacement. Two RFPs were received. The RFPs were reviewed, and Staff approves a Contract for Services for Orb Gate Replacement with David E. Ross Construction Company, lowest and best bidder, in the not-to-exceed amount of \$105,400.00. This is an FY2024-budget-approved item under Wastewater Treatment Plant Improvements funding.

R2023-75

A RESOLUTION APPROVING A CONTRACT FOR SERVICES FOR ORB GATE REPLACEMENT FOR THE WASTEWATER TREATMENT PLANT WITH DAVID E. ROSS CONSTRUCTION COMPANY IN THE NOT-TO-EXCEED AMOUNT OF \$105,400.00.

WHEREAS, the three (3) Orb Gates at the Wastewater Treatment Plant are not functioning. The City issued Request for Proposals (RFP) 23-013 for Orb Gate Replacement. Two RFPs were received. The RFPs were reviewed, and Staff approves a Contract for Services for Orb Gate Replacement with David E. Ross Construction Company, lowest and best bidder, in the not-to-exceed amount of \$105,400.00. This is an FY2024-budget-approved item under Wastewater Treatment Plant Improvements funding.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:

SECTION 1. That this resolution approving a Contract for Services for Orb Gate Replacement for the Wastewater Treatment Plant with David E. Ross Construction, herein attached and incorporated to this Resolution as **Exhibit A**, in the not-to-exceed amount of \$105,400.00 is hereby approved for purposes described above.

SECTION 2. That the Assistant City Manager is authorized to sign the Contract for Services for Orb Gate Replacement on behalf of the City of Belton, Missouri.

SECTION 3. That this resolution shall be in full force and effect from and after its passage and approval.

Duly read and passed this _____ day of _____, 2023.

Mayor Norman K. Larkey, Sr.

ATTEST:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
COUNTY OF CASS)SS
CITY OF BELTON)

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton, Missouri, and that the foregoing Resolution was introduced at a meeting of the City Council held on the ____ day of ____, 2023, and adopted at a meeting of the City Council held the ____ day of ____, 2023 by the following vote, to-wit:

AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:

Andrea Cunningham, City Clerk
of the City of Belton, Missouri



**CITY OF BELTON
CONTRACT FOR SERVICES**

Orb Gate Replacement

AGREEMENT FOR PROVISION OF THE FOLLOWING SERVICES

Agreement made this _____, 2023 between David E. Ross Construction Co., an entity organized and existing under the laws of the State of Missouri, with its principal office located at 10201 E. 75th Street, Raytown, MO, hereafter referred to as the **Contractor**, and The City of Belton, Missouri, a Charter City organized and existing under the laws of the State of Missouri, with its principal office located at 506 Main Street, Belton, Missouri, hereafter referred to as the **City**.

This contract and applicable attachments represent the entire understanding and agreement between the parties and no oral, implied, alterations, or variations to the contract will be binding on the parties, except to the extent that they are in writing and signed by the parties hereto. This contract shall be binding upon the heirs, successors, administrators, executors, and assigns of the parties hereto. In the event there are any inconsistencies in the provisions of this contract and those contained in the proposal, they will be resolved in accordance with the terms of this contract.

This contract is effective as of _____ and coincidental with the Assistant City Manager's signature and attestation by the City Clerk and shall remain in effect as described within the attachments.

**ARTICLE I
THE WORK**

Contractor agrees to perform all work and provide all deliverables as specified in Request for Proposal 23-013 and the General Terms and Conditions in Appendix B commonly referred to as Contract Terms and Conditions and according to Contract Agreement set forth here. The selected Contractor will complete work based upon individual task agreements. Contractor agrees to provide all labor, materials, tools, permits, and/or professional services and perform the contracted work in accordance with all specifications, terms, and conditions as set forth within the proposal documents including bonding, insurance, prevailing wage requirements, and termination clauses as needed or required. The work as specified in Appendix A may commence upon the signing of this contract and scheduling and approval of the City.

ARTICLE II
TIME OF COMMENCEMENT AND COMPLETION

The work shall be completed by 90 days after receiving parts. Liquidated damages will commence 91 days after receiving parts. The date of substantial completion shall be that date when the project or portions of the project are officially accepted by the Owner for utilization of the project for its intended purpose. The City shall be the sole determiner as to the fulfillment of the work as described.

ARTICLE III
CONTRACT SUM AND PAYMENT

The Contractor agrees to perform all work described in the Contract Documents in the amount of \$ _____.

The City agrees to pay the Contractor as outlined in the Contract Documents and subject to deductions provided for in Articles IV and VI.

ARTICLE IV
CONTRACT PAYMENT

The City agrees to pay the Contractor for the completed work as follows: 95% of contract shall be paid within thirty (30) days of substantial completion of each section of this proposal – inspection and remediation, walk-through and acceptance by the City; a 5% retainage will be held until acceptance of the project at which time final payment will be made. Any monies not paid to the Contractor when due will bear interest at the rate of one and one-half percent (1 -1/2 %) per month, from the date such payment is due. However, if any portion of the work remains to be completed or corrected at the time payment is due, the City may retain sufficient funds to cover the City Engineer's estimated value of the work not completed or twenty percent (20%) of the contract amount, whichever is greater, exempt from interest, to be paid when such listed items are corrected or completed.

The City will be the sole judge as to the sufficiency of the work performed.

The Contractor agrees that the City may withhold any and all payment for damage or destruction, blatant or otherwise, incurred to the City's property caused by poor performance or defective equipment or materials or personnel employed or utilized by the Contractor. Additionally, it is agreed the Contractor shall also be liable to the City for replacement of materials or services occasioned by such breach.

Payment shall be made upon receipt of invoices presented in duplicate as outlined in Appendix B.

Third party payment agreements will not be accepted by the City.

In the event that the Missouri Department of Labor and Industrial Relations has determined that a violation of Section 292.675, RSMo, has occurred and that a penalty as described in Section XII shall be assessed, the City shall withhold and retain all sums and amounts due and owing when making payments to Contractor under this Contract.

**ARTICLE V
INSURANCE REQUIREMENTS**

Insurance shall be provided as outlined in Appendix B: General Terms and Conditions to the Contract.

**ARTICLE VI
DAMAGES/DELAYS/DEFECTS**

The City will not sustain monetary damage if the whole or any part of this contract is delayed through the failure of the Contractor and/or his sureties to perform any part or the whole of this contract. Thus, if at any time the Contractor refuses or neglects to supply sufficiently skilled workmen or proper materials, or fails in any respect to execute the contract, including extras, with the utmost diligence, the City may take steps deemed advisable to promptly secure the necessary labor, tools, materials, equipment, services, etc., by contract or otherwise, to complete whatever portion of the contracted work which is causing delay or is not being performed in a workmanlike manner.

Contractor and/or their sureties will be liable to the City for any cost for labor, tool, materials, equipment, services, delays, or claims incurred by the City to finish the work.

Contractor will store, contain, or remove all debris, materials, tools, equipment and vehicles at the end of each day so that no hazardous or dangerous situations are created within the work location and surrounding area.

Contractor will promptly and within 7 days of receiving notice thereof repair all damage to public and private property caused by their agents or employees. Should damages not be promptly repaired within 7 days of receiving notice thereof, the City will authorize the hiring of another Contractor to do the repairs. The original Contractor agrees to promptly pay for the services of any such Contractor hired to do such repairs within 10 days of completion of the repairs.

Contractor shall immediately report, to the City, or a duly authorized representative, any accident whatsoever arising out of the performance of this contract, especially those resulting in death, serious injury or property damage. Contractor must provide full details and statements from any witnesses.

If the Contractor shall fail to complete the work within the contract time, or an extension of time granted by the City, the Contractor will pay to the City the amount for liquidated damages as specified in the schedule below for each calendar day that the Contractor shall be in default after

the time stipulated in this contract document. The amount specified in the schedule is agreed upon, not as a penalty, but as liquidated damages for the loss to the City of Belton and the public of the use of the facility as designated. This amount will be deducted from any money due to the Contractor. The Contractor and Contractor’s surety will be liable for all liquidated damages.

SCHEDULE OF LIQUIDATED DAMAGES		
Original Contract Amount		Charge Per Calendar Day (\$)
From More Than (\$)	To and Including (\$)	
0	50,000	150
50,001	100,000	250
100,001	500,000	500
500,001	1,000,000	1,000
1,000,001	2,000,000	1,500
2,000,001	5,000,000	2,000
5,000,001	10,000,000	2,500
10,000,001	And above	3,000

**ARTICLE VII
RESPONSIBILITIES**

The City shall provide all information or services under their control with reasonable promptness and designate the Public Works Director, or their designee (in writing) to render decisions on behalf of the City and on whose actions and approvals the Contractor may rely.

The Contractor’s responsibilities and obligations under this agreement are accepted subject to strikes, outside labor troubles (including strikes or labor troubles affecting vendors or suppliers of Contractor), accidents, transportation delays, floods, fires, or other acts of God, and any other causes of like or different character beyond the control of Contractor. Impossibility of performance by reason of any legislative, executive, or judicial act of any governmental authority shall excuse performance of or delay in performance of this agreement. The City and the Contractor shall agree upon such any delay or cancellation of performance and execute an agreement in writing documenting the excuse of performance or delay in performance of this agreement.

Contractor agrees to provide all materials, labor, tools, and equipment necessary to perform and complete the contract as specified.

All equipment will be of such type and in such condition so as not to cause any damages to City property or the community at large. All equipment used on site will meet the minimum requirements of OSHA (Occupational Safety Health Administration) and related federal, state, county, and city agencies and regulations, including but not limited to EPA (Environmental Protection Agency) and the NESHAPS (National Emission Standards for Hazardous Air Pollution).

All material will be of a type and quality acceptable to the City, and which will not cause injury to property or persons.

Contractor will supervise and direct the work performed and shall be responsible for his employees. Contractor will also supervise and direct the work performed by sub-contractors and their employees and be responsible for the work performed by sub-contractors hired by the contractor.

Contractor agrees to obtain and maintain, during the term of this contract, the necessary licenses and permits required by federal, state, county and municipal governments to perform the services as required by this contract. Contractor shall bear the cost of any permits which he is obligated to secure. Contractor will also ensure any sub-contractors hired will obtain the necessary licenses and permits as required.

Contractor agrees to comply with all applicable federal, state, county and municipal laws and regulations, including, but not limited to, affirmative action, equal employment, fair labor standards and all applicable provisions of the Occupational Safety and Health Act of 1970, as amended. Contractor agrees to ensure sub-contractors and their employees comply with all applicable laws and regulations aforementioned.

Contractor also agrees to be, at all times, in full compliance with any and all applicable federal, state and local laws and regulations as they may change from time to time.

Contract is subject to the State of Missouri Prevailing Wage Laws (Cass County Annual Wage 29). The contractor shall include the provisions of this clause in all subcontracts for work to be performed by subcontractors under this contract so that provisions of this clause are binding upon subcontractors.

ARTICLE VIII TERMINATION OF AGREEMENT

With Cause – If Contractor fails to perform his duties as specified in this contract, the City through its appointed representative, shall notify the Contractor to correct any default under the terms of this contract. Such notification may be made in writing, and delivered via regular, certified facsimile or e-mail. If the Contractor fails to correct any default after notification of such default, the City shall have the right to immediately terminate this agreement by giving the Contractor ten (10) days written notice, and delivered via regular, certified facsimile or e-mail.

Without Cause – The City may terminate this agreement at any time by providing sixty (60) days written notice, by certified mail, to the Contractor at the address listed below.

In the event this agreement is terminated, the City may hold as retainer the amount needed to complete the work in accordance with bid specifications.

**ARTICLE IX
ARBITRATION**

In case of a dispute, the Contractor and the City shall each appoint a representative, who, together, shall select a third-party attorney in good standing and licensed to practice law in Missouri to arbitrate the issue. Resolution of the issue will be binding upon both parties.

**ARTICLE X
WARRANTY**

Contractor warrants that all workmanship shall be of good quality, in conformance with bid specifications and guarantee all materials, equipment furnished, and work performed for a period of two (2) years from the date of substantial completion. Contractor shall, within ten (10) days of written notice from the City, correct any work found to be defective, incorrect or not in accordance with bid specifications.

**ARTICLE XI
REQUIRED SAFETY TRAINING**

- A. Contractor shall provide a ten (10) hour Occupational Safety and Health Administration (OSHA) construction safety program for all employees who will be on-site at the project. The construction safety program shall include a course in construction safety and health that is approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program as required by Section 292.675, RSMo.
- B. All on-site employees of a contractor or subcontractor must have certification of successful completion of Required Safety Training within 60 days of project commencing. On-site employees must provide documentation that they have successfully completed the Required Safety Training *within the required time period*. If they cannot do so within 20 days of a request for such documentation, they must be removed from the project and their employers will be subject to penalties as described in the Act.
- C. Contractor shall require all of its Subcontractors to comply with the requirements of this Section and Section 292.675, RSMo.

**ARTICLE XII
NOTICE OF PENALTIES FOR FAILURE TO PROVIDE SAFETY TRAINING**

- A. Pursuant to Section 292.675, RSMo, Contractor shall forfeit to City as a penalty two thousand five hundred dollars (\$2,500.00), plus one hundred dollars (\$100.00) for each on-site employee employed by Contractor or its Subcontractor, for each calendar day, or portion thereof, such on-site employee is employed without the construction safety training required in Section XI above.

- B. The penalty described in Subsection “A” of this Section shall not begin to accrue until the time periods described in Sections XI “B” and “C” above have elapsed.
- C. Violations of Section XI above and imposition of the penalty described in this Section shall be investigated and determined by the Missouri Department of Labor and Industrial Relations.

ARTICLE XIII
AFFIDAVIT of WORK AUTHORIZATION

Pursuant to 285.530 RSMo, the bidder must affirm its enrollment and participation in a federal work authorization program with respect to the employees proposed to work in connection with the services requested herein by:

- * submitting the attached AFFIDAVIT OF WORK AUTHORIZATION and
 - * providing documentation affirming the bidder’s enrollment and participation in a federal work authorization program (see below) with respect to the employees proposed to work in connection with the services requested herein.

E-Verify is an example of a federal work authorization program. Acceptable enrollment and participation documentation consists of the following two pages of the E-Verify Memorandum of Understanding (MOU): 1) a valid, completed copy of the first page identifying the bidder and 2) a valid copy of the signature page completed and signed by the bidder, the Social Security Administration, and the Department of Homeland Security – Verification Division.

**ARTICLE XIV
ENTIRE AGREEMENT**

The parties agree that this constitutes the entire agreement and there are no further items or provisions, either oral or otherwise. Contractor agrees that it has not relied upon any representations of Contractor as to prospective performance of the goods but has relied upon its own inspection and investigation of the subject matter.

The parties have executed this agreement with the City of Belton the day and year first above written.

IN WITNESS WHEREOF, the parties hereunto have executed two (2) counterparts of this agreement the day and year first written above.

SEAL)

THE CITY OF BELTON, MISSOURI


By: _____
Greg Rokos, P.E., Assistant City Manager

Attest: _____
Andrea Cunningham, City Clerk

SEAL)


CONTRACTOR'S NAME

By: DAVID A. ROSS
(Print Name)


(Signature)

Title: PRESIDENT

Attest: MATT GUSTIN
(Print Name)


(Signature)

APPENDIX A SCOPE OF SERVICES AND SPECIAL PROVISIONS

Orb Gate Replacement

A mandatory Pre-Bid Meeting will be held on June 5, 2023 at 9:00 a.m., local time, and June 6, 2023 at 9:00 a.m., local time, at the City of Belton Wastewater Treatment Facility located at 21200 S. Mullen Road, Belton, MO, 64012. All bidders must attend one meeting. Bids will only be accepted from those who are represented at one of the Pre-Bid Meetings.

ANTICIPATED SCOPE OF SERVICES:

Replacing the Orb Gates at the City of Belton Wastewater Treatment Facility. The Orb Gates shall be 96" wide and 48" tall. The distance from Invert of Opening to Operating Floor shall be 4'. The outer gate shall be replaced first.

SPECIFICATIONS THAT APPLY

1. Project Special Specifications
2. City of Belton Design and Construction Manual
3. KC Metro APWA Standards and Specifications
4. MoDOT Standards and Specifications
5. American Water Works Association Standards and Specifications

METHODS AND PAYMENTS

Measurement and Payment for this project shall be as specified below. All costs in connection with the work, including mobilization, bonds, insurance and taxes, supplies and appurtenances, all construction plans and the performance of all labor to complete the work, shall be included in the items listed in the proposal. Alternatives shown, if any, shall also include all costs involved in the completion of that portion of the work which differs from the base bid. Should the Contractor find that the quantity of any item will exceed that which is shown in the Proposal, he must notify the Engineer immediately so that it may be determined if a change order will be required.

There will be no separate measurement or payment for any item of work not specifically identified and listed in the Proposal. All such work shall be considered a subsidiary item with all costs pertaining thereto included in the prices for other items listed in the Proposal. **Anything necessary for proper construction of any item in this proposal or associated plans that is not specifically mentioned shall be considered subsidiary to the most applicable item.**

Mobilization – Payment for mobilization shall be paid for at the unit price set forth in the Bid Schedule per lump sum in accordance with the plans and specifications. The unit price set forth in the Bid Schedule shall include full compensation to the Contractor for all labor, equipment,

and materials necessary, including but not limited to, compensation for the deployment of laborers and equipment to the site, site preparation, final site clean-up, and demobilization.

Preparation of As-Builts – Payment for the preparation of as-built record drawings shall be paid for at the unit price set forth in the Bid Schedule per lump sum in accordance with the plans and specifications. The unit price set forth in the Bid Schedule shall include full compensation to the Contractor for all labor, equipment, and materials necessary to provide corrected Plans showing in detail all construction changes, especially the location and depth of pipe and all other work items incidental thereto.

ADDITIONAL BIDDING INFORMATION

Project questions: All questions regarding the bidding of this project must be submitted to Andrew Niiro, Engineer I, City of Belton, by phone at (816) 892-1293 or by email at aniiro@belton.org. **All questions must be received (3) days prior to the bid opening.**

Project is tax exempt.

APPENDIX B General Terms and Conditions

A. *Procedures*

The extent and character of the services to be performed by the Contractor shall be subject to the general control and approval of the Assistant City Manager or their authorized representative(s). The Contractor shall not comply with requests and/or orders issued by an unauthorized individual. The Assistant City Manager will designate their authorized representatives in writing. Both the City of Belton and the Contractor must approve any changes to the contract in writing.

B. *Contract Award*

The contract will be awarded based on the base bid plus alternates as selected by the City. Alternates may increase or decrease the total bid price depending on the price of the alternate. Some alternates are additional items, while others are replacement of other line items.

C. *Contract Period*

Award of this contract is anticipated prior to the end of June 2023.

D. *Insurance*

The Contractor shall procure, maintain, and provide proof of insurance coverages for injuries to persons and/or property damage as may arise from or in conjunction with, the work performed on behalf of the City of Belton by the Bidder/Contractor, its agents, representatives, employees, or subcontractors. The City of Belton shall be named as an additional insured under such insurance contracts (except for Worker's Compensation coverage). All coverage for the City shall be written on a primary basis without contribution from the City's coverage. A Certificate of Insurance will be required within ten calendar days from the date of receipt of the Notice of Award. All policies shall be issued on an occurrence form.

Contractor shall procure and maintain in effect throughout the duration of this Agreement, and for a period of two (2) years thereafter, insurance coverage not less than the types and amounts specified below. In the event that additional insurance, not specified herein, is required during the term of this Agreement, Professional shall supply such insurance, if available, at City's cost. Policies containing a Self-Insured Retention are unacceptable to City.

- a. Commercial General Liability Insurance: with limits of \$2,500,000 per occurrence and \$2,500,000 aggregate, written on an "occurrence" basis. The policy shall be written or endorsed to include the following provisions:
 - i. Severability of Interests Coverage applying to Additional Insureds
 - ii. Contractual Liability

- iii. Per Project Aggregate Liability Limit or, where not available, the aggregate limit shall be \$2,500,000
 - iv. No Contractual Liability Limitation Endorsement
 - v. Additional Insured Endorsement, ISO form CG20 10, current edition, or its equivalent
- b. Workers' Compensation Insurance: as required by statute, including Employers Liability with limits of:
 - Workers Compensation Statutory
 - Employers Liability
 - \$100,000 accident with limits of:
 - \$500,000 disease-policy limit
 - \$100,000 disease-each employee
- c. Commercial Automobile Liability Insurance: with a limit of \$2,500,000 per occurrence, covering owned, hired, and non-owned automobiles. Coverage provided shall be written on an "occurrence" basis. The insurance will be written on a Commercial Business Auto form, or an acceptable equivalent, and will protect against claims arising out of the operation of motor vehicles, as to acts done in connection with the Agreement, by Professional.
- d. The policies listed above may not be canceled until after thirty (30) days written notice of cancellation to City, ten (10) days in the event of nonpayment of premium. The Commercial General and Automobile Liability Insurance specified above shall provide that City and its agencies, officials, officers, and employees, while acting within the scope of their authority, will be named as additional insureds for the services performed under this Agreement. Professional shall provide to City at execution of this Agreement a certificate of insurance showing all required endorsements and additional insureds. The certificate shall be on the City's Standard Certificate of Insurance Form furnished in Attachment 2 or its equivalent.
- e. All insurance coverage must be written by companies that have an A.M. Best's rating of "B+V" or better and are licensed or approved by the State of Missouri to do business in Missouri.
- f. Regardless of any approval by City, it is the responsibility of the Contractor to maintain the required insurance coverage in force at all times; its failure to do so will not relieve it of any contractual obligation or responsibility. In the event of Contractor's failure to maintain the required insurance in effect, City may order

Contractor to immediately stop work, and upon ten (10) days' notice and an opportunity to cure, may pursue its remedies for breach of this Agreement as provided for herein and by law.

B. *Hold Harmless Clause*

The Bidder/Contractor shall, during the term of the contract including any warranty period, indemnify, defend, and hold harmless the City of Belton, its officials, employees, agents, residents and representatives thereof from all suits, actions, or claims of any kind, including attorney's fees, brought on account of any personal injuries, damages, or violations of rights, sustained by any person or property in consequence of any neglect in safeguarding contract work or on account of any act or omission by the Contractor or his employees, or from any claims or amounts arising from violation of any law, bylaw, ordinance, regulation or decree. The vendor agrees that this clause shall include claims involving infringement of patent or copyright.

C. *Exemption from Taxes*

The City of Belton is exempt from state sales tax and federal excise tax. Tax exemption certificates indicating this tax-exempt status will be furnished on request, and therefore, the City shall not be charged taxes for materials or labor.

D. *Employment Discrimination by Contractors Prohibited/Wages/ Information*

During the performance of a contract, the Contractor shall agree that it will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, or disabilities except where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Contractor; that it will post in conspicuous places available to employees and applicants for employment, notices setting forth nondiscrimination practices, and that it will state in all solicitations or advertisements for employees placed by or on behalf of the Contractor, that it is an equal opportunity employer. Notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation shall be deemed sufficient to meet this requirement.

The Contractor will include the provisions of the foregoing paragraphs in every subcontract or purchase order so that the provisions will be binding upon each Subcontractor or vendor used by the Contractor.

Contractor agrees to pay all employee involved in this contract the required wages as listed in the prevailing Wage Order 29 for Cass County, Missouri, USA.

E. Invoicing and Payment

The Contractor shall submit invoices for services outlined above in the scope of services. Certified payroll shall be submitted with each pay request or invoice.

Invoice shall be based on the following schedule:

At completion of work – 95% of contract amount with 5% held for retainage – the 5% retainage will be held until acceptance of the project by the Belton City Council at which time final payment will be made. Payment will be based on actual services rendered and actual costs. All such invoices will be paid within thirty (30) days by the City of Belton unless any items thereon are questioned, in which event payment will be withheld pending verification of the amount claimed and the validity of the claim. The Contractor shall provide complete cooperation during any such investigation.

Third party payment arrangements will not be accepted by the City.

F. Cancellation

The City of Belton reserves the right to cancel and terminate this contract in part or in whole without penalty upon thirty (30) days written notice to the Contractor. Any contract cancellation notice shall not relieve the Contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.

G. Contractual Disputes

The Contractor shall give written notice to the City of Belton of its intent to file a claim for money or other relief at the time of the occurrence or the beginning of the work upon which the claim is to be based.

The written claim shall be submitted to the City no later than sixty (60) days after final payment. If the claim is not disposed of by agreement, the City of Belton shall reduce their decision to writing and mail or otherwise forward a copy thereof to the Contractor within thirty (30) days of receipt of the claim.

City decision shall be final unless the Contractor appeals within thirty (30) days by submitting a written letter of appeal to the Public Works Director or his designee. The Public Works Director shall render a decision within sixty (60) days of receipt of the appeal.

H. Severability

In the event that any provision shall be adjudged or decreed to be invalid, such ruling shall not invalidate the entire Agreement but shall pertain only to the provision in question and the remaining provisions shall continue to be valid, binding, and in full force and effect.

I. Applicable Laws

This contract shall be governed in all respects by federal and state laws. All work performed shall be in compliance with all applicable City of Belton codes.

J. *Drug/Crime Free Workplace*

The Contractor acknowledges and certifies that it understands that the following acts by the Contractor, its employees, and/or agents performing services on City of Belton property are prohibited:

1. The unlawful manufacture, distribution, dispensing, possession, or use of alcohol or other drugs; and
2. Any impairment or incapacitation from the use of alcohol or other drugs (except the use of drugs for legitimate medical purposes);
3. Any crimes committed while on City property

The Contractor further acknowledges and certifies that it understands that a violation of these prohibitions constitutes a breach of contract and may result in default action being taken by the City of Belton in addition to any criminal penalties that may result from such conduct.

K. *Inspection*

At the conclusion of each job order, the Contractor shall demonstrate to the Public Works Director or his authorized representative(s) of the City that the work is fully complete and in compliance with the scope of services. Any deficiencies shall be promptly and permanently corrected by the Contractor at the Contractor's sole expense prior to final acceptance of work, and normal warranties shall be issued at point of final acceptance by the City of Belton.

L. *Escalation of Fees*

The pricing of services contained in the contract for the selected Contractor shall remain in effect for the duration of the contract. No escalation of fees will be allowed.

M. *Safety Training*

Contractors are informed that the project is subject to the requirements of Section 292.675, RSMo that requires all Contractors or Subcontractors doing work on the project to provide and require its on-site employees to complete a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations that is at least as stringent as an approved OSHA program. All on-site employees of a Contractor or Subcontractor must have certification of successful completion of Required Safety Training within 60 days of project commencing. On-site employees must provide documentation that they have successfully completed the Required Safety Training *within the required time period*. If they cannot do so within 20 days of a request for such documentation, they must be removed from the project and their employers will be subject to penalties as described in the Act.

N. *Prevailing Wage Requirement*

The contract resulting from this solicitation is subject to the State of Missouri Prevailing Wage Law (Cass County Wage Order 29). The Contractor shall include the provisions of this clause in all subcontracts for work to be performed by subcontractors under this contract so that provisions of this clause are binding upon subcontractors.

Not less than the prevailing wage included must be paid to all workers performing work under the contract (Section 290.250, RSMo).

The Contractor will forfeit a penalty to the contracting body of \$100 per day (or portion of a day) if a worker is paid less than the prevailing rate for any work done under the contract by the Contractor or by any Subcontractor (Section 290.250, RSMo).

O. *Permits/Certificates*

The successful Contractor shall be responsible for obtaining all permits and for incurring all expenses associated with those permits prior to proceeding with the scope of work and services described in this solicitation. Included in these permits will be the Business License required of all vendors doing business within the City limits of Belton (unless otherwise directed by the City Clerk). This permit can be obtained from the office of the City Clerk, 506 Main Street, Belton, Missouri 64012.

Certificates must be submitted with the RFP if project utilizes any of the Contractors listed herein; Class A and B Contractors, Electricians, Plumbers, and Mechanical Contractors.

Class A and B Contractors, Electricians, Plumbers, and Mechanical Contractors who held a 2012 Belton Business License must provide proof of at least eight (8) continuing education credits (CEU) related to the trade for which the license was issued within the last year.

P. *Mobilization, Bonds, and Insurance*

Mobilization, Bonds, and Insurance will be considered a lump sum item for payment. The total lump sum price for this item shall not exceed 5% of the total base bid price.

Payment shall be made on the following schedule.

Percentage of Contract Completed	Percentage Mobilization Payment
5%	25%
10%	50%
25%	75%
50%	100%

Q. Bid Bond

A bid bond or certified check from a surety or bank acceptable to the Public Works Director in the amount equal to or greater than 5% of the maximum total bid price must accompany each proposal. Prior acceptability of the proposed surety or bank furnishing the bid security before the bid date is recommended. An unacceptable bid security may be cause for rejection of the proposal. No bidder may withdraw his bid for a period of sixty (60) days after the date of opening of bids.

R. Performance Bond

The Contractor shall within ten (10) days after the receipt of the notice of award furnish the City with a Performance Bond in penal sum equal to the amount of the contract price conditioned upon the performance by the Contractor of all undertakings, covenants, terms, conditions, and agreements of the contract documents and upon the prompt payment by the Contractor to all persons supplying labor and materials in the prosecution of the work provided by the contract documents. Such bond shall be executed by the Contractor and a corporate bonding company licensed to transact such business in the State in which the work is to be performed. The expense of this bond shall be borne by the Contractor. If any time a surety on any such bond is declared as bankrupt or loses its right to do business in the state in which the work is to be performed, the Contractor shall within ten (10) days after notice from the City to do so, substitute an acceptable bond in such form and sum and signed by such other surety or sureties as may be satisfactory to the City. The premiums on such bond shall be paid by the Contractor. No further payments shall be deemed due nor shall be made until the new surety or sureties shall have furnished an acceptable bond to the City.

S. Payment Bond

The Contractor shall within ten (10) days after the receipt of the notice of award furnish the City with a Payment Bond in penal sum equal to the amount of the contract price conditioned upon the prompt payment by the Contractor to all persons supplying labor and materials in then prosecution of the work provided by the contract documents. Such bond shall be executed by the Contractor and a corporate bonding company licensed to transact such business in the state in which the work is to be performed. The expense of this bond shall be

borne by the Contractor. If any time a surety on any such bond is declared as bankrupt or loses its right to do business in the state in which the work is to be performed, the Contractor shall within ten (10) days after notice from the City to do so, substitute an acceptable bond in such form and sum and signed by such other surety or sureties as may be satisfactory to the City. The premiums on such bond shall be paid by the Contractor. No further payments shall be deemed due nor shall be made until the new surety or sureties shall have furnished an acceptable bond to the City.

T. *Maintenance Bond*

Prior to acceptance of the project, the Contractor shall furnish the Owner with a Maintenance Bond in penal sum equal to an amount of one half (50%) of the contract price that shall remain in full force and effect for a period of two (2) years from the date of project acceptance. The Maintenance Bond shall guarantee all materials and equipment furnished and work performed shall be free of defects due to faulty materials or workmanship and that the Contractor shall promptly make such corrections as may be necessary by reason of such defects including the repairs of any damage to the parts of the system resulting from such defects. The Owner will give notice of observed defects with reasonable promptness. In the event that the Contractor should fail to make such repairs, adjustments, or other work that may be made necessary by such defects, the Owner may do so with all costs including administration fees going against the Maintenance Bond. Such bond shall be executed by the Contractor and a corporate bonding company licensed to transact such business in the state in which the work is to be performed. The expense of this bond shall be borne by the Contractor. If any time a surety on any such bond is declared a bankrupt or loses its right to do business in the state in which the work is to be performed, the Contractor shall within ten (10) days after notice from the Owner to do so, substitute an acceptable bond in such form and sum and signed by such other surety or sureties as may be satisfactory to the Owner. The premiums on such bond shall be paid by the Contractor. No further payments shall be deemed due nor shall be made until the new surety or sureties shall have furnished an acceptable bond to the Owner.

U. *Rejection of Bids*

The City reserves the right to reject any and all bids, to waive technical defects in the bid, and to select the bid deemed most advantageous to the City.

V. *Release of Information*

Pursuant to 610.021 RSMo, all documents within a request for proposal will become open record to the public upon a negotiated contract being executed. All documents within a request for bid become open record as soon as the bid is opened. Bidders and proposers should be aware that all documents within a submittal will become open records.

W. American Products

Pursuant to RSMo 34.353 for Contracts over \$25,000 any manufactured goods or commodities used or supplied in the performance of the Contract or subcontract shall be manufactured or produced in the United States, unless determined to be exempt as provided in the statute.

1. Contractor agrees that any manufactured goods or commodities that are used or supplied in the performance of this Contract or any subcontract hereto shall be manufactured or produced in the United States, unless;
 - a. The manufactured good or commodity used or supplied involves an expenditure of less than twenty-five thousand dollars (\$25,000), or
 - b. The contractor shall provide evidence sufficient for the City to certify in writing that:
 - i. The specified products are not manufactured or produced in the United States in sufficient quantities to meet the agency's requirements, or
 - ii. The specified products cannot be manufactured or produced in the United States within the necessary time in sufficient quantities to meet the agency's requirements.
2. The written certification contemplated by Subsection 1(b) of this Section Y shall;
 - a. Specify the nature of the contract,
 - b. Specify the product being purchased or leased,
 - c. Specify the names and addresses of the United States manufacturers and producers contacted by the City or the project architect or engineer,
 - d. Provide an indication that such manufacturers or producers could not supply sufficient quantities or that the price of the products would increase the cost of the contract by more than ten (10) percent, and
 - e. Such other requirements as may be imposed by Section 34.353 of the revised Statutes of Missouri, as amended.
3. The written certification contemplated by Subsection 1(b) of this Section Y shall be maintained by the City for a period of at least three (3) years.

X. Affidavit of Work Authorization and Documentation

Pursuant to 285.530 RSMo, the contractor must affirm its enrollment and participation in a federal work authorization program with respect to the employees proposed to work in connection with the services requested herein by

- * submitting the attached AFFIDAVIT OF WORK AUTHORIZATION and
- * providing documentation affirming the bidder's enrollment and participation in a federal work authorization program (see below) with respect to the employees proposed to work in connection with the services requested herein.

E-Verify is an example of a federal work authorization program. Acceptable enrollment and participation documentation consists of the following two pages of the E-Verify Memorandum

of Understanding (MOU): 1) a valid, completed copy of the first page identifying the bidder and 2) a valid copy of the signature page completed and signed by the bidder, the Social Security Administration, and the Department of Homeland Security – Verification Division.

PLEASE NOTE: The following affidavit in Attachment 1 must be completed and returned with RFP.

ATTACHMENT 1

AFFIDAVIT OF WORK AUTHORIZATION

(as required by Section 285.530, Revised Statutes of Missouri)

As used in this Affidavit, the following terms shall have the following meanings:

EMPLOYEE: Any person performing work or service of any kind or character for hire within the State of Missouri.

FEDERAL WORK AUTHORIZATION PROGRAM: Any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees under the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

KNOWINGLY: A person acts knowingly or with knowledge,
(a) with respect to the person’s conduct or to attendant circumstances when the person is aware of the nature of the person’s conduct or that those circumstances exist;
or
(b) with respect to a result of the person’s conduct when the person is aware that the person’s conduct is practically certain to cause that result.

UNAUTHORIZED ALIEN: An alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. 1324a(h)(3).

BEFORE ME, the undersigned authority, personally appeared David A. Ross, who, being duly sworn, states on his oath or affirmation as follows:

Name/Contractor:
David A. Ross

Company:
David E. Ross Construction Co.

Address:
10201 E. 75th Street, Raytown, Missouri 64138

- 1 I am of sound mind and capable of signing this Affidavit and am personally acquainted with the facts stated herein.
- 2 Contractor is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the following services contracted between Contractor and the City of Belton: Project #23-013.

- 3 Contractor does not knowingly employ any person who is an unauthorized alien in connection with the contracted services set forth above.
- 4 Attached hereto is documentation affirming Contractor's enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

David E. Ross Construction Co.

Company Name

Signature

Name: David A. Ross

Title: President

Subscribed and sworn to before me this 16th day of June, 2023

STATE OF Missouri COUNTY OF Jackson

Notary Public: Sarah B. Lewis



My Commission Expires: August 30, 2026

PLEASE NOTE: Acceptable enrollment and participation documentation consists of the following two (2) pages of the E-Verify Memorandum of Understanding:

- 1 A valid, completed copy of the first page identifying the Contractor; and
- 2 A valid copy of the signature page completed and signed by the Contractor, the Social Security Administration, and the Department of Homeland Security - Verification Division.

Company ID Number: 191967

Information Required for the E-Verify Program

Information relating to your Company:

Company Name	David E. Ross Construction Co., Inc.
Company Facility Address	10201 E. 75th Street Raytown, MO 64138
Company Alternate Address	
County or Parish	JACKSON
Employer Identification Number	440664761
North American Industry Classification Systems Code	236
Parent Company	
Number of Employees	20 to 99
Number of Sites Verified for	1

Company ID Number: 191967

Approved by:

Employer David E. Ross Construction Co., Inc.	
Name (Please Type or Print) Allison R McClain	Title
Signature Electronically Signed	Date 02/19/2009
Department of Homeland Security – Verification Division	
Name (Please Type or Print) USCIS Verification Division	Title
Signature Electronically Signed	Date 02/19/2009



Certificate of Insurance

ATTACHMENT 2

Public Works Department
 506 Main Street
 Belton, Missouri 64012

NAME AND ADDRESS OF AGENCY	COMPANIES AFFORDING COVERAGES	
	COMPANY LETTER	A
NAME AND ADDRESS OF INSURED	COMPANY LETTER	B
	COMPANY LETTER	C
	COMPANY LETTER	D
	COMPANY LETTER	E

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time.

COMPANY LETTER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATES	Limits of Liability in Thousands (000)		
					EACH OCCURRENCE	AGGREGATE
	General Liability <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Premises --Operations <input checked="" type="checkbox"/> Explosions and Collapse Hazard <input checked="" type="checkbox"/> Underground Hazard <input checked="" type="checkbox"/> Products/Completed Operations Hazard <input checked="" type="checkbox"/> Contractual Insurance <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Personal Injury			Bodily Injury	\$	\$
				Property Damage	\$	\$
				Bodily Injury Property Damage Combined	\$	\$
				Applies to Products/Completed Operations Hazard		\$ (Personal Injury)
	Auto Liability <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Owned <input checked="" type="checkbox"/> Hired <input checked="" type="checkbox"/> Non-Owned			Bodily Injury (Each Person)	\$	
				Bodily Injury (Each Occurrence)	\$	
				Property Damage	\$	
				Bodily Injury and Property Damage Combined	\$	
	Excess Liability <input checked="" type="checkbox"/> Umbrella Form <input checked="" type="checkbox"/> Other than Umbrella Form			Bodily Injury and Property Damage Combined	\$	\$
	Worker's Compensation and Employers' Liability			Statutory		
	Other				\$	(Each Accident)

The City of Belton, Missouri is named as an Additional Insured.

Location:	Description of Operations:

Cancellation: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail _____ days written notice to the below named certificate holder.

NAME AND ADDRESS OF CERTIFICATE HOLDER:
 City of Belton, Missouri
 Public Works Department
 506 Main Street
 Belton, Missouri 64012

Date Issued: _____

 Authorized Representative