



**Agenda of the Belton City Council  
Work Session, Public Hearing  
& Regular Meeting  
February 12, 2019 – 6:00 p.m.  
City Hall Annex  
520 Main Street, Belton, Missouri**

I. CALL WORK SESSION TO ORDER

II. ITEMS FOR REVIEW AND DISCUSSION

A. BEMA

B. Budget Overview

1. Special Revenue Funds

2. Proprietary Funds

III. ADJOURN WORK SESSION

IV. CALL PUBLIC HEARING TO ORDER – 7:00 p.m.

A public hearing to receive input on the proposed Annual Budget for the fiscal year beginning April 1, 2019 and ending March 31, 2020.

V. ADJOURN PUBLIC HEARING

VI. CALL REGULAR MEETING TO ORDER

VII. PLEDGE OF ALLEGIANCE – Councilman Savage

VIII. ROLL CALL

IX. CONSENT AGENDA

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

**A. Motion approving the minutes of the January 22, 2019, City Council Work Session, Public Hearing, and Regular Meeting.**

Page 5

B. Motion approving Resolution R2019-16

**A resolution of the City Council of Belton, Missouri rescinding R2011-01 and stating its intent and desire to reassign and redesignate oversight of trees within the City of Belton to the Belton Parks and Recreation Board.**

Page 11

C. Motion approving Resolution R2019-17

**A resolution approving Change Order No. 1 with SAK Construction, LLC for the 30", 27", and 18" interceptor lining project contract in the amount of \$217,236.89.**

Page 14

D. Motion approving Resolution R2019-18

**A resolution approving Task Agreement 2019-1 with Olsson to perform design and construction services for the Belton I-49 Outer Road, 155<sup>th</sup> Street to 163<sup>rd</sup> Street project in the amount of \$ 254,299.65.**

Page 20

X. PERSONAL APPEARANCES

XI. ORDINANCES

A. Motion approving both readings of Bill No. 2019-06

**An ordinance amending Chapter 13 – Motor Vehicles and Traffic, Article XI – Vehicle Equipment, Division 2 – Seatbelts of the Code of Ordinances of the City of Belton, Missouri, enacting a primary seatbelt ordinance.**

Page 36

XII. RESOLUTIONS

XIII. CITY COUNCIL LIAISON REPORTS

XIV. MAYOR'S COMMUNICATIONS

XV. CITY MANAGER'S REPORT

February & March 2019 meetings

02/26 work session & regular meeting – 6:00 p.m.

03/12 work session & regular meeting – 6:00 p.m.

03/26 work session & regular meeting – 6:00 p.m.

XVI. OTHER BUSINESS

- XVII. Motion 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 adjourn from there.

# **SECTION IX**

## **A**

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**Minutes of the Belton City Council  
Work Session, Public Hearing, and Regular Meeting  
January 22, 2019  
City Hall Annex  
520 Main Street, Belton, Missouri**

Mayor Davis called the work session to order at 6:00 p.m.

Sheila Ernzen, Finance Director/Assistant City Manager, gave an overview of the personnel changes proposed in the FY2020 budget, as well as an overview of the General Fund.

The work session adjourned at 7:03 p.m. The Mayor called the public hearing to order, pursuant to Sections 99.800 to 99.865 of the Revised Missouri Statutes (RSMo), to determine if the following tax increment financing plans and the redevelopment projects associated with such plans are making satisfactory progress under the proposed time schedules contained within the approved plans for completion of the projects. Carolyn Yatsook, Economic Development Director, gave a presentation on the following TIF projects.

- Belton Towne Center – project status is completed. Fy2021 estimated payoff year.
- Belton Marketplace – project status is completed. Fy2020 estimated payoff year.
- Y Highway Market Place – construction completion deadline May 31, 2020.
- Southtowne Plaza – construction completion deadline May 31, 2020.
- Y Belton Plaza – construction is not completed yet.
- Cedar Tree – project status is completed. Fy2037 estimated payoff year, based upon current revenue stream.

Being no public input, the public hearing was closed at 7:32 p.m. and the work session resumed.

Ms. Ernzen continued her overview of the FY2020 budget by discussing capital outlay and the new public safety sales tax fund.

Dave Clements, Planning Department Director, gave an overview of the proposed rental inspection program for residential rental units. In September 2018, this was reviewed by the Code Enforcement Advisory Committee. Mayor Davis said he would like another work session on the topic.

Being no further business, Mayor Davis adjourned the work session at 8:14 p.m. and called the regular meeting to order.

Councilwoman Peek led the Pledge of Allegiance to the Flag.

Councilmembers present: Mayor Davis, Lorrie Peek, Chet Trutzel, Ryan Finn, Gary Lathrop, Tim Savage, and Tom MacPherson

Councilmembers absent: Dean VanWinkle and Stephanie Davidson

Staff present: Alexa Barton, City Manager; Padraic Corcoran, Attorney; and Andrea Cunningham, City Clerk.

## CONSENT AGENDA

Councilwoman Peek moved to approve the consent agenda consisting of a motion:

- approving the minutes of the January 8, 2019, City Council Regular Meeting and the January 15, 2019, City Council Special Meeting. Councilman Savage brought an error to the Council's attention in paragraph three of the January 15 minutes.
- approving the November 2018 and December 2018 Municipal Division Summary Reports for Municipal Court.
- approving Resolution R2019-09: **A resolution authorizing and directing the Custodian of Records of the City of Belton, Missouri to destroy certain records that have exceeded the retention requirements as set forth by the State of Missouri.**
- approving Resolution R2019-10: **A resolution approving Task Agreement 2018-8 with Trekk Design Group, LLC to perform design and construction services for the Cherry Hill Storm water Improvements Project in the amount of \$30,132.90.**
- approving Resolution R2019-11: **A resolution approving a Collective Bargaining Agreement between the City of Belton and Local No. 42 – International Association of Firefighters.**
- approving Resolution R2019-12: **A resolution of the City of Belton, Missouri approving the renewal of an On-Call Pump Repair and Service Agreement with 1) Cogent, Inc. (Lee Mathews/Fluid Equipment), 2) JCI Industries, Inc., and 3) FTC Equipment, LLC, for a term of one (1) year with the option of up to two (2) additional one (1) year renewals.**
- approving Resolution R2019-13: **A resolution approving the renewal of Supplemental Agreement No. 1 to Service Agreement for On-Call Water, Wastewater, and Stormwater Services between the City of Belton and Precision Construction and Contracting, LLC for a term of one (1) year with the option of up to three (3) additional one (1) year renewals.**

Councilman Finn seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Consent agenda approved.

## ORDINANCES

Before reading the ordinances, Mayor Davis asked Padraic Corcoran, Attorney, to explain how our Code allows for ordinances to be read twice in one meeting. Mr. Corcoran explained the City's Charter section 3-13(e) and Code of Ordinances section 2-99(c) allows this.

**Andrea Cunningham, City Clerk, read Bill No. 2019-03: An ordinance amending Appendix B – Traffic Schedules, Table 6 – No Parking Zones as referenced in Chapter 13 – Section 13-333 in the Code of Ordinances of the City of Belton, Missouri to establish a “No Parking” zone along Cambridge Road.**

Presented by Councilwoman Peek, seconded by Councilman MacPherson. Vote on the first reading was recorded with all present voting in favor except for Councilman Lathrop who voted no. Councilman VanWinkle and Councilwoman Davidson absent. First reading passed.

**Councilwoman Peek moved to hear the final reading.** Councilman Finn seconded. Vote to hear the final reading was recorded with all present voting in favor except for Councilman Savage who voted no. Councilman VanWinkle and Councilwoman Davidson absent. Motion passed. The final reading was read. Presented by Councilwoman Peek, seconded by



Councilman Finn. Vote on the final reading as recorded:

Ayes: 6 Mayor Davis, Finn, Peek, Trutzel, MacPherson, Savage

Noes: 1 Lathrop

Absent: 2 VanWinkle, Davidson

Bill No. 2019-03 was declared passed and in full force and effect as **Ordinance No. 2019-4488**, subject to Mayoral veto.

**Ms. Cunningham read Bill No. 2019-04: An ordinance approving a Tips Hotline contract with the Kansas City Metropolitan Crime Commission.**

Presented by Councilman Trutzel, seconded by Councilman Lathrop. Vote on the first reading was recorded with all present voting in favor. Councilman VanWinkle and Councilwoman Davidson absent. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilwoman Peek seconded. Vote to hear the final reading was recorded with all present voting in favor. Councilman VanWinkle and Councilwoman Davidson absent. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the final reading as recorded:

Ayes: 7 Finn, Mayor Davis, Lathrop, Peek, Trutzel, MacPherson, Savage

Noes: 0

Absent: 2 VanWinkle, Davidson

Bill No. 2019-04 was declared passed and in full force and effect as **Ordinance No. 2019-4489**, subject to Mayoral veto.

**Ms. Cunningham read Bill No. 2019-05: An ordinance approving the reappropriation & revision of the City of Belton Fiscal Year 2019 Adopted City Budget for the purpose of accepting Cass County funds for the Belton Senior Center.**

Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the first reading was recorded with all present voting in favor. Councilman VanWinkle and Councilwoman Davidson absent. First reading passed. **Councilman Trutzel moved to hear the final reading.** Councilwoman Peek seconded. Vote to hear the final reading was recorded with all present voting in favor except for Councilman Savage who voted no. Councilman VanWinkle and Councilwoman Davidson absent. Motion passed. The final reading was read. Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the final reading as recorded:

Ayes: 7 MacPherson, Lathrop, Savage, Finn, Peek, Mayor Davis, Trutzel

Noes: 0

Absent: 2 VanWinkle, Davidson

Bill No. 2019-05 was declared passed and in full force and effect as **Ordinance No. 2019-4490**, subject to Mayoral veto.

## **RESOLUTIONS**

**Ms. Cunningham read Resolution R2019-14: A resolution approving the Emergency Snowplow Services Procurement Contract with KMT Services, LLC to provide emergency snowplow services.**

Presented by Councilman Lathrop, seconded by Councilman Trutzel. Celia Duran, Public Works Director, explained this contract would only be utilized in case of emergency. Vote on the resolution was recorded with all present voting in favor. Councilman VanWinkle and Councilwoman Davidson absent. Resolution passed.

**Ms. Cunningham read Resolution R2019-15: A resolution approving Task Agreement No. 2019-1 with Terracon Consultants, Inc. to provide geotechnical services for city streets as part of the automated data collection services project in the amount of \$29,384.**

Presented by Councilman Trutzel, seconded by Councilwoman Peek. Vote on the resolution was recorded with all present voting in favor. Councilman VanWinkle and Councilwoman Davidson absent. Resolution passed.

## **MAYOR'S COMMUNICATIONS**

Mayor Davis asked Ms. Duran about the limb drop-off site. Ms. Duran said it will still be open this week and next weekend. We may add days.

## **CITY MANAGER'S REPORT**

### February & March 2019 meetings

02/12 work session & regular meeting – 6:00 p.m.

02/26 work session & regular meeting – 6:00 p.m.

03/12 work session & regular meeting – 6:00 p.m.

03/26 work session & regular meeting – 6:00 p.m.

## **MOTIONS**

Councilman Trutzel moved that the redevelopment project described in the Belton Towne Center TIF Plan submitted to the Belton City Council at the public hearing held on January 22, 2019, is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such project. Councilwoman Peek seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Motion carried.

Councilman Trutzel moved that the redevelopment project described in the Belton Marketplace TIF Plan submitted to the Belton City Council at the public hearing held on January 22, 2019, is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such project. Councilman Finn seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Motion carried.

Councilwoman Peek moved that the redevelopment project described in the Y Highway Market Place TIF Plan submitted to the Belton City Council at the public hearing held on January 22, 2019, is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such project. Councilman Trutzel seconded. There was a discussion about this TIF Plan. They have not been making the progress they should have. If the Council votes that they are “not” making satisfactory progress, the developers will be brought back to the Council for a course of action. On November 27, 2018, the Council approved an extended timeline to 2020. They are making progress under the amended timeline. All present voted in favor except for Councilman Finn who voted no. Councilman VanWinkle and Councilwoman Davidson absent. Motion carried.

Councilman Trutzel moved that the redevelopment project described in the Southtowne Plaza TIF Plan submitted to the Belton City Council at the public hearing held on January 22, 2019, is making satisfactory progress under the proposed time schedule contained within the approved



plans for completion of such project. Councilman Finn seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Motion carried.

Councilman Trutzel moved that the redevelopment project described in the Y Belton Plaza TIF Plan submitted to the Belton City Council at the public hearing held on January 22, 2019, is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such project. Councilwoman Peek seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Motion carried.

Councilman Trutzel moved that the redevelopment project described in the Cedar Tree TIF Plan submitted to the Belton City Council at the public hearing held on January 22, 2019, is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such project. Councilman Lathrop seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Motion carried.

Alexa Barton, City Manager, recommended postponing the Executive Session until February 12, 2019, due to the lateness of the evening.

Being no further business, Councilman Finn moved to adjourn at 9:01 p.m. Councilman Lathrop seconded. All present voted in favor. Councilman VanWinkle and Councilwoman Davidson absent. Meeting adjourned.

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Andrea Cunningham, City Clerk

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Mayor Jeff Davis

# **SECTION IX**

## **B**

**R2019-16**

**A RESOLUTION OF THE CITY COUNCIL OF BELTON, MISSOURI RESCINDING R2011-01 AND STATING ITS INTENT AND DESIRE TO REASSIGN AND REDESIGNATE OVERSIGHT OF TREES WITHIN THE CITY OF BELTON TO THE BELTON PARKS AND RECREATION BOARD.**

**WHEREAS**, the City Council of the City of Belton adopted R2011-01 on January 11, 2011 establishing the Belton Tree Board for the purpose of investigating, reporting, recommending, or otherwise serving any matter or question relating to trees; and

**WHEREAS**, the establishment of the Belton Tree Board was for the purpose of obtaining the designation of Tree City USA through the Missouri Department of Natural Resources and the Arbor Day Foundation; and

**WHEREAS**, to qualify for designation as a Tree City USA the City of Belton must assign legal responsibility for the care of all trees on city owned property, and said responsibility may fall to a professional forester, arborist, city department, citizen-led tree board or some combination thereof; and

**WHEREAS**, under the Charter of the City of Belton, Missouri, the Belton Parks and Recreation Board oversees the governance of parks within the City of Belton, including the oversight of trees within said parks; and

**WHEREAS**, the City Council desires that the Belton Parks and Recreation Board, as the more qualified political body, assume oversight and care of trees within the City of Belton.

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

**SECTION 1.** That R2011-01 is hereby rescinded in its entirety and shall no longer be of any legal effect.

**SECTION 2.** That the City Council requests that the Belton Parks and Recreation Board designate either a professional forester, arborist, city department, or citizen-led tree board or a combination thereof to oversee and have legal responsibility for the care of all trees on city owned property.

**SECTION 3.** That this resolution be in full force and effect from and after its passage, approval, and publication according to law.

Duly read and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor Jeff Davis

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 regularly introduced at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2019 and adopted at a regular meeting of the City Council held the \_\_\_\_ day of \_\_\_\_\_, 2019 by the following vote, to wit:

AYES:	COUNCILMEN:
NOES:	COUNCILMEN:
ABSENT:	COUNCILMEN:

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

# **SECTION IX**

## **C**



R2019-17

**A RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH SAK CONSTRUCTION, LLC FOR THE 30", 27", AND 18" INTERCEPTOR LINING PROJECT CONTRACT IN THE AMOUNT OF \$217,236.89.**

**WHEREAS**, a Construction Service Agreement with SAK Construction, LLC (SAK) for the 30", 27", and 18" Interceptor Lining Project was approved on March 13, 2018 in the amount of \$1,167,949.50. During construction, it was discovered that a section of the interceptor had settled at and around a manhole that caused a choke point and reduction of flow. In order to continue construction, prevent potential backups, and safe handling of sewage, SAK was required to repair the manhole and interceptor. SAK was also requested to submit a cost for lining 2,434 feet of sanitary sewer trunk line along Turner Road. Water Services recently repaired a portion of this pipe that had separated and required immediate repair. During this repair, the pipe was inspected and found to be in very poor condition requiring immediate repair; and

**WHEREAS**, Change Order No. 1 with SAK in the amount of \$217,236.89 is necessary to account for the costs to repair the manhole and interceptor and to line the Turner Road sanitary sewer trunk line; and

**WHEREAS**, the Council believes that Change Order No. 1 with SAK Construction, LLC for the 30", 27", and 18" Interceptor Lining Project and Turner Road sanitary sewer lining is beneficial to the citizens of Belton due to the impact they have on the City's sewer conveyance.

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

**SECTION 1.** That this resolution approving Change Order No. 1 with SAK Construction, LLC for the 30", 27", and 18" Interceptor Lining Project contract in the amount of \$217,236.89, herein attached and incorporated as **Exhibit A**, is hereby approved.

**SECTION 2.** This resolution shall take effect and be in full force from and after its passage and approval.

Duly read and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Mayor Jeff Davis

ATTEST:

\_\_\_\_\_  
Andrea Cunningham, City Clerk  
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 regularly introduced at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2019 and adopted at a regular meeting of the City Council held the \_\_\_\_ day of \_\_\_\_\_, 2019 by the following vote, to wit:

AYES: COUNCILMEN:

NOES: COUNCILMEN:

ABSENT: COUNCILMEN:

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



# CITY OF BELTON

## CITY COUNCIL INFORMATION FORM

**AGENDA DATE:** February 12, 2019

**DIVISION:** Water Services

**COUNCIL:** ☒ Regular Meeting    ☐ Work Session    ☐ Special Session

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Consent Item	<input checked="" type="checkbox"/> Change Order	<input type="checkbox"/> Motion
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> FYI/Update	<input type="checkbox"/> Presentation	<input type="checkbox"/> Both Readings

**ISSUE/RECOMMENDATION:**

A Construction Service Agreement with SAK Construction, LLC (SAK) for the Interceptor Lining Project was approved by City Council on March 13, 2018 in the amount of \$1,167,949.50, with a total project budget of \$1,399,913.00. During construction, it was discovered that a section of the interceptor had settled at and around a manhole that caused a choke point and reduction of flow. In order to continue construction, prevent potential backups, and safe handling of sewage, SAK was requested to repair the manhole and interceptor. The cost of this work is \$43,360.89 and includes emergency mobilization of additional crew and heavy equipment, rock excavation, bypass pumping, manhole and pipe materials, and pressure testing. This portion of work is completed with the exception of punch list items.

SAK was also requested to submit a cost for lining 2,434 feet of sanitary sewer trunk line along Turner Road. Water Services recently repaired a portion of this pipe that had separated and required immediate repair. During this repair, the pipe was inspected and found to be in very poor condition requiring immediate repair. SAK submitted a cost of \$173,876.00 to line the Turner Road sanitary sewer using the same unit rates that were included in their original construction agreement.

Staff recommends approval of Change Order No. 1 with SAK in the amount of \$217,236.89. This includes the cost of repairing the manhole and interceptor (\$43,360.89) as well as the cost for lining the Turner Road sanitary sewer trunk line (\$173,876.00). Both of these items when brought to the attention of staff are high priority repairs due to the impact they have on our sewer conveyance. This change order results in a total project cost of \$1,385,186.39 that is below the total project budget of \$1,399,913.00.

**IMPACT/ANALYSIS:**

**FINANCIAL IMPACT**

Consultant:	SAK Construction, LLC	
Amount of Request/Contract:	\$	217,236.89
Amount Budgeted:	\$	1,399,913.00
Funding Source:	660-0000-495-7300	
Additional Funds:	\$	
Funding Source:		
Encumbered:	\$	1,167,949.50
Funds Remaining:	\$	14,726.61

**STAFF RECOMMENDATION, ACTION, AND DATE:**

Approve a resolution approving Change Order No. 1 with SAK Construction, LLC for the 30", 27", and 18" Interceptor Lining Project contract in the amount of \$217,236.89.

**LIST OF REFERENCE DOCUMENTS ATTACHED:**

Resolution

Exhibit A – Change Order No. 1 with SAK Construction, LLC



## CHANGE ORDER NO. 1

Contract Number 18-002/660-0000-495-7300

Project Title 30", 27", and 18" Interceptor Lining

Effective Date: 6/1/2018

Ordinance / Resolution No: \_\_\_\_\_

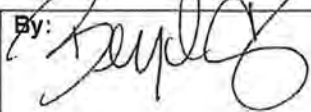
To CONTRACTOR SAK Construction, LLC

The Contract is changed as follows: Remove and Replace settled manhole 9J-MH003  
Including pipe with connection into existing interceptor. Mobilize and install approximately  
2434 liner feet of CIPP sewer lining with all appurtenances listed in the Quote.

### Not valid until signed by the OWNER.

The original Contract Price was .....	\$1,167,949.50
Net change by previously authorized Change Orders .....	\$0
The Contract Price prior to this Change Order was .....	\$1,167,949.50
The Contract Price will be <b>increased</b> by .....	\$217,236.89
The new Contract Price including this Change Order will be .....	\$1,385,186.39
The Contract Times will be changed by .....	135 days
The date of Final Completion as of the date of this Change Order therefore is .....	5/1/2019

**\*\*IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY SURETY OF ANY CHANGE ORDERS. IF APPLICABLE, CITY WILL NEED A COPY OF THE BOND RIDER FOR ANY INCREASE IN CONTRACT AMOUNT.\*\***

<b>CONTRACTOR:</b> SAK Construction, LLC Boyd Hertz, V. P.	By: 	Date: 1/22/19
<b>OWNER:</b> City of Belton, Missouri Alexa Barton	By:	Date:
<b>Public Works Director:</b> Celia Duran	By:	Date:



# **SECTION IX**

## **D**

**R2019-18**

**A RESOLUTION APPROVING TASK AGREEMENT 2019-1 WITH OLSSON TO PERFORM DESIGN AND CONSTRUCTION SERVICES FOR THE BELTON I-49 OUTER ROAD, 155<sup>th</sup> STREET TO 163<sup>rd</sup> STREET PROJECT IN THE AMOUNT OF \$ 254,299.65.**

**WHEREAS**, the City has partnered with the Missouri Department of Transportation (MoDOT) and NorthPoint (the developer for the Southview Commerce Center) to fund the design and construction of improvements for the I-49 Outer Road from 155<sup>th</sup> Street to 163<sup>rd</sup> Street. The City will be responsible for design, construction improvements, and project management for the Outer Road in existing MoDOT right-of-way, and NorthPoint will be responsible for constructing the portion of Outer Road north of 162<sup>nd</sup> Street that is currently undeveloped land on NorthPoint property. The City has applied and received cost/share funds for this project from MoDOT in the amount of \$976,817. As part of the acceptance of these funds, the City will be responsible for owning and maintaining the Outer Road from 155<sup>th</sup> Street to 163<sup>rd</sup> Street once improvements are completed; and

**WHEREAS**, City Staff advertised a Request for Qualifications for Design and Construction Inspection Services on the MoDOT and City websites and selected Olsson as the most qualified firm for this project. Project improvements include widening the road from 20 feet to 24 feet, asphalt base reconstruction and overlay, grading, stormwater improvements, curb and gutter, pavement markings, and all other associated appurtenances as shown in **Exhibit B**. City Staff recommends approval of Task Agreement 2019-1 with Olsson in the amount of \$254,299.65 for design and construction inspection services including preliminary and final plans, surveying, geotechnical and environmental services, bid phase, and construction phase services including full-time construction inspection; and

**WHEREAS**, the City Council believes approving Task Agreement 2019-1 with Olsson in the amount of \$254,299.65 to perform design and construction services for the Belton I-49 Outer Road, 155<sup>th</sup> St. to 163<sup>rd</sup> St. Project is beneficial to the citizens of Belton allowing drivers an additional route to I-49.

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

**SECTION 1.** That Task Agreement 2019-1 with Olsson in the amount of \$254,299.65 to perform design and construction services for the Belton I-49 Outer Road Project, herein attached and incorporated as **Exhibit A**, is hereby approved for purposes described above.

**SECTION 2.** The City Manager and Director of Public Works are authorized and directed to execute the task agreement on behalf of the City.

**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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor Jeff Davis

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 regularly introduced at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019 and adopted at a regular meeting of the City Council held the \_\_\_\_\_ day of \_\_\_\_\_, 2019 by the following vote, to wit:

AYES: COUNCILMEN:

NOES: COUNCILMEN:

ABSENT: COUNCILMEN:

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



# CITY OF BELTON

## CITY COUNCIL INFORMATION FORM

**AGENDA DATE:** February 12, 2019

**DIVISION:** Engineering

**COUNCIL:** ☒ **Regular Meeting**      ☐ **Work Session**      ☐ **Special Session**

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Consent Item	<input type="checkbox"/> Change Order	<input type="checkbox"/> Motion
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> FYI/Update	<input type="checkbox"/> Presentation	<input type="checkbox"/> Both Readings

The City has partnered with the Missouri Department of Transportation (MoDOT) and NorthPoint (the developer for the Southview Commerce Center) to fund the design and construction of improvements for the I-49 Outer Road from 155<sup>th</sup> Street to 163<sup>rd</sup> Street. The City will be responsible for design, construction improvements, and project management for the Outer Road in existing MoDOT right-of-way, and NorthPoint will be responsible for constructing the portion of Outer Road north of 162<sup>nd</sup> Street that is currently undeveloped land on NorthPoint property. Once completed, the Outer Road will be connected from 155<sup>th</sup> Street to 163<sup>rd</sup> Street and will allow drivers an additional route to I-49.

The City has applied and received cost/share funds for this project from MoDOT in the amount of \$976,817. As part of the acceptance of these funds, the City will be responsible for owning and maintaining the Outer Road from 155<sup>th</sup> Street to 163<sup>rd</sup> Street once improvements are completed. Agreements between the City and MoDOT will be presented to the City Council for consideration at an upcoming meeting. Additionally, a developer agreement between the City and NorthPoint for funding and project responsibilities is currently being negotiated and will be presented to the City Council for consideration at an upcoming meeting.

City Staff advertised a Request for Qualifications (RFQ) for Design and Construction Inspection Services on the MoDOT and City websites and selected Olsson as the most qualified firm for this project. Olsson was subsequently requested to submit a scope of services. Project improvements include widening the road from 20 feet to 24 feet, asphalt base reconstruction and overlay, grading, stormwater improvements, curb and gutter, pavement markings, and all other associated appurtenances as shown in Attachment B.

City Staff recommends approval of Task Agreement 2019-1 with Olsson in the amount of \$254,299.65. These services include preparation of preliminary and final plans, surveying, geotechnical and environmental services, bid phase, and construction phase services, including testing and full-time construction inspection.

### **IMPACT/ANALYSIS:**

#### **FINANCIAL IMPACT**

Consultant:	Olsson	
Amount of Request/Contract:	\$	\$254,299.65
Amount Budgeted:	\$	\$254,299.65
Funding Source:	MoDOT Cost/Share and NorthPoint Funds	
Additional Funds:	\$	n/a
Funding Source:	n/a	
Encumbered:	\$	n/a
Funds Remaining:	\$	n/a

**STAFF RECOMMENDATION:**

Approve a resolution for Task Agreement 2019-1 with Olsson to perform design and construction services for the Belton I-49 Outer Road, 155<sup>th</sup> St. to 163<sup>rd</sup> St. Project in the amount of \$254,299.65.

**LIST OF REFERENCE DOCUMENTS ATTACHED:**

Resolution

Exhibit A – Olsson Task Agreement 2019-1 and Scope of Work

Exhibit B – Project Aerial Location Map



# Attachment 1



## City of Belton – Public Works Task Agreement

Contract: On-Call Professional Services Agreement with Olsson

Ordinance or Resolution:

Task Agreement No: 2019-1

Funding Amount: \$254,299.65

Date of Schedule of  
Hourly Rates and Expenses:

Purchase Order No:

Project Title: Belton I-49 Outer Rd, 155<sup>th</sup> St. to 163<sup>rd</sup> St., Project

Contractor/Consultant (including subs): Olsson

Division and Staff Project Manager: Celia Duran

Project Management Manual reviewed:

Attachments (Gantt Chart, etc.):

PROJECT Scope (can be in the form of an attachment):

See attached scope of services.

### Staff Signatures

Director of Public Works:  
Celia Duran

City Manager:  
Alexa Barton

Signature:

*Celia Duran*

Signature:

Date:

2/6/19

### Partner Signatures

Project Manager:

*Ryan Fleming*

Company Principal (If different):

*Reid Coff*

Signature:

*Ryan Fleming*

Signature:

*Reid Coff*

Date:

2-6-19

Date:

2-6-2019

Project Type:

Design

Construction

Property  
Acquisition

Conceptual –  
Problem  
Solving

Surveying

Project Discipline(s):

Transportation

Planning

Water

Wastewater

Stormwater

Report(s) Received:

Work on File:

This Task Agreement is subject to all the provisions included in the On-Call Professional Services Agreement effective on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attach scope of work, budget, and other supporting material.

**ATTACHMENT A**  
**Scope of Services**

I-49 Outer Road Project (155<sup>th</sup> St. to north of 162<sup>nd</sup> St. and 162<sup>nd</sup> St. to 163<sup>rd</sup> St.)  
LPA Project Number STP 3356408 & J4S3399

**GENERAL**

Olsson shall provide the following services (Scope of Services) to Client for the Project:

Olsson shall develop construction plans for the I-49 Outer Road at two separate locations. The first location is for approximately 2,650 linear feet beginning at the south end of the I-49 and 155<sup>th</sup> St roundabout intersection and extending to the south to the end of the existing road. At this point, a planned development will construct a new road to the south for approximately 1,500 linear feet to 162<sup>nd</sup> Street. The city's I-49 Outer Road improvements resume at 162<sup>nd</sup> Street for approximately 2,550 linear feet to 163<sup>rd</sup> Street. More specifically for the project, plans will be developed for the reconstruction of the I-49 Outer Road in two separate locations to upgrade the narrow, ditched roadway section to current standards for a 2-lane roadway. The plans will include curb & gutter, sidewalk along the east side, and street lighting.

**Phase 100 – Project Management**

**Task 101: Project Management** - The Consultant Project Manager will serve as point of contact, maintain project schedule and budget, and be responsible for coordinating work of sub-consultants. Provide regular progress reports with invoices.

The Consultant will coordinate their design with agencies and/or Consultants that are involved with this project or adjacent projects. Coordination includes one-on-one meetings with the agencies or Consultants.

**Task 102: Design Memorandum** - The Consultant will prepare a design memorandum with project criteria and design standard information for submittal and agreement by the City's Project Manager.

**Task 103: Utility Location/Verification** - The Consultant will review the utility locations shown on the plans and verify these locations during field inspections. After survey is complete, plans will be printed and distributed to the Utility Companies for verification of ownership, type, size, location, and cased or uncased.

Identification and verification by the Utility Companies of major utility conflicts such as fiber optic lines, gas pipelines, crude oil pipelines, high-pressure waterlines, transmission lines, etc., will be accomplished at the earliest possible time. The Consultant and the City's Project Manager will discuss major conflicts and attempt to avoid them. If avoidance is not possible, the Consultant will then request the Utility Company to verify the conflict and provide a preliminary estimate of reimbursable costs associated with the utility relocation. Potholing, if required, will be provided by City staff or can be added as a supplemental agreement.

- Task 104: Utility Review Meetings/Coordination (Assume 4 Meetings)** - The Consultant shall include time for coordination via the phone and one-on-one meetings with affected utilities, depending on the complexity of the project.
- Task 105: Quality Assurance / Quality Control (QA/QC)** - The consultant will give a copy of their QA/QC plan to the City's Project Manager at the start of the project. The consultant will submit in writing that this plan has been used during the project at each submittal with the name of the person responsible for performing the QA/QC aspects.
- Task 106: Project Meetings**
- Kick-Off Meeting - Once notice to proceed has been received, the Consultant will schedule and attend a kick-off meeting with City staff and utilities. The City's Project Manager will supply a list of invitees and the Consultant shall be responsible for notification to attendees.
  - Progress Meetings - The Consultant will schedule and attend all progress meetings. The Consultant will create and distribute a meeting agenda prior to all progress meetings. This scope estimates 12 progress meetings.
  - Review Meetings - The Consultant will schedule and attend review meetings to receive the City's review comments from the submittals.

#### **Phase 200 – Survey Services**

- Task 201: Topographical Survey** - The Consultant will perform the necessary topographic ground survey including the existing centerline, intersecting streets, and drives, the tying of located land monuments to the existing centerline, cross-sections and profiles necessary to design and construct the project. A topographic survey will be performed using electronic 'Total Station' technology in AutoCAD format. Natural topographic features and man-made features will be recorded by coordinates to the nearest one-tenth (0.1) of a foot. All such topographic features, which are pertinent to the design or are necessary to properly show the effect of the proposed work upon the adjoining property and/or improvements, will be recorded. The topographical survey will include an exact and detailed tree count, noting the size, type and location (station and offset will be noted on the plans).

The limits of the survey are to be at least 100 feet on each side of the existing centerline or to corners of structures on tracts, and must include enough information for 4:1 slope tie-ins. The survey limits will extend 300 feet beyond the project limits. The topographic survey will extend along intersecting streets a minimum distance of 300 feet and will be at least 100 feet in width. Channel meanders will be identified and surveyed along their flowlines for 500 feet from roadway centerline.

- Task 202: Base Map Preparation** - Consultant will create the base map using the topographic survey data.
- Task 203: Control and Land Corners** - The Consultant shall provide a list of horizontal control points with coordinates, descriptions, station and offset. Horizontal

control will be referenced to the Cass County Grid using known land survey monuments.

Vertical control will be completed by differential level circuit referenced to NAVD 88. Ties to control used for City projects in the area can be done for "design-fit" confirmation.

The Consultant will survey section corners in order to assemble the geometry to create the right-of-way drawings.

Bench levels will be run by direct leveling methods, (no "side shots" will be permitted). Levels will close within an allowable error of five-hundredths (0.05) of a foot times the square root of the length of the level loop in miles. The Consultant will run a closed level circuit, establishing intermediate benchmarks along the project and on intersecting streets beyond the limits of the project. This level circuit will be tied into the benchmarks provided by the City in NAVD 88.

- Task 204: Utility Locates** - Utilities will be drawn from surveying above ground features, including markings by utility companies resulting from the locate request. Information supplied by utility companies will be used to complete the placement of existing utilities on the plans. Locations from utility plans will be transferred into the topographic survey. Where available, above-ground features will be used to improve accuracy. The Consultant will add a disclaimer to the drawings with respect to the undetermined location of underground utilities.

#### **Phase 300 – Geotechnical Services**

- Task 301: Geotechnical Pavement Cores** - Olsson will coordinate with a local DBE firm to perform the field exploration. Coordination will include the number and location of the pavement cores. In addition, sampling methods and depths will be requested by Olsson.

The DBE firm will be responsible for obtaining utility locates and any necessary permits to drill along the roadway as well as appropriate traffic control for the area. In addition, the DBE firm will be responsible for correctly abandoning the holes once complete.

#### **Phase 400 – Environmental Analysis**

- Task 401: Environmental / Historical Review** – The Consultant shall prepare an Environmental Review for the project. The Environmental Review will consist of a review and evaluation of Missouri Department of Transportation (MODOT) NEPA checklist items. The MODOT NEPA checklist is comprised of the following items: Section 106 Cultural Resources; Section 4(f) and 6(f); Wetlands and Streams; Threatened and Endangered Species; Floodplain and Regulatory Floodway; Flood Buyout Lands; Stormwater and Erosion Control; Borrow, Staging, and Haul Roads; Hazardous Waste; Farmland; Community Impacts; Noise; and, Air. The Consultant will conduct a site visit of the project area to take photographs of



existing conditions to aid in the development of final deliverables which will include a memo report and completed MODOT NEPA checklist.

Olsson assumes the MODOT NEPA checklist can be completed through a desktop review and single site visit.

#### **Phase 500 – Preliminary Design Phase (30 Percent Plans)**

**Task 501: Preliminary Design** - The Consultant shall prepare project base files and plan sheets in accordance with the City of Belton CADD standards. Plan sheets to be included in the first submittal include the following:

- Cover Sheet
- Typical Section Sheets
- General Notes Sheets
- Horizontal/Vertical Control Sheets
- Geometric Sheets
- Roadway Plan and Profile Sheets
- Roadway Cross-Section Sheets
- Culvert Layout Sheets

**Task 502: Drainage Analysis**

1. Hydraulic/Hydrologic Analysis - The Consultant shall design open and closed drainage systems in accordance with the City of Belton standards.
2. Preliminary Drainage Studies - The Consultant shall review available drainage studies, identify overland flow paths and sumps. At the request of the City's Project Manager, hydraulic design calculations will be submitted for review.

**Task 503: Cost Estimates** - The Consultant shall prepare an updated total project cost estimate. This shall include Preliminary Engineering, ROW acquisition, Private Utility Relocations, Public Utility Relocations, Construction, and Construction Engineering on the appropriate forms.

#### **Phase 600 – Right-of-Way Plan Phase (60% Plans)**

**Task 601: Right-of-Way Plans** - No rights-of-way or easements are expected to be needed with this project. Rights-of-way or easements, if required, will be added as a supplemental agreement.

#### **Phase 700 – Final Design Phase (95 Percent Plans)**

**Task 701: Final Design Plans** - The Consultant shall prepare project base files and plan sheets in accordance with the City of Belton CADD standards. All sheets that will be included in the PS&E plan set will be included in this submittal. This includes, but not limited to, the following sheets:

- Cover Sheet
- Summary of Quantities Sheet



- Typical Section Sheets
- General Notes Sheet
- Detail Sheets
- Horizontal/Vertical Control Sheets
- Geometric Sheets
- Roadway Plan and Profile Sheets
- Construction Phasing and Traffic Control Sheets
- Removal Sheets
- Storm Drainage Plan and Profile Sheets
- Sediment and Erosion Control Sheets
- Pavement Marking & Signing Sheets
- Roadway Cross-Section Sheets

**Task 702: Cost Estimates** - The Consultant shall prepare an updated total project cost estimate. This shall include, but not be limited to Preliminary Engineering, Private Utility Relocations, Public Utility Relocations, Construction, and Construction Engineering on the appropriate forms.

**Task 703: Permits** – The Consultant shall prepare and submit on behalf of the City of Belton the following permits, agreements, certifications, and forms. The Consultant shall copy the City's project manager on all applications being submitted. Any permit fees or mitigation costs will be paid for by the city.

- SWPPP - NPDES Permit

**Task 704: Specifications and Special Provisions** - The Consultant will submit Specifications and Special Provisions with this submittal.

**Task 705: Final PS&E** - Upon incorporating review comments into the plan set and special provisions, the Consultant shall prepare and submit all drawings, special provisions, and an updated total project cost estimate using MoDOT Bid Tabs Professional, to the City's Project Manager for the final PS&E review. Upon City acceptance of the PS&E plans, the Consultant shall submit the bid package to the City's Project Manager. The bid package includes sealed paper drawings, sealed special provisions, and a MoDOT Bid Tabs Professional electronic file. The bid package will also be accompanied by an electronic copy of the design in PDF format.

#### **Phase 800 – Bidding Phase**

##### **Task 801: Bidding**

- a. Advertise for and obtain bids for the proposed work
- b. Attend Pre-Bid Meeting
- c. Answer Requests for Information (RFIs)
- d. Prepare Addenda
- e. Attend Bid Opening

#### **Phase 900 – Construction Inspection and Materials Testing**

##### **Task 901: Construction Inspection and Materials Testing**

- a. Construction Observer(s) to review plans and construction documents and set up appropriate field documentation books.
- b. Perform full-time construction observation and document the work in progress.
- c. Compile a daily diary that documents weather conditions, contractor(s) construction activity, contractor's personnel, equipment utilized, and discovered irregularities in the materials used or quality of work performed.
- d. Provide field book documentation of contract pay items as they are incorporated into the project.
- e. Verify pay items with the contractor and review monthly pay applications and recommend pay applications to the Owner.
- f. Review shop drawings and/or certifications prior to their incorporation into the project.
- g. Keep and maintain project files of materials certification incorporated into the project.
- h. Determine the contractor's compliance with the contract and specifications and reject work and/or materials that are not in compliance.
- i. Provide observation and documentation of the project traffic control and detour signage, and communicate deficiencies to the contractor.
- j. Assist the Owner in the review and preparation of change orders.
- k. Provide construction materials testing and reporting in accordance with the testing frequencies outlined in the Missouri Department of Transportation LPA manual, including concrete air, slump and cylinders; soil and base rock proctors and Atterberg limits; aggregate gradations and deleterious substances; soil density testing; aggregate base rock density testing; storm sewer trenches (if any); asphaltic concrete density testing by nuclear gauge; and asphalt content of hot mix asphalt.
- l. Provide Project/Construction Manager oversight throughout construction, including periodic attendance at progress meetings, schedule reviews, dealing with contractor and utility issues, issuance of field orders, work change directives, and change orders, and review and approval of contractor's pay applications.
- m. Determine whether or not the contractor is generally adhering to the specifications and plan documents, and schedule through on-going observations.
- n. Report to Consultant Project Manager and/or Consultant Client Manager, giving opinions and suggestions based on the observations regarding defects or deficiencies in the contractor's work and relating to compliance with the contract documents.
- o. Monitor the contractors progress regarding erosion control measures and point out deficiencies to the contractor. The contractor will be responsible for all required BMP repairs and documentation into the SWPPP manual.
- p. Provide transportation, equipment, tools and incidentals as necessary to perform the construction observation services.
- q. Conduct wage rate interviews for each worker classification during the project per 29 CFE 5.6(a)(3).
- r. Receive and review contractor and subcontractor payrolls for compliance with the Davis-Bacon regulations.
- s. Prior to final walk-through submit to the contractor a list of items observed to require completion or correction.
- t. Attend one (1) final close-out meeting with the Owner.
- u. Complete and submit to the Owner the final documents required by MoDOT.

- v. Provide review of final documentation including the final pay estimate, final change order and punch list review.

**Project Assumptions:** We have made several assumptions in the preparation of this proposal. These assumptions and subsequent explanations are as follows:

- I-49 Outer Road will remain open on the north half of the project throughout construction and maintain access to the nearby residences. The south end of the project will need to maintain access to the adjacent businesses but will be closed north of the businesses.
- No special floodzone permitting or modeling will be required other than what is specifically listed in the scope.
- Access is available to the land and right-of-way to obtain geotechnical borings and no clearing is required.
- Client will provide Olsson with a current title commitment package, including deed copies for all project site parcels, record information on all easements encumbering the site or appurtenant thereto, covenants, conditions, restrictions, reservations, all exception documents, and zoning information with zoning source information provided.
- Based upon current site topography, the site grading is expected to be minor, with cuts and fills expected to be 10 feet or less. The fee associated with these borings assumes the project site is easily accessible for truck-mounted drilling equipment and rights of access can be obtained from adjacent owners.
- Quantity summary tables will not be required on the plans.
- Pavement design will follow Belton, Missouri standards and will not be independently developed or evaluated by Olsson.
- The roadway can be closed, and a detour plan is not necessary.
- Utility relocations are currently unknown. If required, the relocations will be designed by the respective utilities or by supplemental agreement, including sanitary sewer.
- Internal geometric changes are not required to the 155<sup>th</sup> Street roundabout.
- Permitting and mitigation fees will be paid by the client.
- Olsson will provide the Client PDF files on CD or an online file exchange system. Olsson's fee for expenses includes printing of a maximum of 9 half-size and 9 full size plans.
- Construction administration services will assume a total of 60 working days. Inspection service hours are paid overtime beyond 40 hours of work. It is assumed 67% of the working days will be 10 hour days and the remaining 33% of the working days will be 9 hour days.

**Exclusions:** The following items, in addition to any items not specifically listed above are not included in this proposal but can be provided under a supplemental agreement:

- Sanitary design
- Septic system closures
- Utility design (electric, gas, comm/fiber)
- Geotechnical Analysis beyond roadway coring
- Traffic studies
- Traffic signal and ITS design
- Detour plans
- Detention and water quality design

- Environmental investigation, permitting beyond those noted in the scope
- Landscaping and irrigation design
- Renderings
- Detailed retaining wall and structural design
- Concrete pavement design or joint layouts
- As-built survey or plans
- Any services not specifically detailed in the scope.





# Belton I-49 Outer Rd Project









# **SECTION XI**

## **A**

**AN ORDINANCE AMENDING CHAPTER 13 – MOTOR VEHICLES AND TRAFFIC, ARTICLE XI – VEHICLE EQUIPMENT, DIVISION 2 – SEATBELTS OF THE CODE OF ORDINANCES OF THE CITY OF BELTON, MISSOURI, ENACTING A PRIMARY SEATBELT ORDINANCE.**

**WHEREAS**, six out of ten people killed in Missouri traffic crashes were unbuckled in 2017; and

**WHEREAS**, upgrading the current secondary seatbelt violation law to a primary law will be an effective way to reduce traffic deaths, injuries and their costs;

**WHEREAS**, the proposed amendment will allow the City of Belton Police Department to stop a motorist to determine compliance with this code section;

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

**Section 1.** That Chapter 13 – Motor Vehicles and Traffic, Article XI – Vehicle Equipment, Division 2 – Seatbelts, Section 13-652 – Use of seat belt system required is hereby amended to read as follows:

Sec. 13-652. - Use of seat belt system required.

- a) Each driver and each front seat passenger, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or other person whose duties require frequent entry into and exit from their vehicles and trucks operated on a street or highway in this city, shall wear a properly adjusted and fastened safety belt that meets Federal National Highway Transportation and Safety Act requirements; except that, a child less than four years of age shall be protected as required in section 13-653. Each driver of a motor vehicle manufactured after January 1, 1968, transporting a child four years of age or more, but less than 16 years of age, shall secure the child in a properly adjusted and fastened seat belt.
- ~~b) No person shall be stopped, inspected, or detained solely to determine compliance with this section.~~
- ~~b)~~The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about his or her body.
- ~~c)~~In any actions to recover damages rising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence.
- ~~d)~~The provisions of this section shall not apply to any public carrier for hire or to persons operating or riding in a motor vehicle being used in agricultural work-related activities.
- ~~e)~~ Every person who violates this section shall, upon conviction, be punished by a fine ~~of not more than \$10.00~~ a minimum of \$10.00 but not to exceed \$50.00.

**Section 2.** This ordinance shall take effect and be in full force on March 1, 2019, after 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: February 12, 2019

READ FOR THE SECOND TIME AND PASSED:

\_\_\_\_\_  
Mayor Jeff Davis

Approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor Jeff Davis

ATTEST:

\_\_\_\_\_  
Andrea Cunningham, City Clerk  
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 regularly introduced for first reading at a meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2019, and thereafter adopted as Ordinance No. 2019-\_\_\_\_ of the City of Belton, Missouri, at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2019, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEN:

NOES: COUNCILMEN:

ABSENT: COUNCILMEN:

\_\_\_\_\_  
Andrea Cunningham, City Clerk  
City of Belton, Missouri

