



Agenda of the Belton City Council
September 26, 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 Lawson
- III. ANNOUNCEMENT OF WARD 1 COUNCILMEMBER VACANCY
- IV. ROLL CALL
- V. PERSONAL APPEARANCES
- VI. UNFINISHED BUSINESS
 - A. Motion approving the final reading of Bill No. 2023-50, as amended
An ordinance approving an Amended Preliminary Development Plan for Autumn Woods, generally located at the northwest corner of W. Markey Road and Belton Avenue.

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 - B. Motion approving the final reading of Bill No. 2023-21
An ordinance approving an Amended Development and Maintenance Agreement between the City of Belton and Autumn Woods Development, LP for public and private infrastructure and site improvements in Autumn Woods.
- VII. NEW BUSINESS
 - A. Motion approving the first reading of Bill No. 2023-54
Presented by Matt Wright, Community Development Director
An ordinance amending Article V in Chapter 10 and Appendix A of the Unified Development Code to implement a Rental Registration and Inspection Program.

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 - B. Motion approving the first reading of Bill No. 2023-55
Presented by Andrea Cunningham, City Clerk
An ordinance amending Chapter 6 and Appendix A of the Code of Ordinances to implement a Rental Registration and Inspection Program.

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- C. Motion approving the first reading of Bill No. 2023-56
Presented by Casey Koehn, Finance Director
An ordinance approving the appropriation and revision of the City of Belton Fiscal Year 2024 Adopted City Budget.

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- D. Motion approving the first reading of Bill No. 2023-57
Presented by Scott Lyons, Police Chief
An ordinance approving the formalization of the MOU (Memorandum of Understanding) between the Drug Enforcement Administration (DEA) and the City of Belton.

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- E. Motion approving the first reading of Bill No. 2023-58
Presented by Matt Wright, Community Development Director
An ordinance approving a special use permit to add an electronic message center to an existing pole sign for Aaron’s Family Fun Center at the northwest corner of E. 171st Street and Aaron Lane in the City of Belton, Missouri.

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- F. Motion approving the first reading of Bill No. 2023-59
Presented by Matt Wright, Community Development Director
An ordinance approving a special use permit for an outdoor recreation park to be known as Powell Park at the northeast corner of Main Street and Herschel Street (611 Main Street) in the City of Belton, Missouri.

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- G. Motion approving the first reading of Bill No. 2023-60
Presented by Greg Rokos, Assistant City Manager
An ordinance amending Appendix B – Traffic Schedules, Table 4 – Speed Zones as referenced in Chapter 19 – Streets, Sidewalks, Rights-of-Way, and other public places in the Code of Ordinances of the City of Belton, Missouri to establish certain speed zones.

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- H. Motion approving Resolution No. 2023-91
Presented by Andrea Cunningham, City Clerk
A resolution approving a contract for Laserfiche licensing, support and professional services from ICC Community Development Solutions/ R&D Computer Systems, LLC.

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- I. Motion approving Resolution No. 2023-92
Presented by Joe Warren, City Manager
A resolution creating a Public Safety Advisory Committee for the City of Belton.

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- J. Motion approving Resolution No. 2023-93
Presented by Scott Lyons, Police Chief
A resolution approving the formalization of the MOU (Memorandum of Understanding) between the Help Humane Society and the City of Belton.

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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.

Presented by Joe Warren, City Manager

- A. **Motion approving the Minutes of the August 22, 2023, City Council Meeting.**

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- B. **Motion approving the August 2023 Municipal Division Summary Report for Municipal Court.**

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- C. **Motion authorizing the sale and disposition of surplus city inventory/personal property all in accordance with Section 2-991 of the Code of Ordinances, City of Belton, Missouri.**

City departments have reviewed these items and it was determined there was no value to any department.

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- D. Motion approving Resolution No. 2023-94
A resolution approving the purchase of a used Toro Workman HDX with accessories from Professional Turf Products, L.P. in the amount of \$20,500.00.

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- E. Motion approving Resolution No. 2023-95
A resolution of the Belton City Council appointing members to the Board of Directors of the Belton/Raymore Interchange Transportation Development District.

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IX. COMMUNICATIONS FROM CITY COUNCIL

X. COMMUNICATIONS FROM MAYOR

- A. Election of Mayor Pro Tempore (Charter Section 3.4)

XI. CITY MANAGER'S REPORT

October/November 2023 City Council Meetings – 6:00 p.m.

October 10, 2023

October 24, 2023

November 14, 2023

November 28, 2023

XII. ITEMS FOR REVIEW AND DISCUSSION

- A. Door to Door Solicitors
Presented by Andrea Cunningham, City Clerk
- B. Drainage Area Maintenance
Presented by Matt Wright, Community Development Director
- C. Traditions Daycare
Presented by Matt Wright, Community Development Director
- D. Commercial Street Vacation
Presented by Matt Wright, Community Development Director
- E. Homelessness Committee
Presented by Joe Warren, City Manager

XIII. Motion to enter Executive Session to discuss matters pertaining to Legal Actions according to Missouri Statute 610.021.1 and 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.

AN ORDINANCE APPROVING AN AMENDED PRELIMINARY DEVELOPMENT PLAN FOR AUTUMN WOODS, GENERALLY LOCATED AT THE NORTHWEST CORNER OF W. MARKEY ROAD AND BELTON AVENUE.

WHEREAS, a request was submitted to amend a previously approved Preliminary Development Plan for Autumn Woods, a 101-unit multi-family development generally located at the northwest corner of W. Markey Road and Belton Avenue, more specifically described below and in **Exhibit A**; and

WHEREAS, the purpose of the amended Preliminary Development Plan is to allow the option of the installation of individual water meters for each unit, the opportunity to replat the property in the future as individual buildings or units, and enhancements to the landscaping, amenities, and parking beyond what was originally approved; and

WHEREAS, notice of the Preliminary Development Plan 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 August 1, 2023; and

WHEREAS, the Belton Planning Commission voted 5-0 to recommend unanimous approval of the application to the City Council; and

WHEREAS, the Belton Planning Commission also approved a Final Development Plan subject to approval of the Preliminary Development Plan by the City Council; and

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

Section 1. The City Council of the City of Belton hereby approves the Preliminary Development Plan for Autumn Woods, more specifically described as follows and in **Exhibit A**:

Lot 1, Autumn Woods, a subdivision in Belton, Cass County, Missouri, according to the recorded plat thereof.

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

1. The Preliminary Development Plan and Final Development Plan for Autumn Woods are hereby approved, as shown on the plan sets provided by SM Engineering and Sullivan Palmer Architects. Approval of the Final Development Plan shall not be in effect until the Preliminary Development Plan is approved by the City Council.

2. A photometric plan, a signage plan, and playground details shall be provided with the final building permit plan set prior to building permit issuance.
3. If it is found that any building or structure resides in the floodplain, building permits will not be issued for that structure.
4. All newly constructed sidewalks will conform to City standards and be 5' wide.
5. All backflow requirements shall be met and properly installed and inspected prior to occupancy.
6. All stormwater requirements shall be met, including water quality BMPs and properly sized piping and capacity for stormwater flow.
7. Driveways in the first phase shall be widened to match the driveway widths in the second phase, where feasible. A driveway widening shall be considered feasible when there are no physical obstructions that would hinder the driveway addition. In locations where driveways are expanded, landscaping shall follow the same landscaping pattern and scheme as provided for in the second phase. All driveway widenings must be completed prior to final occupancy of the final building in the second phase.

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: August 22, 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



Bill No. 2023-54 COUNCIL ACTION REPORT

Title: UDC Text Amendments – Rental Registration & Inspection Program

Agenda Date: September 26, 2023

Presented by: Matt Wright, Community Development Director

Background

- Staff is bringing forward the final set of UDC Text Amendments as part of implementation of the Rental Inspection Program. This final set is focused on shifting the existing rental licensing requirement to a rental registration requirement that is tied to the Rental Inspection Program.
- Rental licensing/registration will be moved from the Code of Ordinances to the Unified Development Code, which shifts the responsibility of administering the licensing/registration from the City Clerk's office to Community Development. Having both the registration and inspection in the same department will streamline the process.
- If neither the landlord/owner nor a property management company are located within thirty (30) miles of the registered dwelling/dwelling unit, a local point of contact is required to be provided with registration. The local point of contact will be responsible for responding to emergencies and code issues.
- The Schedule of Fees and Charges is proposed to be amended to add a \$20.00 rental registration fee for each dwelling/dwelling unit. This registration fee covers a 12-month period and will include any rental inspections required during the 12-month period.
- Planning Commission held a public hearing on September 5, 2023, at which no one spoke in favor or in opposition to the amendments.
- Planning Commission recommended unanimous (8-0) approval of the UDC Text Amendments.

Financial/Budget Considerations

- Community Development will monitor and conduct required inspections with current staffing. Fees are proposed to be assessed at the time of unit registration (\$20 per unit). Once the program goes into effect, landlords will no longer be required to obtain a business license, only a rental registration. 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 is 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

- As was approved in the Ordinance adopting the Rental Inspection Program, both the registration and inspection program will go into effect on July 1, 2024. This allows staff approximately 9 months 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 registration 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 registration program.

AN ORDINANCE AMENDING ARTICLE V IN CHAPTER 10 AND APPENDIX A OF THE UNIFIED DEVELOPMENT CODE TO IMPLEMENT A RENTAL REGISTRATION AND 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 approved Ordinance No. 2023-4796 on August 8, 2023, adopting a Rental Inspection Program; and

WHEREAS, to implement the Rental Inspection Program, modifications to the current landlord/rental licensing requirements are needed; and

WHEREAS, after due public notice was given in the manner prescribed by law, the Planning Commission held a public hearing on September 5, 2023, to review and make a recommendation on the proposed UDC text amendments to modify rental registration requirements. After said public hearing, the Planning Commission voted 8-0 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 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, MISSOURI, AS FOLLOWS:

Section 1. That Unified Development Code, Chapter 10, Article V – Rental Inspection Program is hereby amended with the additions in **bold print** and deletions with ~~striketrough~~ notation as follows:

Chapter 10 – Buildings and Structures
Article V. Rental **Registration** and 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 registration, as required by ~~Chapter 6, Article XXI of the Code of Ordinances~~ this Article, 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.

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

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

Local point of contact: An individual responsible for responding to any representative of the city on code violations or for emergency events. A local point of contact shall reside within 30 miles of the registered dwelling or dwelling unit.

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**.

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

~~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.~~

Property manager: A person charged with operating a dwelling or dwelling unit **and implementing the City of Belton requirements** when the **landlord**/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.

(d) Exemptions.

The following shall be exempt from the registration and inspection requirements of this Article.

- (1) Hotels, motels, or other lodging establishments licensed by the State of Missouri and as defined in the Unified Development Code;**
- (2) Bed and breakfast;**
- (3) Convents, monasteries, parish houses, or rectories;**
- (4) Mosques, temples, or synagogues;**
- (5) Hospitals, convalescent homes, nursing homes, or assisted living facilities;**
- (6) Jails; or**
- (7) Dwellings or dwelling units occupied by a family member, as defined in this Article.**

Sec. 10-142. Registration Required

- (a) **It shall be unlawful for any landlord/owner or property manager to rent or lease any residential dwelling or dwelling unit without first registering the dwelling or unit with the City and paying the registration fee, as provided in this Article.**
- (b) **An applicant for a rental registration shall submit a completed registration application accompanied by the registration fee in the amount provided in the schedule of fees and charges in Appendix A of this code. All registrations shall include the contact information of a representative able to respond to any representative of the city on code violations or for emergency events. The contact may be a property manager if located within 30 miles of the dwelling or dwelling unit. If neither the owner/landlord nor property manager reside within 30 miles of the dwelling or dwelling unit, a separate local point of contact living within 30 miles of the dwelling or dwelling unit must be provided with the rental registration.**
- (c) **The initial registration shall be effective upon approval and must be renewed every twelve (12) months for the duration that the dwelling or unit is rented or leased.**
- (d) **It is the responsibility of the landlord/owner to notify the city, in writing, of any change of information contained in the most recent registration within thirty (30) days of the change.**
- (e) **If the landlord/owner utilizes a property management company, the property management company is required to obtain a city business license subject to the requirements of Chapter 6 of the Code of Ordinances.**
- (f) **A rental registration is not transferable to a new landlord/owner. When a landlord/owner conveys the title of a dwelling or dwelling unit to a new landlord/owner, the landlord/owner shall notify the city in writing of the name, address, and contact information of the new landlord/owner. If the new landlord/owner will utilize the dwelling or dwelling unit for rent or lease, the new landlord/owner must submit a new rental registration, as required by this Section.**

Sec. 10-142~~3~~. 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 a **landlord/**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 **landlord**/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 to 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 **landlord**/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 **landlord**/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 **landlord**/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.

Section 2. That Unified Development Code, Appendix A, Part I – Schedule of Fees and Charges, Unified Development Code, is hereby amended with the additions in **bold print** and deletions with ~~strike through~~ notation as follows:

Application Type	Filing Fees
Building	
Rental registration fee	\$20.00 per unit

Section 3. That this Ordinance shall take effect and be in full force on July 1, 2024.

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

READ FOR THE FIRST TIME: September 26, 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



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: SEPTEMBER 5, 2023

PROJECT: **UDC TEXT AMENDMENTS – RENTAL REGISTRATION 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 for the Rental Registration Program as part of the recently adopted Rental Inspection Program.

STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL

PROPOSED AMENDMENTS

The City Council approved the Rental Inspection Program on August 8, 2023, which will go into effect on July 1, 2024. As part of the implementation of the Rental Inspection Program, the existing Residential Rentals/Landlords licensing requirements in Chapter 6 of the Code of Ordinances is proposed to be modified to streamline the registration and inspection process.

The following is a summary of changes proposed to the Unified Development Code to implement the adopted Rental Inspection Program:

Chapter 10, Article V

- Chapter 10, Article V – retitling the Article from “Rental Inspection Program” to “Rental Registration and Inspection Program.”
- Remove references to Chapter 6, Article XXI of the Code of Ordinances, except as noted for Property Management Companies, which are still required to obtain a separate business license as required by Chapter 6 of the Code of Ordinances.
- Change any references to “rental license” to “rental registration.”
- Add the definition of “family member” is previously defined in Chapter 6 of the Code of Ordinances.
- Add the definition of “local point of contact” for a local contact if neither the landlord/owner nor a property manager resides within 30 miles of the registered dwelling or dwelling unit.
- Combine the definition of “owner” and “landlord” to “landlord/owner.”
- Add a list of land uses, business types, or housing types that are exempt from the Program, including those previously defined in Chapter 6 of the Code of Ordinances.

- Add Sec. 10-142 (Registration Required) that provides the requirements and processes for registering rental/non-owner-occupied units.
- Adjustments to section numbers as necessary.

Appendix A

- Add a Rental Registration fee of \$20.00 per unit. This fee covers the registration fee and inspections for the unit during registration period. Reinspection fees may apply.

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. 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, 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 - redlined) – 4 pages

UDC Text Amendments – Rental Registration and Inspection Program

Unified Development Code

Chapter 10 – Buildings and Structures

Article V. Rental Registration and 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 licenseregistration, as required by ~~Chapter 6, Article XXI of the Code of Ordinances~~ this Article, 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.

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

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

Local point of contact: An individual responsible for responding to any representative of the city on code violations or for emergency events. A local point of contact shall reside within 30 miles of the registered dwelling or dwelling unit.

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.

~~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 and implementing the City of Belton requirements when the landlord/owner is unable or unavailable to personally attend to such details.

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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.

(d) Exemptions.

The following shall be exempt from the registration and inspection requirements of this Article.

- (1) Hotels, motels, or other lodging establishments licensed by the State of Missouri and as defined in the Unified Development Code;
- (2) Bed and breakfast;
- (3) Convents, monasteries, parish houses, or rectories;
- (4) Mosques, temples, or synagogues;
- (5) Hospitals, convalescent homes, nursing homes, or assisted living facilities;
- (6) Jails; or
- (7) Dwellings or dwelling units occupied by a family member, as defined in this Article.

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Sec. 10-142. Registration Required

- (a) It shall be unlawful for any landlord/owner or property manager to rent or lease any residential dwelling or dwelling unit without first registering the dwelling or unit with the City and paying the registration fee, as provided in this Article.
- (b) An applicant for a rental registration shall submit a completed registration application accompanied by the registration fee in the amount provided in the schedule of fees and charges in Appendix A of this code. All registrations shall include the contact information of a representative able to respond to any representative of the city on code violations or for emergency events. The contact may be a property manager if located within 30 miles of the dwelling or dwelling unit. If neither the owner/landlord nor property manager reside within 30 miles of the dwelling or dwelling unit, a separate local point of contact living within 30 miles of the dwelling or dwelling unit must be provided with the rental registration.
- (c) The initial registration shall be effective upon approval and must be renewed every twelve (12) months for the duration that the dwelling or unit is rented or leased.
- (d) It is the responsibility of the landlord/owner to notify the city, in writing, of any change of information contained in the most recent registration within thirty (30) days of the change.
- (e) If the landlord/owner utilizes a property management company, the property management company is required to obtain a city business license subject to the requirements of Chapter 6 of the Code of Ordinances.
- (f) A rental registration is not transferable to a new landlord/owner. When a landlord/owner conveys the title of a dwelling or dwelling unit to a new landlord/owner, the landlord/owner shall notify the city in writing of the name, address, and contact information of the new landlord/owner. If the new landlord/owner will utilize the dwelling or dwelling unit for rent or lease, the new landlord/owner must submit a new rental registration, as required by this Section.

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Sec. 10-143. 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 a ~~landlord~~/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 ~~landlord~~/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 to 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 landlord/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 landlord/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 landlord/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.

Unified Development Code

Appendix A – Schedule of Fees and Charges

Part I – Unified Development Code

<u>Application Type</u>	<u>Filing Fees</u>
<u>Building</u>	
<u>Rental registration fee</u>	<u>\$20.00 per unit</u>



Bill No. 2023-55 COUNCIL ACTION REPORT

Title: Chapter 6 Code of Ordinances Amendment, Rental Registration and Inspection Program

Agenda Date: September 26, 2023

Presented by: Andrea Cunningham, City Clerk

Background

- On August 8, 2023, the City Council approved ordinances 2023-4796 and 2023-4797 adopting a Rental Inspection Program.
- On September 26, 2023, UDC text amendments were presented to the City Council to implement a Rental Registration and Inspection Program.
- Chapter 6 of the Code of Ordinances requires text amendments to comply with the UDC amendments. Specifically, the Rental Inspection Program is moving to Chapter 10 of the UDC and will become a Rental Registration and Inspection Program. A Landlord business license will no longer be required.

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 Registration and Inspection Program.

Staff Recommendation

- Staff recommends the amendments to Chapter 6.

AN ORDINANCE AMENDING CHAPTER 6 AND APPENDIX A OF THE CODE OF ORDINANCES TO IMPLEMENT A RENTAL REGISTRATION AND INSPECTION PROGRAM.

WHEREAS, the City Council approved Ordinance No. 2023-4796 on August 8, 2023, adopting a Rental Inspection Program; and

WHEREAS, on September 26, 2023, UDC text amendments implementing a Rental Registration and Inspection Program were presented to the City Council; and

WHEREAS, Chapter 6 and Appendix A of the Code of Ordinances requires text amendments to the current landlord/rental licensing requirements 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.

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

Section 1. That Section 6-27 and Article XXI of the Code of Ordinances are repealed in their entirety and that Appendix A, Schedule of Fees and Charges is amended, attached as **Exhibit A**, incorporated as if fully set forth herein.

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: September 26, 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

CHAPTER 6 – BUSINESS LICENSES AND REGULATIONS

ARTICLE II. LICENSES

Sec. 6-27. ~~Reserved. License for each rental real property.~~

~~Each rental real property shall be deemed a branch establishment or separate place of business for the purposes of this article when there is a representative of the owner or the owner's agent on the premises who is authorized to transact business for such owner or owner's agent or there is a regular employee of the owner or of the owner's agent working on the premises.~~

~~(Ord. No. 2011-3685, § 12-7, 1-25-2011)~~

ARTICLE XXI. ~~Reserved. RESIDENTIAL RENTALS/LANDLORDS~~¹

~~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.~~

~~*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,~~

¹~~Editor'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.~~

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)~~

~~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.~~

~~(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.~~

Appendix A SCHEDULE OF FEES AND CHARGES

PART I. CODE OF ORDINANCES

6-1079	Residential Rentals/Landlords	
	Business license—Annually	\$70.00



Bill No. 2023-56 COUNCIL ACTION REPORT

Title: FY2024 Budget Appropriation and Revision

Agenda Date: September 26, 2023

Presented by: Casey Koehn, Finance Director

Background

- The Missouri Secretary of State (MoSOS) Local Records Grant Program awarded the City of Belton an Electronic Records Initiative reimbursement grant up to \$27,400 toward the purchase of an Enterprise Content Management (ECM) system and scanners.

Financial/Budget Considerations

- This purchase and grant were unknown at the time of approving the Fiscal Year 2024 budget, and therefore were unbudgeted. A budget appropriation and revision are necessary.
- The city will be fully reimbursed by the MoSOS grant.
- Ongoing costs will be budgeted hereafter.

Legal Considerations

- There are no legal considerations with this contract.

Policy Considerations

- There are no policy considerations with this contract.

Staff Recommendation

- Staff recommends approval of this budget appropriation and revision for the purchase of an ECM system and scanners.

AN ORDINANCE APPROVING THE APPROPRIATION AND 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, the Missouri Secretary of State (MoSOS) Local Records Grant Program awarded the City of Belton an Electronic Records Initiative reimbursement grant up to \$27,400 toward the purchase of an Enterprise Content Management (ECM) system and scanners; and

WHEREAS, this purchase was unbudgeted in the Fiscal Year 2024 budget but the city will be fully reimbursed; and

WHEREAS, the City Council believes this purchase is in the best interest of the citizens.

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 and revises the following accounts, funds, and monies as set forth below:

Fund	Account	Account Name	Approved Budget	Amended Amount	Amended Budget
10 -General (expense)	1400-400-3020	Contractual	9,900	27,400	37,300
10 -General (revenue)	0000-334-2502	Local Records	0	27,400	27,400

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: September 26, 2023

READ FOR THE SECOND TIME 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 ___ 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



BILL NO. 2023-57 COUNCIL ACTION REPORT

Title: DEA MOU to use the City's Firing Range

Agenda Date: September 26, 2023

Presented by: Scott Lyons, Police Chief

Background

- The City of Belton owns, and the Belton Police Department operates, the Belton Firing Range located at 21200 S. Mullen Road, Belton, Missouri, adjacent to the City Wastewater Treatment Plant.
- The Belton Police Department has partnered with the Drug Enforcement Administration (DEA) by providing a Task Force Officer since approximately 2002.
- Since approximately 2015 the City of Belton and the DEA have had a MOU regarding the range. Since that time Belton Police Range Officers have had opportunities to attend firearms training currently used by Tier I Operators within the law enforcement and military community.
- The Belton Police Department has a designated Range Master who is assigned and trained on the range operations.
- DEA desires to utilize the Belton Firing Range on occasion for proficiency training of their agents and employees.

Financial/Budget Considerations

- The DEA agrees to pay \$60.00 per hour with use of action target system.

Legal Considerations

- The City Attorney has reviewed the MOU and has instructed staff to move forward with it.

Policy Considerations

- There are no policy considerations.

Staff Recommendation

- The City of Belton Police Department desires to cooperate and support local, state and federal law enforcement agencies for improvement of firearm safety and will receive payment to offset labor costs to supervise while using the facilities and, if applicable, to replace and replenish the targets as necessary.

AN ORDINANCE APPROVING THE FORMALIZATION OF THE MOU (MEMORANDUM OF UNDERSTANDING) BETWEEN THE DRUG ENFORCEMENT ADMINISTRATION (DEA) AND THE CITY OF BELTON.

WHEREAS, the City of Belton owns and the Belton Police Department operates the Belton Firing Range located at 21200 S. Mullen Road, Belton, Missouri, adjacent to the City Waste Water Treatment Plant; and

WHEREAS, the Belton Police Department has a designated Range Master who is assigned and trained on the range operations; and

WHEREAS, the Belton Firing Range is equipped with action target system and is secured against unsupervised access; and

WHEREAS, the DEA desires to utilize the Belton Firing Range on occasion for proficiency training of their agents and employees; and

WHEREAS, the City of Belton Police Department desires to cooperate and support local, state and federal law enforcement agencies for improvement of firearm safety and will receive payment to offset labor costs to supervise while using the facilities and, if applicable, to replace and replenish the targets as necessary.

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

- Section 1. That the City Council hereby approves of the Drug Enforcement Administration (DEA) MOU (Memorandum of Understanding) with the City of Belton for use of the City Shooting Range attached hereto as **Exhibit A** and incorporated as if fully set forth herein.
- Section 2. The City Council hereby authorizes the Chief of Police to execute the MOU on behalf of the City.
- Section 3. That this ordinance shall be in full force and effective from and after its passage and approval.

READ FOR THE FIRST TIME:

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

**MEMORANDUM OF UNDERSTANDING FOR TRANSFER SERVICES
BETWEEN
THE DRUG ENFORCEMENT ADMINISTRATION
AND
CITY OF BELTON**

I. PARTIES

Belton Police Department
7001 E 163rd St
Belton, MO 64012
816-331-5522

The Drug Enforcement Administration
317 South 16th Street
St. Louis, MO 63103
314-538-4600

II. RECITALS

WHEREAS, the City of Belton owns and the Belton Police Department operates the Belton Firing Range located at 21200 S. Mullen Road, Belton, Missouri, adjacent to the City Waste Water Treatment Plant; and

WHEREAS, the Belton Police Department has a designated Range Master who is assigned and trained on the range operations; and

WHEREAS, the Belton Firing Range is equipped with action target system and is secured against unsupervised access; and

WHEREAS, Agency desires to utilize the Belton Firing Range on occasion for proficiency training of their agents and employees; and

WHEREAS, the City of Belton Police Department desires to cooperate and support local, state and federal law enforcement agencies for improvement of firearm safety and will receive payment to offset labor costs to supervise while using the facilities and, if applicable, to replace and replenish the targets as necessary.

NOW THEREFORE AND FOR THE AGREEMENTS SET OUT BELOW, the Parties agree as follows:

III. CONSIDERATION AND INSURANCE:

1. Agency agrees to pay the Belton Police Department for services as requested and marked below:

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\$3,000 annually for use of the firing range up to N/A times per year with use of the action target system;

- N/A \$ N/A annually for use of the firing range up to N/A times per year without use of the action target system;
- N/A \$ N/A for a one-time use of the firing range with use of the action target system;
- N/A \$ N/A for a one-time use of firing range without use of the action target system; or
- X \$60.00 per hour with use of action target system

2. The parties understand that the Agency, as a branch of the Federal Government, does not maintain private insurance. However, the negligent or wrongful acts or omissions of the Agency's employees while acting in the scope of their employment are addressed by the Federal Tort Claims Act, Title 28, United States Code, Sections 1346(b) 2671-2680, which allows claims against the United States based on the actions of its employees.

IV. TERM AND TERMINATION:

- a. The period of performance for this agreement is January 1 through December 31.
- b. This Agreement shall be renewed annually up to three (3) years from date of execution unless either party notifies in writing the other party sixty (60) days in advance of termination of the agreement. Any annual payment made to the Belton will be pro rata refunded to the Agency in the event of a termination during an annual term, otherwise any one-time payments are non-refundable.

V. PROCEDURES AND OPERATIONS:

- a. The Belton Police Department will provide access to the firing range at mutually agreeable and scheduled times during daylight hours.
- b. The Belton Police Department will track the hours used by Agency and invoice Agency quarterly. Invoices should be e-mail to invoice.stlouis@dea.gov Agency shall pay within 30 days of receipt of invoice.
- c. Agency shall contact the Belton Police Department Range Master at least ten (10) days in advance to schedule the range.
- d. The Range Master shall be in attendance at the range at all times the Agency is on the range.
- e. Agency shall report any damages or injuries to the Range Master immediately and complete any incident reports.
- f. Agency shall provide the Range Master a list of agents or employees present on the firing range prior to access to the range.
- g. The Range Master reserves the right to eject any Agency employee or other person in attendance from the range upon his-her judgement that the agent is posing a safety or health threat to himself/herself or others. An incident report will be generated to document the event.
- h. Agency will use only lead-free frangible ammunition on the firing range unless prior approval has been obtained from the Range Manager.

VI. OTHER PROVISIONS:

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- a. Agency shall be responsible for complying with federal, state, and local laws in all operations and transactions.

b. Any official notices regarding provisions or issues under the Agreement shall be sent to the following of each party:

City of Belton
Joe Warren
City Manager
520 Main Street
Belton, MO 64012

Drug Enforcement Administration
Sherri Chevalier
Fiscal & Procurement Unit Chief
317 South 16th St
St. Louis, MO 63103

- c. This Agreement is not intended and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association as between Belton and Agency. No joint employment is intended or created by this agreement for any purpose.
- d. To the extent not inconsistent with federal law, this Agreement shall be construed, interpreted and governed in accordance with the law of the state of Missouri before any Federal court of competent jurisdiction.
- e. This Contract and the Contract documents embody the entire agreement between the parties hereto and there are no inducements, promises, terms, conditions, or obligations made or entered into by City or Agency other than as contained herein.

THE PARTIES HERETO ACKNOWLEDGE THAT THEY HAVE READ AND UNDERSTANT THIS AGREEMENT, AND AGREE TO BE BOUND BY ALL TERMS, CONDITIONS AND PROVISIONS OF THIS AGREEMENT. AS INDICATED BY THEIR SIGNING OF THIS AGREEMENT.

FOR CITY OF BELTON

FOR AGENCY

STEPHANIE
MATSANTONIS

Digitally signed by STEPHANIE
MATSANTONIS
Date: 2023.07.20 11:22:36 -05'00'

Mayor

Authorized Agent

Date

Date

Attestation

City Clerk

Authorized Witness

Date

Date



Bill No. 2023-58 COUNCIL ACTION REPORT

Title: Special Use Permit – Aaron’s Family Fun Center Electronic Message Center Sign

Agenda Date: September 26, 2023

Presented by: Matt Wright, Community Development Director

Background

- The applicant, Bob Schmidt, Aaron’s Family Fun Center, is requesting to convert an existing changeable copy sign to an electronic message center sign. The existing changeable copy sign is part of a legal non-conforming pole sign located at the northwest corner of E. 171st St. (58 Hwy.) and Aaron Ln. The sign is located in a recorded sign easement on the Max Motors property.
- Pole signs are considered legal non-conforming signs under the current sign code. Per UDC Sec. 30-11, legal non-conforming signs are required to be brought closer into compliance with the current code whenever upgrades are made to the sign, including the addition of electronic message center.
- The applicant is requesting a waiver from these standards, which would allow the sign to remain in its current location, at its current height, and with its current sign area. As part of the request, a pole wrap is proposed to create a wider base similar to a monument sign.
- Planning Commission held a public hearing on September 5, 2023, at which no one spoke in favor or in opposition to the request.
- Planning Commission recommended unanimous (8-0) approval of the Special Use Permit.
- Condition #3 in the staff report in Exhibit A has been removed as a MoDOT permit is not required.

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 City regulations, with the exceptions of the Alternative Development Standards requested by the applicant to allow the existing sign to remain at its current location, at current height and sign area.



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 TO ADD AN ELECTRONIC MESSAGE CENTER TO AN EXISTING POLE SIGN FOR AARON’S FAMILY FUN CENTER AT THE NORTHWEST CORNER OF E. 171ST STREET AND AARON LANE IN THE CITY OF BELTON, MISSOURI.

WHEREAS, the applicant, Aaron’s Family Fun Center, has requested to convert an existing changeable copy sign cabinet into an electronic message center sign in an existing pole sign located at the northwest corner of E. 171st Street (58 Highway) and Aaron Lane; 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 pole sign to keep existing non-conforming height, 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 September 5, 2023; and

WHEREAS, the Belton Planning Commission voted to recommend approval of the application to the City Council by a 8-0 vote.

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

Section 1. The City Council of the City of Belton hereby approves the Special Use Permit for the conversion of a changeable copy sign cabinet to an electronic message center sign in an existing pole sign located at the northwest corner of E. 171st Street (58 Highway) and Aaron Lane in the sign easement recorded at Cass County in Book 2408, Page 72, and as legally described as follows:
ALL THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 46, RANGE 32 IN THE CITY OF BELTON, CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE INTERSECTION OF MISSOURI STATE ROUTE 58 HIGHWAY AND AARON LANE FORMERLY BEL-RAY CIRCLE AS SHOWN BY PLAT OF BEL-RAY CIRCLE, OF RECORD IN PLAT BOOK 8, PAGE 64; THENCE NORTH 00 DEGREES 31 MINUTES 40 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF AARON LANE A DISTANCE OF 10.00 FEET TO THE TRUE POINT OF BEGINNING OF THE SIGN EASEMENT TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 00 DEGREES 31 MINUTES 40 SECONDS EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 89 DEGREES 28 MINUTES 20 SECONDS WEST, A

DISTANCE OF 10.00 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 40 SECONDS WEST, ALONG A LINE 10.00 FEET WEST OF AND PARALLEL TO SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE SOUTH 89 DEGREES 28 MINUTES 20 SECONDS EAST, A DISTANCE OF 10.00 FEET TO THE TRUE POINT OF BEGINNING OF THE SIGN EASEMENT HEREIN DESCRIBED.

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 Aaron’s Family Fun Center Electronic Message Center Sign is hereby approved, as shown in the drawings and specs provided by Complete Signs, except as noted in the staff report and conditions.
2. The Special Use Permit includes modifications or exceptions to the placement of the sign to allow the existing sign 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:

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



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: SEPTEMBER 5th, 2023

PROJECT: AARON'S FAMILY FUN ELECTRONIC MESSAGE CENTER SIGN

SITE LOCATION:	PROJECT REQUEST:
Southwest corner of E 171 st St and Aaron Ln.	Special Use Permit
APPLICATION:	
<i>Property Owner</i> – Bob Jacaway / Max RE Holdings, LLC	
<i>Applicant</i> – Bob Schmidt / Aaron’s Family Fun Center	
<i>Contractor</i> – Greg Houston / Complete Signs	

PROJECT SUMMARY

CURRENT ZONING/USE:	PROPOSED USE:
C-2 General Commercial / Indoor Entertainment	N/A
PROPOSED DEVELOPMENT:	LAND AREA:
Convert an existing off-premises, static pole sign to a digital electronic message center sign	5.5 Acres (parcel) 150 sqft (easement)
UTILITY SERVICE: ELECTRICITY	MODIFICATIONS REQUESTED OR SPECIAL NOTES:
Existing Utilities Present	Yes – noted in staff report.

CONTEXTUAL DESCRIPTION:
 An application was filed for a Special Use permit to convert an existing pole sign to an electronic message center sign. The sign is located in an easement on the property in front of Aaron’s Family Fun Center, the 5.5-acre Max Motors property at the Northwest corner of E 171st St and Aaron Ln. The subject property is bound by a gas station and other small commercial properties.

STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS



SIGNAGE STANDARDS

Compliance with Chapter 30 – Signs of the Unified Development Code (UDC):

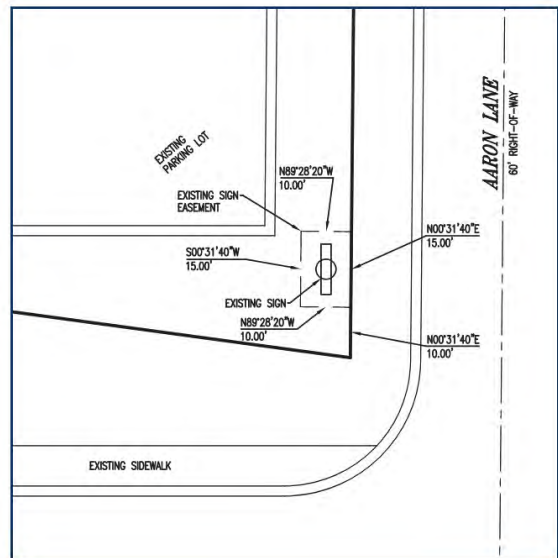
The proposed sign meets all UDC requirements except for these requested exceptions:

- Per UDC Sec. 30-11, the existing pole sign is a legal non-conforming sign and may keep its non-conforming status, however, when an electronic message center is added to a legal non-conforming sign, the sign is required to meet the following standards:
 - Meet the placement standards (setbacks) – an exception is requested to reduce the setback from 10-ft. to 5-ft. for a free-standing sign; and
 - Reduce the height of the sign by no less than one-half of the maximum height allowed – an exception is requested to maintain the pole sign at its current height of approximately 20-ft., rather than reducing to the 13-ft. that is required (halfway between the 6-ft. max. for a new sign and 20-ft. sign that exists); and
 - Reduce the sign area by no less than one-half of the maximum sign area allowed – an exception is requested to maintain the current sign area of approximately 100-sf., rather than reducing to the 66-sf. that is required (halfway between the 32-sf. max. for a new sign and 100-sf. that currently exists).

The tables below include the freestanding sign/electronic message center sign standards for the development. The plan meets all design requirements; however, exceptions are requested for the setbacks due to the sign being constructed in 2004 and being legal non-conforming.

Per UDC Sec. 30-8(h), although the existing pole sign is located on the Max Motors property, the sign is considered an on-premises sign as it is on a property that is contiguous with the Aaron’s Family Fun Center and is protected by a recorded sign easement.

FREESTANDING SIGN REQUIREMENTS	<u>Meets Requirements</u>	<u>Exception</u>
Placement/Setbacks	Meets All but One Requirement	5-ft. setback reduction
Lighting	Meets All Requirements	N/A
Size	Requirements not met	Height and area exceptions requested as noted above



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



PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
 Exact Font, Colors, Size & Exact Placement To be Verified. Survey Required.
 Shown For illustration / Concept Place Holder Only
 All Signage to Comply w/ Local Codes and Ordinance. (To Be Verified Prior to Mfg.)



- Red Pantone 1797C
- Black
- Digital Printed Graphic
- Exact Size, Color & Content T.B.D. Survey Required



Electronic message center signs, or digital screens are proposed to be placed in the lower cabinet on both sides of the sign to replace the existing static faces. The larger sign is proposed to be purely a change of face and not digital. A pole wrap is proposed around the base to bring the sign more into compliance.

The proposed upgrade would not alter the structure or placement of the existing freestanding sign 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 Aaron’s Family Fun Center Electronic Message Center Sign 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 2004 and hasn’t presented any issues regarding the location, sign area, or height.

STAFF RECOMMENDATION

Staff recommends approval of Special Use Permit for the Aaron’s Family Fun Center Electronic Message Center Sign. The recommendation is subject to the following conditions:

1. The Special Use Permit for the Aaron’s Family Fun Center Electronic Message Center Sign is hereby approved, as shown in the drawings and specs provided by Complete Signs, except as noted in the staff report and conditions.

2. The Special Use Permit includes modifications or exceptions to the placement of the sign to allow the existing sign to remain in its current location.
3. MoDot approval must be given before permit issuance.
4. 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 Aaron’s Family Fun Center Electronic Message Center Sign.
2. Motion to **recommend denial of** a Special Use Permit for the Aaron’s Family Fun Center Electronic Message Center Sign.
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 – 1 page

Aaron's Family Fun Center Sign Refresh

Written Narrative

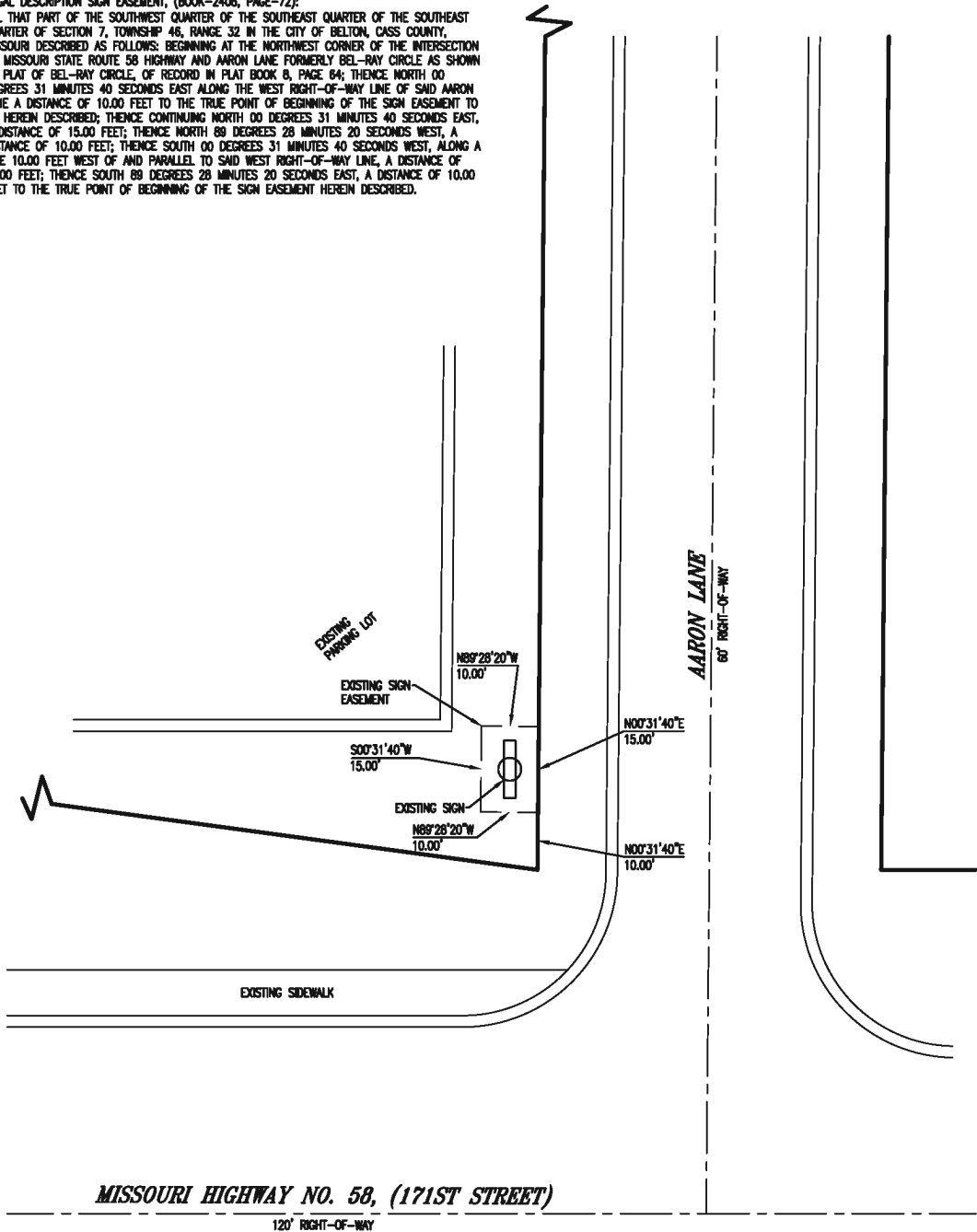
Aaron's Family Fun Center is submitting application to install a sign refresh. There will be no changes in dimensions of the current sign. The upper portion is just a new sign mounted in existing frame. The lower portion is replacing the reader board cabinet with an LED sign.

The current sign is installed in a permanent easement provided on February 19, 2004. At that time the LED technology was not available. Utilization of the reader board is difficult and not safe for the employees installing the lettering. The small LED sign can be programmed remotely and eliminates potential hazards.

This refresh is consistent with other signs across town and will not change its size or location. It simply provides improved advertising opportunities.

LEGAL DESCRIPTION SIGN EASEMENT, (BOOK-2408, PAGE-72):

ALL THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SECTION 7, TOWNSHIP 46, RANGE 32 IN THE CITY OF BELTON, CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE INTERSECTION OF MISSOURI STATE ROUTE 58 HIGHWAY AND AARON LANE FORMERLY BEL-RAY CIRCLE AS SHOWN BY PLAT OF BEL-RAY CIRCLE, OF RECORD IN PLAT BOOK 8, PAGE 64; THENCE NORTH 00 DEGREES 31 MINUTES 40 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID AARON LANE A DISTANCE OF 10.00 FEET TO THE TRUE POINT OF BEGINNING OF THE SIGN EASEMENT TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 00 DEGREES 31 MINUTES 40 SECONDS EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 89 DEGREES 28 MINUTES 20 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 40 SECONDS WEST, ALONG A LINE 10.00 FEET WEST OF AND PARALLEL TO SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE SOUTH 89 DEGREES 28 MINUTES 20 SECONDS EAST, A DISTANCE OF 10.00 FEET TO THE TRUE POINT OF BEGINNING OF THE SIGN EASEMENT HEREIN DESCRIBED.



OCT. 3, 2023

- KEY:**
 U/E = UTILITY EASEMENT
 TC = TOP OF CURB
 B/L = BUILDING LINE
 E = EXISTING GRADE
 F = FINISH GRADE

- NOTES:**
- LEGAL DESCRIPTION OF PROPERTY PROVIDED BY CONTRACTOR. THIS PLOT PLAN DOES NOT CONSTITUTE OR REPRESENT A BOUNDARY SURVEY. THE CONTRACTOR AND/OR OWNER SHALL BE RESPONSIBLE FOR VERIFICATION OF PROPERTY BOUNDARY, PROPERTY CORNERS, DEED DESCRIPTIONS AND LOCATIONS OF PROPOSED HOUSE WITH RESPECT TO PROPERTY LINES.
 - EASEMENTS, BUILDING LINES AND SET-BACKS TAKEN FROM RECORDED PLAT ONLY.
 - CONTRACTOR TO VERIFY LOCATION AND DEPTH OF SANITARY SEWER SERVICE PRIOR TO CONSTRUCTION.
 - CONTRACTOR TO VERIFY ALL DIMENSIONS, ELEVATIONS AND LOCATIONS PRIOR TO CONSTRUCTION.
 - CONTRACTOR TO VERIFY CONDITION OF ALL FILL PRIOR TO CONSTRUCTION.
 - GRADES ARE PROPOSED GRADES ONLY. FINAL GRADING AND ELEVATIONS SHALL BE CONTRACTORS RESPONSIBILITY.

BOB SCHMIDT ADDRESS: 7820 E. 171ST STREET

SIGN EXHIBIT SURVEY

PART OF THE SW 1/4, OF THE SE 1/4,
 OF THE SE 1/4, OF SEC. 7, TWN. 46, RNG. 32
 BELTON - CASS COUNTY - MISSOURI

LADWIG & ASSOCIATES, L.L.C.
 LAND SURVEYORS
 33604 E. 235th Street
 Pleasant Hill, Missouri 64080
 816-309-6621

DATE 8/12/22	SCALE 1"=20'	JOB NO. AARONS-SIGN-808-SCHMIDT
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Face View

Side View
Visual Reference Only
(Not to Scale)

Proposed:
 Replacement Face(s) For Existing D/F Cabinet.
 White PCB. Flat Face w/ Digital Printed Graphic.
 Repaint Cabinet & Retainers.
 Remove Existing Readerboard Cabinet. Replace with.
 D/F 16mm 60 x 195 Full Color LED Message Display .
 Fabricated Cladding / Pole Cover Mounted Onto Existing Steel.
 if applicable. Survey Required.
 Survey Required To Determine Exact Cabinet Size, Face Type & Steel Size.

Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product, please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only). Location To Be Approved by Customer.

(Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing Is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.

Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product. These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications. If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated, please sign and date below. If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

Complete Signs
 P. O. Box 8861 Dothan, AL 36304 P 888.823.9005
 F 334.556.0218 signs@completesigns.net www.completesigns.net

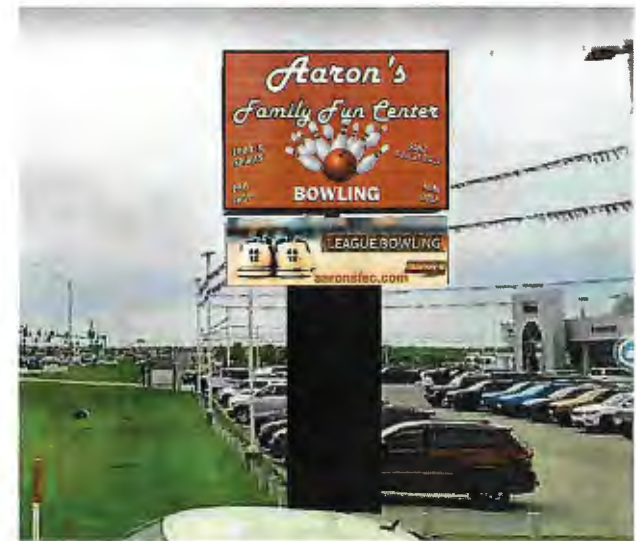
Aarons Fun Center
 17070 Aarons Ln
 Belton, MO 64012

Approval: _____ Date: _____ 052

Customer: Aaron's Family Fun Center
 Created: 07.20.2022
 Revised: 07.26.2022
 Dwg: Pres 103

This is an original unpublished drawing created by Complete Signs. It is submitted for your personal use, in connection with a project being planned for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs. This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.

Scale: Proportional
 illustrated by: Roland



PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
 Exact Font, Colors, Size & Exact Placement To be Verified. Survey Required.
 Shown For illustration / Concept Place Holder Only
 All Signage to Comply w/ Local Codes and Ordinance. (To Be Verified Prior to Mfg.)



Red Pantone 1797C
 Black
 Digital Printed Graphic
 Exact Size, Color & Content T.B.D. Survey Required



Bill No. 2023-59 COUNCIL ACTION REPORT

Title: Special Use Permit – Powell Park
Agenda Date: September 26, 2023
Presented by: Matt Wright, Community Development Director

Background

- The applicant, Robert Powell, is requesting approval of a Special Use Permit for an outdoor recreation park in a C-1/OTB (Neighborhood Commercial/Old Town Belton Overlay) zoning district.
- The proposed pocket park is located at the northeast corner of Main Street and Herschel Street (611 Main Street) and covers 0.56 acres. The park will include a gazebo and passive outdoor spaces.
- All site plan requirements have been met with the exception of a modification to the setback of a monument sign, which is proposed to be reduced from a 10-ft. setback to 3.5-ft. setback along Main Street.
- A separate sidewalk easement is required to be recorded as part of the public sidewalk will encroach onto private property.
- Planning Commission held a public hearing on September 5, 2023, at which no one spoke in favor or in opposition to the request.
- Planning Commission recommended unanimous (8-0) 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 City regulations, with the exceptions of the Alternative Development Standards requested to reduce the monument sign setback.

Policy Considerations

- Staff does not believe that approval of this Special Use Permit request will have any negative impact to current policy.

Staff Recommendation

- Staff recommends approval of the Special Use Permit request.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR AN OUTDOOR RECREATION PARK TO BE KNOWN AS POWELL PARK AT THE NORTHEAST CORNER OF MAIN STREET AND HERSCHEL STREET (611 MAIN STREET) IN THE CITY OF BELTON, MISSOURI.

WHEREAS, the applicant, Robert Powell, has requested approval of a Special Use Permit for an outdoor recreation park, to be known as Powell Park, at the northeast corner of Main Street and Herschel Street (611 Main Street); and

WHEREAS, the site plan meets all requirements except for a modification to the monument sign setback along Main Street with Alternative Development Standards subject to Sec. 20-6 of the Unified Development Code; 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 September 5, 2023; and

WHEREAS, the Belton Planning Commission voted to recommend approval of the application to the City Council by a 8-0 vote.

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

Section 1. The City Council of the City of Belton hereby approves the Special Use Permit for an outdoor recreation park, to be known as Powell Park, at the northeast corner of Main Street and Herschel Street (611 Main Street) on property legally described as follows:
Lot 1, Smoky Hill Subdivision, a subdivision in the City of Belton, 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 and Final Development Plan for Powell Park are hereby approved, as shown on the plan sets provided by Rosehill Gardens. Approval of the Final Development Plan shall not be in effect until the Special Use Permit is approved by the City Council.
2. Stamped signage drawings and gazebo details shall be provided with the final building permit plan set prior to building permit and sign permit issuance.
3. All newly constructed sidewalks will conform to City standards and be 5' wide.
4. All backflow requirements shall be met and properly installed and inspected prior to occupancy.

5. The sidewalk easement shall be recorded at Cass County prior to approval of a building permit. The sidewalk shall be installed concurrently with the development of the pocket park and be completed prior to final inspection of the gazebo.

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:

READ FOR THE SECOND TIME AND PASSED:

Approved this ____ 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 ____ 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



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: SEPTEMBER 5th, 2023

PROJECT: POWELL PARK

SITE LOCATION:

Northeast corner Herschel St. and Main St.
 (611 Main St)

PROJECT REQUEST:

Special Use Permit & Final Development Plan

APPLICATION:

Property Owner & Applicant – Robert Powell
Project Lead & Landscape Architect – Amanda White / Rosehill Gardens

PROJECT SUMMARY

CURRENT ZONING/USE:

C-1 Neighborhood Commercial, Vacant

PROPOSED USE:

Outdoor Recreation Park

PROPOSED DEVELOPMENT:

Pocket park with gardens, walking paths, a gazebo, and a labyrinth.

LAND AREA:

0.565 Acres

UTILITY SERVICE: WATER / SEWER

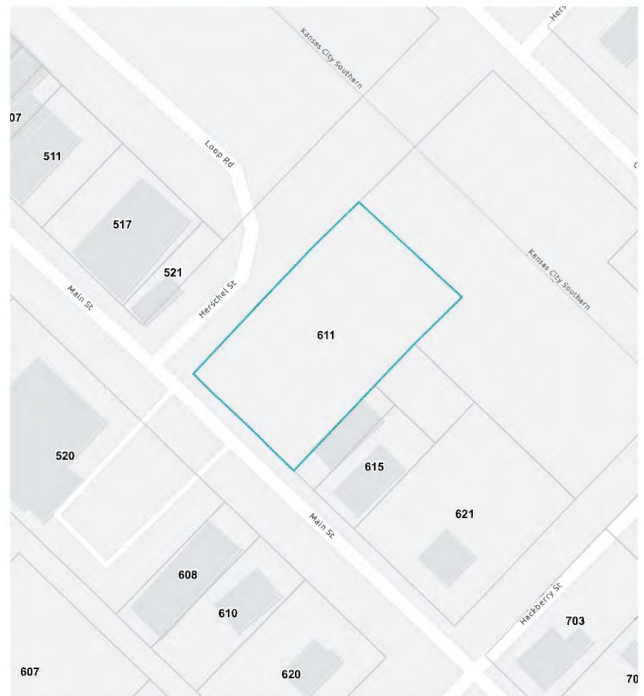
Yes, available and will support the proposed use

MODIFICATIONS REQUESTED OR SPECIAL NOTES:

Yes – noted in staff report

CONTEXTUAL DESCRIPTION:

An application was filed for a Final Development Plan and Special Use Permit for “Powell Park”, an outdoor recreation park development at the Northeast corner of Herschel St. and Main St. The subject property is a 0.565-acre parcel bound by the Railroad, neighborhood commercial uses, the City Hall Annex, and single-family homes. The parcel is currently vacant aside for a small maintenance shed.



STAFF RECOMMENDATION

STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS

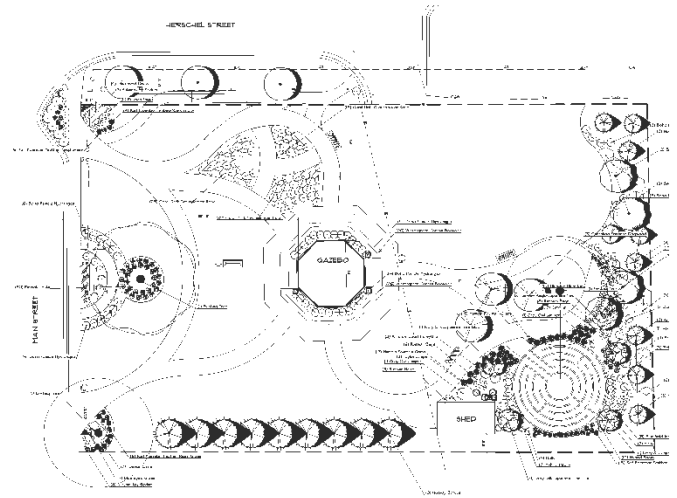
DEVELOPMENT STANDARDS

The subject 11-acre site is subject to *Compliance with the C-1 (Neighborhood Commercial) Standards of the Unified Development Code (UDC)*: The base (C-1) zoning district permits the development of an Outdoor Recreation Park with a Special Use Permit.

The tables below include site and parking design standards for the development. The plan meets all site design requirements, except for the below requested modifications.

- Reduction of the sign setback from 10-ft to 3.5-ft.

SITE DESIGN	Standard	Requirement	Proposed
Setbacks	Front Setback	30-ft	80-ft.
	Side Setback	10-ft.	50-ft.
	Rear Setback	20-ft.	107-ft.
Building & Site Design	Building Height	35-ft. max.	8-ft.
	Building Coverage	30% max.	1.4%
	Green Space	20% min.	90%



SITE DESIGN & LANDSCAPING

BUILDINGS: An 18'x18' traditional wood gazebo is proposed to be in the center of the park, this acts as the central point for all of the walking paths. The gazebo features an ADA ramp on the North side, ensuring wheelchair access. A small storage shed, which is currently on the property, remains on the East side of the property. This is proposed to house maintenance equipment. Another built amenity on the site is a labyrinth, made with chat, proposed to be located in the far Northeast corner of the park.

PARKING: According to the NRPA (National Recreation and Park Association), parks that are less than an acre are considered pocket parks. Based on that classification, this park type does not need to provide parking. The size, use and location will allow the park to be accessed via alternate modes of transportation. Parking can be accommodated by on-street parking along Main St., Herschel St., and Loop Rd.

STREETS & ACCESS: The development will be serviced by Main St. and Herschel St. There is a small curb cut off Herschel that could be used for parking or additional access in the future.

SIDEWALKS & TRAILS: The sidewalks along Main St., as well as the proposed sidewalk along Herschel St. are proposed to be connected to the internal trail network in the park. Due to the placement of utilities and existing trees, part of the public sidewalk that will be installed along Herschel St. will cut through the Southwest corner of the park. The easement dedication for this section has been provided and is attached. This will provide adequate access to all facilities. Some of the internal paths are proposed to be made with chat and brick, which has been requested to be stabilized to ensure longevity.

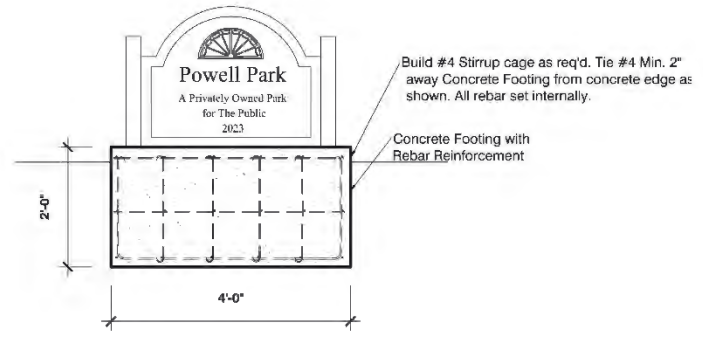
LANDSCAPING & LIGHTING: The proposed planting plan for the park is robust and features trees, shrubs, grasses, and flowers of over 25 different varieties, which will provide year-round interest. The landscape plan meets and exceeds all requirements. A photometric plan has been provided, which includes uplighting and bollards. The photometric plan meets all lighting requirements of <1 footcandle of light at the property line.

UTILITIES & DETENTION

An irrigation plan has been provided in the plan set that will adequately service all proposed landscaping in the park. Due to the previous use of the property and the proposed amount of impervious surface area, no additional detention is required on the property.

SIGNAGE

The two proposed signs for the site are located at the corner of Herschel St. and Main St, as well as at the entrance to the park along Main St. Modifications to the required sign setback has been requested to be reduced from 10-ft to 3.5-ft. Based on the historic setbacks along the corridor, Staff believes this is consistent with other developments. The 2'x3' wooden sign design provided meets all other sign requirements.



COMPLIANCE WITH COMPREHENSIVE PLAN

The proposed land use is in compliance with both zoning and future land use maps with the approval of the Special Use Permit for an Outdoor Recreation Park. The Future Land Use Map of the Comprehensive Plan (last amended in 2014) designates this site as Commercial, however, a downtown pocket park fits within the character of the corridor.

ECONOMIC DEVELOPMENT CONSIDERATIONS

Based on the Future Land Use Map designation as Commercial and the prime real estate frontage along Main St., a pocket park isn't necessarily the highest and best use of the property. However, Staff also recognizes the need for more community gathering spaces and smaller neighborhood/pocket parks throughout the city. This development would complement the other uses along Main St., create an outdoor gathering space, and has the possibility of bringing more visitors to Main St.

FINDINGS OF FACT

UDC SECTION 40-2 REQUIRES SPECIAL USE PERMITS TO BE REVIEWED UNDER THE FOLLOWING CRITERIA:

- The proposed use complies with all applicable provisions of these regulations, including yard regulations, parking requirements and use limitations.
- 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 20-5 REQUIRES FINAL DEVELOPMENT PLANS TO BE REVIEWED UNDER THE FOLLOWING CRITERIA:

- a) The plan complies with all applicable standards of this Code and all other applicable city ordinances and policies, except as otherwise requested through a PUD, Alternative Development Standard, or Variance.
- b) The plan does not conflict with the adopted plans of the City or the purpose and intent of this Code.
- c) The proposed use is allowed in the zoning district in which it is located.
- d) Vehicular ingress and egress to and from the site, and circulation within the site provides for safe, efficient, and convenient movement within the site and on adjacent roadways.
- e) The plan provides for safe, efficient, and convenient movement of pedestrians on and to the site.
- f) The arrangement of structures and buildings on the site allows for the efficient use of the land, is compatible with development on adjacent properties, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services.
- g) Open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users.
- h) The plan avoid unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses.
- i) Provides adequate parking for the use, including logical and safe parking and circulation.
- j) Provides landscaping and screening as required by this Code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates.
- k) Includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.

UDC SECTION 20-6 REQUIRES ANY REQUESTED SIGNAGE MODIFICATIONS (ALTERNATIVE DEVELOPMENT STANDARDS) WITH A FINAL DEVELOPMENT PLAN 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.

- a) The proposed signage, including the number of signs, does not significantly clutter or negatively impacts the visual landscape of the area.
- b) 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 findings of fact, the Powell Park development meets all City standards and requirements in the UDC, outside of the modifications requested. The proposed use and site plan complies with the comprehensive plan, future land use plan, almost all applicable site development standards, and is consistent with the adjacent developed properties.

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.

STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit and Final Development Plan for Powell Park. The recommendation is subject to the following conditions:

1. The Special Use Permit and Final Development Plan for Powell Park are hereby approved, as shown on the plan sets provided by Rosehill Gardens. Approval of the Final Development Plan shall not be in effect until the Special Use Permit is approved by the City Council.
2. Stamped signage drawings and gazebo details shall be provided with the final building permit plan set prior to building permit and sign permit issuance.
3. All newly constructed sidewalks will conform to City standards and be 5' wide.
4. All backflow requirements shall be met and properly installed and inspected prior to occupancy.
5. The sidewalk easement shall be recorded at Cass County prior to approval of a building permit. The sidewalk shall be installed concurrently with the development of the pocket park and be completed prior to final inspection of the gazebo.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **recommend approval** of the Special Use Permit and **approve** the Final Development Plan for Powell Park, with conditions.
2. Motion to **recommend denial** of the Special Use Permit and **deny** the Final Development Plan for Powell Park.
3. Motion to continue the applications for further information.

ATTACHMENTS

1. Project Narrative – 1 page
2. Final Development Plan (including site plans, landscape plan, photometric plan, and signage) – 7 pages
3. Sidewalk Easement – 4 pages

Project Summary:

Please describe the Final Development Plan and how it meets the provisions of the Unified Development Code:

This project builds a park on 0.56 acres at 611 Main Street, Belton. The site until 2018 was owned by the Smoky Hill Railroad and contained Hubbard's Plumbing (a building and storage yard). The land is currently vacant. The Final Development Plan describes the improvements to this vacant land, which will contain a privately owned public park with gardens, gazebo, labyrinth, and auto parking.

Project Details:

General Location/Property Address: 611 Main Street, Belton, MD
Project Area in Acres and/or Square Feet: 24,600 square feet
Present Zoning of the Property: Commercial

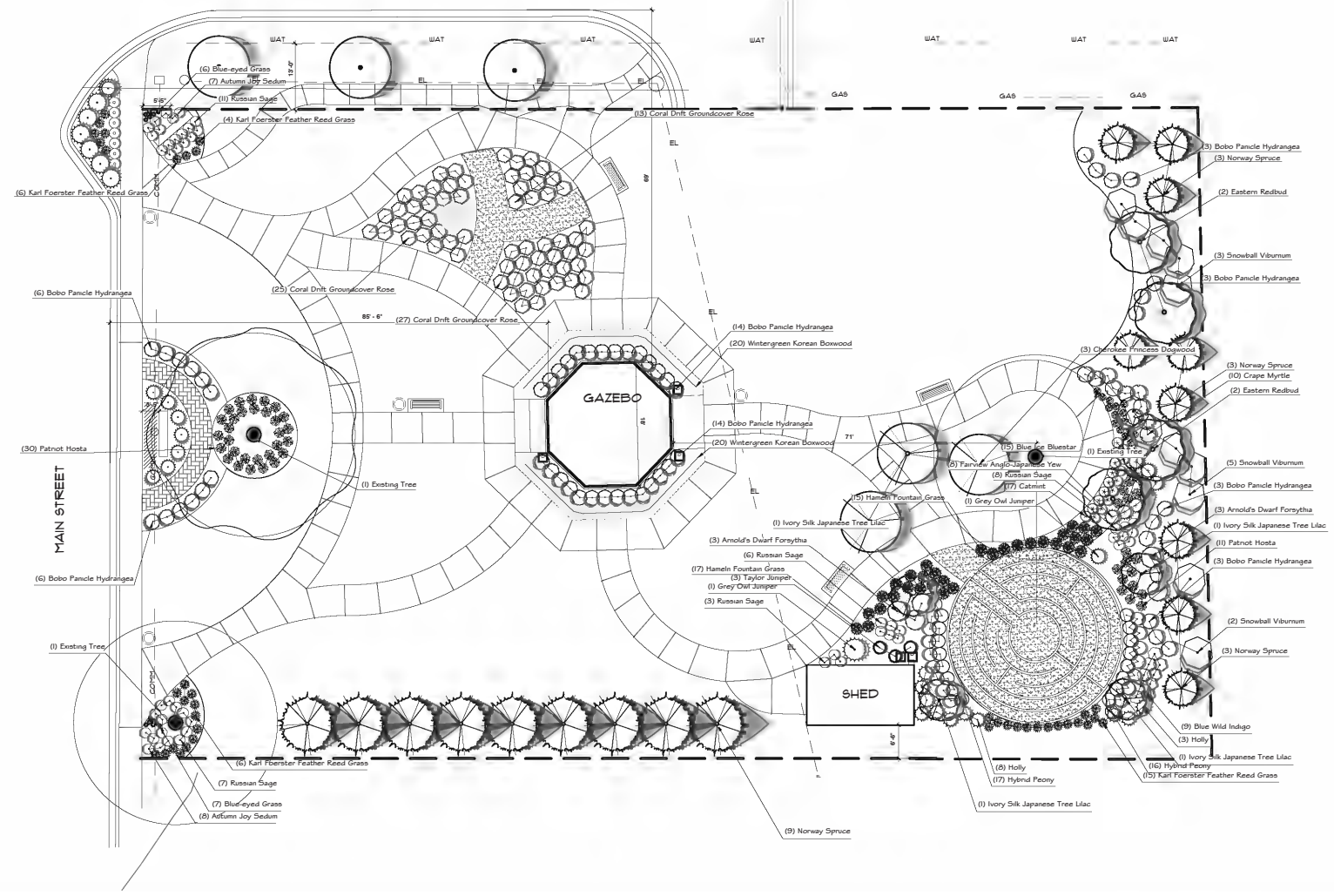

Applicant's Signature

****OFFICIAL USE ONLY****

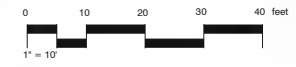
Application received in the Planning Department at _____ (AM/PM).
Date: _____ Received by: _____
Submittal fee received: Yes / No
Planning Commission Date: _____



HERSCHEL STREET



1 PLANTING PLAN
 SCALE: N.T.S.

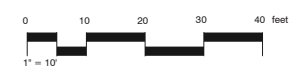


PLANT SCHEDULE MAIN

LANDSCAPE INSTALLATION NOTES:

TREES	CODE	BOTANICAL / COMMON NAME	SIZE	QTY	DETAIL	REMARKS
	AS4	/ Existing Tree	---	3		
	CC3	Cercis canadensis / Eastern Redbud	---	4		
	CF2	Cornus florida / Cherokee Princess / Cherokee Princess Dogwood	---	3		
	JV2	Juniperus virginiana Taylor / Taylor Juniper	---	3		
	PA2	Picea abies / Norway Spruce	---	19		
	SR	Syringa reticulata Ivory Silk / Ivory Silk Japanese Tree Lilac	---	4		
SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	QTY	DETAIL	REMARKS
	AB2	Ansonia x 'Blue Ice' / Blue Ice Bluestar	---	15		
	BA2	Baptisia australis / Blue Wild Indigo	---	9		
	BUX WGN	Buxus sinica insularis Wintergreen / Wintergreen Korean Boxwood	---	42		
	CX	Calamagrostis x acutiflora Karl Foerster / Karl Foerster Feather Reed Grass	---	39		
	CR6	Coreopsis rosea / Coreopsis	---	1		
	FA2	Forsythia x 'Arnold's Dwarf' / Arnold's Dwarf Forsythia	---	6		
	HX12	Hosta x 'Patriot' / Patriot Hosta	---	49		
	HP2	Hydrangea paniculata 'LVOBO' TM / Bobo Panicle Hydrangea	---	55		
	IM	Ilex Meserveae 'Blue Boy' / Holly	---	11		
	JX	Juniperus x 'Grey Owl' / Grey Owl Juniper	---	11		
	LI	Lagerstroemia indica / Crape Myrtle	---	10		
	NX	Nepeta x 'faassenii' / Catmint	---	18		
	PX2	Paeonia x 'Hybrid' Peony	---	35		
	PA	Pennisetum alopecuroides 'Hamelin' / Hamelin Fountain Grass	---	32		
	PA3	Perovskia abrotanoides / Russian Sage	---	35		
	RX2	Rosa x 'Meigtiplo' TM / Coral Drift Groundcover Rose	---	65		
	SX	Sedum x 'Autumn Joy' / Autumn Joy Sedum	---	15		
	SB	Sisyrinchium bellum / Blue-eyed Grass	---	13		
	TX2	Taxus x media 'Fairview' / Fairview Anglo-Japanese Yew	---	8		
	VP	Viburnum plicatum plicatum / Snowball Viburnum	---	12		

- THE EXACT LOCATION OF ALL UTILITIES, STRUCTURES, AND UNDERGROUND UTILITIES SHALL BE DETERMINED AND VERIFIED ON SITE BY THE LANDSCAPE CONTRACTOR PRIOR TO INSTALLATION OF THE MATERIALS. DAMAGE TO EXISTING UTILITIES AND OR STRUCTURES SHALL BE REPLACED TO THEIR ORIGINAL CONDITION BY THE LANDSCAPE CONTRACTOR AT NO COST TO THE OWNER.
- NOTIFY OWNER REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS AND REQ'D INSPECTIONS BY LEGAL AUTHORITIES. THE LANDSCAPE CONTRACTOR SHALL UNCONDITIONALLY GUARANTEE ALL PLANT MATERIAL FOR ONE CALENDAR YEAR.
- ANY SUBSTITUTIONS OR CHANGES SHALL BE REQUESTED IN WRITING BY THE CONTRACTOR FOR APPROVAL BY THE OWNER OR LANDSCAPE ARCHITECT.
- THE INSTALLATION OF ALL PLANT MATERIALS SHALL BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF BELTON, MISSOURI.
- SHREDDED HARDWOOD MULCH SHALL BE USED AS THREE INCH (3") TOP DRESSING IN ALL PLANT BEDS AND AROUND ALL TREES, SINGLE TREES OR SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF SAUCER OR LANDSCAPE ISLAND. (SEE PLANTING DETAILS). ALL PLANT BEDS TO BE SEPARATED FROM LAWN AREAS WITH A CULTIVATED LANDSCAPE EDGE
- ALL DISTURBED AREAS NOT DESIGNATED FOR OTHER PLANTING SHALL BE SOODED. SOG SHALL CONSIST OF 3/8" TURF TYPE TALL FESCUE 10% BLUEGRASS. CONTRACTOR IS RESPONSIBLE FOR WATERING SOG UNTIL ROOTS HAVE KNITTED INTO SOIL AND OWNER HAS OCCUPIED THE BUILDING.
- PROVIDE 'GATOR' BAGS ON ALL TREES. REFILL AS NECESSARY UNTIL OWNER OCCUPIES THE BUILDING. BAGS TO REMAIN FOR USE BY OWNER. IF LEANING OCCURS WITHIN ONE YEAR, TREES SHALL BE RESTAKED (SEE PLANTING DETAILS).
- ALL PLANT MATERIAL SHALL BE FIRST CLASS REPRESENTATIVES OF SPECIFIED SPECIES, VARIETY OR CULTIVAR, IN HEALTHY CONDITION WITH NORMAL WELL-DEVELOPED BRANCHES AND ROOT PATTERNS. PLANT MATERIAL MUST BE FREE OF OBJECTIONABLE FEATURES. PLANTS SHALL COMPLY IN ALL APPLICABLE RESPECTS WITH PROPER MOST RECENT STANDARDS AS SET FORTH IN THE AMERICAN ASSOCIATION OF NURSERYMEN'S "AMERICAN STANDARD OF NURSERY STOCK", ANSI Z60.1.
- ORNAMENTALS AND SHRUBS SHALL BE CONTAINER GROWN AND WILL BE FREE OF DISEASE AND PESTS. ABSOLUTELY NO BARE ROOT MATERIALS. FERTILIZER OF 10-20-10; ONE PELLET OR 1-2 OZ. SHALL BE ADDED TO SOIL AT TIME OF PLANTING. ALL PLANT BEDS TO BE MULCHED TO A DEPTH OF 3" WITH HARDWOOD MULCH. PLANTING BEDS ARE TO BE FREE OF WEEDS AND GRASS. TREAT BEDS WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLANTING AND MULCH PLACEMENT. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICE. DO NOT APPLY HERBICIDE IN PERENNIAL AREAS.
- ALL PLANT MATERIALS SHALL BE PROTECTED FROM THE DRYING ACTION OF THE SUN AND WIND AFTER BEING DUG, WHILE BEING TRANSPORTED, AND WHILE AWAITING PLANTING. BALLS OF PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY SHALL BE PROTECTED FROM DRYING ACTION BY COVERING THEM WITH MOIST MULCH. PERIODICALLY, APPLY WATER TO MULCH-COVERED BALLS TO KEEP MOIST.
- AFTER PLANTING IS COMPLETED, REPAIR INJURIES TO ALL PLANTS AS REQUIRED. LIMIT AMOUNT OF PRUNING TO A MINIMUM TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE THE NATURAL HABIT OR SHAPE OF THE PLANT. MAKE CUTS FLUSH, LEAVING NO STUBS. CUTS OF ONE INCH OR MORE TO BE PAINTED WITH TREE PAINT. CENTRAL LEADERS SHALL NOT BE REMOVED.
- ALL LANDSCAPE AREAS TO BE FREE OF ALL BUILDING DEBRIS AND TRASH. BACK FILLED WITH CLEAN FILL SOIL AND TOP DRESSED IN 6" OF TOPSOIL. TOPSOIL SHALL HAVE A PH RANGE OF 5.5 TO 7 AND A 4% ORGANIC MATERIAL MINIMUM, ASTM D9268.
- REESTABLISH FINISH GRADES TO WITHIN ALLOWABLE TOLERANCES ALLOWING 1-1/2" FOR SOG AND 3" FOR MULCH IN PLANT BEDS. HAND RAKE ALL AREAS TO SMOOTH EVEN SURFACES FREE OF DEBRIS, CLODS, ROCKS, AND VEGETATIVE MATTER GREATER THAN 1".

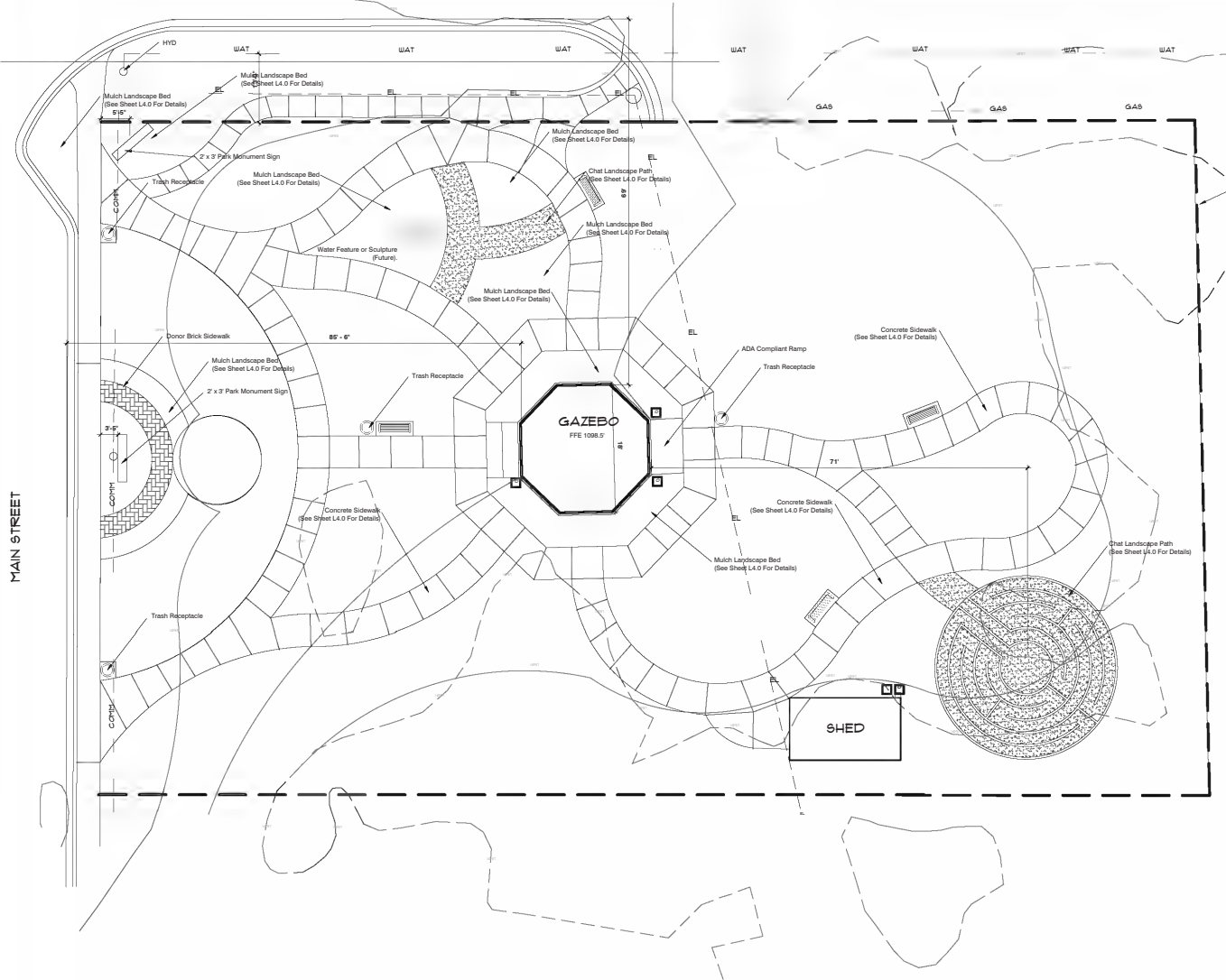


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 DATE: 7/19/2023
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Powell Park
 Rob & Pam Powell
 802 Main Street, Belton, Missouri
 Landscape Plan

ROSEHILL GARDENS
Since a Century Deep
 816-641-4777 • 311 E. 126th Street • Keosauqua, MO 64146 • www.RosehillGardens.com

HERSCHEL STREET



HARDSCAPE GENERAL NOTES:

1. THE CONSTRUCTION COVERED BY THESE PLANS SHALL CONFORM TO ALL APPLICABLE STANDARDS AND SPECIFICATIONS OF THE CITY OF BELTON, MISSOURI IN CURRENT USAGE. ALL STANDARDS NOT COVERED BY THE CITY SHALL BE APWA STANDARDS IN CURRENT USAGE UNLESS OTHERWISE NOTED.
2. THE UTILITY LOCATIONS SHOWN ON THESE PLANS ARE APPROXIMATE ONLY. THE UTILITY INFORMATION IS NOT MEANT TO BE ALL INCLUSIVE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION TO PROVIDE NON-INTERRUPTION OF SERVICE, TO ENSURE PROPER CLEARANCES, AND TO AVOID DAMAGE THERETO.
3. CONTRACTOR SHALL, BY HIS OWN INVESTIGATION, AND PRIOR TO COMMENCING WORK, SATISFY HIMSELF AS TO, AND ACCEPT THE SITE CONDITIONS TO BE ENCOUNTERED.
4. THE CONTRACTOR SHALL PROVIDE A SECURE SITE TO PROTECT VEHICLES AND PEDESTRIANS FROM ACCIDENTAL FALLS AND HARM FROM THE CONSTRUCTION PROCESS.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR DE-WATERING CONSTRUCTION AREAS IN ORDER TO PERMIT CONTINUATION OF THE WORK. ANY WATER ACCUMULATION SHALL BE REMOVED BY PUMPING.
6. CONTRACTOR IS RESPONSIBLE FOR ALL QUANTITIES OR MATERIALS AS SHOWN IN THESE PLANS. CONTRACTOR SHALL ACCOMMODATE ALL SLOPE AND GRADE CONDITIONS IN THEIR CALCULATION OF MATERIAL QUANTITIES FOR ALL WORK SHOWN ON THESE PLANS.

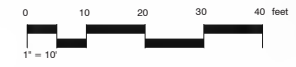
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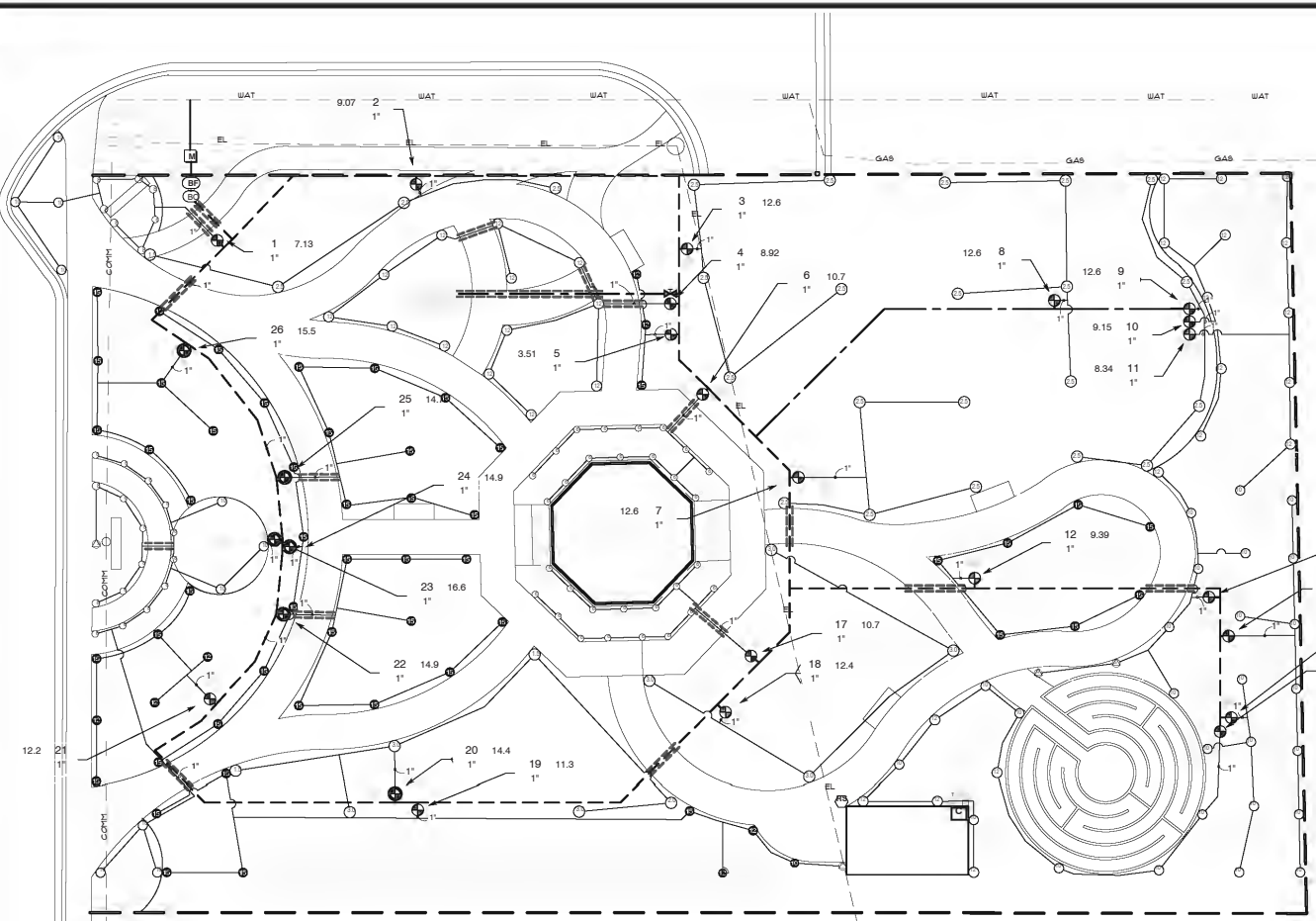


QACC BY

Powell Park
 Rob & Pam Powell
 802 Main Street, Belton, Missouri
 Hardscape Plans

ROSEHILL GARDENS
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IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI	GPM	INCHES	DETAIL
●●●●●	Rain Bird 1204 12 Station MPB Turf Sprinkler 4.0in. Pop-Up Sprinkler with Co-Matted Wiper Seal. 1.0in. NPT Female Threaded Inlet.	1	30			
●●●●●	Rain Bird 1504 ADJ Turf Sprinkler 4.0in. Pop-Up Sprinkler with Co-Matted Wiper Seal. 1.0in. NPT Female Threaded Inlet.	38	30			
●●●●●	Rain Bird 1512 12-Station Disc Sprinkler 1.0in. Pop-Up Sprinkler with Co-Matted Wiper Seal. Side and Bottom Inlet. 1.0in. NPT Female Threaded Inlet.	4	30			
○●○●○	Rain Bird 1517 ADJ Disc Sprinkler 1.0in. Pop-Up Sprinkler with Co-Matted Wiper Seal. Side and Bottom Inlet. 1.0in. NPT Female Threaded Inlet.	120	30			
○●○●○	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI	GPM	INCHES	DETAIL
○	Rain Bird S204-PC 15 Turf Riser 4.0in. Pop-Up, Plastic Riser. Adjustable to Full Circle. Standard Angle Nozzle.	3	45	1.54	30"	
○	Rain Bird S204-PC 2.0 Turf Riser 4.0in. Pop-Up, Plastic Riser. Adjustable to Full Circle. Standard Angle Nozzle.	1	45	2.01	30"	
○	Rain Bird S204-PC 2.5 Turf Riser 4.0in. Pop-Up, Plastic Riser. Adjustable to Full Circle. Standard Angle Nozzle.	23	45	2.57	30"	
○	Rain Bird S204-PC 3.0 Turf Riser 4.0in. Pop-Up, Plastic Riser. Adjustable to Full Circle. Standard Angle Nozzle.	7	45	3.09	30"	
○	MANUFACTURER/MODEL/DESCRIPTION	QTY	DETAIL			
○	Rain Bird PSA Globe 1" Val. 1/2in. 2in. Electric Remote Control Valve, Globe.	26				
○	Nibco F-113-K Class 150 bronze gate shut-off valve with cross handle, same size 1/2" nominal pipe diameter at valve location. Size Range: 1/2in. - 24in.	1				
○	Fabco 800 1" Double Check Backflow prevention, 1/2in. to 2in.	1				
○	Rain Bird ESP-EMER (1) (1) ESP-EMER24 24 Station, Traditionally Wired, Commercial Controller. (1) ESP-EMER 12 Station, Indoor/Outdoor, Plastic Shell/Mount Enclosure w/ (1) ESP-EMER2 - 12 Station Expansion Modules.	1				
○	Frame MPB-CUR Rain/water sensor, install within 1000 ft of controller, in the of sight 20-25 HAZARD 300 mls power from time transmitter. Mount as noted. Includes Gutter Mount.	1				
○	Flow Cue 1" Hose Meter 3/4"	1				
○	Ingration Lateral Line: PVC Class 200 SDR 21 1"	2,500.14				
○	Ingration Mainline: PVC Class 200 SDR 21 1"	5487.14				
○	Ingration Mainline: Polyflex Pipe SDR-9-CTS 47.414	47.414				
○	Ingration Mainline: Polyflex Pipe SDR-9-CTS 1" 4.414	4.414				
○	Ingration Mainline: Polyflex Pipe SDR-9-CTS 1 1/4" 87.614	87.614				
○	Pipe Sleeve: PVC Schedule 40 132.414	132.414				



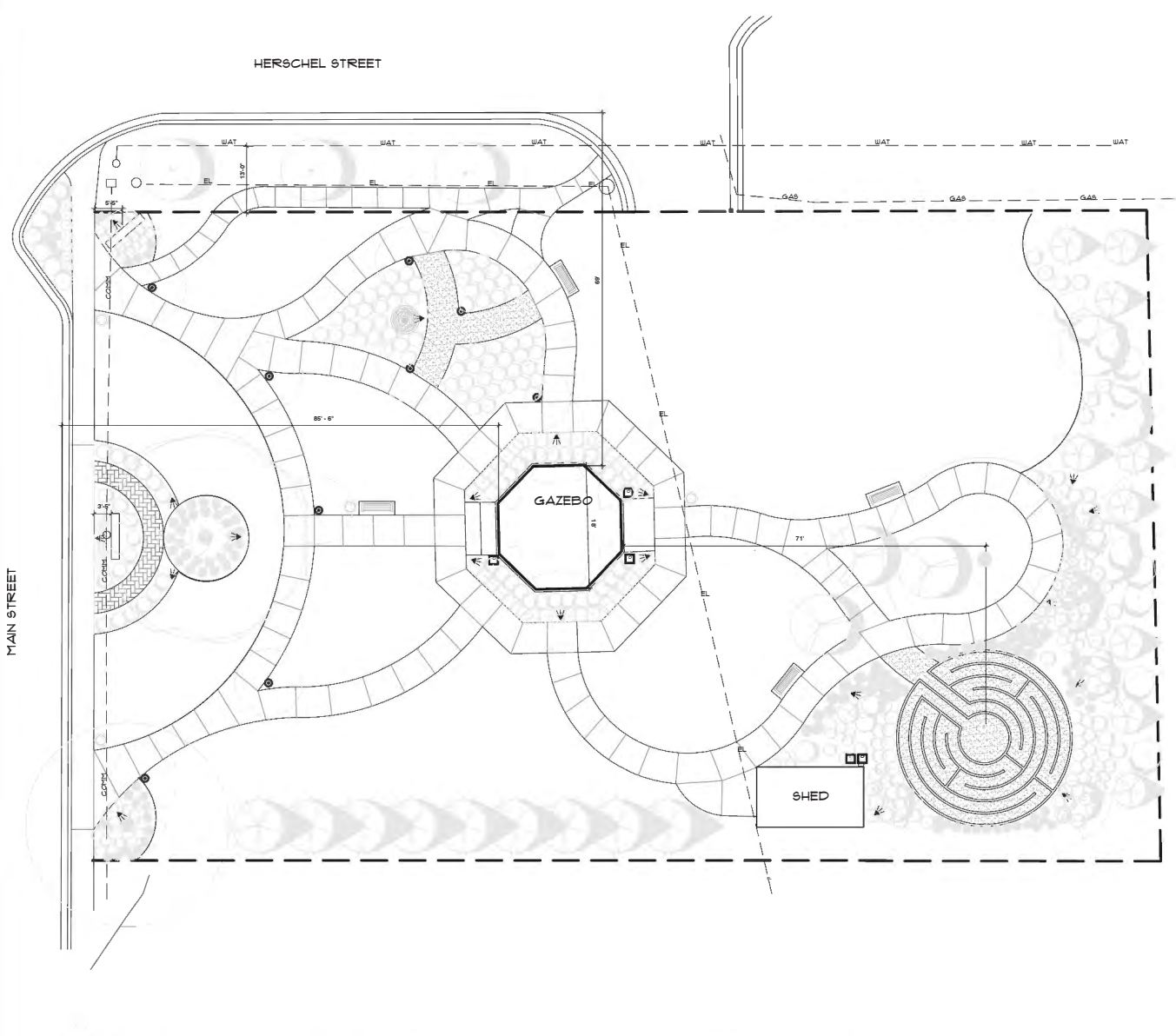
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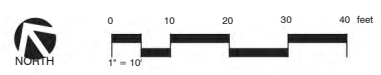
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ROSEHILL GARDENS
Shrub & Century Tree
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Fixture Type	Manufacturer and Item	Model	Color/Finish	Quantity
Uplight	Kichler Lighting - 16157BKT27 - Landscape - 2.5W 3 LED Spot or Flood Accent Light	Kitchler 16157 Bz 2700	Architectural Bronze	13
Transformer	300SS 12V 300 Watt Multi-Matic Transformer	Unique 300SS	Stainless Steel	1
Bollard Light	LED Adjustable CCT Bollard Light Round 40"	BL2003R 20 W	Architectural Bronze	10
Exterior Outlet			Stainless Steel	3



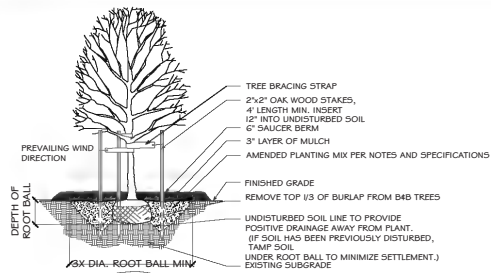
SHEET: 1 OF 1
 DATE: 7/19/2023
 DRAWN BY: AE
 SCALE: 1"=10'



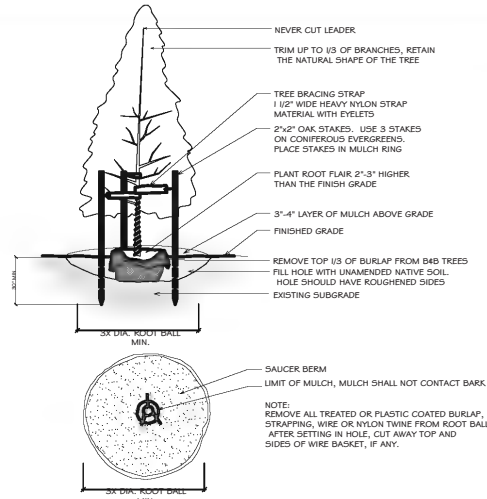
POWELL PARK
 ROB & PAM POWELL
 802 MAIN STREET, BELTON, MISSOURI
 Landscape Lighting Plan

ROSEHILL GARDENS
Sheds a Contemporary Touch
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1 TREE PLANTING
SCALE: N.T.S.



2 EVERGREEN PLANTING
SCALE: N.T.S.

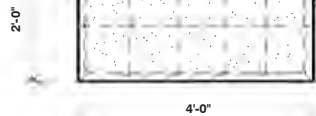


3 SHRUB BED PLANTING
SCALE: N.T.S.

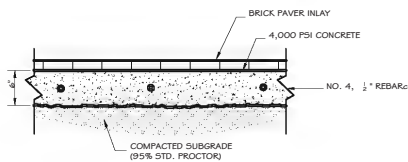
Powell Park
A Privately Owned Park
for The Public
2023

Build #4 Stirrup cage as req'd. Tie #4 Min. 2\"/>

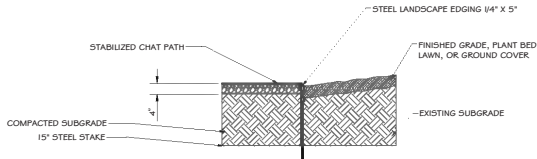
Concrete Footing with
Rebar Reinforcement



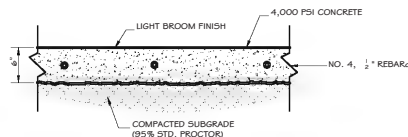
4 PARK MONUMENT DETAIL
SCALE: N.T.S.



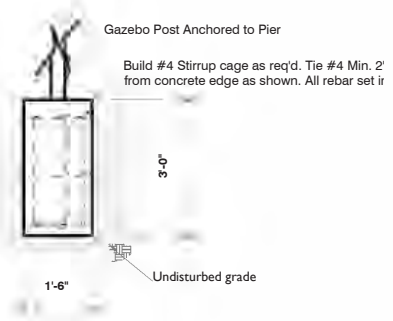
7 BRICK WALKWAY DETAIL
SCALE: N.T.S.



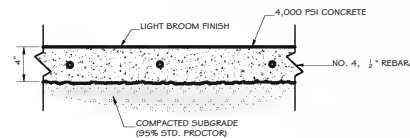
5 Chat Path Detail
SCALE: N.T.S.



8 CONCRETE GAZEBO PAD DETAIL
SCALE: N.T.S.



6 CONCRETE GAZEBO PIER DETAIL
SCALE: N.T.S.



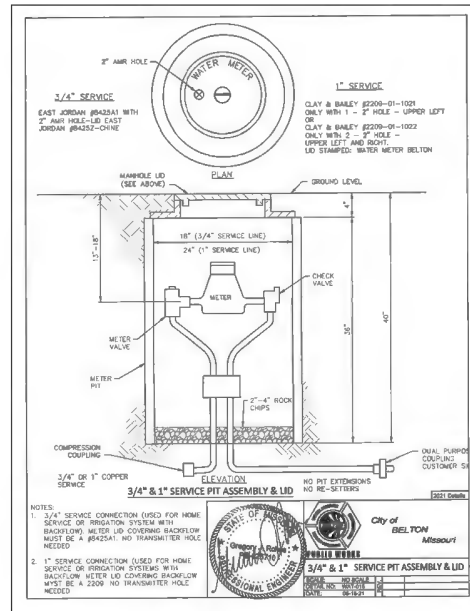
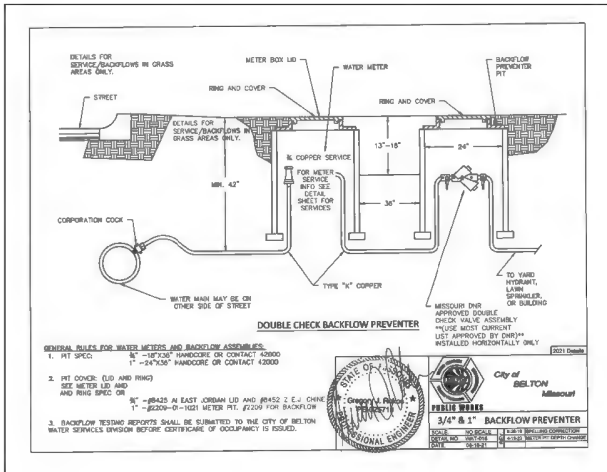
9 CONCRETE SIDEWALK DETAIL
SCALE: N.T.S.

SHEET: 1 OF 1
DATE: 7/19/2023
DRAWN BY: AF
SCALE: 1"=10'
AMANDA HANDEWERKER
PLS-302200711
CACC BY: [Signature]

Powell Park
Rob & Pam Powell
802 Main Street, Belton, Missouri
Landscape Details

ROSEHILL GARDENS
Shrub a Century Deep
816-641-4777 • 311 E. 126th Street • Kansas City, MO 64146 • www.RosehillGardens.com





SERVICE LINE NOTES
(3/4" & 1" SERVICE)

WATER TAP FEES:
Contact city hall at 816-331-4331 for pricing of water taps. Please request all water taps at a minimum of 48 hours in advance. When paying for a water tap, please provide the address of the tap, the lot number and the name of the subdivision.

METER PIT LOCATION:
All meter pits shall be located in front of the house or building. The front of the meter pit shall be 1' from the curb and .5' rise per foot from the curb. Meter pits are not permitted to be in any parking area or in any fenced area.

METER PIT SPECIFICATIONS:

- 3/4" service = 18" x 36" HANCOCK OR CONTACT A2000
- 1" service = 24" x 36" HANCOCK OR CONTACT A2000

no pit extensions are accepted.

METER PIT LID AND RING ASSEMBLIES:

- 3/4" service #9425A1-E.J. with 2" AMB Hole and #94252-E.J. chime
- 1" service #2208-01-1021 Clay and Bailey only (one hole)
- 1" service #2209-01-1022 Clay and Bailey only (two hole)

lid stamped: Water Meter Belton

METER SETTER:

- 3/4" FORD VBI C92-24 w/ 15" 41-33A or AY McDONALD 60-2248D233 x 15
- 1" FORD VBI C94-24 w/ 15" 41-44A or AY McDONALD 80-4248D244 x 15

NO RE-SETTERS ARE ACCEPTED

Service Pipe:
Type "K" copper from the main to the building. The copper from the main to the meter shall be a solid piece of copper, no couplings.

CUSTOMER:
The customer is responsible to maintain the service line from the outlet of the meter setter to the building served.

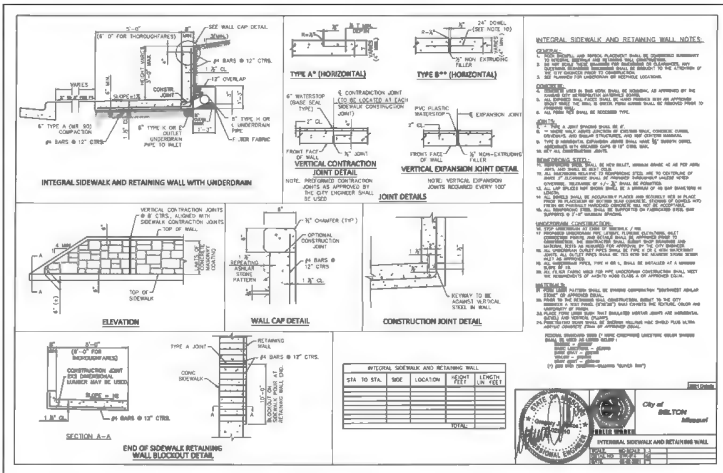
BUILDER OR CONTRACTOR:
The builder or contractor is responsible to install the service line, meter setter, meter pit, meter pit cover and all of the digging that is required to install the service line.

INSPECTIONS:
The city shall inspect all piping, connections, meter pit, meter setter and grade from the main to the outlet connection of the meter setter at time of the tap. (Weave uncovered until inspection)

METER SET:
The meter will be set by the city when service is to begin.

DEPOSITS:
All customers must pay a deposit for water service. Please contact city hall at 816-331-4331

City of BELTON Missouri



SHEET: 1 OF 1
DATE: 7/19/2023
DRAWN BY: AF
SCALE: 1"=10'



Powell Park
Rob & Pam Powell
802 Main Street, Belton, Missouri
Landscape Details

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BILL NO. 2023-60 COUNCIL ACTION REPORT

Title: Amend Appendix B – Traffic Schedules, Table 4 – Speed Zones

Agenda Date: September 26, 2023

Presented by: Greg Rokos, Assistant City Manager

Background

- Chapter 19 – Streets, Sidewalks, Rights-of-Way, and Other Public Places – Appendix B – Traffic Schedules, Table 4 – Speed Zones in the Code of Ordinances of the City of Belton, Missouri
- Recently a citizen attended a City Council meeting to discuss the speed of traffic on Cambridge. His house faces towards Cambridge, and he had concerns about the speed of traffic. He requested pin cushion traffic calming. Following the meeting, Public Works monitored the speed and determined that the speed limit should be raised from 25 MPH to 35 MPH. This would match the speed limit on the rest of Cambridge. Cambridge is a minor arterial and the 35 MPH would be a normal speed limit for that type of road.
- The speed limit was determined by measuring all the vehicles that travel along the road. Then the speeds are put in order and the 85th percentile, the speed that 85% of people are travelling at or below, is the established new speed limit. This has been proven as the safest speed to travel. The Institute of Transportation Engineers, the standard in traffic engineering, recommends this method as the standard practice for the setting of speed limits.

Financial/Budget Considerations

- There are no Financial or Budget considerations for this Ordinance.

Legal Considerations

- There are no Legal considerations for this Ordinance.

Policy Considerations

- The City will amend Chapter 19 – Streets, Sidewalks, Rights-of-Way, and Other Public Places – Appendix B – Traffic Schedules, Table 4 – Speed Zones to change the Speed Zone on Cambridge Road to Cambridge Road, from South Prospect Avenue to Cedar Street.

Staff Recommendation

- Staff recommends amending Chapter 19 – Streets, Sidewalks, Rights-of-Way, and Other Public Places – Appendix B – Traffic Schedules, Table 4 – Speed Zones to change the Speed Zone on Cambridge Road to Cambridge Road, from South Prospect Avenue to Cedar Street.

AN ORDINANCE AMENDING APPENDIX B – TRAFFIC SCHEDULES, TABLE 4 – SPEED ZONES AS REFERENCED IN CHAPTER 19 – STREETS, SIDEWALKS, RIGHTS-OF-WAY, AND OTHER PUBLIC PLACES IN THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI TO ESTABLISH CERTAIN SPEED ZONES.

WHEREAS, the City has adopted Appendix B – Traffic Schedules, Table 4 – Speed Zones AS referenced in Chapter 19 – Streets, Sidewalks, Rights-of-Way, and Other Public Places in the Code of Ordinances of the City of Belton, Missouri (City) wherein the City has designated certain Speed Zones in Belton; and

WHEREAS, the City will amend Appendix B – Traffic Schedules, Table 4 – Speed Zones to change the Speed Zone on Cambridge Road.

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

SECTION 1. That Appendix B – Traffic Schedules, Table 4 – Speed Zones as referenced in Chapter 19 – Streets, Sidewalks, Rights-of-Way, and Other Public Places in the Code of Ordinances of the City of Belton, Missouri is hereby amended as described in **Attachment A**.

SECTION 2. This ordinance shall take effect and be in full force 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:

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

ATTACHMENT A
PART II - CODE OF ORDINANCES
Appendix B - TRAFFIC SCHEDULES
TABLE 4. SPEED ZONES

TABLE 4. SPEED ZONES

Place	Street	Speed Limit
Broadmoor Garden Mobile Home Park	Rainbow Drive	10 mph
	Maple	10 mph
	Elm	10 mph
	Lawn	10 mph
Crown Trailer Park	All streets	15 mph
Huffman Park	All streets	5 mph
Liz Ann Trailer Village	Aspen Street	15 mph
	Birch Street	15 mph
Military Housing Area	Truax Avenue	15 mph
	Bong Avenue	15 mph
	Clark Avenue	15 mph
	Stewart Avenue	15 mph
	Tinker Avenue	15 mph
	Kelly Avenue	15 mph
	Nellis Avenue	15 mph
Gregg Avenue	15 mph	
Mobile Homes Village	All streets	5 mph
Plaza Acres Park	All streets	5 mph
Oak Hill Park	All streets	10 mph
Southfork Mobile Home Community	Valeen Lane	15 mph
	Cliff Barnes Lane	15 mph
	J.R. Avenue	15 mph
	Christopher Crossing	15 mph
	Oil Lane	15 mph
	Jenna Avenue	15 mph
	John Ross Road	15 mph
	Ray Krebbs Avenue	15 mph
	Pamela Avenue	15 mph
	Sue Ellen Avenue	15 mph
	Ewing Way	15 mph
	Miss Ellie Circle	15 mph
Jock Lane	15 mph	
Dollar Drive	15 mph	

ATTACHMENT A
 PART II - CODE OF ORDINANCES
 Appendix B - TRAFFIC SCHEDULES
 TABLE 4. SPEED ZONES

	Bobby Avenue	15 mph
Springdale Lake Estates	Aster	10 mph
	Bluebonnet	15 mph
	Canna	15 mph
	Daisy	15 mph
	Evergreen	15 mph
	Forsythia	15 mph
	Gladiola	15 mph
	Honeysuckle	15 mph
	Iris	15 mph
	Jasmine	15 mph
	Narcissus	15 mph
	Springdale Drive	15 mph

It shall be unlawful for any person to drive a vehicle in excess of the following limits when signs are in place giving notice thereof:

Street	Speed Limit
155th Street from Terry Avenue to east city limit	35 mph
163rd Street, from the intersection of State Highway 58 to Kentucky, both directions	35 mph
All school zones during the hours of 7:00 a.m. and 4:00 p.m.	20 mph
Belmo Drive	15 mph
Bel-Ray, southbound at 16807 and northbound at the entrance off Highway Route 58	35 mph
Blue Avenue from South East to Lillard	15 mph
Cactus Drive	15 mph
Cambridge Road, from South Prospect Avenue to Cedar Street	35 mph
Chestnut Street from Main Street to Loop Road	15 mph
Cimarron Drive	15 mph
Circle Drive	15 mph
Corral Drive	15 mph
East Hargis Street	15 mph
East Pacific Drive	15 mph
East Sunrise Drive	15 mph
East Washington Street	15 mph
Herschel Street from Main Street to Loop Road	15 mph

ATTACHMENT A
PART II - CODE OF ORDINANCES
Appendix B - TRAFFIC SCHEDULES
TABLE 4. SPEED ZONES

Jefferson Avenue	15 mph
Lake Drive	15 mph
Lillard from Blue Avenue to Central	15 mph
Locust Hill Road from North Scott to Quiktrip	35 mph
Loop Road from Chestnut Street to Herschel Street	15 mph
Minnie from Y Highway to the Park entrance	15 mph
South East Avenue from Commercial to Blue Avenue	15 mph
Highway Route 58:	
(1) From Route D (Holmes Road) to 365 feet west of Prospect Road	55 mph
(2) From 365 feet west of Prospect Rd to 245 feet west of Monte Verde	45 mph
(3) From 245 feet west of Monte Verde to Ella Street	35 mph
(4) From Ella Street to 380 feet east of Clint/Dean	40 mph
(5) Speed limits in all roundabouts will be	15 mph
Interstate 49:	
(1) From 155th Street to Highway 58	65 mph
(2) From Highway 58 to south city limit	70 mph
Indian Trail	15 mph
Main Street, from Scott Avenue to Cedar Street	15 mph
Markey Drive	15 mph
Markey Parkway from 163rd Street to Quik Trip Way	35 mph
Markey Parkway from 163rd Street to Mullen Road	35 mph
Markey Place	15 mph
Markey Road from Westover to North Scott, both directions	35 mph
Markey Terrace	15 mph
Mullen Road:	
(1) From its intersection with 163rd Street south to its intersection with Springdale Lane	35 mph
(2) From its intersection with Highway 58 to a point 150 feet north of the Smokey Hill railroad tracks	35 mph
(3) From a point 150 feet south of the Smokey Hill railroad tracks to the south city limits	35 mph
(4) From Markey Parkway to Highway 58	35 mph
North Cass Parkway:	
(1) West bound beginning at east city limit running west for 250 feet	45 mph
(2) East bound from Peculiar Drive to east city limit	35 mph

ATTACHMENT A
PART II - CODE OF ORDINANCES
Appendix B - TRAFFIC SCHEDULES
TABLE 4. SPEED ZONES

North Chestnut Street	15 mph
North Oak Drive	15 mph
North Scott from State Highway 58 to Markey, both directions	35 mph
North Scott from Markey to 155th Street, both directions	45 mph
Peculiar Drive, from State Highway 58 to Cunningham Industrial Parkway	35 mph
Peculiar Drive, from Cunningham Industrial Parkway to North Cass Parkway	45 mph
Peculiar Drive from North Cass Parkway to South City Limits	35 mph
Quik Trip Way, from Locust Hill Road to Markey Parkway	35 mph
Ranchero Place	15 mph
Sagebrush Lane	15 mph
Shady Lane	15 mph
Shawn Drive	15 mph
Silverado Trail	15 mph
Sunny Circle	15 mph
Sunny Drive	15 mph
Towne Center Drive from Markey Parkway to Highway 58	30 mph
Tumbleweed Place	15 mph
Westover Road from Markey to North City limits	35 mph
Whisper Lane	15 mph



R2023-91 COUNCIL ACTION REPORT

Title: Laserfiche Contract
Agenda Date: September 26, 2023
Presented by: Andrea Cunningham, City Clerk

Background

- The Missouri Secretary of State Local Records Grant Program awarded the city an Electronic Records Initiative (ERI) reimbursement grant toward the purchase of an Enterprise Content Management (ECM) system.
- A competitively bid pricing contract with National Cooperative Purchasing Alliance (NCPA) was used to secure a contract with Laserfiche, a leading provider of ECM systems.
- ICC Community Development Solutions/R&D Computer Systems, LLC is a local authorized Laserfiche vendor.

Financial/Budget Considerations

- Cost for the first year of licensing, support and service is \$12,638.87 which includes one-time set up and training costs. This cost will be fully reimbursed by the MoSOS grant.
- The contract will be renewed annually (licensing and support costs).

Legal Considerations

- The city attorney has reviewed the contract.

Policy Considerations

- There are no policy considerations with this contract.

Staff Recommendation

- Staff recommends approval of this contract to enhance city record keeping and eliminate misfiled documents and prevent loss.

R2023-91

A RESOLUTION APPROVING A CONTRACT FOR LASERFICHE LICENSING, SUPPORT AND PROFESSIONAL SERVICES FROM ICC COMMUNITY DEVELOPMENT SOLUTIONS/ R&D COMPUTER SYSTEMS, LLC.

WHEREAS, the Missouri Secretary of State (MoSOS) Local Records Grant Program awarded the City of Belton an Electronic Records Initiative reimbursement grant toward the purchase of an Enterprise Content Management (ECM) system; and

WHEREAS, the City of Belton, Missouri encourages participation in cooperative purchasing programs; and

WHEREAS, ICC Community Development Solutions/R&D Computer Systems, LLC is a local authorized Laserfiche vendor and Laserfiche has a competitively bid pricing contract with National Cooperative Purchasing Alliance (NCPA). As a local government office, the City is an eligible participant; and

WHEREAS, ICC Community Development Solutions/R&D Computer Systems, LLC has submitted a proposal via NCPA contract number 01-158 for Laserfiche licensing, support and professional services that provides a complete ECM system for Belton.

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

- Section 1.** That the contract with ICC Community Development Solutions/R&D Computer Systems, LLC is approved for Laserfiche licensing, support and professional services in the amount of \$12,638.87, attached as **EXHIBIT A**, incorporated as if fully set forth herein. This contract will be renewed each year.
- Section 2.** That the City Manager is authorized to execute any documents necessary to carry out the intent of the Resolution.
- 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

Enterprise Content Management System - Cloud

September 5, 2023
Valid for 30 days



Richard McGinnis
ICC Community Development Solutions/R&D Computer Systems, LLC
913-631-7600
Rmcginnis@icc-cds.com

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LASERFICHE CLOUD LICENSE OVERVIEW 3

AUTHORIZATION & AGREEMENT 6

APPENDIX A – INSTALLATION, TRAINING AND SUPPORT 7

LASERFICHE CLOUD LICENSE OVERVIEW

The Laserfiche Cloud license introduces a straightforward software license that includes a wide variety of features to benefit all departments of the municipality. All of this is hosted on Amazon Web Services, so no internal IT resources are required.

While many features and functionality are available, listed below, we start with the described base package and provide training and resources to get you started. As you become more familiar, we can add automation, integrations with 3rd party applications and more.

Laserfiche Cloud Features

Cloud Features	Professional	Cloud Add-Ons	Professional
Packages start at (can add to each pac	\$4,150 for 5 users	SDK	+
100 GB storage per user	✓	QuickAgent Fields Complete with Agent	10 (+)
Document Management	✓	Workflow Bots for Process Automation	1 (+)
Audit Trail	Starter (+)	Public Portal	+
Direct Share	✓	Forms Portal	+
Data Encrypted at Rest	✓	Participant Users	+
Autoscaling of Computing and Storage	✓	Community Users	+
Automated and Encrypted Backups	✓	Smart Invoice Capture	+
Intrusion Detection	✓	Vault	+
Automated Feature/Security Updates	✓	Additional Storage	+
Automated Text Extraction	✓	ScanConnect	+
Import Agent with Email Archiving	✓		
Process Automation	✓		
Connector	✓		
Surveys	✓		
Records Management	+		
Cloud Integrations	Professional		
Microsoft 365 Integration	✓		
Integration with SharePoint	✓		
Integration w/ Microsoft Dynamics 365	✓		
Integration with DocuSign	+		
Integration with Salesforce CRM	+		
Certified Integration with SAP ArchiveL	+		
Integration with Laser App	+		
Laserfiche for Ricoh MFD	+		

-Not Available + Optional Add-On ✓Included

*As a cloud-based system, updates and new features are automatically pushed out, no IT involvement.

Updates

On a monthly basis Laserfiche adds features and performance enhancements to an existing version of its software known as “updates.” Licensee will receive all updates as released.

Access to Online Support Resources

The Laserfiche Support Site contains detailed technical information to increase your product knowledgebase. The Laserfiche Cloud Help Files contain useful information to help you get started with your Laserfiche Cloud account. Laserfiche also has numerous help videos which walk you through the product to help you become more familiar and comfortable with all of the different features. Additionally, Laserfiche Cloud Answers is an online forum that allows Laserfiche Cloud subscribers to collaborate on ideas and solutions.

Pricing/Services:

Product	Description	Qty	Model#	Unit Price	Total Price
*Laserfiche Cloud Users	Professional Users	9	CLENF2	\$804.27	\$7,238.43
Storage	100 GB per user included (Overages will be \$30 per 10 GB annually) Storage is pooled	-		-	-
SAP	ICC-CDS Support	9		\$114.00	\$1,026.00
*Laserfiche Participant Users	Read-Only Users	18	CFPAR	\$116.28	\$2,093.04
*Laserfiche Public Portal	1000 views per month	1	CLPPAL	\$581.40	\$581.40
Configuration and Training	Remote	1		\$1,400.00	\$1,400.00
Project Coordination	Remote	1		\$300.00	\$300.00
Total					\$12,638.87

**Laserfiche SAAS Software priced at National Cooperative Purchasing Alliance (NCPA) levels: Contract #01-158*

Anticipated annual SAAS fees after the included 1st year for the above configuration would be \$10,938.87 Note: This estimate is subject to change based upon the then-current support prices for that year.

Adjustments to Performance Schedule; Delays:

Adjustments to Schedule: Upon the mutual consent of the Municipality and ICC Community Development Solutions, the "Performance Schedule" may be changed or extended as provided under "Delays" below.

Delays: Client must notify ICC Community Development Solutions, in writing, immediately upon learning or otherwise becoming aware, of any difficulties that may delay the delivery of services or deliverables within each step of the Implementation timeline. Such notification must identify the reason for the delay, as well as the anticipated period of delay. Any delay on the part of the customer that extends 10 working days beyond the target date for completion of any step will result in a project restart and additional charges will be identified as part of a change order provided to the customer. This clause shall not apply in case of force majeure.

AUTHORIZATION & AGREEMENT

The **City of Belton, Cass County, Missouri** hereby agrees to the procedures outlined above, to ICC Community Development Solutions Terms & Conditions and to the License Agreements for the software referred to above, all of which are available at <https://icc-cds.com/terms-conditions>, and are incorporated herein by reference, and authorizes ICC-CDS to proceed with the project.

Electronic Document Management Project

\$12,638.87*

Estimated Annual support fee second year forward (SAAS): \$10,938.87

Note: Prices subject to change.

***Laserfiche SAAS Software priced at National Cooperative Purchasing Alliance (NCPA) levels: Contract #01-158**

If/when the client wishes to implement the additional modules included with their licenses, there may be additional development, configuration and training time required. These additional service fees would not apply until you are ready and agree to implement additional components.

The City accepts all responsibility for reviewing documents to ensure confidential and secure information is protected when made available to outside entities using the Laserfiche Public Portal/Weblink product.

SOFTWARE ORDER, PAYMENT AND PERFORMANCE SCHEDULE

\$10,938.87 - of the project price shall be invoiced upon customer site activation

\$1,700.00 - of the Configuration and Training services shall be invoiced as completed

(Client please fill out) Invoice for this Project to be sent to:

Department: _____ **Contact Name:** _____

CITY OF BELTON, CASS COUNTY, MISSOURI

By: _____ In the Presence of: _____

Title: _____ Title: _____

Date: _____ Date: _____

ICC-CDS, LLC

By: _____ In the Presence of: _____

Title: _____ Title: _____

Date: _____ Date: _____

To authorize the project:

- 1. Sign the Proposal and return to your Solutions Account Executive**
- 2. Fax or email the Authorization & Agreement Section only to: ICCCDS@icc-cds.com • fax (585) 328-8189**
- 3. Mail the signed Proposal to ICC-CDS at: 781 Elmgrove Road • Rochester, NY 14624**

APPENDIX A – INSTALLATION, TRAINING AND SUPPORT

Pre-Installation Teleconference and Technical Review

Prior to the installation and training, one of ICC-CDS's technicians will work with your technical staff or consultant to review the hardware and other technical requirements and ensure that all hardware is ready for the installation. We will also work with your designated contact person to establish the agenda.

Customized Training

ICC-CDS provides practical training sessions to ensure that your users keep pace with "best practices" and that your Laserfiche system continues to provide your organization with the maximum efficiencies possible. Whether you are a new Laserfiche user or an existing user seeking refresher training, we pride ourselves on maintaining a team of trainers who can relate to users at any level of expertise.

Our standard Laserfiche user training covers the basic functions of the program and provides you with the necessary skills to put the system into immediate use. Based on the file organization and file naming structures that were determined by your organization, the training covers input, search and manipulation features using your documents to address file-organization and file-naming structures

Administrator Training covers the system administrative functions and typically takes place throughout the sessions, as appropriate.

TECHNICAL SUPPORT-SAP

Technical Support covers all questions that might arise with your Laserfiche system should a technical issue arise. Technical Support covers the installation of software patches and minor upgrades, as appropriate.

The first line of technical support is via telephone, using our toll-free number (855-436-5500) or via e-mail at lfsupport@icc-cds.com. With Basic SAP service, technical support requests not immediately addressed will be acknowledged within 8 business hours, with the majority of response times within 2 hours. ICC-CDS's support technician will discuss the issue with you. If there are more detailed diagnostics needed, the technician will log into your system remotely, using the Internet. In this way, the technician can see what the user is seeing, do diagnostics, and generally remedy the situation remotely during this initial contact. In situations that require additional research or work by the technician, we will let you know what still needs to be done, along with a timeframe for getting back to you. You will also receive a Case number for future reference. By providing remote diagnostics and remediation to our clients, we can provide you with quick resolution of your issues to keep you up and running.

SOFTWARE PATCHES AND UPGRADES:

In addition to receiving technical support, customers with a current LSAP/SAAS contract will receive **critical program updates within the current version of Laserfiche**. This is extremely important because Laserfiche is continuously improved to be even more powerful and efficient. You will receive routine system updates released by the manufacturer automatically.

Services covered under Support/SAP:

- Remote troubleshooting and repair to the best of our ability of any errors generated by Laserfiche
- Remote troubleshooting and repair to the best of our ability any Laserfiche functionality that is not working
- Respond to request calls within 8 business hours, if not immediately
- Provide technical support between the hours of 8:00 AM - 5:00 PM EST
- User group meetings
- Access to Laserfiche's knowledgebase
- Regular newsletters - Laserfiche
- Access to webinars

Services not covered under Support:

- Training - New user or refresher training - either on-site or remote
- Addition of custom features or functionality to the software
- Support or troubleshooting of third-party software
- Faults or problems caused by unauthorized access to configuration information or changes to components by the user or a third party.
- Problems or faults caused by use of the product outside its normal operating conditions.
- On-site technical support, unless it is specifically included as part of the selected Agreement or funded by the Customer on a per-day basis as part of a signed Change Order.
- On-site consulting or training, unless it is specifically included as part of the selected Agreement or funded by the Customer on a per-day basis as part of a signed Change Order.

Customer's Obligation:

- To have Internet access on the Laserfiche workstations where the Laserfiche client is installed and be willing to allow our Support Technicians remote access to the Customer's Laserfiche system via GoToAssist or other acceptable remote access tool.
- To designate an IT contact and to provide the name, phone number and e-mail address on the registration form.
- To describe technical issues completely in order to provide ICC-CDS's Support Technician sufficient information to be able to diagnose and reproduce the problem, including any identified error codes.



R2023-92 COUNCIL ACTION REPORT

Title: Resolution Creating Public Safety Advisory Committee

Agenda Date: September 26, 2023

Presented by: Joe Warren, City Manager

Background

- It has become increasingly difficult to recruit and retain key public safety personnel in recent years – police officers and paramedics specifically.
- If the City wants to have high functioning public safety departments, it is important that we review them consistently to ensure that they meet two key criteria: 1. That the departments are high performing and are attractive for those within or interested in the industry, and 2. That the departments are acting on behalf of and representing the residents of the City of Belton culturally.
- One of the best ways to connect with the public and help to foster those community ties is to engage the public directly through representation on boards and committees.

Financial/Budget Considerations

- There are no financial considerations with this resolution.

Legal Considerations

- This committee will be advisory only, with no legal authority over actions, policies, systems, or protocols.

Policy Considerations

- Although the committee is only advisory, it can play a key role in recommending possible policy changes that would make the public safety departments more in line with community standards.

Staff Recommendation

- Staff recommends approval of the resolution.

R2023-92

A RESOLUTION CREATING A PUBLIC SAFETY ADVISORY COMMITTEE FOR THE CITY OF BELTON.

WHEREAS, public safety is always a concern of citizens of any community and Belton is no exception; and

WHEREAS, the City of Belton has police, fire, ambulance, and emergency management services that are provided for its residents; and

WHEREAS, efforts such as community policing are best served by engaging as much public participation as possible; and

WHEREAS, citizen advisory committees are a significant means to obtain citizen involvement on key issues; and

WHEREAS, the Public Safety Advisory Committee (PSAC) will have the responsibility to look at existing conditions in policing, fire, and emergency response, and provide recommendations for possible policies that would be in line with community standards and expectations; and

WHEREAS, this committee would be advisory only, without formal review authority over specific people, actions, systems, structures, or protocols.

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

Section 1. That the City Council hereby creates a Public Safety Advisory Committee made up of at least seven residents.

Section 2. 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



R2023-93 COUNCIL ACTION REPORT

Title: MOU for Trap-Neuter-Vaccinate-Release (TNVR) Program and Partnership

Agenda Date: September 26, 2023

Presented by: Scott Lyons, Police Chief

Background

- The TNVR program is a humane and effective approach for stray and feral cats to help stop the breeding cycle and improve lives of feral cats, their relationships with the people who live near them, and decreases the size of colonies over time.
- A partnership with HELP Humane will allow for trained volunteers to come assist our Animal Control Officers in trapping and releasing cats.
- The partnership with HELP Humane would provide the ability to TNVR a larger number of feral and stray cats than our Animal Control Officer can do alone.

Financial/Budget Considerations

- The TNVR program will cost \$35.00 per cat. This program is included in the Budget, staff is allowed 20 cats per TNVR surgery day. The animal housing budget is \$50,000 per year, the cost of \$35.00 per cat is considerably cheaper than \$200 paid per cat that would be brought to the shelter.

Legal Considerations

- The MOU has been reviewed and approved by the City Attorney.

Policy Considerations

- This has no impact on the existing code. This program addresses the feral cat population crisis in Belton and will help reduce strays and feral cats over time. This is a continued service; however, the partnership will allow for trapping of more cats during scheduled trapping dates.

Staff Recommendation

- Staff recommends the approval of the MOU with Help Human Society for the TNVR program.

R2023-93

A RESOLUTION APPROVING THE FORMULIZATION OF THE MOU (MEMORANDUM OF UNDERSTANDING) BETWEEN THE HELP HUMANE SOCIETY AND THE CITY OF BELTON.

WHEREAS, trap-neuter-vaccinate-release (TNVR) is a program that seeks to address community cats that roam around the city. The goal of the program is to trap a colony of cats, spay/neuter and vaccinate them, and return them to where they were collected. It is believed that over time this will reduce the number of feral cats; and

WHEREAS, a community cat is unsocialized to humans and has a temperament of extreme fear or resistance to contact with humans and has a straight line cutting of the tip of the ear to indicate it has been sterilized; and

WHEREAS, the parties acknowledge a need for a mutual understanding regarding the duties of each once the MOU’s provision regarding community cats takes effect.

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

SECTION 1. The Help Humane Society will enter into a MOU (Memorandum of Understanding) with the City of Belton for the trap-neuter-vaccinate-release (TNVR) program beginning on September 26, 2023.

SECTION 2. That the Police Chief is hereby authorized and directed to execute the agreement, attached as **Exhibit A**, on behalf of the City.

SECTION 3. 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

**MEMORANDUM OF UNDERSTANDING FOR TRAP-NEUTER-
VACCINATE-RELEASE (TNVR) PROGRAM AND PARTNERSHIP
BETWEEN**

HELP HUMANE SOCIETY

AND BELTON POLICE DEPARTMENT

WHEREAS, trap-neuter-vaccinate-release (TNVR) is a program that seeks to address community cats that roam around the city. The goal of the program is to trap a colony of cats, spay/neuter and vaccinate them, and return them to where they were collected. It is believed that over time this will reduce the number of feral cats; and

WHEREAS, a community cat is unsocialized to humans and has a temperament of extreme fear or resistance to contact with humans and has a straight line cutting of the tip of the ear to indicate it has been sterilized; and

WHEREAS, The parties acknowledge a need for a mutual understanding regarding the duties of each once the ordinance's provision regarding community cats takes effect.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. Responsibilities of Partner.

- a. The Partner will be responsible for handing out brochures, door hangers, and other materials providing sufficient information that relates to community cats, as well information on programs and resources that interested parties may benefit from.
- b. Such educational materials will be updated periodically and as needed.
- d. The partner will keep educational materials at its location and is authorized to distribute such materials to the community.
- e. The partner will release all cats trapped back to the community. Keeping cats from the TNVR program for adoption will violate this MOU and result in the immediate dismissal of the partnership.

- f. The partner will refrain from posting on social media unless authorized by the Chief of Police, Public Information Officer or designee.
- g. The partner agrees to only trap cats within city limits and will be responsible for providing the address of locations where cats are trapped and released.
- h. The City schedules all surgery dates, and the Partner will be responsible for trapping and releasing. The city will handle transportation to Wayside Waifs for TNVR services.
- i. The Partner or its successors and assigns shall indemnify, defend and hold harmless the City and its agents, employees, or officials against any claims, liability and expenses, including reasonable attorney fees, to the extent arising out of the performance of this agreement.

2. Responsibilities of City.

- a. Educational materials provided by the city will be printed by City in a format determined by the City. The costs of printing shall be reasonable and subject to approval by the City.
- b. When the City's Animal Control encounters a community cat that is not ear-tipped, whether encountered in the field or by complaint, the Animal Control Officer will attempt to locate the food source or, if known, resident who is feeding the cat(s). If the food source is a resident, Animal Control will attempt to make contact. Animal Control Officers will utilize their training and experience to confirm that the cat(s) are indeed community cats.
- c. The City and its Animal Control will endeavor to send the partner details surrounding complaints or general reports of community cats that are responded to in the field. Details will include field contact or complainant name and contact information, address or cross street location of the cat(s), and specific complaint regarding the cat(s). The partner will use its best efforts to resolve the complaint but is not obligated to resolve it or impound the cat(s).
- d. If a community cat(s) is disrupting a neighborhood within the city, as evidenced by call volume for a particular cat(s) or individuals providing

specific information about the alleged disruption, The city will lend traps to residents to get the cat(s) into a low-cost clinic for TNVR services.

- e. The City is responsible for any TNVR trapping, vaccinations, surgery-related, or returning expenses.
 - f. The city is responsible for scheduling all surgeries and transportation to and from Wayside Waifs for TNVR services.
3. **Training.** The parties agree to collaborate to provide education and training opportunities of interest to the parties. Specific education and training opportunities will be separately agreed to by the parties, and may include the following:
- a. The parties agree to share information about education and training opportunities that may be of interest to the other party and to share information from training sessions of mutual interest.
4. **Quarterly Meetings.** The parties agree to meet quarterly at agreed upon times, or as otherwise agreed to by the parties, to discuss matters relating to this MOU, including:
- a. Critically evaluating and discussing the effectiveness of the cooperation of the parties pursuant to this MOU and identify areas for improvement;
 - b. Reviewing and confirming the accuracy of the information contained on the educational materials developed and printed by the City pursuant to this MOU; and
 - c. Discussing any other matters of importance to the parties.
5. **Termination.** Either party to the MOU may terminate it upon 30 days' prior written notice without necessity of demonstrating cause; provided, however, that either party may terminate this MOU immediately upon written notice to the other party in the event that such action is necessary for significant health or safety issues or to comply with applicable law.
6. **Modification.** This MOU may be modified only in a writing signed by both parties. The parties shall endeavor to examine this MOU biennially, to ensure compatibility and effectiveness with any changes in laws, policies, or circumstances.

7. **No Third-Party Beneficiary.** This MOU is not intended to benefit any third party, nor shall any person who is not now or in the future a party hereto be entitled to enforce any of the rights or obligations of a party under this MOU.

8. **Applicable Law.** This MOU shall be governed and interpreted in accordance with the laws of the State of Missouri.

IN WITNESS WHEREOF, the parties have executed this Agreement by the signatures of their respective authorized representatives

HELP HUMANE SOCIETY

CITY OF BELTON, MO

By: Cyrdi Nell
Title: Director
Date: 8-31-23

By: _____
Title: _____
Date: _____

Minutes of the Belton City Council
August 22, 2023
City Hall Annex
520 Main Street, Belton, Missouri

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

Councilmember Richardson led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Larkey, Allyson Lawson, Chris Richardson, Rob Powell, James Pryan, Bret White, Perry Gough, Angela Kraft

Councilmembers absent: Dave Clark

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

UNFINISHED BUSINESS

Andrea Cunningham, City Clerk, gave the final reading of Bill No. 2023-46: **An ordinance levying and fixing the rate of tax for municipal purposes, for the Park Fund, and for the Debt Service Fund for fiscal year 2024.**

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

Ayes: 8 Pryan, Kraft, Powell, White, Gough, Lawson, Mayor Larkey, Richardson

Noes: 0

Absent: 1 Clark

Bill No. 2023-46 was declared passed and in full force and effect as **Ordinance No. 2023-4799**, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2023-47: **An ordinance amending Sections 18-2; 40-1; 40-4; and Appendix A of the Unified Development Code related to the Old Town Belton Overlay District and Schedule of Fees.**

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

Ayes: 8 Lawson, Gough, Powell, Richardson, Pryan, Kraft, White, Mayor Larkey

Noes: 0

Absent: 1 Clark

Bill No. 2023-47 was declared passed and in full force and effect as **Ordinance No. 2023-4800**, subject to Mayoral veto.

Ms. Cunningham gave the final reading of Bill No. 2023-48: **An ordinance removing Appendix A, Part II, of the Code of Ordinances.**

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

Ayes: 8 Richardson, Powell, Pryan, Kraft, Gough, White, Lawson, Mayor Larkey

Noes: 0

Absent: 1 Clark

Bill No. 2023-48 was declared passed and in full force and effect as **Ordinance No. 2023-4801**, subject to Mayoral veto.

NEW BUSINESS

Ms. Cunningham read Bill No. 2023-50: **An ordinance approving an Amended Preliminary Development Plan for Autumn Woods, generally located at the northwest corner of W. Markey Road and Belton Avenue.**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Matt Wright, Planning and Building Director, provided information on this plan and the parking solutions for the second phase. If the plan is approved, the developer has agreed to widen the driveways in the first phase, assuming no obstructions. Mr. Wright asked for Council consideration to add a 7th condition to the plan to have the developer widen the 1st phase driveways.* Vote on the first reading was recorded with all present voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2023-21: **An ordinance approving an Amended Development and Maintenance Agreement between the City of Belton and Autumn Woods Development, LP for public and private infrastructure and site improvements in Autumn Woods.**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Mr. Wright said this Bill was postponed in April. The only changes are in accordance with Bill 2023-50. There was discussion about infrastructure. Vote on the first reading was recorded with all present voting in favor. First reading passed.

Ms. Cunningham read Bill No. 2023-51: **An ordinance approving a Final Plat for Cross and Mac, a two-lot subdivision located at 510 and 516 3rd Street in the City of Belton, Missouri.**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Mr. Wright presented information on the plat. He asked for consideration of a double reading tonight so the applicant can move forward. Vote on the first reading was recorded with all present voting in favor. First reading passed. **Councilmember Pryan moved to hear the final reading.** Councilmember Lawson seconded. Vote to hear the final reading was recorded with all present voting in favor. Motion passed. The final reading was read. Presented by Councilmember Lawson, seconded by Councilmember Kraft. Vote on the final reading was recorded:

Ayes: 8 Mayor Larkey, Gough, Pryan, White, Richardson, Lawson, Powell, Kraft

Noes: 0

Absent: 1 Clark

Bill No. 2023-51 was declared passed and in full force and effect as **Ordinance No. 2023-4802**, subject to Mayoral veto.

*The City Council was acceptable to the 7th condition but failed to make a motion to amend Bill No. 2023-50 to add the condition. The final reading of Bill No. 2023-50 will come to the Council "as amended," adding in the 7th condition.

Ms. Cunningham read Bill No. 2023-52: **An ordinance approving a rezoning from “A” (Agriculture) to “R-1” (Single-Family), for a 1.23 +/- acre parcel located at 1208 S. Cedar Street.**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Mr. Wright presented information on this rezone. He asked for consideration of a double reading tonight so the applicant can move forward. Vote on the first reading was recorded with all present voting in favor. First reading passed. **Councilmember Pryan moved to hear the final reading.** Councilmember Lawson seconded. Vote to hear the final reading was recorded with all present voting in favor. Motion passed. The final reading was read. Presented by Councilmember Lawson, seconded by Councilmember Kraft. Vote on the final reading was recorded:

Ayes: 8 Richardson, Powell, Pryan, Kraft, Gough, White, Lawson, Mayor Larkey

Noes: 0

Absent: 1 Clark

Bill No. 2023-52 was declared passed and in full force and effect as **Ordinance No. 2023-4803**, subject to Mayoral veto.

Ms. Cunningham read Bill No. 2023-53: **An ordinance approving a Final Plat for Bays Place, a two-lot subdivision located at 1208-1210 S. Cedar Street in the City of Belton, Missouri**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Vote on the first reading was recorded with all present voting in favor. First reading passed. **Councilmember Pryan moved to hear the final reading.** Councilmember Lawson seconded. Vote to hear the final reading was recorded with all present voting in favor. Motion passed. The final reading was read. Presented by Councilmember Lawson, seconded by Councilmember Kraft. Vote on the final reading was recorded:

Ayes: 8 Lawson, Gough, Powell, Richardson, Pryan, Kraft, White, Mayor Larkey

Noes: 0

Absent: 1 Clark

Bill No. 2023-53 was declared passed and in full force and effect as **Ordinance No. 2023-4804**, subject to Mayoral veto.

Ms. Cunningham read Resolution No. 2023-88: **A resolution formally accepting the Southview Commerce Center 4th Plat New Public Infrastructure of 782 feet of sanitary sewer; 2,252 feet of 8” waterline; 1,652 feet of 12” waterline; and a two-year maintenance bond in the amount of \$778,189.76.**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Greg Rokos, Assistant City Manager/Public Works Director, said this is the standard acceptance of public infrastructure for new development. There was discussion about White Drive. Vote on the resolution was recorded with all present voting in favor. Resolution passed.

Ms. Cunningham read Resolution No. 2023-89: **A resolution approving the engagement of BT&Co. to audit the City financial records for Fiscal Year 2023.**

Presented by Councilmember Lawson, seconded by Councilmember Kraft. Joe Warren, City Manager, said the FY22 audit has not been completed and the FY23 audit has not been started by our current auditors. This needs to be completed. Due to the emergency nature of the situation, Mr. Warren asked City Council for consideration to skip the formal bid process for a short

agreement with BT&Co. 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 August 8, 2023, City Council Meeting.**
- **approving the July 2023 Municipal Division Summary Report for Municipal Court.**
- **approving Resolution No. 2023-90: A resolution reappointing Ronald Branan, Dave Clark, and Tom MacPherson and appointing Art Meyers to the Enhanced Enterprise Zone Board.**

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

COMMUNICATIONS FROM CITY COUNCIL

Councilmember Richardson said Fall Fest is coming to Main Street on September 8-9.

Councilmember Lawson gave a Park report:

- Farmer's market is canceled this Thursday due to the heat
- Memorial Park playground is open
- Basketball court at Country View Park has been poured
- September 9 is Car-B-Q at Memorial Park
- The new junior disc golf course has had 226 games already logged on a disc golf app

Councilmember Kraft said local non-profits are taking donations for air conditioners and fans.

Councilmember Powell congratulated the park department on a good season at the outdoor pool. He said the Belton-Cass Regional Transportation Development District (TDD) will be going out for bid soon.

Councilmember White said there will be a Ward 4 meeting September 18 at 6:00 p.m. at Memorial Station.

COMMUNICATIONS FROM MAYOR

Mayor Larkey reminded the City Council the September 12 meeting is canceled for MML.

CITY MANAGER'S REPORT

September/October 2023 City Council Meetings – 6:00 p.m.

September 12, 2023 – Canceled

September 26, 2023

October 10, 2023

October 24, 2023

Mr. Warren said the FY25 budget meetings will start soon. The Ward 4 meeting is set for September 18; the other Ward meetings will be scheduled.

ITEMS FOR REVIEW AND DISCUSSION

Mr. Wright presented information on a special use permit for a sign at Aaron's Family Fun Center. Aaron's is asking to change out their pole sign to an electronic message sign. This will be coming to the next Council meeting.

Mr. Rokos presented findings on a speed study done on Cambridge Road. Part of Cambridge is 35 mph; part is 25 mph. Arterial streets are usually 35 mph. A proposed change to 35 mph will be coming to the next Council meeting. It will not affect the school zone. There was discussion about sidewalks and about posting a digital speed sign.

Mr. Wright presented Unified Development Code Text Amendments related to the rental regulation program. It will remove the landlord business license requirement and require registration of rental properties instead. The program will require a local point of contact, will inspect when vacant, and will be a \$20 annual registration fee per unit. This will be coming to the next Council meeting.

At 6:43 p.m. Councilmember Lawson moved to enter Executive Session to discuss matters pertaining to 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 White seconded. The following vote was recorded:

Ayes: 8 Pryan, Kraft, Powell, White, Gough, Larson, Mayor Larkey, Richardson

Noes: 0

Absent: 1 Clark

Motion carried.

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

Andrea Cunningham, City Clerk

Mayor Norman K Larkey, Sr

**DOCKET REPRESENTS A TRUE AND ACCURATE COPY
OF COURT PROCEEDINGS HELD**

AUGUST 2023

Judge Mayo

8/31/2023

MUNICIPAL JUDGE

DATE

**IN ACCORDANCE WITH COURT OPERATING RULE 4.29
THE ATTACHED MUNICIPAL DIVISION SUMMARY
REPORT FOR MONTH OF AUGUST 2023 WAS
PRESENTED AND REVIEWED BY CITY COUNCIL AS
REQUIRED**

CITY CLERK

DATE

MUNICIPAL DIVISION SUMMARY REPORTING FORM SMC

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

I. COURT INFORMATION		Municipality: BELTON	Reporting Period: Aug 1, 2023 - Aug 31, 2023	
Mailing Address: 7001 E 163RD STREET, BELTON, MO 64012				
Physical Address: 7001 E 163RD STREET, BELTON, MO 64012			County: Cass County	Circuit: 17
Telephone Number: (816)3312798		Fax Number:		
Prepared by: LAURA ELLIS		E-mail Address: laura.l.ellis@courts.mo.gov		
Municipal Judge: ROSS C. NIGRO, JR.				
II. MONTHLY CASELOAD INFORMATION		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations/informations) pending at start of month		55	3,098	985
B. Cases (citations/informations) filed		7	280	104
C. Cases (citations/informations) disposed				
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0
2. court/bench trial - GUILTY		0	3	2
3. court/bench trial - NOT GUILTY		0	13	0
4. plea of GUILTY in court		8	187	63
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	118	1
6. dismissed by court		0	0	2
7. <i>nolle prosequi</i>		1	14	22
8. certified for jury trial (not heard in Municipal Division)		0	0	0
9. TOTAL CASE DISPOSITIONS		9	335	90*
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		53	3,043	999
E. Trial de Novo and/or appeal applications filed		0	0	0
III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS		
1. # Issued during reporting period	330	1. # Issued during period		0
2. # Served/withdrawn during reporting period	285	<input checked="" type="checkbox"/> Court staff does not process parking tickets		
3. # Outstanding at end of reporting period	2,913			

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: BELTON	Reporting Period: Aug 1, 2023 - Aug 31, 2023
--------------------------	----------------------	--

V. DISBURSEMENTS			
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)		Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Fines - Excess Revenue	\$27,677.76	Appointed Counsel Fund	\$326.83
Clerk Fee - Excess Revenue	\$2,861.87	Appointed Counsel Fund Expend	\$5.00
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$95.63	CVC Surcharge State	\$0.37
Bond forfeitures (paid to city) - Excess Revenue	\$682.50	CVC Surcharge-E/R	\$0.74
Total Excess Revenue	\$31,317.76	Court Automation	\$2,241.95
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)		Law Enf Arrest-Local	\$700.00
Fines - Other	\$10,862.46	Overpayments Detail Code	\$179.00
Clerk Fee - Other	\$732.82	Total Other Disbursements	\$3,453.89
Judicial Education Fund (JEF) <input checked="" type="checkbox"/> Court does not retain funds for JEF	\$0.00	Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$51,548.50
Peace Officer Standards and Training (POST) Commission surcharge	\$324.27	Bond Refunds	\$4,461.50
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$2,312.03	Total Disbursements	\$56,010.00
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$24.31		
Law Enforcement Training (LET) Fund surcharge	\$628.50		
Domestic Violence Shelter surcharge	\$626.00		
Inmate Prisoner Detainee Security Fund surcharge	\$626.46		
Restitution	\$100.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$540.00		
Total Other Revenue	\$16,776.85		

MUNICIPAL DIVISION SUMMARY REPORTING FORM

Include

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

I. COURT INFORMATION		Contact information same as last report <input checked="" type="checkbox"/>	
Municipality:	Belton	Reporting Period: 8/2023	
Mailing Address:	7001 E. 163rd St. Belton 64012	Software Vendor: Tyler Technologies	
Physical Address:	7001 E. 163rd St. Belton 64012	County: CASS COUNTY	Circuit: 17
Telephone Number:	(816) 331-2798	Fax Number: (816) 348-4439	
Prepared by:	Laura Ellis	E-mail Address:	beltoncourts@beltonmocourt.org
		iNotes <input checked="" type="checkbox"/>	
Municipal Judge(s)	ROSS NIGRO	Judge is Attorney	<input type="checkbox"/>
		Prosecuting Attorney: WILLIAM N. MARSHALL III	
II. MONTHLY CASELOAD INFORMATION		Alcohol and Drug Related Traffic	Other Traffic
			Non-Traffic Ordinance
A. cases (citations / informations) pending at start of month		143	4,835
B. cases (citations / informations) filed		0	0
C. cases (citations / informations) disposed			
1. jury trial (Springfield, Jefferson County, and St. Louis County only)			
2. court / bench trial - GUILTY		0	0
3. court / bench trial - NOT GUILTY		0	0
4. plea of GUILTY in court		0	0
5. Violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)		0	1
6. dismissed by court		0	0
7. nolle prosequi		0	0
8. certified for jury trial (not heard in the Municipal Division)		0	0
9. TOTAL CASE DISPOSITIONS		0	1
D. cases (citations / informations) pending at end of month [pending caseload = (A + B) - C9]		143	4,834
E. Trial de Novo and / or appeal applications filed		0	0
III. WARRANT INFORMATION (Pre and Post Disposition)		IV. PARKING TICKETS	
1. # issued during reporting period	0	# issued during period	0
2. # served/withdrawn during reporting period	639	<input checked="" type="checkbox"/> Court staff does not process parking tickets	
3. # outstanding at end of reporting period	2,464		

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: Belton	Reporting Period: 8/2023
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V. DISBURSEMENTS			
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)		Other Disbursements cont.	
Fines - Excess Revenue			
Clerk Fee - Excess Revenue			
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue			
Bond forfeitures (paid to city) - Excess Revenue			
Total Excess Revenue			
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)			
Fines - Other			
Clerk Fee - Other			
Judicial Education Fund (JEF) <input checked="" type="checkbox"/> Court does not retain funds for JEF			
Peace officer Standards and Training (POST) Commission surcharge			
Crime Victims Compensation (CVC) Fund surcharge - Paid to State			
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other			
Law Enforcement Training (LET) Fund surcharge			
Domestic Violence Shelter surcharge			
Inmate Prisoner Detainee Security Fund surcharge			
Sheriffs' Retirement Fund (SRF) surcharge			
Restitution			
Parking ticket revenue (including penalties)			
Bond forfeitures (paid to city) - Other			
Total Revenue Other			
Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.		Total Other Disbursements	
		Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	
		Bond Refunds	
		Total Disbursements	

9/26/23 Auction

Administration

- Movable partition at the senior center
- Office chair at annex

Fire Department

2008 Ford Expedition

VIN: 1FMFU16598LA56838

- Runs rough

Wastewater-PW

2000 GMC C7500 Dump Truck

VIN: 1GDT7H4CXYJ506822

- Hydraulic leak; needs new frame

IT items attached

Auction List - Present

All Hard Drives and RAM are Removed from Desktops to be Securely Stored Until Wiped and Recycled
Devices that use proprietary power adapters are included unless stated otherwise - Standard C13 Cables NOT included

Annex

Description	Category	Quantity	Notes
24" Acer Monitor	Monitor	3	
3Com 24 Port Switch	Network Equipment	2	
Amazon Basic Speakers	Misc	1	
ASUS X540L	Laptop	1	
Dell 24" Monitor	Monitor	9	
Dell WD19DC	Laptop Accessory	1	
HP 17-by0089cl	Laptop	2	
HP 2013 UltraSlim Docking Station	Laptop Accessory	2	
HP 24" Monitor	Monitor	1	
HP 280 G1 MT	Desktop	1	
HP 350 G1	Laptop	1	
HP 48 Port Switch	Network Equipment	1	No POE
HP Color LaserJet Pro M477fdw	Printer	1	Needs maintenance kit
HP EliteDesk 705 G3 Mini	Desktop	2	
HP EliteDesk 800 G2	Desktop	2	
HP LaserJet Enterprise M606	Printer	1	
HP LaserJet Pro M426FDN	Printer	1	
HP Pro 3500	Desktop	3	
HP Probook 450 G3	Laptop	4	
Lenovo ThinkCentre M73	Desktop	4	
Lenovo ThinkPad 11e	Laptop	1	
LinkSYS Analog to VOIP Adapter	Phone	1	
Orbic Verizon 5G Hotspot	Cellular	1	
Sony DVD Player	A/V	1	
UniFi Security Camera	Camera	4	
UniFi Security Gateway	Network Equipment	1	
WavLink Docking Station	Laptop Accessory	1	



R2023-94 MEMO

Title: Golf Used Toro Workman HDX Utility Vehicle Purchase

Agenda Date: September 26, 2023

Presented by: Jay Kennedy, Golf Course Manager

The Golf Course has been in search of a used Toro Workman HDX Utility Vehicle to replace one that broke down a few years ago. Used equipment has been very difficult to find over the past 3-4 years due to supply chain issues and longer than normal wait times for new equipment, forcing companies to hold onto equipment longer. This vehicle is used to transport personnel and materials around the golf course and is used regularly in the golf maintenance operation. This particular model of utility vehicle is important because it will work with the other accessories we use like topdressers and dump beds. This purchase would be considered a sole-source purchase with Professional Turf Products, L.P. but the pricing is based on the OMNIA Partners – City of Mesa Cooperative Contract #2017025 under Used Equipment. The approved FY24 Budget for this item is \$25,000 and the contracted price through the OMNIA Partners Cooperative Contract will be \$20,500.

R2023-94

A RESOLUTION APPROVING THE PURCHASE OF A USED TORO WORKMAN HDX WITH ACCESSORIES FROM PROFESSIONAL TURF PRODUCTS, L.P. IN THE AMOUNT OF \$20,500.00.

WHEREAS, the City Golf Department is purchasing the used Toro Workman HDX utility vehicle with accessories in accordance with the FY2024 budget; and

WHEREAS, the purchase of the used Toro Workman HDX utility vehicle with accessories in an essential piece of golf course equipment; and

WHEREAS, the purchase of the used Toro Workman HDX utility vehicle with accessories is a Sole-Source purchase and is being purchased under the OMNIA Partners – City of Mesa Cooperative Contract #2017025 under Used Equipment.

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

- Section 1.** That the purchase of a used Toro Workman HDX utility vehicle with accessories is approved from Professional Turf Products, L.P., attached as **EXHIBIT A**, incorporated as if fully set forth herein.
- Section 2.** That the Golf Course Manager is authorized to execute any documents necessary to carry out the intent of the Resolution.
- 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 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



Professional Turf Products, L.P.
 10935 Eicher Dr.
 Lenexa, Kansas 66219
 Mark Newton, CGCS
 (913) 449-8238
 newtonm@proturf.com



Ship To	Eagles Landing Golf Course	Date:	9/5/2023
Bill To	OMNIA Partners Cooperative - Credit Card Payments Not Accepted	Tax Rate	
Contact	Landon McLerran	Destination	Included
Address	4200 Bong Ave., Belton, MO 64012-4049	Trade-In	
		Finance	
Phone	(432) 978 2893	Account Type	Contract - OMNIA Partners
Email	lmclerran@belton.org	QMS: ID	PreOwned Equipment
Comments:	Proposal based on the OMNIA Partners - City of Mesa Cooperative Contract #2017025 under Used Equipment, Participating Agency #1028599 with Eagles Landing Golf Course. Pricing is for this unit in As-Is condition, includes all necessary destination to address shown, any and all applicable property/sales tax not including in proposal. Once parts are available for the ProPass Wire harness will be shipped directly to Eagles Landing.		

Proposal

Qty	Model #	Description		Selling Price
1	TAG-LOT-6774	Workman HDX w/HiFlow Hydraulics #07384-405195743 around 840 hours	\$	20,500.00
1	Electrical Parts	Toro ProPass Wire Harness & Mount Bracket Parts Off-Lease Workman HDX Model #07384	\$	Included 20,500.00
SubTotal			\$	20,500.00
Destination				Included
Tax (Estimated)			\$	-
TOTAL			\$	20,500.00

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.
 For all New Equipment, Refurbished units may be available for up to 40% savings.
 Due to unexpected issues with much of our supply chain, we are experiencing longer lead times than we have seen in the past. We are doing everything we can to get products to you as quickly as possible.

Terms & Conditions:

- Prices & Finance Rates are subject to change at any time. Monthly Payments are Estimates based on Prices & Rates when quoted.
- Due to the volatility of inflation, rising transportation costs, and supply shortages, some orders may incur additional cost increases that are beyond the control of PTP and the vendors we represent. These pricing adjustments may be made from the time the order is entered through equipment delivery. Any adjustments will be communicated to customers with orders in the system with a new sale price as they occur.
- Order cancellations are subject to fees up to 10% of the original order value.
- Equipment delivery time is estimated once credit is approved & documents are executed & is contingent on Manufacturer availability.
- Payments by Credit Card are subject to convenience fee.
- Used and Demo equipment is in high demand and availability is subject to change.
 - Upon firm customer commitment to purchase & credit is approved, said equipment availability will be determined.
 - In the event equipment is unavailable at time of order, PTP will employ every resource to secure an acceptable substitute.
 - PTP strongly advises the customer to issue a firm PO as quickly as possible after acceptance of quotation.
- "Trade In Allowances" will be treated as a credit for future parts purchases on PTP account unless other arrangements have been made.

Returns Policy:

- All returns & Canceled PO's are subject to restocking, refurbishing, usage, and shipping fees.
- All returns must be able to be sold as new.
- Items missing parts are non returnable.

Payment:

- Terms are net 10 unless prior arrangements have been made.
- Quoted prices are subject to credit approval.
 - PTP will work with third party financial institutions to secure leases when requested to do so.
 - When using third party financiers, documentation fees & advance payments may be required.
 - For convenience, monthly payments are estimated based on third party rate factors in effect at time of the quotation.
 - PTP assumes no liability in the event credit becomes unavailable or rates change during the approval process.
- There will be a service charge equal to 1.5% per month (18% per annum) on all past due invoices.
- By Law we are required to file a "Notice to Owner" of our intent to file lien in the event of payment default. This notice must be sent within 60 days of the date the original invoice and will happen automatically regardless of any special payment arrangements that may have been made.

Authorized Signature: _____

Date: _____

R2023-95

A RESOLUTION OF THE BELTON CITY COUNCIL APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE BELTON/RAYMORE INTERCHANGE TRANSPORTATION DEVELOPMENT DISTRICT.

WHEREAS, on August 22, 2006, the City Council of the City of Belton, Missouri, (the “City”) adopted Ordinance No. 2006-3274, which approved and authorized the Mayor to enter into a First Amended and Restated Cooperation Agreement (the “Cooperation Agreement”) among the City, the City of Raymore (“Raymore”), Good Otis, L.L.C. (“Good Otis”), BKO Estate Liquidating Company, LLC (“BKO”), and James D. and Toni P. Graham (the “Grahams”); and

WHEREAS, the Cooperation Agreement, which was fully executed by the parties thereto on September 7, 2006, establishes the obligations of the parties to form and operate the Belton/Raymore Interchange Transportation Development District (the “District”); and

WHEREAS, on September 18, 2006, pursuant to Section 238.207.5, RSMo, the City and Raymore filed in the Cass County Circuit Court a petition to create the District, which petition was joined by Good Otis, BKO and the Grahams; and

WHEREAS, Section 238.220.3, RSMo, provides that where a district is comprised of two local transportation authorities, the district’s board of directors shall consist of the presiding officer of each local transportation authority within the district and one person designated by the governing body of each local transportation district within the district; and

WHEREAS, the Cooperation Agreement provides that the District’s board of directors will consist of the Mayor of the City, the Mayor of Raymore, a representative appointed by the City Council, a representative appointed by Raymore, a representative nominated by the Grahams to be appointed by the City Council, and a representative nominated by Good Otis to be appointed by Raymore; and

WHEREAS, the Grahams have nominated Travis Graham to be appointed by the City Council to the District’s Board of Directors; and

WHEREAS, the City Council now desires to make appointments to the District’s Board of Directors for the upcoming term.

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

1. Rusty Sullivan is appointed as the Belton Appointed Director of the District for period November 21, 2023 through November 20, 2024; and
2. Travis Graham is appointed as the Graham/Belton Nominated Advisory Director of the District for period November 21, 2023 through November 20, 2024.

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