MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
MAY 6, 2013
7:00 PM

1. Call to Order

The meeting was called to order at 7:00 PM by Mayor Kevin Wood

Attendee Name	Title	Status	Arrived
Bill Mollenhour	Board Member	Present	
Bret Reece	Board Member	Present	
David Dickerson	Board Member	Present	
Doug Meyer	Board Member	Present	
Ivan Stull	Board Member	Absent	
Marcia Milner	Board Member	Present	
Morris Coburn	Board Member	Present	
Stacey Dahlman	Board Member	Present	
Kevin Wood	Mayor	Present	

2. Pledge of Allegiance

3. Ceremonial Matters

1. Presentation of Service Award to Steve Kagarice and Dennis Culpepper

Mayor Wood and Street Superintendent Rodney Jacobs recognized Steve Kagarice, Street Department of his forty (40) years of service to the City. Dennis Culpepper, Waste Water Plant employee was not present for his recognition for twenty-five years of service. City Administrator Moody will present the Certificate to Mr. Culpepper at a later date.

2. National Police Week Proclamation

Mayor Wood read the Proclamation for National Police Week and was joined by Police Chief Hofer and other Police Officers.

4. Public Participation

Carrie Eidson, 1005 Mission Rd., asked to speak regarding the Chicken Permit which was on the agenda. Mayor Wood stated this was an item on the agenda and that Ms. Eidson could speak at that time.

Walter Cook, 604 E. Pearl, inquired as to why the health and environmental agencies had not been involved regarding the Turkey Vulture problem at the water tower.

Mr. Cook then reported he was under the impression after attending a Cass County meeting regarding the Hospital Interchange TDD agreement that the City would be responsible for costs to the County.

Brian Hasek, 1300 E. Pine, thanked the Police Department for their help in resolving an issue in his neighborhood.

Mr. Hasek then noted that he was there representing Jennifer Butler, who was present but was not comfortable speaking, regarding a past due electric bill and the administrative fee and additional deposit that she was required to pay so that her utilities would remain on.

There was discussion regarding a new policy which had been put in place increasing deposits for those that are on the shut-off list to off-set the amount if the City was left with an unpaid bill. Mayor Wood explained the process and that the administrative fee is to offset the costs of the time the staff has to spend on delinquent and unpaid bills. Mayor Wood also noted that the Board had reduced the administrative fee from $100 to $50 recently. Ms. Butler then spoke from the audience stating her concerns for others in the community that are hit with these additional costs and are unable to pay them when they are already having trouble paying the current bill. There was also discussion regarding placing the $50 administrative fee on the next bill. There were questions on what was the City's cost. City Attorney Mauer stated the fee is distributed among everyone, the cost is for the entire process so it is applied equally to everyone.

This item was directed to go to the Finance Committee for further discussion.

Jack Cotton, 802 Eastwood, spoke to the Board regarding handicap parking and asked for a letter from City Attorney Mauer regarding who is allowed to park in a space designated as handicap van accessible.

Mr. Cotton then addressed Industrial Boulevard and that he had spoken with Laurence Smith and wanted to know if there was anything else that the City could do. Mr. Cotton wanted to know if the City could have a bulldozer level the road, or why can't the City grade the road and then chip and seal. Mr. Cotton was informed that this is not a dedicated street. Mr. Cotton was told the city would speak to Mr. Smith regarding the available options.

Mr. Cotton then talked about the Noise Ordinance and asked why this doesn't apply to motorcycles and diesel trucks. Mr. Cotton was informed that staff would need to be present to be able to do something.

5. Approval of Minutes

1. Board of Aldermen - Regular Meeting - Apr 15, 2013 7:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Marcia Milner, Board Member
SECONDER:	David Dickerson, Board Member
AYES:	Mollenhour, Reece, Dickerson, Meyer, Milner, Coburn, Dahlman
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

6. Agenda Items

1. 5K Run—Stacy Cox Memorial

Chief Hofer reviewed the request and reported he has spoke with Parks & Recreation Director Deal and that he had no concerns with the event and that the Rotary would provide the Certificate of Insurance. Chief Hofer stated staff recommended approval.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Morris Coburn, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Mollenhour, Reece, Dickerson, Meyer, Milner, Coburn, Dahlman
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

2. Request from Jim and Penny Rush (902 Outlook) to Keep 3 Chickens in Their Back Yard.

Mayor Wood noted that he and the Board were familiar with the request. Mrs. Rush, 902 Outlook, distributed pictures of where the chickens would be kept and reported that chickens would assist her in taking care of her garden with weed and pest control. She stated she could also have someone trim the chickens' feathers and that they have had a 6 foot privacy fence installed. Mrs. Rush said she hoped that the Board would at least allow her a few months to see what the chickens could do for her garden.

Mayor Wood stated this has been well visited and asked for those in the audience to stand that were opposed to the chickens in their neighborhood. There were four who stood.

Carrie Eidson, 1005 Mission Rd., spoke, stating that she and her husband have lived in the Twin Oaks neighborhood for three (3) years and commented that she thought Mrs. Rush had a beautiful yard. Ms. Eidson went on to report that they have had issues with the apartments across the street, that there is a foreclosed home next door to them, their license plates were recently stolen off their vehicles, and by allowing chickens in the neighborhood she felt that this would devalue the homes even more. Ms. Eidson said that chickens are not clean animals and asked the Board to vote no and to put some kind of ban on individuals having chickens in the City.

Darold Shelton, 900 Outlook, spoke next and stated he and his wife were neighbors of the Rush's and were downhill from their yard, which was a concern. Mr. Shelton also noted that he did not feel the City was the place for chickens, that they belonged on a farm, and if he wanted to live on a farm, then that's where they would've chosen to live.

Alderman Reece stated he was impressed with the information that Mrs. Rush had brought forth to the Board and stated he thought Mrs. Rush would do a great job with taking care of the chickens. Further, if the Board could count on others to care for the birds as they should, the decision would be easier. However, he didn't know if that was possible, and he didn't want to require Animal Control to monitor everyone.

This item was defeated with the following vote.

RESULT:	**DEFEATED [0 TO 6]**
MOVER:	Doug Meyer, Board Member
SECONDER:	Bill Mollenhour, Board Member
NAYS:	Mollenhour, Reece, Meyer, Milner, Coburn, Dahlman
ABSTAIN:	David Dickerson
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

3. Tabled from the 3-18-2013 Meeting-An Ordinance Approving a Cooperative Agreement Between the City of Harrisonville, Missouri, and the Hospital Interchange Transportation Development District and Authorizing the Mayor to Execute the Agreement on Behalf of the City

City Attorney Mauer read Council Bill 024 for a second time. City Attorney Mauer noted the changes which had been made which were in sections 3.7, 3.10 and 3.11.

Alderman Dickerson voiced his concern of the length of the TDD which was 50 years and that he felt we shouldn't be taking care of this that long. There was also discussion regarding who was responsible for paying if there was a state audit and it was noted the responsibility would be the County's.

Alderman Coburn commented that after attending a County meeting he was under the impression the City would be responsible for costs incurred by the TDD if the funds were not available. It was noted that the only cost to the City was the small additional amount for the City's audit.

Alderman Reece asked if there was any real risk and City Attorney Mauer stated the risk was minimal, that there is the cost of staff's time and the additional cost to the City's audit.

It was noted staff was not in favor. Director Tholen noted there were unknown questions since the city was not involved with the formation of the TDD and that we have not had the opportunity to see the books so we do not know what revenue is coming in and what dollars are going out.

City Attorney Mauer also stated this version of the agreement has to go back to the County for their approval.

Council Bill 024 became Ordinance 3233 with the following vote:

RESULT:	**ADOPTED [5 TO 2]**
AYES:	Mollenhour, Reece, Meyer, Milner, Dahlman
NAYS:	David Dickerson, Morris Coburn
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

4. A Resolution to Amend the Residency Requirements for Employees of the City of Harrisonville as Set Forth in Section VII, Article D of the Harrisonville Personnel Policy Manual

City Attorney Mauer read Council Bill 028 by title only. City Administrator Moody reviewed this amendment to the policy which would allow those in the Police and Emergency Services to be exempt from a thirty (30) minute response time in the case of an emergency. Mr. Moody explained both of these departments have shifts so there is always someone on duty. Mr. Moody went on to say that the other department directors would designate who their first responders would be and those people would need to meet a thirty (30) minute response time.

Alderman Reece asked how this would help the Police Department and Emergency Services to which Mr. Moody stated it would help them in recruiting new employees and that the City has mutual aid agreements with neighboring jurisdictions.

Alderman Coburn asked Mr. Moody what the status was on the employee survey asking why they would or would not want to live in Harrisonville. Mr. Moody reported the survey is being developed.

Council Bill 028 became Resolution 018.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Doug Meyer, Board Member
SECONDER:	Stacey Dahlman, Board Member
AYES:	Mollenhour, Reece, Dickerson, Meyer, Milner, Dahlman
NAYS:	Morris Coburn
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

5. A Resolution Amending Language in the Trekk Agreement and Authorizing the City Administrator to Execute Change Order #1 Mechanic Street Project-To Trekk in an Amount Not to Exceed $43,106

City Attorney Mauer read Council Bill 029 by title only.

Director Gibbs reviewed the request for the amendment to the Trekk Agreement to meet MoDOT's specifications and explained the needed change order. Director Gibbs also reported the change order amount of $43,016 would be reimbursed to the City 100% by MoDOT.

Council Bill 029 became Resolution 019.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Doug Meyer, Board Member
SECONDER:	Stacey Dahlman, Board Member
AYES:	Mollenhour, Reece, Dickerson, Meyer, Milner, Dahlman
NAYS:	Morris Coburn
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

7. Aldermen and Committee Reports

Alderman Coburn noted that the vultures at the water tower are getting more notoriety. Alderman Coburn also stated there are vultures at the courthouse clock tower and wondered if there was a problem with dead animals not being picked up as they should be, since that is what draws vultures.

Alderman Mollenhour reported he has been in contact with the Federal Wildlife officials regarding the City's vulture problem. Alderman Mollenhour stated he had learned vultures can detect odors up to 20 miles away and the water and the clock tower are prime areas for them to nest due to their height. Alderman Mollenhour also reported he has submitted paperwork to receive two (2) real effigies and once we receive them and put them in place, within the first twenty-four (24) hours there will be more vultures, but then they would disperse. This effort has been very successful in other places.

8. Report from the City Administrator

City Administrator Moody reported the City would not limit its approach to getting rid of the vultures, and we will continue to make efforts on getting rid of them. Mr. Moody expressed his appreciation to Alderman Mollenhour for his efforts in finding other possible methods. Mr. Moody noted this can become a health concern and if the City's efforts are not successful, there is a permit that can be obtained to take more extreme methods in getting rid of them.

9. Report from the Mayor

Mayor Wood extended an invitation to the Board of Aldermen and the public to attend a reception for long time Park Board member, Norm Geyer, as he had resigned his position on the Park Board. Mayor Wood noted this was to acknowledge Mr. Geyer, not just for his time on the Park Board, but for all he has done for the Harrisonville Community.

10. Questions from the Media

There were no questions.

11. Adjourn to Executive Session

1. Motion

The Board of Aldermen adjourned to Executive Session at 8:20 PM for the purpose of section 610.021 (1), legal actions.

The Board of Aldermen reconvened back to regular session at 8:34 PM.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bret Reece, Board Member
SECONDER:	Doug Meyer, Board Member
AYES:	Mollenhour, Reece, Dickerson, Meyer, Milner, Coburn, Dahlman
ABSENT:	Ivan Stull
EXCUSED:	Kevin Wood

12. Adjourn From Regular Session

The regular session adjourned at 8:35 PM

Item 13 on the agenda was an error in preparing the agenda. There was no discussion of this item.

13. Ordinances