



Agenda of the Belton City Council
May 11, 2021 – 6:00 p.m.
520 Main Street, Belton Missouri
<https://www.belton.org/watch>

Addendum

Seating is limited due to social distancing.

- I. CALL WORK SESSION TO ORDER
- II. ITEMS FOR REVIEW AND DISCUSSION
 - A. Funding Options for Capital Improvements
 - B. Five-Year Capital Improvement Program Overview
- III. ADJOURN WORK SESSION
- IV. CALL MEETING TO ORDER
- V. PLEDGE OF ALLEGIANCE – Councilmember Kraft
- VI. ROLL CALL
- VII. PERSONAL APPEARANCES
 - A. National Public Works Week Proclamation
- VIII. 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.

 - A. **Motion approving the minutes of the April 27, 2021, City Council Meeting.**

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- B. **Motion approving the April 2021 Municipal Division Summary Report for Municipal Court.**

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C. Motion approving Resolution R2021-32

A resolution of the Belton City Council appointing Successor Directors to the Board of Directors of the Fairfield Inn Community Improvement District.

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D. Motion approving Resolution R2021-33

A resolution approving the purchase of two (2) Lucas chest compression devices with associated equipment and three (3) McGrath laryngoscopes and associated equipment from Stryker in the amount of \$39,384.75.

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E. Motion approving Resolution R2021-34

A resolution approving the purchase of four (4) new Public Works vehicles and accessories in the amount of \$223,252.00 from Shawnee Mission Ford and approving the disposal/sale of the two (2) vehicles being replaced through the City of Belton's auctioneer service provider.

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IX. REGULAR AGENDA

A. Motion approving the final reading of Bill No. 2021-24

An ordinance approving a Final Plat for Center 301; a tract of land in the Southwest Quarter of Section 12, Township 46, Range 33, in the City of Belton, Cass County, Missouri and authorizing the Mayor and City Clerk to sign the plat for recording with the Cass County Recorder's office.

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B. Motion approving the final reading of Bill No. 2021-25

An ordinance approving a Final Plat Replat for Lot 8, Belton Gateway; a tract of land in the Southwest quarter of Section 12, Township 46, Range 33, in the City of Belton, Cass County, Missouri and authorizing the Mayor and City Clerk to sign the plat for recording with the Cass County Recorder's office.

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C. Motion approving the first reading of Bill No. 2021-26

An ordinance approving a development and maintenance agreement between the City of Belton and Center 301 Limited Partnership, for public and private infrastructure in Center 301 apartments.

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D. * Motion approving the first reading of Bill No. 2021-27

An ordinance of the City of Belton, Missouri amending Chapter 3, Section 3-24 – Retail by the Drink, for Consumption Upon Premises Food Percentage; Exceptions of the Code of Ordinances of the City of Belton, Missouri.

X. CITY COUNCIL LIAISON REPORTS

XI. MAYOR'S COMMUNICATIONS

XII. CITY MANAGER'S REPORT

May/June 2021 City Council Meetings – 6:00 p.m.

May 25, 2021

June 8, 2021

June 22, 2021

XIII. COMMUNICATIONS FROM CITY COUNCIL

XIV. Motion to enter Executive Session to discuss matters pertaining to Legal Actions, according to Missouri Statute 610.021.1; and to discuss matters pertaining to the leasing, purchase or sale of Real Estate, according to Missouri Statute 610.021.2; and to discuss matters pertaining to negotiated contracts, according to Missouri Statute 610.021.12, and that the record be closed, and the meeting adjourned from there.

BILL NO. 2021-27

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY OF BELTON, MISSOURI AMENDING CHAPTER 3, SECTION 3-24 – RETAIL BY THE DRINK, FOR CONSUMPTION UPON PREMISES FOOD PERCENTAGE; EXCEPTIONS OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI.

WHEREAS, the Revised Statutes of Missouri, specifically Chapter 311, allow all manufacturer solicitor licensees to obtain a retail by the drink license; and

WHEREAS, the Code of Ordinances, City of Belton, Missouri, specifically Chapter 3, does not allow all manufacturer solicitor licensees to obtain a retail by the drink license; and

WHEREAS, the City Council desires to amend Chapter 3 to better conform with Chapter 311 of the Revised Statutes of Missouri.

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

- Section 1.** The Chapter 3, section 3-24(c)[6] – Retail by the Drink, for Consumption Upon Premises Food Percentage; Exceptions is hereby amended as detailed in **Exhibit “A”**, herein attached and incorporated to Ordinance.
- Section 2.** That this ordinance shall be in full force and effect from and after the date of its passage and approval.
- Section 3.** That all ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed.

READ FOR THE FIRST TIME: May 11, 2021

READ FOR THE SECOND TIME AND PASSED:

Mayor Norman K. Larkey, Sr.

Approved this ____ day of _____, 2021.

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 11th day of May, 2021, and thereafter adopted as Ordinance No. 2021-_____ of the City of Belton, Missouri, at a meeting of the City Council held on the ____ day of _____, 2021, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEN:

NOES: COUNCILMEN:

ABSENT: COUNCILMEN:

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

Sec. 3-24. Retail by the drink, for consumption upon premises food percentage; exceptions.

- (a) Notwithstanding any exceptions stated in this section, no person shall be granted a retail by the drink, for consumption on premises where sold license unless there is a restaurant on the licensed site, as defined in this chapter, and where at least 50 percent of the gross income is derived from the sale of prepared meals or food and nonalcoholic beverages which is all consumed on such premises.
- (b) At annual renewal, all holders of a retail by the drink, for consumption on premises where sold license shall submit a written statement upon a form provided by the city clerk's office, signed by the business owner or managing officer, showing that the required food percentage has been satisfied for the last licensed period. If any person fails to comply with these provisions, the license shall not be renewed, and all intoxicating liquor sales shall immediately cease.
- (c) The following types of businesses shall be exempt from the food percentage requirements of this section, unless otherwise stated.
 - (1) Nothing contained in this section shall prevent any hotel or motel operator from serving any intoxicating liquor to a guest in or occupying any room of such motel or hotel, if the liquor is served from a properly permitted location in the hotel or motel.
 - (2) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to any club, organization or association which is private and nonprofit as defined in RSMo 311.090.
 - (3) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to any resort as defined in RSMo 311.095.
 - (4) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to any microbrewery as defined in RSMo 311.195.
 - (5) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to any winery as defined in RSMo 311.190 and 311.192.
 - (6) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to any ~~liquor~~ manufacturer solicitor as defined in **Section 3-3(b)** and RSMo 311.180.
 - (7) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to a golf course snack bar where at least 50 percent of the gross income is derived from the sale of prepared meals or food and nonalcoholic beverages which is all consumed on such premises of the golf course.
 - (8) Nothing contained in this section shall prevent the issuance of a retail by the drink, for consumption on premises where sold license to a grocery store café or restaurant where at least 50 percent of the gross income of the café or restaurant is derived from the sale of prepared meals or food and nonalcoholic beverages which is all consumed on such premises of the café or restaurant.

(Ord. No. 2020-4554 , § 1(Exh. A), 2-25-2020)