



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
JUNE 2, 2014
7:00 PM**

- 1. Call to Order & Pledge of Allegiance**
- 2. Roll Call**
 - A. Roll Call**
- 3. Ceremonial Matters**
 - A. A Service Award to Honor Art Carver, Parks Department, for 20 years of Loyal Service**
 - B. A Service Award to Honor Duane Gerke, EMS, for 15 Years of Loyal Service**
- 4. Public Participation**
 - A. Public Participation**
- 5. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - May 19, 2014 7:00 PM**
- 6. Agenda Items**
 - A. Flag Day - Flag Raising Ceremony**
 - B. Suspension Hearing of Heartfel Thoughts LLC**
 - C. Public Hearing-Community Development Block Grant Program**

- D. Council Bill 026: A RESOLUTION OF THE CITY OF HARRISONVILLE, MISSOURI, STATING INTENT TO SEEK FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING OF \$187,200**
 - E. Council Bill 027: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH FINLEY ENGINEERING COMPANY FOR THE ENGINEERING DESIGN SERVICES FOR THE 69 KV SOUTH TRANSMISSION LINE TIE RE-BUILD IN AN AMOUNT NOT TO EXCEED \$46,810**
 - F. Council Bill 028: A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF HARRISONVILLE, MISSOURI, AND THE CENTRAL CASS COUNTY FIRE PROTECTION DISTRICT**
- 7. Aldermen and Committee Reports**
 - 8. Report from the City Administrator**
 - 9. Report from the Mayor**
 - 10. Questions from the Media**
 - 11. Adjourn to Executive Session**
 - 12. Adjourn From Regular Session**

Posted on City Hall Bulletin Board this 29th day of May 2014

Kim Hubbard, City Clerk

The Board of Aldermen meeting is an open meeting but is not a meeting of the public. There is a place on the agenda for comments of citizens under PUBLIC PARTICIPATION. Our rule is that comments by any individual or group shall not exceed (4) minutes. The Board of Aldermen request that concerns be initially addressed at the appropriate action level before coming to the Board of Alderman

Presented by the Mayor and the Harrisonville Board of Aldermen to

Art Carver

In Grateful Appreciation for

25 Years

Of Dedicated Service to



June 2, 2014

Kevin Wood, Mayor

Presented by the Mayor and the Harrisonville Board of Aldermen to

Duane Gerke

In Grateful Appreciation for

15 Years

Of Dedicated Service to



June 2, 2014

Kevin Wood, Mayor



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
MAY 19, 2014
7:00 PM

1. **Call to Order & Pledge of Allegiance**
2. **Roll Call**

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

Others Present: City Administrator Keith Moody, City Attorney Steve Mauer, Finance Director Mike Tholen, Street Superintendent Rodney Jacobs, Community Development Director Rick DeLuca, Public Works Director Jerry Gibbs, Police Chief John Hofer and City Clerk Kim Hubbard.

3. **Ceremonial Matters**

None.

4. **Public Participation**

A. Public Participation

None.

5. **Approval of Minutes**

A. Board of Aldermen - Regular Meeting - May 5, 2014 7:00 PM

Minutes approved.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bret Reece, Board Member
SECONDER:	David Dickerson, Board Member
AYES:	Reece, Dickerson, Meyer, Stull, Coburn, Dahlman
ABSENT:	Bill Mollenhour, Marcia Milner

6. Agenda Items

A. Heartland Baptist Fellowship requests approval of a Special Event Permit for a Walk/Fundraiser

Police Chief Hofer reviewed the request, reported this is the second year for this fundraiser and there were no issues last year. Staff recommended approval.

Heartland Baptist Fellowship Walk/Fundraiser Special Event Permit was approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Meyer, Board Member
SECONDER:	David Dickerson, Board Member
AYES:	Reece, Dickerson, Meyer, Stull, Coburn, Dahlman
ABSENT:	Bill Mollenhour, Marcia Milner

B. Wal-Mart DC requests approval of a Right of Way Solicitation Permit to raise funds for Children's Miracle Network

Chief Hofer reviewed the request and reported it has been approximately five (5) years since a solicitation permit request has been approved. Due to safety concerns, Chief Hofer stated staff did not recommend approval. There was discussion regarding how busy the intersections are and options of using private drives such as Sutherland's, Price Chopper, and Wal-Mart to conduct their fundraising event which would be safer.

Alderman Reece made the motion for denial of the permit but noted the Board is supportive of fundraiser's and the Children's Miracle Network but concerned about the safety of those who are participating in the fundraising.

The request for the Solicitation Permit was denied.

RESULT:	DEFEATED [UNANIMOUS]
MOVER:	Bret Reece, Board Member
SECONDER:	Doug Meyer, Board Member
AYES:	Reece, Dickerson, Meyer, Stull, Coburn, Dahlman
ABSENT:	Bill Mollenhour, Marcia Milner

C. Suspension Hearing of B A Y Ventures, LLC d/b/a Jimmy Johns

This item was resolved and pulled from the agenda.

Minutes Acceptance: Minutes of May 19, 2014 7:00 PM (Approval of Minutes)

RESULT:	WITHDRAWN
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- D. A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A DEVELOPMENT AGREEMENT TO ALLOW FOR THE CONCURRENT CONSTRUCTION OF INFRASTRUCTURE/COMPLETION OF PLATTING PROCESS DURING THE DEVELOPMENT OF THE SITE IMPROVEMENTS AS OUTLINED IN THE ATTACHED DEVELOPMENT FOR A RETAIL BUILDING LOCATED AT 1411 S. COMMERCIAL STREET, HARRISONVILLE.**

City Attorney Mauer read Council Bill 025 by title only. Director DeLuca reviewed the agreement and explained the language used is standard for development agreements. Alderman Reece asked if everyone was on the same page and Mr. Coffey said yes. Director DeLuca distributed a memo that broke down the fees of Mr. Coffey's agreement and Mr. Moody explained how the fees were determined.

Council Bill 025 became Resolution 018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stacey Dahlman, Board Member
SECONDER:	Ivan Stull, Board Member
AYES:	Reece, Dickerson, Meyer, Stull, Coburn, Dahlman
ABSENT:	Bill Mollenhour, Marcia Milner

7. Aldermen and Committee Reports

Alderman Coburn discussed a drainage issue a constituent on King Street was having and stated he thought the problem was due to the Pearl and Wall Street Project.

Alderman Reece stated what a great service the City Wide Clean Up is for the residents and noted how easy the staff makes it for those who participate.

Street Superintendent Jacobs reported there were approximately 400 vehicles that came through and noted how much assistance the City gets from the Town & Country staff.

8. Report from the City Administrator

Mr. Moody asked Chief Hofer to give an update on the new police facility. Chief Hofer reported Commenco is in the process of installing radios and cameras, the tower is up and the phone system should be installed in the next month. Chief Hofer reported staff is planning on moving in June 10th or 12th. Chief Hofer stated he thought the Missouri Extension Office might be interested in taking the old tower.

9. Report from the Mayor

Mayor Wood reported on the Ribbon Cutting for the new orthodontist office of Dr. Hansen on the square and what a beautiful office it was. Mayor Wood encouraged those that were unable to attend the ribbon cutting to stop by and check out the office.

Mayor Wood wished Aldermen Reece and Meyer Happy Birthday.

Mayor Wood reported he is serving on the Cass County Health Care Foundation.

10. Questions from the Media

None.

11. Adjourn to Executive Session

Alderman Meyer moved to adjourn to executive session for the purpose of section 610.021 (1), Legal Actions and section 610.021 (3), Personnel, Alderman Stull seconded the motion, and it was approved by the following roll call vote:

Ayes: Aldermen Meyer, Dahlman, Coburn, Dickerson, Reece, and Stull

Nays: None

Absent: Aldermen Milner and Mollenhour

Abstain: None

Adjourned to executive session at 7:34 p.m.

Reconvened to regular session at 8:03 p.m.

12. Adjourn From Regular Session

Alderman Coburn made the motion to adjourn. Alderman Dahlman seconded the motion and it was approved by a voice vote. The meeting adjourned at 8:04 p.m.

Kevin Wood, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

Minutes Acceptance: Minutes of May 19, 2014 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: May 27, 2014
SUBJECT: Flag Day - Flag Raising Ceremony

Type of Item: *Approval*

Issue: The applicant, Michael S. Hall Sr., has requested permission to host a flag raising ceremony on the historic Harrisonville square on Saturday June 14, 2014 in conjunction with Flag Day.

Background: This event has never happened on the Harrisonville square. The applicant is anticipating a crowd size of approximately 100-150.

The applicant is proposing blocking the four (4) parking spaces off the Southwest corner of the square near the flag pole and the area in front of the steps on the South side of the square. The square will remain open to vehicular traffic and the event will be held in conjunction with the weekly Farmer's Market event. The applicant is working with City departments as well as the Cass County Sheriff's Department and the National Guard to have a display of vehicles at the event. These vehicles will be displayed on the East side of the square. The applicant is seeking a local service organization to purchase the required insurance.

Recommendation: Staff is recommending approval for this event.

A. Action Item (ID # 1419)

Flag Day - Flag Raising Ceremony

Attachments:

Flag Raising Permit (PDF)

SPECIAL EVENTS APPLICATION

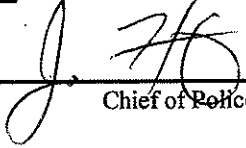
A. **FILING PERIOD:** An application for an event permit shall be filed not less than seven (7) days prior to the meeting of the Board of Alderman at time applicant desires the issuance of a permit. Applicant must realize that, dependent upon the nature of the event and the scope of services being required of the City, the Board of Alderman may require additional time to review the permit application.

B. **CONTENTS:** The application for an event permit shall set forth the following information.

1. **Organization:** _____
2. **Name of Applicant:** Michael S Hall Sr
Address: 2404 E. 283rd Street
Phone: _____ **Cell:** (846) 503-1177
3. **Purpose of Event:** Flag Raising Ceremony
4. **Proposed date(s) and time(s) of Event:** June 14, 2014 8:00AM
5. **Location(s) where event will be held:** Harrisonville Square
6. **Anticipated crowd size:** 100-150
7. **City services requested: (Please check all that apply) Provide detailed letter for these requests.**
☐ Electricity ☐ Police Protection ☐ Traffic Control ☐ Ambulance Standby
☒ Cones ☒ Barricades ☐ Street or parking lot clean up
8. **Any additional information:** Police department + EMS
department have agreed to have vehicles
on display. Will be contacting Sheriff's office &
National Guard to display vehicles

Requesting from Police Department to tape off parking Southside of Courthouse

APPROVED this _____ day of _____, 20____.



 Chief of Police

 City Clerk

Attachment: Flag Raising Permit (1419 : Flag Day - Flag Raising Ceremony)



STAFF REPORT

TO: Board of Aldermen
FROM: Kim Hubbard, City Clerk
DATE: May 29, 2014
SUBJECT: Suspension Hearing of Heartfel Thoughts LLC

Type of Item: *Approval*

A sales tax revocation notice has been received from the State of Missouri for Heartfel Thoughts, LLC. The Board of Aldermen approved Ordinance 3258 to amend the City's revocation process and allow the opportunity for a business who is delinquent in their sales tax to remain open. The ordinance sets forth that the hearing is set by the City and the business owner shall be given, in writing, the date, time and place. A copy Ordinance 3258 is attached.

Due to confidentiality of sales tax information the Department of Revenue is unable to verify how much sales tax is due and how far back the delinquency goes. They are also unable to provide information to us whether Heartfel Thoughts is making an attempt to resolve the situation.

As of this writing, a representative from Heartfel Thoughts has not been in contact with the City.

B. Action Item (ID # 1421)

Suspension Hearing of Heartfel Thoughts LLC

Attachments:

Heartfel Thoughts Revocation (PDF)

Sales Tax Revocation Ordinance (PDF)



300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

May 22, 2014

Heartfel Thoughts, LLC
Clara & Robert Sims
1007 Garden Dr.
Harrisonville, MO 64701-3071

Re: A Suspension Hearing has been set before the Board of Aldermen, due to Revocation Notice from State of Missouri Notice Number: **201334700009931**

Heartfelt Thoughts, LLC
Clara & Robert Sims, at the above listed address.
And
Diana Fugate
3102 E State Route 2
Cleveland, MO 64734-8902

The City of Harrisonville has received a sales tax license revocation notice from the State of Missouri due to delinquent payment of sales tax collected by **Heartfel Thoughts, LLC**

A Business License Suspension hearing has been set for **June 02, 2014 at 7:00pm** in council chambers before the Board of Aldermen of the **City of Harrisonville, MO at 300 E Pearl St, Harrisonville, MO**. Clara & Robert Sims and Diana Fugate will need to bring proof showing that he/she is actively attempting to negotiate an agreement resolving the delinquent sales tax payments with the Department of Revenue. If the dispute has been resolved a State of Missouri No Tax Due Letter should be presented.

The decision to toll the suspension or revocation of a business license is in the sole discretion of the Board of Aldermen (Ordinance 3258 Amend section 605.90 of the Harrisonville, Missouri Code or Ordinances).

You may contact the Department of Revenue, Kansas City office at 816-889-2944. All questions you may have regarding the delinquent taxes should be directed to them. The phone number for the main office in Jefferson City is 1-573-526-5102.

If you have any questions concerning the hearing you may contact the City Collector at 816-380-8908.

Sincerely,

Donna Crow
City Collector
City of Harrisonville, MO

cc Attached letter
cc Diana Fugate

Attachment: Heartfel Thoughts Revocation (1421 : Suspension Hearing of Heartfel Thoughts LLC)



MISSOURI DEPARTMENT OF REVENUE
PO BOX 1646
JEFFERSON CITY MO 65105-1646
(573) 526-5102

Next Board Meeting

6.B.a

REVOCATION NOTICE

FORM P601 (Rev 02-14)	Date MAY 16, 2014
	MO Tax ID Number 21949255

Notice Number: **201334700009931**

CITY CLERK
PO BOX 367
HARRISONVILLE MO 64701

RECEIVED
MAY 22 2014
CITY OF HARRISONVILLE

PHONE
(573) 526-5102

The Missouri Department of Revenue is hereby notifying you that the Missouri sales tax license, previously issued to the debtor named below, has been revoked. The debtor is delinquent in the payment of tax as required to be paid under Chapters 143, 144, 66, 67, 70, 92, 94, 190, 238, 321, and 644, RSMo.

Name of Debtor(s): **HEARTFELTHOUGHTS LLC**

Business Name: **HEARTFELTHOUGHTS**

Property Location: **1007 GARDEN DR** **HARRISONVILLE** **MO**

Section 144.083.2, RSMo, states:

"The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

Therefore, the Department of Revenue requests that you inform the above individual that his occupational and/or merchants license is null and void, and note this on your records. If your ordinance provides you with authority to close a business that does not have a valid license, we request that you do so.

Attachment: Heartfel Thoughts Revocation (1421 : Suspension Hearing of Heartfel Thoughts LLC)

Council Bill 081- 13

Ordinance 3258

AN ORDINANCE TO AMEND SECTION 605.090 OF THE HARRISONVILLE, MISSOURI MUNICIPAL CODE OF ORDINANCES, REVOCATION OF BUSINESS LICENSE

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri desire to amend Chapter 605.090 regarding the revocation of business licenses.; and

WHEREAS, such revocations have been governed by Chapter 605, Section 605.090; and

WHEREAS, the City desires to establish a procedure for suspending and revoking these licenses; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

SECTION ONE: That Section 605.090 shall read as follows:

SECTION 605.090: PENALTIES

- A. Non-Compliance Or Violation A Misdemeanor. In addition to any other penalties prescribed under this Chapter or any related Chapters, any failure to comply with or any violation of any provision of this Chapter shall be a misdemeanor and shall be punishable, upon conviction thereof, by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each such offense. Each day such failure or non-compliance shall continue shall constitute a separate offense.
- B. Suspension Or Revocation. Any failure to comply with or any violation of any provision of this Chapter may be cause for suspension or revocation of such license. The suspension or revocation as provided under this Section shall be in addition to any other penalties prescribed under this Chapter.
 - 1. Suspension.
 - a. Any failure to comply with or any violation of any provision of this Chapter may be cause for suspension by the Board of Aldermen.
 - b. Notice of the hearing for suspension of a license shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Said notice shall be mailed to licensee or applicant at least five (5) days prior to the date set for hearing and any decision to be made by the Board of Alderman with respect to said suspension. All decisions of the Board of Aldermen following the hearing shall be final.
 - c. The City can toll the suspension of a business license, upon the licensee or

applicant's request and in the event the licensee or applicant makes a good faith showing that he/she is disputing the taxes at issue or is actively attempting to negotiate an agreement resolving the delinquent sales tax payments with the Department of Revenue. The decision to toll the suspension or revocation of a business license is in the sole discretion of the Board of Alderman.

- d. No suspension shall last for longer than 90 days.

2. Revocation.

- a. After any 60 day consecutive period that a licensee or applicant's business license has been suspended as a result of a violation of this Chapter, may be cause for revocation of such license by the Board of Aldermen.
- b. Any failure to comply with or any violation of any provision of this Chapter may be cause for revocation of such license by the Board of Aldermen upon its own recommendation or the recommendation of the City Administrator for any of the following causes:
 - 1. Fraud, misrepresentation or false statement contained in the application for license;
 - 2. Fraud, misrepresentation or false statement made in the course of carrying on his/her business within the City of Harrisonville;
 - 3. Any violation of this Chapter;
 - 4. Failure to pay sales tax or in any way allowing the sales tax for the business to become delinquent;
 - 4. Conviction of any crime or misdemeanor involving moral turpitude; or
 - 5. Conducting of business in an unlawful manner so as to constitute a breach of the peace or menace to health, safety or general welfare of the public.
- c. Notice of the hearing for revocation of a license shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Said notice shall be mailed to licensee or applicant at least five (5) days prior to the date set for hearing and any decision to be made by the Board of Alderman with respect to said revocation. All decisions of the Board of Alderman following the hearing shall be final.

- C. Unlawful Continuation-Further Remedies Authorized. In the event any business, trade, occupation or service occupation which is required to obtain an annual license under this Chapter continues to operate after having received written notice of failure to obtain such license or in the event any business, trade, occupation or service occupation continues to

operate following suspension or revocation of such license pursuant to Subsection 605.090(B) hereof, the City Administrator, the City Clerk, the Board of Aldermen, the Mayor, or any other official authorized to enforce City license ordinances may seek injunctive relief from the Circuit Court or order of the Municipal Court to restrain, correct, abate or prevent such continued operation. In the event of the issuance of an injunction or order by a court of competent jurisdiction, costs of such enforcement proceedings may be taxed against the offending party. The remedies provided for by this Subsection (C) shall be in addition to all other costs and penalties prescribed under this Chapter.

SECTION TWO: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Governing Body would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION THREE: This Ordinance shall be in full force and effect both from and after its passage and approval by the Mayor.

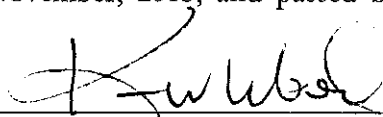
Ayes: Aldermen Meyer, Coburn, Milner, Dickerson, Reese, Stull and Mollenhour

Nays: None

Absent: Alderman Dahlman

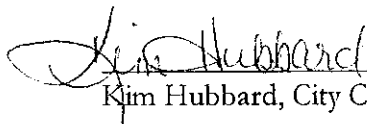
Abstain: None

Read two times by title only on the 4th day of November, 2013, and passed by the Board of Aldermen this 4th day of November, 2013.



Kevin W. Wood, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Kim Hubbard, City Clerk

APPROVED by the Mayor this 4th day of November, 2013



STAFF REPORT

TO: Board of Aldermen
FROM: Keith Moody, City Administrator
DATE: May 29, 2014
SUBJECT: City Intent to Seek Funding through the CDBG Program

Type of Item: *Approval*

The Shepard's Pantry of Harrisonville provides food and other necessary items to Harrisonville and Cass County low to moderate income families. They are applying for funding through a Community Development Block Grant (CDBG) in an amount of \$187,200. The grant will provide funds to make improvements to their facility. The majority of the funds will go to repaving the parking lot, adding a freight elevator to access the basement for additional storage along with shelving for the basement.

The Shepard's Pantry application is a qualified use of these funds, CDBG requires that each application be sponsored by a City or County. This means the City is applying for the funding on behalf of the Shepherd's Pantry.

The Shepard's Pantry has hired MARC to prepare the application and manage the administration of the funding. There is no financial or administrative responsibility to the City.

Council Bill No. 026

Resolution No.

**A RESOLUTION OF THE CITY OF HARRISONVILLE, MISSOURI, STATING
INTENT TO SEEK FUNDING THROUGH THE COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING
THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE
FUNDING OF \$187,200**

WHEREAS, Title I of the Housing and Community Development Act of 1974 does state as its primary objective "the development of viable urban communities, by providing decent housing, suitable living environment and expanding economic opportunities principally for persons of low and moderate income"; and

WHEREAS, Title I does offer to communities the opportunity of monetary assistance in accomplishing its stated primary objectives; and

WHEREAS, The Missouri Department of Economic Development is designated to award Community Development Block Grant funding under Title I; and

WHEREAS, The City of Harrisonville does have areas of need which may be addressed through the Community Block Grant Program; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF
THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1: The desire to participate with the Missouri Department of Economic Development in the Improvement of our community under the activities authorized pursuant to the Housing and Community Development Act of 1974, and

Section 2: The Mayor of the City of Harrisonville, Missouri is hereby authorized to prepare and submit documents which are necessary in applying for funding and establishing an administrative organization to implement activities pursuant to the aforementioned act; and

Section 3: That Shepherd's Food Pantry will dedicate \$500 of local cash funds and \$500 of in-kind materials or labor to be used in this project

Section 4: That this resolution shall become effective immediately upon its passage and approval.

READ by title only and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 2nd day of June 2014.

Kevin W. Wood, Mayor and Ex-Officio

Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 2nd day of June 2014.

Community Development Block Grant Program
FY2014 Application

SAMPLE AGREEMENT BETWEEN APPLICANT AND SUB-APPLICANT

This Agreement, made and entered into this 2nd day of June, 2014, by and between City of Harrisonville, hereinafter called the "Applicant," and Shepherd's Staff Food Pantry, hereinafter called the "Sub-applicant."

Whereas, the Applicant is applying for a Community Development Block Grant from the State of Missouri, and it is the Applicant's desire to relinquish certain responsibilities as allowed by the program and the State statutes;

Whereas, the Sub-applicant will benefit from the grant proceeds and finds it in the best interest of both parties to assume these responsibilities;

Now, therefore, the parties hereto agree as follows:

1. The Sub-applicant shall assume all grant responsibilities listed with the exception of #2 below, which both parties understand cannot be assumed by the Sub-applicant;
2. In addition to the above, the Applicant agrees to retain all financial responsibilities of the grant program, with the understanding that all invoices (financial indebtedness) must be paid through the Applicant's established method;
3. Responsibilities not listed on the attached Grant Agreement, but which the Sub-applicant agrees to carry out on behalf of the Applicant, are as follows:

Shepherd's Staff will be responsible for all aspects of the Grant with the exception of:

1. Funds will be received by the City of Harrisonville and distributed to the Food Pantry as received; and
2. City of Harrisonville will be the Responsible Entity as it pertains to the Environmental Review Record; and
3. City of Harrisonville will comply with the Single Audit Act if applicable.

The Applicant also acknowledges, as part of this Agreement, that liability for the grant is wholly within its realm and the Sub-applicant hereby assumes responsibility to see that all terms listed herein are met, with the above exceptions. This Agreement shall be valid until successful project completion and grant close-out.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year indicated above.

City of Harrisonville

Applicant

Shepherd's Staff Food Pantry

Sub-applicant

Attest: _____

Attest: _____



STAFF REPORT

TO: Board of Aldermen
FROM: Keith Thomas, Director
DATE: May 27, 2014
SUBJECT: 69KV South Transmission Line Re-build Project

Type of Item: *Contract*

Issue:

Engineering design services for the 69KV South Transmission Line Tie Re-build 2014 Capital Project.

Background:

The 69KV South Transmission Line Tie Capital Project is scheduled for re-build this year due to its 40 year old service life and current deterioration. This transmission line normally feeds the South Substation, but under certain contingencies must also feed the North and Royal Street Substations.

One of the existing dead-end structures was replaced in 2013 due to structure failure. The existing #2/0 conductor is undersized for the current and future electrical load of the City and will be replaced with #336 conductor. Design will be similar to the 69KV North Tie completed a few years ago. A new route may also be used to increase the reliability and ease of maintenance of the line. It will be designed for one or two under-build distribution circuits for future expansion in the southern parts of the City.

Requests for Qualifications were sent to the following four engineering firms:

Finley Engineering Company, Inc.

Burns & McDonnell Engineering, Inc.

BHM&G

Allgeier Martin and Associates Inc.

Recommendation:

Finley Engineering Company, Inc. is the preferred engineering consultant. They have been involved in many similar projects and are well respected with other utilities that we are familiar with. The Basic Fee was negotiated and agreed to, with a not to exceed amount of \$46,810,

which is less than the estimated amount in the project cost.

We recommend approval of the engineering services agreement contract to Finley Engineering Company, Inc. for a not to exceed price of \$46,810.

Thank you.

Council Bill No. 027**Ordinance No.**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO
EXECUTE AN AGREEMENT WITH FINLEY ENGINEERING COMPANY FOR
THE ENGINEERING DESIGN SERVICES FOR THE 69 KV SOUTH
TRANSMISSION LINE TIE RE-BUILD IN AN AMOUNT NOT TO EXCEED
\$46,810**

WHEREAS, the City of Harrisonville has determined that Finley Engineering Company is competent to perform services for the City of Harrisonville; and

WHEREAS, Finley Engineering Company agrees to perform services for the City of Harrisonville;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1: That the City Administrator of the City of Harrisonville is hereby authorized and directed to enter into an agreement with Finley Engineering Company for the engineering design services for the 69 KV South Transmission Line Tie Re-Build in an amount not to exceed \$46,810, and

Section 2: That this resolution shall become effective immediately upon its passage and approval.

READ by title only and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 2nd day of June 2014.

Kevin W. Wood, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 2nd day of June 2014.



STAFF REPORT

TO: Board of Aldermen
FROM: Keith Moody, City Administrator
DATE: May 20, 2014
SUBJECT: Agreement with Central Cass County Fire Protection District

Type of Item: *Agreement*

Staff Report

Background: Section 321.322.4 of the Revised Statutes of the State of Missouri was put in place 11 years ago. This section applies only to the city of Harrisonville. This special law prevents Harrisonville from providing fire and ambulance service to areas annexed into the City that were at the time part of CCCFPD. The law also requires the City to pay to the District an amount equal to the property tax that the district would receive on the land and improvements based on the District's property tax rates in perpetuity. Other cities are able to provide fire and ambulance service to newly annexed areas and the payment they make to the fire district is based on a sliding scale over a 5 year period (100%, 80%, 60%, 40%, 20%).

Review: The attached agreement has been approved and executed by CCCFPD on 5-8-14. The agreement was developed by the City Attorney and has been through numerous versions. The agreement provided for CCCFPD to support HB 1899 which eliminates Section 321.322.4 of Missouri Statute. This bill has been approved (incorporated into SB 672) and awaits the Governor's signing. Approval of this agreement resolves disagreement over payments on prior annexations and provides clear procedure going forward on how and when payments shall be made on land annexed into the City that is currently part of CCCFPD.

The agreement also makes it clear that the City will provide fire and ambulance service to annexed areas. This is a key point as this has been an issue when recruiting industry to our community.

Budget Impact: The agreement limits the payments to CCCFPD to 10 years for commercial, residential and industrial assessed property and 25 years for agriculturally assessed property. The agreement also freezes the taxable value and tax rate used in calculating the payment as of the year of annexation. Each of these elements reduces the payment the city would make under the terms of the current law.

Under the terms of this agreement the city would pay \$841 more to CCCFPD than we would collect in property tax on the recently annexed Warner property which is an unusually large annexation (700+ acres). If development occurs on this land within the next 25 years the revenues to the city will erase this shortfall.

Recommendation: Staff recommends approval of the agreement.

Council Bill No. 028

Resolution No.

**A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO
EXECUTE A MEMORANDUM OF UNDERSTANDING AGREEMENT
BETWEEN THE CITY OF HARRISONVILLE, MISSOURI, AND THE
CENTRAL CASS COUNTY FIRE PROTECTION DISTRICT**

WHEREAS, Section 321.322.4 of the Revised Statutes of the State of Missouri was put in place 11 years ago, and

WHEREAS, Section 321.322.4 of the Revised Statutes of the State of Missouri was abolished by HB 1899 during the 2014 Missouri Legislature and the City of Harrisonville and Central Cass County Fire Protection District have reached a new agreement, a copy of which is attached to this bill, and

WHEREAS, this agreement resolves disagreements over payments on prior annexations and provides clear procedure going forward on how and when payments shall be made on land annexed into the City that is currently part of CCCFPD, and

WHEREAS, the agreement also makes clear that the City will provide fire and ambulance service to annexed areas.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1: That the City Administrator of the City of Harrisonville is hereby authorized and directed to execute this Memorandum of Understanding between the City of Harrisonville, Missouri and the Central Cass County Fire Protection District and that the City Clerk is hereby authorized to attest thereto; that a copy of said Memorandum of Understanding is attached hereto, marked "Exhibit A", and made a part hereof.

Section 2: That this resolution shall become effective immediately upon its passage and approval.

READ and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 2nd day of June 2014

Kevin W. Wood, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 2nd day of June 2014

MEMORANDUM OF UNDERSTANDING

WHEREAS, Central Cass County Fire Protection District ("CCCFPD") and the City of Harrisonville, Missouri ("City") have agreed to resolve any and all disputes regarding annexations by the City of territory formerly within the boundaries of CCCFPD and to resolve any conflict between Missouri statutes, particularly 321.322.4, such that the parties agree as follows:

1. The current Section 321.322.4 will be reserved. The parties agree to support House Bill 1899 or any legislation containing the same or similar language. The parties agree that such provisions should no longer be in Missouri statutes. City understands and agrees that CCCFPD will seek to replace Section 321.322.4 with language that provides that, in the event annexations by City should render CCCFPD non-contiguous in fact, CCCFPD would continue to be treated as contiguous for all purposes of Missouri law.
2. The parties agree that they will not follow the other provisions of Section 322.321 for payment by a city to a fire district for annexed territory. Rather, the parties will proceed for annexation as set forth in paragraphs 3 and 4 below.
3. For any annexation by the City of Harrisonville of territory within the boundaries of CCCFPD which have occurred on or after January 1, 2012, or will occur in the future, the City will pay to CCCFPD either: a) the assessed value of the land based on an undeveloped, agricultural land assessment as applied to the tax levy of CCCFPD on the date of the annexation for twenty-five (25) years; or b) if the annexed land is already developed, the City will pay the actual assessed value of the land as applied to the tax levy of CCCFPD for ten (10) years.
4. The City will make annual payments for the amount of years calculated in paragraph 3 within five (5) days of January 1 of the next year following completion of the annexation and every year thereafter during the applicable time period. There will be no other payment to CCCFPD as a result of any prior or future annexation.

5. The City will provide all services to the annexed territory and such territory will be no longer within the boundaries of CCCFPD.

6. In cases where the total amount City is to pay to CCCFPD under paragraph 3 over the entire time period is less than \$5,000, City agrees to pay to CCCFPD that full amount in a single payment due no later than January 31 of the year following completion of the annexation. In cases where the amount City is to pay to CCCFPD under paragraph 3 over the entire time period (10 or 25 years) is more than \$5,000, City will make the first annual payment provided in paragraph 4 and will (at the same time) place the balance of the full amount due over remaining years in an escrow account with any bank of City's choice in Cass County, Missouri. The principal amount in such account shall only be withdrawn to make the payments provided for in paragraph 4. All interest and earnings on the escrow account remain the sole property of City and may be used by it for any purpose at its sole discretion.

7. This Memorandum shall be construed in accordance with Missouri law and the parties agree that venue for any action based on or arising out of this Memorandum shall be in the Circuit Court of Cass County, Missouri.

8. This Memorandum constitutes the complete agreement between the parties and any alteration or amendment of the terms of the Memorandum must be made in writing and signed by the party being charged under such alteration or amendment.

9. There will be no payment by either party for any claim by either party for money due or owing from any annexation, service or other matter prior to December 31, 2011.

Keith Moody
City Administrator
City of Harrisonville, Missouri

 5-8-14
Curt Huckshorn
Chief
Central Cass County Fire Protection District

Attachment: Agreement with CCCFPD 5-8-14 (1412 : Agreement with Central Cass County Fire Protection District)