



AMENDED AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
OCTOBER 2, 2017
7:00 PM

- 1. Call to Order & Pledge of Allegiance**
- 2. Roll Call**
 - A. Roll Call**
- 3. Ceremonial Matters**
- 4. Public Hearings**
 - A. Chapter 430 Public Hearing**
 - B. Special Use Permit for Community Church Public Hearing**
- 5. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Sep 18, 2017 7:00 PM**
 - B. Board of Aldermen - Work Session - Sep 25, 2017 6:00 PM**
- 6. Agenda Items**
 - A. Council Bill 65: An Ordinance of the Board of Aldermen of Harrisonville, Missouri Repealing Chapter 430 of the City Code and Enacting in lieu thereof an Amended Chapter 430 Urban Redevelopment Regulations of the City of Harrisonville, Missouri and Establishing an Effective Date.**
 - B. Council Bill 66: An Ordinance of the City of Harrisonville, Missouri, Approving a Special Use Permit for Cornerstone Community Church to have Temporary Classrooms for a Period not to exceed Five (5) Years for Subject Property located at 1704 Waters Road as requested by Applicant, New Castle Homes (Jeff Warren).**

- 7. Aldermen and Committee Reports**
- 8. Report from the City Administrator**
 - A. City Admin Report 10-2-2017**
- 9. Report from the Mayor**
- 10. Adjourn to Executive Session -- RSMo 610.021(1) Legal Action**
- 11. Adjourn From Regular Session**

Posted on City Hall Bulletin Board this 29th day of September 2017

Randall K. Jones, 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



STAFF REPORT

TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: August 16, 2017
SUBJECT: Chapter 430 Public Hearing

Type of Item: *Public Hearing*

The City is proposing to change Chapter 430. See item on the agenda.

A. Action Item (ID # 2620)

Chapter 430 Public Hearing

Attachments:

Chapter 430 - Revision Version (DOCX)



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
SEPTEMBER 18, 2017
7:00 PM

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

Attendee Name	Organization	Title	Status	Arrived
Judy Bowman	Harrisonville	Board Member	Present	
Clint Long	Harrisonville	Board Member	Absent	
David Dickerson	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Brad Bockelman	Harrisonville	Board Member	Present	
Brian Hasek	Harrisonville	Mayor	Present	

Others present were: City Attorney John Fairfield, City Administrator Happy Welch, Finance Director Marcella McCoy, Police Chief John Hofer, Public Works Director Eric Patterson, Street Superintendent Rodney Jacobs, Parks & Recreation Director Chris Deal and City Clerk Randall Jones Recording.

3. **Ceremonial Matters**

None

4. **Public Participation**

Jerald Tabb, 1607 N. Lexington, shared words of praise for the Street Department and how they handled an issue in front of his home and also gave a thank you to the EMS Department for their good work.

5. **Approval of Minutes**

A. Board of Aldermen - Regular Meeting - Sep 5, 2017 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Matt Turner, Board Member
SECONDER: David Dickerson, Board Member
AYES: Bowman, Dickerson, Turner, Milner, Reece, Bockelman
ABSENT: Clint Long

6. Agenda Items

A. Special Event Permit: Rocked World Event Permit (#2)

Police Chief John Hofer presented staff report.

RESULT: APPROVED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Judy Reece, Board Member
AYES: Bowman, Dickerson, Turner, Milner, Reece, Bockelman
ABSENT: Clint Long

B. Special Event Permit: Trunk or Treat 2017

Police Chief John Hofer presented staff report.

RESULT: APPROVED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Judy Reece, Board Member
AYES: Bowman, Dickerson, Turner, Milner, Reece, Bockelman
ABSENT: Clint Long

C. Storm Easement Yard Work

City Administrator Happy Welch presented staff report.

Marty Ross, property owner at 207 Meghan, addressed Mayor and Board with his concerns.

Public Works Director Eric Patterson thought that both the East and West sides of the street should be done at same time.

RESULT: APPROVED [UNANIMOUS]
MOVER: David Dickerson, Board Member
SECONDER: Judy Reece, Board Member
AYES: Bowman, Dickerson, Turner, Milner, Reece, Bockelman
ABSENT: Clint Long

D. A Resolution of the Board of Aldermen Authorizing the City Administrator to Enter into an agreement with Midwest Heavy Construction, LLC to construct a sidewalk along Jefferson Parkway in an amount not to exceed \$185,521.70

Public Works Director Eric Patterson presented staff report.

Designated by Mayor Hasek as Resolution #37 after pasage.

RESULT: ADOPTED [UNANIMOUS]
MOVER: David Dickerson, Board Member

SECONDER: Marcia Milner, Board Member
AYES: Bowman, Dickerson, Turner, Milner, Reece, Bockelman
ABSENT: Clint Long

- E. **An Ordinance approving an agreement for Police Services between the City of Harrisonville and the Harrisonville Cass R-IX School District, authorizing the City Administrator to sign the agreement and establishing an effective date.**

First reading with motion to waive rules with roll call vote with all aldermen voting aye with exception of Alderman Long, absent. Following second reading, Mayor Hasek designated Council Bill #64 as Ordinance #3415 after passage.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marcia Milner, Board Member
SECONDER: David Dickerson, Board Member
AYES: Bowman, Dickerson, Turner, Milner, Reece, Bockelman
ABSENT: Clint Long

- F. **An Ordinance Authorizing a Variance for the Developer of the Harrisonville Villas a Variance of the Approved Subdivision Plat By not Requiring Timber Drive to Extend to the West Property Line**

City Administrator Happy Welch presented staff report.

Planning & Zoning gave recommendation for approval.

Alderman Bowman pointed out that the City had already paid out \$10,000 for an inspector on this project.

Alderman Milner voiced concern against variance and stated we would be setting a precedent if City granted variance.

Alderman Reece also voiced concern against variance.

Alderman Dickerson made motion and second by Alderman Turner to postpone to next meeting to allow some discussion with developer to come to an agreement. Alderman Bowman asked who would speak to the Developer and suggested having a work session prior to next meeting.

Voice vote taken with 3 ayes and 3 nays. Vote to suspend rules, split vote, moved to the next meeting.

RESULT: FIRST READING
Next: 10/2/2017 7:00 PM

7. Aldermen and Committee Reports

Alderman Bowman spent time with Chris Deal and other volunteers at Red Cross Disaster Training last week at the Community Center.

Alderman Reece commented on what a great HHS Homecoming Parade and asked how to get parked vehicles off the parade route.

Alderman Milner extended thank you to City Attorney John Fairfield for getting SRO contract completely promptly. She also told of how Head Coach Maxwell did a kind gesture for the Kindergarten class before the parade.

Alderman Dickerson attend the recent MML Conference at TanTara and enjoyed the tour of Bagnell Dam.

Alderman Turner also attended MML Conference and received his plaque in recognition of obtaining his Certified Municipal Official status. He also attended the Homecoming festivities.

8. Report from the City Administrator

City Administrator Happy Welch extended an invitation to Mayor and Board to attend the "Love the Square" informational meeting on September 21st at 5:30 p.m. at BrickHouse Coffee.

Announced Budget Work Session to be held Monday, September 25th at 6:00 p.m.

City Hall Roof replacement should begin this week.

Discussions for contract between City and Cass Regional Medical Center for ambulance service will start Monday, September 25, 2017..

9. Report from the Mayor

Mayor Hasek also attended the MML Conference last week and received his Certified Municipal Official designation.

Mayor Hasek had the honor of speaking at the Pep Rally during the HHS Homecoming festivities.

Mayor Hasek and Mayor Hicks of Pleasant Hill made wager that after the upcoming football game between Harrisonville and Pleasant Hill, the losing team's Mayor will wear the opposing team's colors at their next Board of Alderman meeting.

46 vehicles came to the recent storm debris brush drop off event held last week.

10. Adjourn From Regular Session

Motion by Alderman Dickerson and second by Alderman Milner to adjourn. Meeting adjourned at 7:49 p.m.

Brian Hasek, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Sep 18, 2017 7:00 PM (Approval of Minutes)



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
SEPTEMBER 25, 2017
6:00 PM

1. Call to Order & Roll Call

Attendee Name	Organization	Title	Status	Arrived
Judy Bowman	Harrisonville	Board Member	Present	
Clint Long	Harrisonville	Board Member	Late	6:15 PM
David Dickerson	Harrisonville	Board Member	Absent	
Matt Turner	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Absent	
Judy Reece	Harrisonville	Board Member	Present	
Brad Bockelman	Harrisonville	Board Member	Present	
Brian Hasek	Harrisonville	Mayor	Present	

Others present were: City Administrator Happy Welch, Police Chief John Hofer, Public Works Director Eric Patterson, Street Superintendent Rodney Jacobs, Finance Director Marcella McCoy and City Clerk Randall Jones Recording.

2. Discussion of 2018 Budget

Administrator Welch presented the 2018 Budget Overview to the Mayor and Board.

Discussion items were: explanation of \$200,000 that needs to be transferred back to Electric Department; discussion on the Hwy 291 TDD payments; discussion on refuse charges and administrative fees; discussion on fees due for ambulance services.

Administrator Welch reviewed the 2018 Large Capital Item/Project Requests.

3. Adjourn from Work Session

Meeting adjourned at 7:05 p.m.

 Brian Hasek, Mayor & Ex-Officio

Work Session**Monday, September 25, 2017****6:00 PM**

Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Sep 25, 2017 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: August 16, 2017
SUBJECT: Chapter 430 Complete Revision

Type of Item: *Approval*

Chapter 430 is the Urban Redevelopment Regulation section of the Code of Ordinances. When referring to the Chapter during the Harrisonville Senior Villas redevelopment at the old hospital, some issues were found that needed to be corrected and in doing so it was better to change a number of items associated with the Chapter (see revisions). City Attorney Fairfield completed the revisions and it has been reviewed by staff.

Community Development is recommending adoption after they reviewed the changes and made one of their own.

Council Bill No. 65**Ordinance No.**

**An Ordinance of the Board of Aldermen of Harrisonville, Missouri Repealing
Chapter 430 of the City Code and Enacting in lieu thereof an Amended Chapter 430
Urban Redevelopment Regulations of the City of Harrisonville, Missouri and
Establishing an Effective Date.**

WHEREAS, the City of Harrisonville, Missouri (“City”) desires to allow redevelopment through certain funding mechanisms authorized by state law;

WHEREAS, the City desires to define the process for a developer seeking approval from the Board under the requirements of Chapter 353 RSMo. for blighted areas;

WHEREAS, the City has reviewed the current Chapter 430 and found that amendments were needed to clarify and amend certain requirements of the Chapter and to allow the city more flexibility and time to conduct its analysis of a proposed project;

WHEREAS, the Community Development Committee reviewed the recommendations of City staff at the August 15, 2017 meeting and recommend to the Board approval of the amended Chapter 430 as set forth in Exhibit A attached hereto;

WHEREAS the City of Harrisonville Board of Aldermen, after careful and due deliberation, concludes that amending Chapter 430 as set forth in Exhibit A below would be in the best interest of the City.

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

Section 1: The Board of Alderman (“Board”) hereby repeals Chapter 430 of the Code of Ordinances and enacts in lieu thereof an amended Chapter 430 as provided in EXHIBIT A, which is attached to this ordinance, and incorporated herein by reference.

Section 2: That this ordinance shall become effective immediately upon passage and approval for the City of Harrisonville.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4: Effective Date. That this order shall become effective immediately upon its passage and approval.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 2ND DAY OF OCTOBER 2017 AND READ FOR A SECOND TIME BY TITLE ONLY ON THE 2ND DAY OF OCTOBER 2017. VOTE TAKEN AS FOLLOWS:

AYE:

NAY:

ABSENT:

ABSTAIN:

PASSED BY THE BOARD OF ALDERMEN THIS 2ND DAY OF OCTOBER 2017.

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

APPROVED by the Mayor this 2nd of October 2017.

Chapter 430. Urban Redevelopment Regulations

Section 430.040. Procedural Requirements.

[Ord. No. 2764 §1(140.040), 4-1-2002]

- A. *Submission Of Application.* Three (3) applications for approval of a development plan pursuant to the provisions of this Chapter and Chapter 353, RSMo., shall be filed by the Redevelopment Corporation (a.k.a. the “urban redevelopment corporation”) at the office of the City Clerk. Additional copies may be requested as necessary to allow adequate review. Concurrent with such filing, the applicant shall file an application for rezoning to the appropriate land use district in accordance with the requirements of the zoning regulations of the City of Harrisonville (a.k.a the “City”) if the current zoning of the proposed development project is incompatible with the proposed development plan.
- B. *Contents Of Application.* An application for approval of a development plan shall contain the following supporting information:
 1. A development plan of the property which shall include the following information:
 - a. A legal description of each parcel of land included in the proposed redevelopment area and a legal description of all property proposed to be acquired by eminent domain and a statement outlining the reasons why eminent domain is requested.
 - b. A proposed phasing or staging plan for the development project, if more than one (1) phase or stage is intended, and the time schedule for acquisition, commencement and completion of each phase or stage.
 - c. Existing structures to be demolished, retained and renovated and the time schedule for each.
 - d. Proposed new construction including, but not limited to, type of building (i.e., residential, commercial, industrial, office building heights, square footage, parking space).
 - e. Public improvements proposed with the development plan, including any proposed changes in existing public facilities, including, but not limited to, streets, sidewalks and utilities.
 - f. Amenities proposed to be included with the development.
 - g. Necessary zoning changes.
 2. A blight study prepared in accordance with the requirements of Section 430.060 of this Chapter.

3. A relocation plan in accordance with the requirements of Section 430.070 of this Chapter.
4. Appraisals of all parcels of property proposed for acquisition in accordance with the requirements of Section 430.080 of this Chapter.
5. An affidavit from the Redevelopment Corporation certifying financial capability of the redevelopment corporation to complete the development project as proposed in accordance with the requirements of Section 430.100. In addition, a professional market study shall be performed by a qualified company and customized for the Harrisonville market demonstrating the financial and market feasibility of the proposed new development project.
6. A study analyzing post development project tax impact versus current tax levels to fully justify the tax abatement as economically essential to the proposed development project and assessing the impact of abatement on all taxing jurisdictions. This document shall also be provided as the basis for determining any in-lieu-of tax payments to be made by the Redevelopment Corporation during the period of abatement. A statement from the applicant indicating a willingness to make payments in lieu of taxes as necessary. Submittal of copies of return receipts indicating notice has been given to all taxing jurisdictions in accordance with the requirements of Section 430.090 herein.
7. A provision for the disposition of surplus earnings of the Redevelopment Corporation as provided in Chapter 353, RSMo.
8. Identification, including background and experience of the individuals who will be responsible for the management of the development plan and the development therein.
9. Certificate of Incorporation of the Redevelopment Corporation, including a certified copy of the articles of incorporation, names and addresses of the officers, directors and registered agent, and any owner, partner, member or shareholder having any ownership in the Redevelopment Corporation.
10. A statement that each person or entity having a property interest of record (including any interest which is a security interest or any leasehold interest of record) and each occupant or resident in the project area has been given written notice of the filing of the development plan by depositing such notice in the regular United States mail, postage prepaid, addressed to such person or entity having a property interest of record at the address indicated in the records of the Recorder's office of Cass County in which the property is located and addressed to each occupant at the address of such occupant in the project area.

11. A deposit of five hundred dollars (\$500.00) plus one hundred dollars (\$100.00) per individual tract of ground included in the proposed redevelopment. The applicant shall also pay in advance to the City of Harrisonville a deposit and such additional sums necessary to cover costs for the City to engage independent professional services to assist in the review of the application, to conduct an analysis of the impact on City Services, financial and market feasibility, the financial capability of the Redevelopment Corporation to complete the development project, and the review of the ownership and management of the Redevelopment Corporation (“Professional Review”).
12. Any additional information from time to time which is deemed necessary.

C. *Review Process.*

1. *Filing application and review.* Upon receipt of the application, the City Clerk shall refer the application to the City Administrator and City Attorney for a determination that all required information has been submitted. A public hearing on said application shall be scheduled at the direction of the Mayor before the Board of Aldermen no later than ninety (90) days, except as provided in this Chapter, after determining the application and the Professional Review are complete (the “Public Hearing”).
2. *Initial Development Plan Review.* After the application and the Professional Review are complete, and prior to submittal to the Board, the development plan, at the discretion of the Mayor, may be reviewed by the Mayor, City Administrator, Community Development Director, and City Attorney, who may require the developer or Redevelopment Corporation to provide additional information. Such information must be provided to the City by the developer and Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City. The Mayor may also create a committee of the Board to have an initial hearing on the development plan, which may determine that additional information should be provided by the developer or Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City.
2. *Public notice.* A notice of said Public Hearing shall be published in a newspaper having a general circulation in the City of Harrisonville providing no less than fifteen (15) days' notice of the time and place of hearing before the Board of Aldermen. Applicant shall be required to give notice by mail to all property owners and occupants in the redevelopment area, to the taxpayers listed on the County tax rolls for any hearings before the Board of Aldermen no less than thirty (30) days before the date of the hearing. Applicant shall be notified in sufficient time of the date of the public hearing to give the mailed noticed required herein to the property owners and occupants in the redevelopment area. Evidence of mailing of notices for each and every public hearing shall be given to the City, and should the applicant fail to provide

the evidence of mailing of notices, the Public Hearing shall be postponed until such time as the applicant provides satisfactory evidence of mailing of notices.

3. *Board of Aldermen.* The Board of Aldermen shall have the following duties and responsibilities:

- a. A development plan shall not be recommended for approval by the Board of Aldermen until and unless the Board makes the following determinations:
 - (1) *Necessity.* That the area within which the redevelopment is to be made is blighted and that redevelopment in accordance with this development plan is necessary or advisable to effectuate the purposes declared in Section 430.010 of this Chapter.
 - (2) *Compliance with the Comprehensive Plan.* That the development complies with the Comprehensive Plan of the City.
 - (3) *Sufficient size.* That the area is of sufficient size to allow its redevelopment in an efficient and economically satisfactory manner.
 - (4) *Stages of plan.* That the various stages, if any, by which the redevelopment is proposed to be constructed or undertaken as stated in the development plan are practical and in the public interest.
 - (5) *Public facilities.* That public facilities, including, but not limited to, school, fire, water, sewer, Police, transportation, park, playground or recreation, are presently adequate, or will be adequate at the time that the redevelopment is ready for use, to service the area and if additional public facilities are deemed necessary, the Redevelopment Corporation is required to build all public improvements to support the proposed development.
 - (6) *Zoning, street changes.* That the proposed changes, if any, in the case of the zoning ordinance or map have been approved by the Planning and Zoning Commission and in streets or street levels or any proposed street closings, are necessary or desirable for the redevelopment and its protection against blighting influences and for the City as a whole.
 - (7) *Financial capability.* Evidence of existing financial capability to complete the project and provision for the continuing availability of funding in accordance with the requirements of Section 430.100 of this Chapter.
 - (8) *Relocation plan.* That the relocation plan submitted with the application complies with the requirements of Section 430.070 of this Chapter.

- (9) Notice to taxing authorities. That proper notice has been given to all taxing jurisdictions as required in Section 430.090(A) of this Chapter.
 - (10) Payments in lieu of taxes. Approve and authorize execution of any agreement between the City and the applicant regarding payments in lieu of taxes.
 - (11) That the area included within a development plan is a blighted area and that the clearance, redevelopment, replanning, rehabilitation or reconstruction thereof is necessary for the public convenience and necessity
 - (12) That if a Redevelopment Corporation or developer seeks to acquire all or any part of the real property within a blighted area by exercise of the power of eminent domain, such acquisition is for the public convenience and necessity.
 - (13) That approval of the development plan and construction of the redevelopment project are necessary for the preservation of the public health, safety and general welfare.
- b. Upon making the findings and the declaration required, the Board of Aldermen shall consider an ordinance approving the development plan. If the Board of Aldermen approves the ordinance, the Board of Aldermen shall authorize the Mayor to enter into a contract with the Redevelopment Corporation on behalf of the City (the "Contract"), such Contract to contain, among other provisions, the provisions as embodied in the plan, the approving ordinance, a provision that the applicable provisions of this Chapter shall be incorporated by reference into such Contract, a provision outlining any required payments in lieu of taxes, a provision pertaining to non-compliance remedy of breach of contract as more particularly stated in Section 430.130 and a provision that the terms, conditions or provisions of the Contract can be neither modified nor eliminated except by mutual agreement between the City and the Redevelopment Corporation; provided however, that no such Contract shall be construed as an enlargement of the authority conferred upon the City by Chapter 353, RSMo. The City at its discretion may require the Redevelopment Corporation or developer to advance such sums necessary to for the City to engage an independent attorney to draft and negotiate the terms of the Contract.

Section 430.050. Plan Implementation.

[Ord. No. 2764 §1(140.050), 4-1-2002]

- A. *Certification Of Public Convenience And Necessity For Corporation To Acquire Property By Eminent Domain.* If the Redevelopment Corporation proposing a development plan

seeks to acquire all or any part of the real property described in the development plan by eminent domain, the Board of Aldermen shall, by the ordinance approving such plan, determine that the public convenience and necessity will be served by the development plan and the redevelopment project and shall grant to such Redevelopment Corporation a certificate of public convenience and necessity authorizing and empowering such Redevelopment Corporation to acquire by the exercise of eminent domain such real property in fee simple or other estate; provided that such real property shall be devoted to the purposes and uses described in the development plan. The Redevelopment Corporation may thereafter exercise the power of eminent domain in the manner provided for corporations in Revised Statutes of Missouri or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provision. Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to the City or to the State or any other political subdivision thereof may be acquired without its consent.

B. *Commission To Check Compliance, Make Reports, Adopt Rules And Regulations.*

1. Investigation and reports. It shall be the duty of the City Administrator, after a development plan has been approved by the Board of Aldermen, to investigate and report to the Board of Aldermen semi-annually during construction of the redevelopment project whether the Redevelopment Corporation is fully complying with the approved development plan, the Contract and this Chapter.
2. Compliance with time schedule. The Redevelopment Corporation shall comply with the time schedule or staging plan approved with the development plan, including the time schedule for acquisition, commencement and completion of each phase or stage. Upon application for an extension of time by the Redevelopment Corporation, the Board of Aldermen, if deemed in the public interest, may with a three-fourths ($\frac{3}{4}$) majority vote grant to the Redevelopment Corporation operating under an approved development plan an extension of time in which to complete the development plan or any approved phase or stage. In the event an extension is denied and the Redevelopment Corporation cannot comply with the required time schedule, an ordinance to repeal the ordinance approving the development plan shall be considered.
3. Recommendation of certification. When a Redevelopment Corporation operating under an approved development plan has completed the redevelopment project in accordance with the provisions of the development plan, the City Administrator, upon the written request of such Redevelopment Corporation, shall conduct an investigation and if the City Administrator determines that the project has been completed, the City Administrator shall recommend to the Board of Aldermen that a certificate of full compliance be issued to the Redevelopment Corporation for each stage and the Board of Aldermen may authorize the City Administrator to issue a certificate of compliance which shall be conclusive evidence of compliance.

C. *Reports Required By Corporations.*

1. Every Redevelopment Corporation shall render annually to the City Clerk during the period of tax relief provided in Section 430.090 a financial report for the preceding year, verified under oath by the Redevelopment Corporation's certified public accountant, which report shall disclose the earnings of the Redevelopment Corporation and the disposition of any net earnings in excess of those provided for under Section 430.100 and the interest rate on income debenture bonds, notes or other evidence of debt of the Redevelopment Corporation, thereupon, the City Clerk shall forward the report to the City Administrator for review. Such financial reports shall be submitted not more than ninety (90) days after the Redevelopment Corporation's fiscal year end as specified in the application for approval of a development plan.
2. The Redevelopment Corporation shall annually file with the City Clerk a certified financial statement indicating compliance with Section 430.100 of this Chapter.
3. The Redevelopment Corporation shall report annually progress on property acquisition and the occupants displaced by the Redevelopment Corporation by name and address and specify the relocation benefits provided to each occupant.

Section 430.060. Supporting Evidence of Blight.

[Ord. No. 2764 §1(140.060), 4-1-2002]

Any application for approval of a development plan shall be supported by factual evidence that the area is a blighted area as defined by Chapter 353, RSMo. Evidence must be complete prior to any Public Hearing to allow the Board to make a finding of blight as required by Statute and this Chapter.

Section 430.070. Relocation Plan.

[Ord. No. 2764 §1(140.070), 4-1-2002]

- A. General. Every Redevelopment Corporation which requests the power of eminent domain for any part of the project area shall submit a relocation plan as part of the development plan.
- B. Contents Of Plan. The relocation plan shall outline specific requirements and procedures for handling displacement in each of the following instances: owner-occupied residential units, renter-occupied residential units, owner-occupied businesses, renter-occupied businesses or any combination of the above.
- C. Relocation Payments. Payments shall be made to all displaced occupants, except those occupants who have agreed to waive their relocation benefits for payments made for the purpose of real property or other mutually agreeable settlement. A displaced occupant who lives on a business property shall be eligible for both a payment as a dwelling occupant and a payment with respect to the business operation.

- D. Review Of The Relocation Plan. In reviewing any plan proposed, the City retains the right to determine the adequacy of the proposal and, if appropriate, require additional elements to be provided therein.
- E. Reporting Requirements. The Redevelopment Corporation shall submit to the City Clerk a relocation progress report on an annual basis during the entire relocation process and until such time as the Board of Aldermen certifies that all relocation needs have been met. Such progress report shall demonstrate and document compliance with the approved relocation plan. The report shall be certified by affidavit of a corporate officer.

Section 430.080. Acquisition of Real Property.

[Ord. No. 2764 §1(140.080), 4-1-2002]

- A. General. At the time of filing a development plan which provides for the acquisition of property by eminent domain, the Redevelopment Corporation shall certify that, as a condition of approval of the plan, it shall make every reasonable effort and good faith attempt to acquire the real property expeditiously by negotiation and ensure that owners of real property to be acquired are treated fairly and consistently. Further, the Redevelopment Corporation shall submit a property acquisition schedule on a parcel-by-parcel basis for the development area.
- B. Appraisal. The Redevelopment Corporation's appraisal of "fair market value" shall be based upon nationally recognized appraisal standards and techniques consistent with the concepts of value and the rules on the admissibility of evidence of value under the eminent domain law of the State of Missouri. The owner shall be notified, in writing, of all appraisals and be extended the opportunity to accompany the appraiser on their inspection.
- C. Offer Of Just Compensation. Promptly after establishment of just compensation the Redevelopment Corporation shall transmit a written purchase offer with a copy of the approved appraisal to the owner and furnish the City with proof such offer was received. The Redevelopment Corporation shall make every reasonable effort to meet with the owner or their representative to discuss the basis for the determination of just compensation and attempt to arrive at a negotiated purchase price. Should such negotiations continue for a period greater than ninety (90) days, either the owner or the Redevelopment Corporation may elect to proceed with eminent domain proceedings.
- D. Mandatory Purchase By Corporation. Upon submittal of the development plan or at any time thereafter during the life of the project, any property owner wishing to sell their property and relocate immediately may notify the Redevelopment Corporation of such in writing. Upon receipt of the request, the Redevelopment Corporation shall in good faith attempt to purchase by negotiation said property subject to eminent domain. If a sale of the property cannot be consummated within ninety (90) days, the corporation shall proceed forthwith to file a proceeding in condemnation.

Section 430.090. Tax Relief For Redevelopment Corporations.

[Ord. No. 2764 §1(140.090), 4-1-2002]

- A. Notice To Taxing Authority. In addition to the notification requirements of Section 430.040, written notice shall be given by the Redevelopment Corporation to all taxing authorities within the area that is the subject of the development plan. A separate notice shall be given prior to the filing of the development plan and the Public Hearing before the Board of Aldermen. Certification of notice shall be provided to the City Clerk at the time of filing the development plan and to the Board of Aldermen prior to the hearings before each body.
- B. Full Exemption. Once the requirements of this Section have been complied with, the real property of urban redevelopment corporations acquired pursuant to this Chapter may be subject to full exemption of taxes for a period of up to ten (10) years as provided by Chapter 353, RSMo, and pursuant to the Contract with the City.
- C. Property Already Exempt. In the event, however, that any such real property was tax exempt immediately prior to ownership by any urban redevelopment corporation, the County Assessor shall assess the property as provided by Chapter 353, RSMo.
- D. Partial Exemption. For the next ensuing period not in excess of fifteen (15) years, ad valorem taxes upon such real property shall be measured as provided by Chapter 353, RSMo., and pursuant to the Contract with the City.
- E. Full Assessment. After a period totaling not more than twenty-five (25) years, such real property shall be subject to assessment and payment of all ad valorem taxes as provided by Chapter 353, RSMo.
- F. Tax Agreements By Corporations. In the course of considering any development plan for approval, the Board of Aldermen shall consider any agreement, in writing, on behalf of the Redevelopment Corporation presenting such plan that, notwithstanding the provisions of the Missouri Redevelopment Corporations Law, it will make payments in lieu of real property taxes to the appropriate taxing bodies in such amount which, together with the real property taxes to be paid on the land for the first ten (10) years, shall, as a minimum, equal the total real property taxes on the land and improvements during the tax year immediately preceding purchase of the property by the corporation; however, such sum may actually in fact exceed the current level of taxes.

Section 430.100. Financial Restrictions On Corporation.

[Ord. No. 2764 §1(140.100), 4-1-2002]

Financial Capability. Proof of financial capability to complete the project shall include a description of the method by which the developer proposes to obtain the financing necessary to complete the project and the developer's proposed equity interest in the project. Further, this

information shall be related to the market feasibility and proposed tax abatement to allow analysis of the project's financial feasibility.

Section 430.110. Prerequisites To Amendment of An Approved Development Plan.

[Ord. No. 2764 §1(140.110), 4-1-2002]

The Board of Aldermen shall review any amendment to a development plan previously approved by ordinance. No such amendment shall be reviewed and no action shall be taken by the Board of Aldermen, unless and until an application for amendment has been filed with the City Clerk by the Redevelopment Corporation or its assignee containing those portions of the statements and information required by Section 430.040 of this Chapter relevant to the proposed amendment and unless and until the Board of Aldermen shall make the determinations required by Section 430.040 relevant to the proposed amendment. The notice requirements of Section 430.040 shall also apply.

Section 430.120 Disposal of Property.

[Ord. No. 2764 §1(140.120), 4-1-2002]

Any urban redevelopment corporation may sell or otherwise dispose of any or all of the real property acquired by it for the purposes of a redevelopment project as provided by Chapter 353, RSMo.

Section 430.130 Remedies For Failure To Follow Plan or Breach of Contract.

[Ord. No. 2764 §1(140.130), 4-1-2002]

Whenever any person or Redevelopment Corporation or its grantee or assignees operating under an approved development plan does not substantially comply with the development plan or with any contract entered into pursuant to the regulations contained herein, then such non-compliance shall immediately be certified by the Board of Aldermen which shall direct the City Administrator to notify said Redevelopment Corporation, its successors, grantees and assignees who is the then current responsible party to the Contract with the City by certified mail to the last known address that it has been found in non-compliance and giving thirty (30) days' notice to correct said non-compliance. The thirty (30) day period shall begin on the date notice is posted. If the non-compliance has not been remedied within the thirty (30) day period, the Board of Aldermen may authorize an attorney to commence a proceeding in the Circuit Court in the name of the City to have such action, failure or omission or threatened action or omission stopped, prevented or rectified by injunction or otherwise or bring an action for damages, including punitive damages against the urban redevelopment corporation for breach of any of the provisions of the redevelopment plan; provided that in the event that the Board of Aldermen determines that the

Redevelopment Corporation has abandoned construction before completion of the project in accordance with the terms of an approved development plan, a declaration of abandonment shall be filed with the Recorder's office in the appropriate County and the real property thereafter included in the plan shall be subject that date to assessment and payment of all ad valorem taxes based on the true value of such real property.

Section 430.140 Amendments To Chapter.

[Ord. No. 2764 §1(140.140), 4-1-2002]

- A. Amendments to this Chapter shall be approved by the Board of Aldermen. At such time as an amendment is recommended, it shall be scheduled for public hearings before the Board of Aldermen with fifteen (15) days' notice of the date, time and place of each hearing published in a newspaper having a general circulation of the City of Harrisonville.
- B. The Board of Aldermen shall hold a public hearing regarding the proposed amendment. Upon considering the evidence presented in the public hearing, the Board of Aldermen may either continue, for good cause, its action upon such an amendment to a date specific or approve or deny such amendment. Approval of the amendment shall be by ordinance.

Chapter 430. Urban Redevelopment Regulations

Section 430.040. Procedural Requirements.

[Ord. No. 2764 §1(140.040), 4-1-2002]

- A. *Submission Of Application.* Three (3) applications for approval of a development plan pursuant to the provisions of this Chapter and Chapter 353, RSMo., shall be filed by the Redevelopment Corporation (a.k.a. the “urban redevelopment corporation”) at the office of the City Clerk. Additional copies may be requested as necessary to allow adequate review. Concurrent with such filing, the applicant shall file an application for rezoning to the appropriate land use district in accordance with the requirements of the zoning regulations of the City of Harrisonville (a.k.a the “City”) if the current zoning of the proposed development project is incompatible with the proposed development plan.
- B. *Contents Of Application.* An application for approval of a development plan shall contain the following supporting information:
 1. A development plan of the property which shall include the following information:
 - a. A legal description of each parcel of land included in the proposed redevelopment area and a legal description of all property proposed to be acquired by eminent domain and a statement outlining the reasons why eminent domain is requested.
 - b. A proposed phasing or staging plan for the development project, if more than one (1) phase or stage is intended, and the time schedule for acquisition, commencement and completion of each phase or stage.
 - c. Existing structures to be demolished, retained and renovated and the time schedule for each.
 - d. Proposed new construction including, but not limited to, type of building (i.e., residential, commercial, industrial, office building heights, square footage, parking space).
 - e. Public improvements proposed with the development plan, including any proposed changes in existing public facilities, including, but not limited to, streets, sidewalks and utilities.
 - f. Amenities proposed to be included with the development.
 - g. Necessary zoning changes.
 2. A blight study prepared in accordance with the requirements of Section 430.060 of this Chapter.

3. A relocation plan in accordance with the requirements of Section [430.070](#) of this Chapter.
4. Appraisals of all parcels of property proposed for acquisition in accordance with the requirements of Section [430.080](#) of this Chapter.
5. An affidavit from the [Redevelopment eCorporation](#) certifying financial capability of the redevelopment corporation to complete the [development](#) project as proposed in accordance with the requirements of Section [430.100](#). In addition, a market study demonstrating the financial and market feasibility of the proposed new development project.
6. A study analyzing post [development](#) project tax impact versus current tax levels to fully justify the tax abatement as economically essential to the proposed [development](#) project and assessing the impact of abatement on all taxing jurisdictions. This document shall also be provided as the basis for determining any in-lieu-of tax payments to be made by the [Redevelopment eCorporation](#) during the period of abatement. A statement from the applicant indicating a willingness to make payments in lieu of taxes as necessary. Submittal of copies of return receipts indicating notice has been given to all taxing jurisdictions in accordance with the requirements of Section [430.090](#) herein.
7. A provision for the disposition of surplus earnings of the [Redevelopment eCorporation](#) as provided in Chapter 353, RSMo.
8. Identification, including background and experience of the individuals who will be responsible for the management of the development plan and the development therein.
9. Certificate of Incorporation of the Redevelopment Corporation, including a certified copy of the articles of incorporation, names and addresses of the officers, directors and registered agent, ~~and any owner, partner, member or shareholder having more than five percent (5%) ownership in the Redevelopment Corporation.~~
10. A statement that each person or entity having a property interest of record (including any interest which is a security interest or any leasehold interest of record) and each occupant or resident in the project area has been given written notice of the filing of the development plan by depositing such notice in the regular United States mail, postage prepaid, addressed to such person or entity having a property interest of record at the address indicated in the records of the Recorder's office of Cass County in which the property is located and addressed to each occupant at the address of such occupant in the project area.
11. A deposit of five hundred dollars (\$500.00) plus one hundred dollars (\$100.00) per individual tract of ground included in the proposed redevelopment. [The applicant](#)

shall also pay in advance to the City of Harrisonville a deposit and such additional sums necessary to cover costs for the City to engage independent professional services to assist in the review of the application, to conduct an analysis of the impact on City Services, financial and market feasibility, the financial capability of the Redevelopment Corporation to complete the development project, and the review of the ownership and management of the Redevelopment Corporation ("Professional Review"). to a maximum of one thousand five hundred dollars (\$1,500.00) which shall be used to cover costs associated with the review of the application.

12. Any additional information from time to time which is deemed necessary.

C. *Review Process.*

1. *Filing application and review.* Upon receipt of the application, the City Clerk shall refer the application to the City Administrator and City Attorney for a determination that all required information has been submitted. A public hearing on said application shall be scheduled at the direction of the Mayor before the Board of Aldermen no later than sixty-ninety (690) days after determining the application and the Professional Review is are complete (the "Public Hearing").
2. *Initial Development Plan Review.* After the application and the Professional Review are complete, and prior to submittal to the Board, the development plan, at the discretion of the Mayor, may be reviewed by the Mayor, City Administrator, Community Development Director, and City Attorney, who may require the developer or Redevelopment Corporation to provide additional information. Such information must be provided to the City by the developer and Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City. The Mayor may also create a committee of the Board to have an initial hearing on the development plan, which may determine that additional information should be provided by the developer or Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City.
2. *Public notice.* A notice of said ~~p~~Public ~~H~~earing shall be published in a newspaper having a general circulation in the City of Harrisonville providing no less than fifteen (15) days' notice of the time and place of hearing before the Board of Aldermen. Applicant shall be required to give notice by mail to all property owners and occupants in the redevelopment area, to the taxpayers listed on the County tax rolls for any hearings before the Board of Aldermen no less than thirty (30) days before the date of the hearing. Applicant shall be notified in sufficient time of the date of the public hearing to give the mailed noticed required herein to the property owners and occupants in the redevelopment area. Evidence of mailing of notices for each and every public hearing shall be given to the City, and should the applicant fail to provide the evidence of mailing of notices, the Public Hearing shall be postponed until such time as the applicant provides satisfactory evidence of mailing of notices.

3. *Board of Aldermen.* The Board of Aldermen shall have the following duties and responsibilities:
- a. A development plan shall not be recommended for approval by the Board of Aldermen until and unless the Board makes the following determinations:
 - (1) *Necessity.* That the area within which the redevelopment is to be made is blighted and that redevelopment in accordance with this development plan is necessary or advisable to effectuate the purposes declared in Section 430.010 of this Chapter.
 - (2) *Compliance with the Comprehensive Plan.* That the development complies with the Comprehensive Plan of the City.
 - (3) *Sufficient size.* That the area is of sufficient size to allow its redevelopment in an efficient and economically satisfactory manner.
 - (4) *Stages of plan.* That the various stages, if any, by which the redevelopment is proposed to be constructed or undertaken as stated in the development plan are practical and in the public interest.
 - (5) *Public facilities.* That public facilities, including, but not limited to, school, fire, water, sewer, Police, transportation, park, playground or recreation, are presently adequate, or will be adequate at the time that the redevelopment is ready for use, to service the area and if additional public facilities are deemed necessary, the [Redevelopment eCorporation](#) is required to build all public improvements to support the proposed development.
 - (6) *Zoning, street changes.* That the proposed changes, if any, in the case of the zoning ordinance or map have been approved by the Planning and Zoning Commission and in streets or street levels or any proposed street closings, are necessary or desirable for the redevelopment and its protection against blighting influences and for the City as a whole.
 - (7) *Financial capability.* Evidence of existing financial capability to complete the project and provision for the continuing availability of funding in accordance with the requirements of Section 430.100 of this Chapter.
 - (8) *Relocation plan.* That the relocation plan submitted with the application complies with the requirements of Section 430.070 of this Chapter.
 - (9) *Notice to taxing authorities.* That proper notice has been given to all taxing jurisdictions as required in Section 430.090(A) of this Chapter.

- (10) Payments in lieu of taxes. Approve and authorize execution of any agreement between the City and the applicant regarding payments in lieu of taxes.
 - (11) That the area included within a development plan is a blighted area and that the clearance, redevelopment, replanning, rehabilitation or reconstruction thereof is necessary for the public convenience and necessity
 - (12) That if a [Redevelopment eCorporation](#) or [developer](#) seeks to acquire all or any part of the real property within a blighted area by exercise of the power of eminent domain, such acquisition is for the public convenience and necessity.
 - (13) That approval of the development plan and construction of the redevelopment project are necessary for the preservation of the public health, safety and general welfare.
- b. Upon making the findings and the declaration required, the Board of Aldermen shall consider an ordinance approving the development plan. If the Board of Aldermen approves the ordinance, the Board of Aldermen shall authorize the Mayor to enter into a contract with the [Redevelopment eCorporation](#) on behalf of the City (the "Contract"), such eContract to contain, among other provisions, the provisions as embodied in the plan, the approving ordinance, a provision that the applicable provisions of this Chapter shall be incorporated by reference into such eContract, a provision outlining any required payments in lieu of taxes, a provision pertaining to non-compliance remedy of breach of contract as more particularly stated in Section 430.130 and a provision that the terms, conditions or provisions of the eContract can be neither modified nor eliminated except by mutual agreement between the City and the [Redevelopment eCorporation](#); provided however, that no such eContract shall be construed as an enlargement of the authority conferred upon the City by Chapter 353, RSMo. [The City at its discretion may require the Redevelopment Corporation or developer to advance such sums necessary to for the City to engage an independent attorney to draft and negotiate the terms of the Contract.](#)

Section 430.050. Plan Implementation.

[Ord. No. 2764 §1(140.050), 4-1-2002]

- A. *Certification Of Public Convenience And Necessity For Corporation To Acquire Property By Eminent Domain.* If the [Redevelopment eCorporation](#) proposing a development plan seeks to acquire all or any part of the real property described in the development plan by eminent domain, the Board of Aldermen shall, by the ordinance approving such plan, determine that the public convenience and necessity will be served by the development

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plan and the redevelopment project and shall grant to such a [Redevelopment eCorporation](#) a certificate of public convenience and necessity authorizing and empowering such [Redevelopment eCorporation](#) to acquire by the exercise of eminent domain such real property in fee simple or other estate; provided that such real property shall be devoted to the purposes and uses described in the development plan. The [Redevelopment eCorporation](#) may thereafter exercise the power of eminent domain in the manner provided for corporations in Revised Statutes of Missouri or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provision. Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to the City or to the State or any other political subdivision thereof may be acquired without its consent.

B. *Commission To Check Compliance, Make Reports, Adopt Rules And Regulations.*

1. Investigation and reports. It shall be the duty of the City Administrator, after a development plan has been approved by the Board of Aldermen, to investigate and report to the Board of Aldermen semi-annually during construction of the redevelopment project whether the [Redevelopment eCorporation](#) is fully complying with the approved development plan, [the Contract](#) and this Chapter.
2. Compliance with time schedule. The [Redevelopment eCorporation](#) shall comply with the time schedule or staging plan approved with the development plan, including the time schedule for acquisition, commencement and completion of each phase or stage. Upon application for an extension of time by the [Redevelopment Corporation](#), the Board of Aldermen, if deemed in the public interest, may with a three-fourths (¾) majority vote grant to the [Redevelopment Corporation](#) operating under an approved development plan an extension of time in which to complete the development plan or any approved phase or stage. In the event an extension is denied and the [Redevelopment Corporation](#) cannot comply with the required time schedule, an ordinance to repeal the ordinance approving the development plan shall be considered.
3. Recommendation of certification. When a [Redevelopment Corporation](#) operating under an approved development plan has completed the redevelopment project in accordance with the provisions of the development plan, the City Administrator, upon the written request of such [Redevelopment Corporation](#), shall conduct an investigation and if the City Administrator determines that the project has been completed, the City Administrator shall recommend to the Board of Aldermen that a certificate of full compliance be issued to the [Redevelopment Corporation](#) for each stage and the Board of Aldermen may authorize the City Administrator to issue a certificate of compliance which shall be conclusive evidence of compliance.

C. *Reports Required By Corporations.*

1. Every [Redevelopment Corporation corporation](#) shall render annually to the City Clerk during the period of tax relief provided in Section 430.090 a financial report for the preceding year, verified under oath by the [Redevelopment Corporation's corporation's](#) certified public accountant, which report shall disclose the earnings of the [Redevelopment Corporation corporation](#) and the disposition of any net earnings in excess of those provided for under Section 430.100 and the interest rate on income debenture bonds, notes or other evidence of debt of the [Redevelopment Corporation corporation](#), thereupon, the City Clerk shall forward the report to the City Administrator for review. Such financial reports shall be submitted not more than ninety (90) days after the [Redevelopment Corporation's corporation's](#) fiscal year end as specified in the application for approval of a development plan.
2. The [Redevelopment Corporation corporation](#) shall annually file with the City Clerk a certified financial statement indicating compliance with Section 430.100 of this Chapter.
3. The [Redevelopment Corporation corporation](#) shall report annually progress on property acquisition and the occupants displaced by the [Redevelopment Corporation corporation](#) by name and address and specify the relocation benefits provided to each occupant.

Section 430.060. Supporting Evidence of Blight.

[Ord. No. 2764 §1(140.060), 4-1-2002]

Any application for approval of a development plan shall be supported by factual evidence that the area is a blighted area as defined by Chapter 353, RSMo. Evidence must be complete [prior to any Public Hearing](#) to allow the Board to make a finding of blight as required by Statute and this Chapter.

Section 430.070. Relocation Plan.

[Ord. No. 2764 §1(140.070), 4-1-2002]

- A. General. Every [Redevelopment Corporation corporation](#) which requests the power of eminent domain for any part of the project area shall submit a relocation plan as part of the development plan.
- B. Contents Of Plan. The relocation plan shall outline specific requirements and procedures for handling displacement in each of the following instances: owner-occupied residential units, renter-occupied residential units, owner-occupied businesses, renter-occupied businesses or any combination of the above.
- C. Relocation Payments. Payments shall be made to all displaced occupants, except those occupants who have agreed to waive their relocation benefits for payments made for the purpose of real property or other mutually agreeable settlement. A displaced occupant who

lives on a business property shall be eligible for both a payment as a dwelling occupant and a payment with respect to the business operation.

- D. Review Of The Relocation Plan. In reviewing any plan proposed, the City retains the right to determine the adequacy of the proposal and, if appropriate, require additional elements to be provided therein.
- E. Reporting Requirements. The [Redevelopment Corporation](#) shall submit to the City Clerk a relocation progress report on an annual basis during the entire relocation process and until such time as the Board of Aldermen certifies that all relocation needs have been met. Such progress report shall demonstrate and document compliance with the approved relocation plan. The report shall be certified by affidavit of a corporate officer.

Section 430.080. Acquisition of Real Property.

[Ord. No. 2764 §1(140.080), 4-1-2002]

- A. General. At the time of filing a development plan which provides for the acquisition of property by eminent domain, the [Redevelopment Corporation](#) shall certify that, as a condition of approval of the plan, it shall make every reasonable effort and good faith attempt to acquire the real property expeditiously by negotiation and ensure that owners of real property to be acquired are treated fairly and consistently. Further, the [Redevelopment Corporation](#) shall submit a property acquisition schedule on a parcel-by-parcel basis for the development area.
- B. Appraisal. The [Redevelopment Corporation's](#) appraisal of "fair market value" shall be based upon nationally recognized appraisal standards and techniques consistent with the concepts of value and the rules on the admissibility of evidence of value under the eminent domain law of the State of Missouri. The owner shall be notified, in writing, of all appraisals and be extended the opportunity to accompany the appraiser on their inspection.
- C. Offer Of Just Compensation. Promptly after establishment of just compensation the [Redevelopment Corporation](#) shall transmit a written purchase offer with a copy of the approved appraisal to the owner and furnish the City with proof such offer was received. The [Redevelopment Corporation](#) shall make every reasonable effort to meet with the owner or their representative to discuss the basis for the determination of just compensation and attempt to arrive at a negotiated purchase price. Should such negotiations continue for a period greater than ninety (90) days, either the owner or the [Redevelopment Corporation](#) may elect to proceed with eminent domain proceedings.
- D. Mandatory Purchase By Corporation. Upon arrival of the development plan or at any time thereafter during the life of the project, any property owner wishing to sell their property and relocate immediately may notify the [Redevelopment Corporation](#) of such in writing. Upon receipt of the request, the [Redevelopment Corporation](#) shall in good faith attempt to purchase by negotiation said property subject to eminent domain.

If a sale of the property cannot be consummated within ninety (90) days, the corporation shall proceed forthwith to file a proceeding in condemnation.

Section 430.090. Tax Relief For Redevelopment Corporations.

[Ord. No. 2764 §1(140.090), 4-1-2002]

- A. Notice To Taxing Authority. In addition to the notification requirements of Section 430.040, written notice shall be given by the [Redevelopment Corporation](#) ~~corporation~~ to all taxing authorities within the area that is the subject of the development plan. A separate notice shall be given prior to the filing of the development plan and the ~~Public Hearing~~ before the Board of Aldermen. Certification of notice shall be provided to the City Clerk at the time of filing the development plan and to the Board of Aldermen prior to the hearings before each body.
- B. Full Exemption. Once the requirements of this Section have been complied with, the real property of urban redevelopment corporations acquired pursuant to this Chapter ~~shall may~~ be subject to full exemption of taxes for a period of [up to](#) ten (10) years as provided by Chapter 353, RSMo., [and pursuant to the Contract with the City.](#)
- C. Property Already Exempt. In the event, however, that any such real property was tax exempt immediately prior to ownership by any urban redevelopment corporation, the County Assessor shall assess the property as provided by Chapter 353, RSMo.
- D. Partial Exemption. For the next ensuing period not in excess of fifteen (15) years, ad valorem taxes upon such real property shall be measured as provided by Chapter 353, RSMo., [and pursuant to the Contract with the City.](#)
- E. Full Assessment. After a period totaling not more than twenty-five (25) years, such real property shall be subject to assessment and payment of all ad valorem taxes as provided by Chapter 353, RSMo.
- F. Tax Agreements By Corporations. In the course of considering any development plan for approval, the Board of Aldermen shall consider any agreement, in writing, on behalf of the [Redevelopment Corporation](#) ~~corporation~~ presenting such plan that, notwithstanding the provisions of the Missouri Redevelopment Corporations Law, it will make payments in lieu of real property taxes to the appropriate taxing bodies in such amount which, together with the real property taxes to be paid on the land for the first ten (10) years, shall, as a minimum, equal the total real property taxes on the land and improvements during the tax year immediately preceding purchase of the property by the corporation; however, such sum may actually in fact exceed the current level of taxes.

Section 430.100. Financial Restrictions On Corporation.

[Ord. No. 2764 §1(140.100), 4-1-2002]

Financial Capability. Proof of financial capability to complete the project shall include a description of the method by which the developer proposes to obtain the financing necessary to complete the project and the developer's proposed equity interest in the project. Further, this information shall be related to the market feasibility and proposed tax abatement to allow analysis of the project's financial feasibility.

Section 430.110. Prerequisites To Amendment of An Approved Development Plan.

[Ord. No. 2764 §1(140.110), 4-1-2002]

The Board of Aldermen shall review any amendment to a development plan previously approved by ordinance. No such amendment shall be reviewed and no action shall be taken by the Board of Aldermen, unless and until an application for amendment has been filed with the City Clerk by the [Redevelopment Corporation](#) or its assignee containing those portions of the statements and information required by Section [430.040](#) of this Chapter relevant to the proposed amendment and unless and until the Board of Aldermen shall make the determinations required by Section [430.040](#) relevant to the proposed amendment. The notice requirements of Section [430.040](#) shall also apply.

Section 430.120 Disposal of Property.

[Ord. No. 2764 §1(140.120), 4-1-2002]

Any urban redevelopment corporation may sell or otherwise dispose of any or all of the real property acquired by it for the purposes of a redevelopment project as provided by Chapter 353, RSMo.

Section 430.130 Remedies For Failure To Follow Plan or Breach of Contract.

[Ord. No. 2764 §1(140.130), 4-1-2002]

Whenever any person or [Redevelopment Corporation](#) or its grantee or assignees operating under an approved development plan does not substantially comply with the development plan or with any contract entered into pursuant to the regulations contained herein, then such non-compliance shall immediately be certified by the Board of Aldermen which shall direct the City Administrator to notify said [Redevelopment Corporation](#), its successors, grantees and assignees who is the then current responsible party to the [Contract with the City](#) by certified mail to the last known address that it has been found in non-compliance and giving thirty (30) days' notice to correct said non-compliance. The thirty (30) day period shall begin on the date notice is posted. If the non-

compliance has not been remedied within the thirty (30) day period, the Board of Aldermen may authorize an attorney to commence a proceeding in the Circuit Court in the name of the City to have such action, failure or omission or threatened action or omission stopped, prevented or rectified by injunction or otherwise or bring an action for damages, including punitive damages against the Urban Redevelopment Corporation for breach of any of the provisions of the redevelopment plan; provided that in the event that the Board of Aldermen determines that ~~at the Redevelopment Corporation corporation~~ has abandoned construction before completion of the project in accordance with the terms of an approved development plan, a declaration of abandonment shall be filed with the Recorder's office in the appropriate County and the real property thereafter included in the plan shall be subject that date to assessment and payment of all ad valorem taxes based on the true value of such real property.

Section 430.140 Amendments To Chapter.

[Ord. No. 2764 §1(140.140), 4-1-2002]

- A. Amendments to this Chapter shall be approved by the Board of Aldermen. At such time as an amendment is recommended, it shall be scheduled for public hearings before the Board of Aldermen with fifteen (15) days' notice of the date, time and place of each hearing published in a newspaper having a general circulation of the City of Harrisonville.
- B. The Board of Aldermen shall hold a public hearing regarding the proposed amendment. Upon considering the evidence presented in the public hearing, the Board of Aldermen may either continue, for good cause, its action upon such an amendment to a date specific or approve or deny such amendment. Approval of the amendment shall be by ordinance.



STAFF REPORT

TO: Board of Aldermen
FROM: Jim Clarke,
DATE: September 27, 2017
SUBJECT: Staff Report - Temp. Classrooms

Type of Item: Approval

Type of Item: Action

Issue: Under Agriculture “A” Zoning District - Section 405.110 - Permitted Uses - A (2) of the Zoning Regulations - a church is a Permitted Use - as a permanent structure. The Cornerstone Community Church is requesting the use of temporary classrooms, as they currently lack the funds to expand their permanent church structure, but have expressed they have a current need for additional classroom space.

Background:

Request: Approval - Special Use Permit for Temporary Classrooms.

Location: 1704 Waters Rd.

Applicant: New Castle Homes (Jeff Warren)

Owner: Cornerstone Community Church

Engineer/Surveyor: R.E.O. Engineering (Aaron Obermiller)

Existing Zoning: “A” Agriculture

Surrounding Zoning: North: unincorporated and undeveloped; South: “RP-4” Planned Apartment Residential; East: unincorporated - residence; West: unincorporated and undeveloped

Acres: Approximately 20 acres +/-

The Cornerstone Community Church is requesting the use of mobile trailers for temporary classrooms on the East side of their permanent church building. They are requesting consideration for two mobile trailer units. The temporary classrooms are intended to be for a temporary basis, until the church raises the necessary funds to expand their permanent church structure for classroom purposes. The Harrisonville Planning and Zoning Commission recommended approval of this Special Use Permit request at their August 17, 2017 meeting, for a five-year term.

Options:

The City may: 1) Approve the application for special use with no conditions 2) conditionally approve the application for special use 3) deny the request for special use.

Staff Recommendation:

Approval contingent upon compliance with applicable City codes and the specified five-year term for the temporary classrooms, as well as, Americans with Disabilities Act (ADA) compliance.

Council Bill No. 66**Ordinance No.**

An Ordinance of the City of Harrisonville, Missouri, Approving a Special Use Permit for Cornerstone Community Church to have Temporary Classrooms for a Period not to exceed Five (5) Years for Subject Property located at 1704 Waters Road as requested by Applicant, New Castle Homes (Jeff Warren).

WHEREAS, after the Harrisonville Planning and Zoning Commission submitted a recommendation of approval of this Special Use Permit, with a five year limit, to the Board of Aldermen of the City of Harrisonville, Missouri; and

WHEREAS, the legal description, in general, of the property is as follows:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28,
TOWNSHIP 45, RANGE 31, CASS COUNTY, MISSOURI

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

Section 1. A Special Use Permit be issued for the use of temporary classrooms, not to exceed five years, located generally near the Northeast corner of State Route 291 and Waters Road as requested by applicant New Castle Homes (Jeff Warren).

The Use

This SUP authorizes the use of mobile trailers for use as temporary classrooms, not to exceed five years from approval of this SUP and contingent upon complying with all applicable City Codes and compliance with American with Disabilities Act regulations.

Ownership

This SUP is issued only for the Cornerstone Community Church. If the applicant wishes to transfer ownership to another party, the applicant must re-submit an application to the City for a Special Use Permit, prior to the transfer of ownership or lease.

Number of Units Allowed

This Special Use Permit grants the use of two (2) mobile trailers for temporary classrooms, if the applicant desires additional mobile trailers for temporary classrooms in the future, then this Special Use Permit must be amended and approved by the appropriate governing bodies.

Lighting

Any lighting used to illuminate the mobile trailers, or the parking area, shall be directed away from adjacent properties in a way to eliminate glare.

Time Limit

Time Limit = 5 years (*Applicant may reapply for renewal of SUP after expiration*)

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This ordinance shall become effective immediately upon its passage and approval.

Vote taken as follows:

Ayes:

Nays:

Absent:

Abstain:

READ ONE TIME BY TITLE ONLY ON OCTOBER 2, 2017. READ FOR A SECOND TIME BY TITLE ONLY ON OCTOBER 2, 2017 AND WAS DULY APPROVED BY THE BOARD OF ALDERMEN THIS 2ND DAY OF OCTOBER, 2017.

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

APPROVED by the Mayor this 2nd day of October 2017.

FEE: _____
REC'D BY: _____
(STAFF USE ONLY)

APPLICATION
FOR
SPECIAL USE PERMIT
CITY OF HARRISONVILLE

PLEASE PRINT

CASE NO.: SUP- _____
PC DATE: _____
(STAFF USE ONLY)

REQUESTED SPECIAL USE PERMIT FOR: Placement of Temporary Classroom
GENERAL LOCATION OR ADDRESS OF SUBJECT PROPERTY: 1704 Waters Rd
Harrisonville Mo 64701
LEGAL DESCRIPTION: See attached Zoning Sketch

ACRES/SQ. FT.: _____
CURRENT ZONING ON PROPERTY: _____
CURRENT LAND USE: _____

PROPERTY OWNER'S NAME(S): Cornerstone Community Church PHONE: 380 2422
COMPANY: _____ FAX: _____
MAILING ADDRESS: 1704 Waters Rd Harrisonville Mo 64701
STREET CITY STATE ZIP
E-MAIL ADDRESS: office@3chv.org

APPLICANT/AGENT'S NAME(S): New Castle PHONE: _____
COMPANY: New Castle Homes/Jeff Warren FAX: 816-884-3537
MAILING ADDRESS: 3165 Hwy 291 N. Harrisonville Mo 64701
STREET CITY STATE ZIP
E-MAIL ADDRESS: j.warren@nch.net

ENGINEER/ARCHITECT'S NAME(S): R.E.D. Engineering PHONE: 816-380-5150
COMPANY: R.E.D. Engineering Afron Ober Miller FAX: (816) 884-3250
MAILING ADDRESS: 1805 Water Road Harrisonville Mo 64701
STREET CITY STATE ZIP
E-MAIL ADDRESS: red@redengineering.com

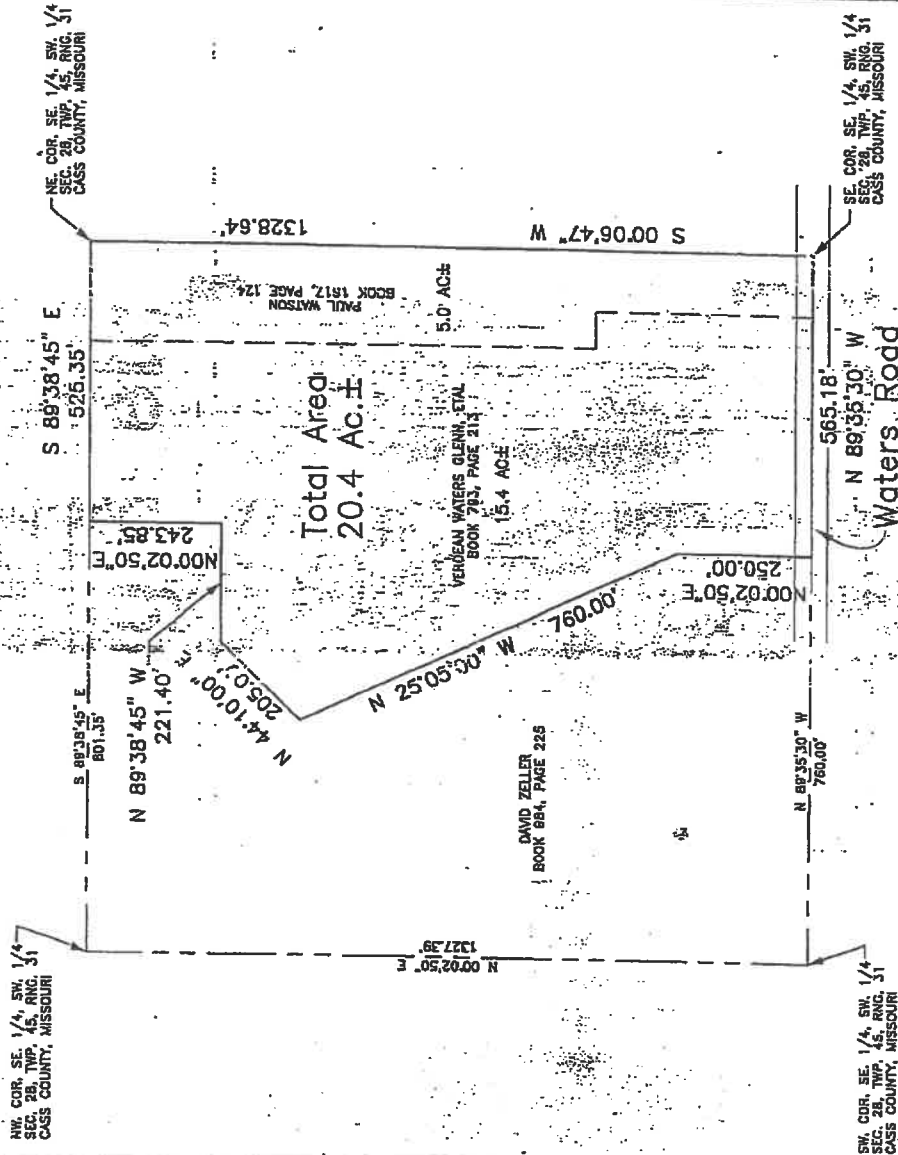
NOTE: It is recommended that the applicant schedule a meeting with city staff prior to the submission of an application. An application will not be considered complete until all required material has been submitted. The Planning and Zoning Commission meeting will not be scheduled until the application is complete. It is the applicant's responsibility to obtain a copy of the agenda, staff report and staff recommendation prior to the scheduled meeting. It is the applicant's responsibility to be familiar with the applicable city land use ordinances and requirements prior to the submission of the application. See attached material for examples and instructions.

SIGNATURE OF OWNER OR AGENT: _____
NOTE: IF NOT SIGNED BY OWNER, AUTHORIZATION OF AGENT MUST ACCOMPANY APPLICATION

Zoning Sketch

Description:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 45, RANGE 31, CASS COUNTY, MISSOURI, EXCEPT THE FOLLOWING DESCRIBED 13.17, BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION, AND RUNNING THENCE NORTH 0°02'50" EAST, 1327.39 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°38'45" EAST, ALONG THE NORTH LINE OF SAID QUARTER SECTION, 801.34 FEET; THENCE SOUTH 0°02'50" WEST, 243.85 FEET; THENCE NORTH 89°38'45" WEST, 221.40 FEET; THENCE SOUTH 44°10'00" WEST, 205 FEET; THENCE SOUTH 25°05'00" EAST, 760 FEET; THENCE SOUTH 0°02'50" WEST, 250 FEET TO A POINT IN THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 28, AFORESAID, THENCE NORTH 89°35'30" WEST, 760 FEET TO THE POINT OF BEGINNING, SUBJECT TO THAT PART THEREOF IN ROAD.



BEARINGS SHOWN ARE BASED ON THE RECORD DESCRIPTION OF THE ADJACENT TRACT DESCRIBED IN BOOK 111, PAGE 111, IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI.



NOTE: THIS PROPERTY IS NOT WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD ZONE AS LOCATED BY GRAPHIC SCALE FROM FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 280783 0125 B, DATED APRIL 15, 1982, BOWERS SURVEY COMPANY ASSUMES NO LIABILITY AND OFFERS NO WARRANTY AS TO THE LOCATION OF SAID FLOOD ZONE.

NOTE: THIS SKETCH IS FOR ZONING PURPOSES ONLY. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY CORNERS HAVE NOT BEEN FOUND OR SET.

FOR: CORNERSTONE COMMUNITY CHURCH ORDERED BY: TED ZELLNER

			
BOWERS SURVEY COMPANY			
ESTABLISHED 1962			
110 SOUTH INDEPENDENCE P.O. BOX 71			
HARRISONVILLE, MISSOURI 64701			
PHONE (816) 380-4821			
FAX (816) 380-4838			
SECTION	TOWNSHIP	RANGE	COUNTY
28	45	31	CASS
DATE	STATE	JOB NO.	CHECKED BY:
4/29/02	MISSOURI	17052-02	GB
DRAWING NO.	170522S.DWG		

CONFRSTONE COMMUNITY CHURCH – MOBILE CLASSROOMS

1. Provided the occupant load is less than 100, then this could be classified as accessory use to the existing A-3 places of worship occupancy.
2. Manufactured building(s) and all work would need to meet the intent of the current adopted building and fire codes.
 - a. YES
3. Building foundations and/or support means and anchorage would need E.O.R. design and plans.
 - a. Provided
4. Accessibility would be required per the Americans With Disabilities Act (ADA)
 - a. Plans to be drawn
5. Site, utility connections, egress, and fire separation distances would be required to be submitted by either E.O.R. or D.O.R.
 - a. E.O.R. approximately 25'
6. Building data, ratings, design info from the manufacturer of the buildings would be required.
 - a. New Castle
7. Placement of the Mobile Units? (Direction Set and Location)
 - a. 25' East of church building. South edge line up with SE corner of ther church
8. Number of Mobile Units?
 - a. Two units
9. Size of the Mobile units?
 - a. Total of 23'8" x 60'
10. Will the Mobile Units be joined or separate during use?
 - a. Units will be joined
11. Do you intend to have restroom/s or drinking fountain in the Mobile Units?
 - a. No restrooms or drinking. Available immediately inside East end of church.
12. Year Mobile Units Built?
 - a. Unavailable
13. Material of the Mobile Units?
 - a. Wood and fiber siding

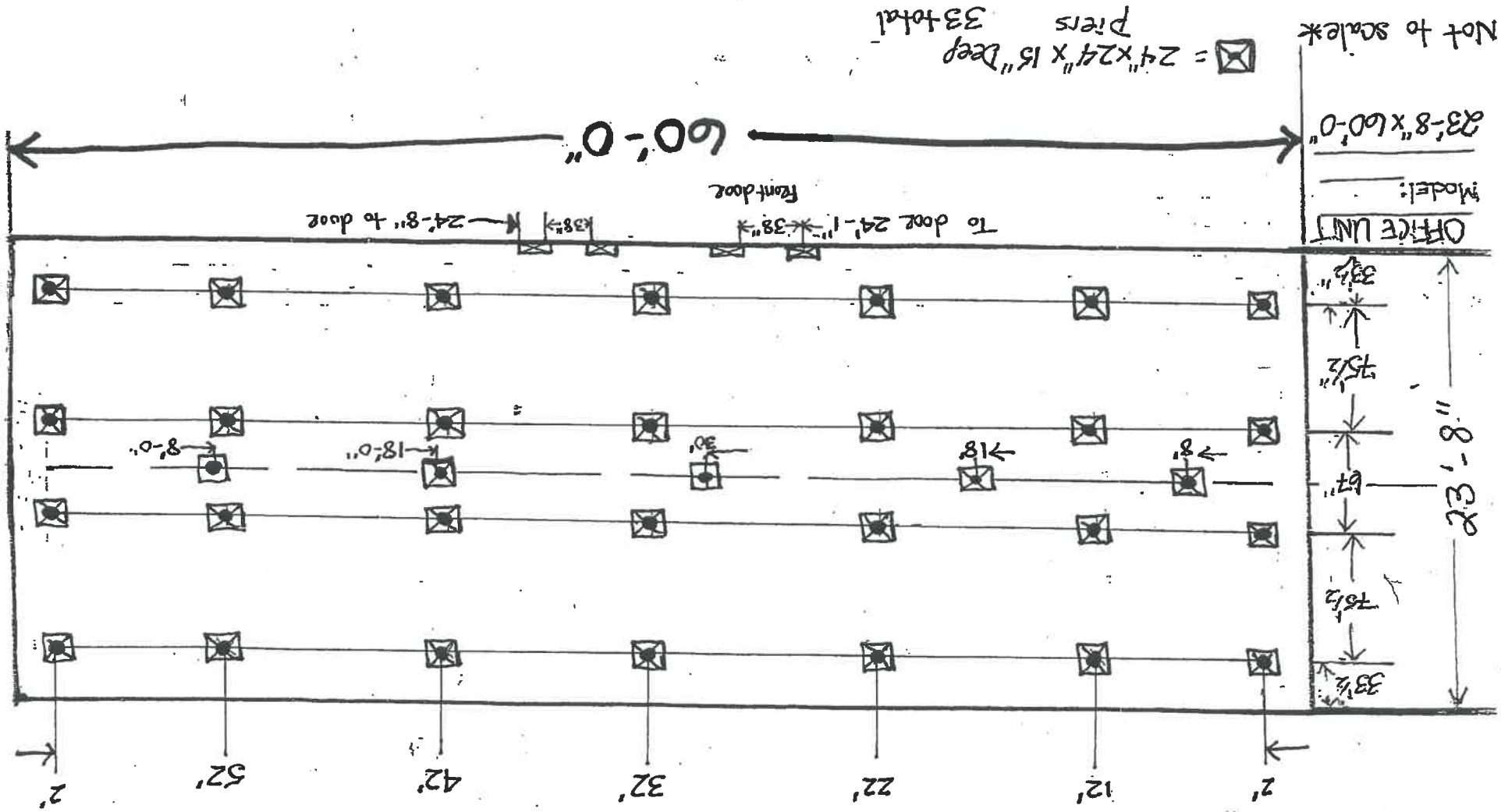
5/25/17

CONERSTONE COMMUNITY CHURCH – MOBILE CLASSROOMS

14. Intended length of time for the Temporary Classrooms?
 - a. Five years
15.
 - 1) Present to Planning and Zoning Commission or the Board of Zoning
 - 2) Adjustment for recommendation to the Board of Alderman
 - 3) Will require approval from the Board of Alderman

5/26/17

Modular Building
Fire down plan







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2419 S. St. Rt. 291

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Sent To Coy + Debra Phelps

Street and Apt. No., or PO Box No.

2000 E. Waters Rd

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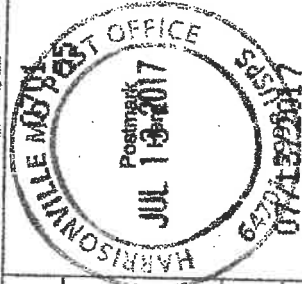
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4204 E. 184th St

City, State, ZIP+4[®]

Belton MO 64012

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2016 9702 0122 0000 0000 8602 1069

and wife, dated January 23, 1917, and the Recorder of Deeds of the State of Missouri, Book 3864, page 541 the under- signed, at the request of the legal holder of the above described premises, on July 31, 2017 between the hours of 10 a.m. (at the specific time of 10:00 a.m.) at the Court House, City of St. Louis, Missouri, sell at public auction to the highest bidder for cash the following described premises: The premises described in said Deed of Trust, and the same are situated in the County of St. Louis, State of Missouri, to wit:

UBDIVISION IN THE CITY OF MISSOURI, ACCORDING TO REOF, RECORDED IN PLAT

1FC

rice

Collection Practices Act, 15
tion concerning the collection
thout the prior consent of the
e debt collector or the express
ipotent jurisdiction. The debt
flect a debt and any informa-
that purpose.

17 07/14/2017, 07/21/2017,

21 28)

E'S SALE

Stephanie D. Hilton, husband

[illegible]

**E 3, A SUBDIVISION OF LAND
ASS COUNTY, MISSOURI, AC-
CORD PLAT THEREOF, FILED IN**

4FC

RICE

Collection Practices Act, 15 tion concerning the collection without the prior consent of the debt collector or the express consent of the debtor. The debt collector may not collect a debt and any information that purpose.

17 07/07/2017, 07/14/2017,

14, 21)

NOTICE OF PUBLIC HEARING

Before the Board of Zoning Adjustments of the City of Harrisonville, Missouri.

NOTICE IS HEREBY GIVEN of a public hearing before the Board of Zoning Adjustments of the City of Harrisonville, Missouri to be held at 6:00 PM on Tuesday, August 8, 2017, at City Hall (300 East Pearl St, Harrisonville, Missouri) to consider an application for variance submitted by Rayland Downey on the following described property:

Love's Addition, Lot 5

The public is encouraged to attend the meeting.

April L Clark
Secretary of the board of Zoning Adjustment

The City of Freeman, a 4th class city, is accepting sealed bids for the audit of following fiscal years; ending June 30, 2017, June 30, 2018 and June 30, 2019. An in-house audit with commencement and completion dates is requested. If your firm is interested to do this audit, please mail sealed proposals marked "Audit Proposals" by August 11, 2017 to: Freeman City Hall. Attn: City Clerk, PO Box 98, Freeman, MO 64746.

Audit proposals will be publicly opened and read aloud on the 14th day of August, 2017, at 6:00 pm at Freeman City Hall. City reserves the right to reject any and all bids. Should you have any questions regarding this proposal invitation, please call us at City Hall, Monday through Wednesday, 8:00 am - 4:30 pm.

Laurie A. Oakes
City Clerk, Freeman, MO

Notice Is hear by given of Harrisonville Planning and Zoning Commission which is scheduled for 6:00 P.M. on Thursday, August 17, 2017, in City Hall (300 E. Pearl Street, Harrisonville, MO) to consider an application for special use permit submitted by Cornerstone Community Church on the following described property:

Cornerstone Community Church

1704 Waters Road
Harrisonville, MO 64701
Sec. 28 - Twp. 45-Rng 31
Generally: Northeast corner of Hwy 291 and Waters Road,
Harrisonville, MO
Lot 1-P18/51

The public is encouraged to attend the meeting.

April L. Clark
Secretary of the Planning and Zoning Commission

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Help Wanted

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STAFF REPORT

TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: September 28, 2017
SUBJECT: City Admin Report 10-2-2017

Type of Item: Report

October 2, 2017

1. Finance Director Marcella McCoy recently went through the rating review process with Standard & Poor regarding Harrisonville's long term rating ranging from A+/Stable for our TIF bonds and 2012 certificates of participation, to a AA-/Stable for an issuer credit rating. They rated the economy as adequate, the budget and budget flexibility are strong, liquidity is good, and an we have an adequate institutional framework. Overall a good ratings report that reflects well on the Board and staff to be careful with finances.
2. I will be out of the office on October 19 at a Cultural Heritage Workshop put on by the Missouri Humanities Council. The workshop is in Rolla.
3. Please plan on a Budget Board Work Session Monday, Oct. 9, 2017 starting at 6p to meet with department heads to review requested capital items. All departments will have a chance to present their views for items that were not included in the recommended column that we passed out last week or if you have questions about capital items or projects in those departments.
4. Last Thursday's Love the Square get together at the Brick House Coffee Shop was pretty successful with around 12 total business owners and about 8 Love the Square members present to talk about partnering with the organization to bring activities and business to the Harrisonville Square. The city is joining the group and taking an active role.
5. Public Works and Emergency Personnel will be focusing on the Burnt District Festival which starts Friday, Oct. 6. Most of our energies will be focused on set up and getting ready for the two day event on the Square, along with the parade on Saturday.

A. Action Item (ID # 2645)

City Admin Report 10-2-2017