



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
JULY 6, 2020
6:00 PM**

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Jun 15, 2020 6:00 PM**
- 5. Agenda Items**
 - A. Alderman Liaison Positions**
 - B. Appointment to Enhanced Enterprise Zone Board**
 - C. Brandon Polk Goat Request**
 - D. Council Bill 27: An Ordinance to Repeal Ordinance 3411 and to enact in Lieu Thereof a New Ordinance Regarding an Established Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Officials and to amend the Time in Which Candidates for Office are Required to file Disclosure Statements with the City Clerk**
 - E. Council Bill 28: 2020 Budget Amendment Ordinance**
 - F. Public Hearing -- Rezone 2801 Brookhart Dr from M-1 to R-1**
 - G. Council Bill 29: AN ORDINANCE OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, REZONING .95 ACRES FROM M-1 LIGHT INDUSTRIAL DISTRICT TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AT 2801 BROOKHART DR AND ESTABLISHING AN EFFECTIVE DATE THEREOF.**
 - H. Council Bill 30: AN ORDINANCE TO APPROVE THE CEDARHURST OF HARRISONVILLE FINAL PLAT, A 9.93-ACRE SUBDIVISION AT 2606 ROCK HAVEN RD IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI**

- I. Council Bill 31: A RESOLUTION OF THE CITY OF HARRISONVILLE
PLACING A MORATORIUM ON THE COLLECTION OF UTILITY
CAPACITY RECOVERY AND CONNECTION FEES FOR TWENTY-
FIVE RESIDENTIAL LIVING UNITS IN THE CITY OF
HARRISONVILLE, CASS COUNTY, MISSOURI.**

- 6. Aldermen and Committee Reports**

- 7. Report from the City Administrator**
 - A. June 2020 Municipal Court Report**

- 8. Report from the City Attorney**

- 9. Questions from the Media**

- 10. Adjourn from Regular Session**

Posted on City Hall Bulletin Board this 2nd day of July, 2020.

Randall K. Jones, City Clerk

Public participation during regular meetings of the Board of Aldermen shall be limited to those who have submitted a completed agenda request form. 2 Each person wishing to address the Board during regular meetings of the Board of Aldermen on a topic not on the agenda shall submit a completed agenda request form five (5) business days prior to the meeting the person wishes to address the Board. If the agenda request concerns a complex issue requiring staff research time, the opportunity to address the Board may be moved to a future meeting instead of the meeting immediately following the submission of the agenda request form. 3. Those that have submitted a completed agenda request form shall be limited to three (3) minutes to address the Board, this time cannot be yielded to another person and this time may be extended in three (3) minutes increments only upon a majority vote of the members of the Board of Aldermen, with each additional three (3) minute increment requiring an additional majority vote of the members of the Board of Aldermen.



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
JUNE 15, 2020
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Mayor Judy Bowman

A. Pledge of Allegiance

Attendee Name	Organization	Title	Status	Arrived
Mike Zaring	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Clint Miller	Harrisonville	Board Member	Present	
David Dickerson	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others in attendance were: City Attorney Alex Felzien, City Administrator Brad Ratliff, IT Director Jeremy Smith, Police Chief John Hofer, HES Chief Eric Myler, Economic Development Director James Clarke, Building Official Chris Arthur, Parks & Recreation Director Chris Deal, Assistant Parks & Recreation Director David Killpack, Public Information Officer/Deputy City Clerk Daniel Barnett and City Clerk Randall Jones recording.

2. Ceremonial Matters

None.

3. Public Participation

None.

4. Approval of Minutes

A. Executive Session May 4, 2020

A motion was made by Alderman Zaring to approve executive session minutes from May 4, 2020 with a second by Alderman Doerhoff. Motion carried with all ayes.

B. Board of Aldermen - Work Session - Jun 1, 2020 5:30 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Judy Reece, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

C. Board of Aldermen - Regular Meeting - Jun 1, 2020 6:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Gary Davidson, Board Member
SECONDER: Matt Turner, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

5. Agenda Items

A. An Ordinance of the City of Harrisonville, Missouri Certifying the Results of the Municipal Election Held June 2, 2020.

First reading of Council Bill #024. Alderman Miller made motion to move Council Bill #024 to its second reading with a second by Alderman Dickerson. Roll call vote: Alderman Zaring aye, Alderman Doerhoff aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner aye. Having been read in title only twice roll call vote for passage: Alderman Zaring aye, Alderman Doerhoff aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner aye. Upon passage, Mayor Bowman designated it to be Ordinance #3498.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Clint Miller, Board Member
SECONDER: David Dickerson, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

B. Aldermen Oath of Office

City Clerk Randall Jones administered the oath of office to Mike Zaring Alderman Ward 1, Judy Reece Alderman Ward 2, David Dickerson Alderman Ward 3 and Matt Turner Alderman Ward 4.

C. COMMUNITIES FOR ALL AGES, Presentation from MARC.

Staff report presented by Parks & Recreation Director Chris Deal. Cathy Boyer-Shesol with Mid-America Regional Council gave a presentation on KC Communities for All Ages. This program recognizes communities that have taken steps to become more welcoming to residents of all ages, and in the process, more vibrant healthy and prosperous. There were no questions from the board. Mayor Bowman thanked her for the presentation and stated she is looking forward to an age-friendly community in Harrisonville.

D. KC Communities Resolution

Upon Passage, Mayor Bowman designated it to be Resolution #2020-014.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Mike Zaring, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

E. Life Issues Recovery Walk 2020 Special Event Permit

Staff report presented by Police Chief John Hofer.

RESULT: APPROVED [UNANIMOUS]
MOVER: Gary Davidson, Board Member
SECONDER: Dave Doerhoff, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

F. 2020 Graduates Square Walk Special Event Permit

Staff report presented by Police Chief John Hofer. Members of the Senior Mania 2020 present were: Katie Johnson, Diana Mullins and Angie Rhoades. Mayor Bowman thanked the committee for their creative work to celebrate the seniors. (Rain out date will be June 27th).

RESULT: APPROVED [UNANIMOUS]
MOVER: Matt Turner, Board Member
SECONDER: Marcia Milner, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

G. 4th of July Fireworks Display - Parks Report

Parks & Recreation Director Chris Deal reported that the Park Board recommended to have only the fireworks display on July 4th. The park department will have extra staff available during that event. Alderman Turner asked about food vendors and Mr. Deal said they would be spread out. Mayor Bowman acknowledged Park Board members Cathy Faris, Brent Caruthers and Sandy Franklin who were in attendance.

H. JULY 4TH, 2020 FIREWORKS IN THE PARK RESOLUTION

Staff report presented by HES Chief Eric Myler. Police Chief John Hofer stated he did not see any major problems with traffic for the event. Parks & Recreation Director Chris Deal stated they would be advertising alternate locations to watch the fireworks display. Upon passage, Mayor Bowman designated it to be Resolution #2020-015.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Clint Miller, Board Member
SECONDER: Dave Doerhoff, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

6. Aldermen and Committee Reports

Alderman Miller gave report from Park Board. He reported that the Community Center was averaging 230 people per day. The recreation department hosted a softball tournament this past weekend.

Alderman Reece reported that her rum cake fundraiser for the dog park has brought in over \$1,000.00. She reported speaking to City Administrator Ratliff about some complaints she had received from residents and reported that staff had taken care of them.

Alderman Milner stated she is excited for the 4th of July event and that it will be a good thing for the youth. Alderman Milner also thanked staff for handling a complaint that she had brought to City Administrator Bratloff.

Alderman Doerhoff extended thanks to the Electric Department for their hard work during the recent outage.

Alderman Zaring extended thanks to the Park Board for their hard work making some difficult decisions for the parks department.

7. Report from the City Administrator

City Administrator Brad Ratliff reported that applications for the Public Works Director position closed last Friday and that applications for the Electric Superintendent close on June 19th. He informed the board that city staff will be bringing several different items to them during the next few work sessions. Mr. Ratliff updated the board on the first COVID-19 reimbursement submittal to the County. During this time, staff will also be looking at updates to City Hall. He reported that Ben Hart, CPA, will be at next month's meeting to give an update on the City Sales Tax impact on revenues and budget. City staff is working on technology updates to utilize better ways to share information between departments. The Corp of Engineers will host a stormwater open house from 6 until 8 p.m. on Wednesday, June 24th at the Community Center. Mr. Ratliff reported that the Wal-Mart Distribution Center Chapter 100 bonds are set to retire this year and that Burns & McDonnell should have sewer study ready to present to board in August. He reported that city staff is currently looking at Lake Luna and reviewing a plan to repair the spillway. The city will move into Phase I of the City's COVID-19 Recovery Plan. as long as the BOA does not object. There were no objections from any board members on going back to Phase 1 of the City's COVID Recovery Plan.

Municipal Court Report for May 2020 was received.

Mayor Bowman shared that she had the opportunity to be a part of the Economic Development Policy Committee with the Missouri Municipal League. She also read a thank you card from Dee Shelton who recently retired from the City with over 37 years of faithful service. Due to COVID-19, a reception is planned for Dee early fall.

A. May 2020 Municipal Court Report

8. Questions from the Media

Dennis Minich with the South Cass Tribune invited everyone to attend their open house on June 25th from 5 until 7 p.m.

9. Adjourn From Regular Session

A motion was made by Alderman Dickerson to adjourn with a second by Alderman Zaring. Motion carried with all ayes. Meeting adjourned at 7:08 p.m.

Judy Bowman, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Jun 15, 2020 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: June 30, 2020
SUBJECT: Alderman Liaison Positions

Type of Item: *Approval*

GENERAL INFORMATION

Applicant:

Requested Actions: Aldermen Liaison Positions

Date of Application: June 30, 2020

PROPOSAL

Alderman Miller has notified the Mayor that he has a change in his work schedule and will be unable to serve as liaison to the Park Board. Alderman Turner has agreed to accept that position. Subsequent to that change, Alderwoman Judy Reece has agreed to accept the liaison to the Planning & Zoning Commission position.

PREVIOUS ACTIONS

KEY ISSUES

STAFF COMMENTS AND SUGGESTIONS

STAFF RECOMMENDATION

Mayor Bowman recommends the appointment of Alderman Turner as Park Board Liaison and Alderwoman Reece as Planning & Zoning Commission Liaison.

ATTACHMENTS

STAFF CONTACT: Randy Jones, City Clerk

A. Action Item (ID # 3537)

Alderman Liaison Positions



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 2, 2020
SUBJECT: Appointment to Enhanced Enterprise Zone Board

Type of Item: *Approval*

Mayor Bowman would like to appoint Bing Schimmelpfenning to the Enhanced Enterprise Zone Board.

B. Action Item (ID # 3544)

Appointment to Enhanced Enterprise Zone Board



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: June 19, 2020
SUBJECT: Brandon Polk Goat Request

Type of Item: *Approval*

C. Action Item (ID # 3533)

Brandon Polk Goat Request

Attachments:

Brandon Polk Goat Request (PDF)

Prior Goat approval in 2014 (PDF)

staff report (DOC)

6/18/20

To whom it may concern,

This is Brandon and April Polk at 2609 E Elm St Harrisonville mo. I'm writing today requesting permission to let us keep our family pet goat Rowdy he is a Nigerian dwarf goat. We have had him for 5 years and he has never been a problem he is part of our family. . I was not aware you had to get permission in Harrisonville (Cass County) to have a miniature goat. He was picked up one time in 2017 walking down our street with our dog after our neighbor got her lawnmower caught on our fence and put a hole in it. This was never brought up when we went to pick him up from the animal shelter 3 years ago. Other than that he has never been out of our yard. My goat was attacked by a dog on Sunday 6-14-20 in my yard in his enclosure we called the cops due to the dog almost killing him. And now we are told we have to do all these steps to get to keep him. I wrote out a letter and had 3 neighbors sign it stating its ok that we have a goat in our back yard and he is not a problem. Again he is part of our family and we would be devastated if we had to get rid of him.

Thank you very much

April Polk

A handwritten signature in black ink, appearing to read 'April Polk', with a long horizontal flourish extending to the right.

Attachment: Brandon Polk Goat Request (Brandon Polk Goat Request)

Le-17-20

Brandon + April Polk
at 2609 E. Elm St. Harrisville
MO 64701. Have a Nigerian
dwarf goat as a pet. and
we are ok with them having
Nik as a pet. He is in the back
yard.

- Luke Mason 2607 E. Elm st
- Lenny Ford 2701 E Elm st.
- Brend Cox 3011 Younger Dr.



City of

Harrisonville

est.
1836

STAFF REPORT

TO: Board of Aldermen
FROM: Kim Hubbard, City Clerk
DATE: November 25, 2014
SUBJECT: Request for Pet Goats

Type of Item: Approval

Sarah Eppert has submitted a request to keep two (2) miniature goats as pets. Ms. Eppert resides at 700 West Street and has provided signatures from her neighbors supporting her request. Nine (9) signatures have been obtained, 3 are homeowners, 5 are renters and one I was unable to locate where they resided. I have contacted Ms. Eppert letting her know the property owners and residents that are contiguous and still need to be contacted.

I am attaching Ms. Eppert's requests, sections 210.190 and 210.200 of the City's code that Ms. Eppert's references in her request and copies of the signatures she has obtained. Ms. Eppert plans on attending the December 1 Board meeting.

Ms. Eppert told me she had included St. Louis in her request as a city that allows goats as pets but has found since then that they do not.

A. Action Item (ID # 1668)

Request for Pet Goats

Attachments:

Eppert Goat Request (PDF)

Approved
 D / D
 B / R

No Dogs
 M

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

Dear City of Harrisonville and Board of Alderman,

I Sarah Eppert am requesting permission to house 2 pet goats on my property at

700 West St. Harrisonville, Mo 64701

The code states in Section 210.190 that I would need a permit to house them and in Section 210.200 that the shelter would need to be connected to the city sewer system. I am asking to be exempt from connecting to the city sewer due to the size of the shelter being equivalent to that of a large dog house, and a dog house does not need to be connected to the city sewer system.

My family and I would like to have 2 miniature goats as pets. They would be the size of a medium to large dog, weighing between 40-60 pounds. They would not be bucks, but females or neutered males. We do not own any dogs or cats nor do we plan on owning any in the foreseeable future. We would like for our children to be involved in 4H and see this as an opportunity for them to have projects dealing with goats. The animals would be vaccinated and wormed annually. We have discussed this issue with our neighbors and they are agreeable with our keeping of them.

We have a large fenced in back yard. The goats will be kept in a moveable fenced in enclosure that will be rotated once a week. Because of rotating their fenced in area I do not see feces accumulation as being a problem. Therefore we would not need to be hooked up to the city sewer system. Any bedding cleaned out of the shelter will be placed in a compost bin to be used as fertilizer for our garden.

Many big cities have accommodated goats as pets and have begun classifying them as small animals along side cats and dogs. Cities like Chicago, Seattle, San Francisco, San Diego, Portland and St. Louis to name just a few. So please grant our family the opportunity to raise some goats as pets.

Thank You and Sincerely,
Sarah Eppert



573- 836- 2700

Attachment: Eppert Goat Request (1668 : Request for Pet Goats)

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

City of Harrisonville, MO
Tuesday, November 25, 2014

Chapter 210. Animal Regulations

Article II. Keeping Regulations

Section 210.190. Permit Required.

[CC 1977 §7-31; Ord. No. 2673 §1, 10-23-2000; Ord. No. 3274 §1, 7-7-2014]

It shall be unlawful for a person to construct or use any building or premises as a stable, barn or yard for horses, mules, cattle, sheep, swine or other animals, for commercial or domestic purposes, without first obtaining a written permit from the Board of Aldermen specifying the name of the permittee and the location of the building or premises to be so used and the number of animals intended to be kept therein.

Section 210.200. Floor of Structure.

[CC 1977 §7-32; Ord. No. 2673 §1, 10-23-2000; Ord. No. 3274 §2, 7-7-2014]

The floor of all structures or premises constructed and intended to be used for the purpose of housing or stabling horses, mules, cattle, swine or other such animals shall be impervious to moisture and be kept free from excreta in a sanitary condition. It shall have a drain connected to the City sewer system with ample perforated heavy floor plates and an easily accessible trap with a volume of at least one-half ($\frac{1}{2}$) cubic foot for each animal. A suitable number of hose connections must be provided and the floor scrubbed down thoroughly each day.

Attachment: Eppert Goat Request (1668 : Request for Pet Goats)

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

I _____ am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Play Branstine date _____

X

I RITA BRIDGFORTH am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Rita Bridgforth date 11-20-14

9

Attachment: Eppert Goat Request (1668 : Request for Pet Goats)

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

I KATHAN WALKER/JESSICA CLEMENT am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Kathleen Dale date 11/22/14

WALKER ✓

I Brad D.A. am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Brad D.A. date 11.22.14

W ± 200 = 4

Attachment: Eppert Goat Request (1668 : Request for Pet Goats)

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

I Michael Pitt am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Michael Pitt date 11/22/14

N

I Stephany Willoughby am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Steph A. Willoughby date 11/23/14

N

Attachment: Eppert Goat Request (1668 : Request for Pet Goats)

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

I Aaron S. Payne am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Aaron S. Payne date 11-24-14

✓

I Joe D'INAZO am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Joe D'Inazo date 11-23-14

✓

Attachment: Eppert Goat Request (1668 : Request for Pet Goats)

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

I Peggy Cheek am in support of the
Eppert Family's wishes to have 2 pet goats
on their property at

700 West St. Harrisonville, MO 64701

Chel K date 11-22-14

N

6.A.a

Attachment: Eppert Goat Request (1668 : Request for Pet

Packet Pg. 24

5.C.b

Packet Pg. 21

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

City of Harrisonville, MO
Wednesday, November 26, 2014

Chapter 210. Animal Regulations

Article IIA. Chickens

Section 210.265. Keeping of Chickens.

[Ord. No. 3274 §3, 7-7-2014]

- A. The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract. Chickens shall be allowed in the rear yard only.
- B. Only female chickens are allowed. There is no restriction on chicken species. Roosters are prohibited.
- C. It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.
- D. The chicken owner is required to get written consent from all property owners and/or residents whose property is contiguous with the chicken owner's property, provided, that if the chicken owner fails to receive written consent from all property owners and residents, the chicken owner may request an appeal before the Board of Aldermen.

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

COUNCIL BILL 010

ORDINANCE NO. 000 (000-12)

AN ORDINANCE AMENDING CHAPTER 210, ANIMAL REGULATIONS, AND ENACTING A NEW SECTION 210.265, KEEPING OF CHICKENS, OF THE CODE OF ORDINANCES OF THE CITY OF HARRISONVILLE, MISSOURI.

WHEREAS the City of Harrisonville Board of Alderman desire to provide minimum standards to safeguard health, property, property values and public welfare by regulating and controlling the keeping of chickens in an urban environment.

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

Section 1: That Section 210.190 of the Code of Ordinances of the City of Harrisonville, Missouri shall be amended to read as follows:

Delete: “including chickens” from the first paragraph.

Section 2: That Section 210.200 of the Code of Ordinances of the City of Harrisonville, Missouri shall be amended to read as follows:

Delete: “or chickens” from the first sentence.

Section 3: That a new Section 210.265, 210.266, 210.267, 210.268, and 210.269 is enacted to read as follows:

SECTION 210.265: KEEPING OF CHICKENS

(a) The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract. Chickens shall be allowed in the rear yard only.

(b) Only female chickens are allowed. There is no restriction on chicken species. Roosters are prohibited.

(c) It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.

(d) The chicken owner is required to get written consent from all property owner’s and/or residents whose property is contiguous with the chicken owner’s property.

Provided the chicken owner fails to receive written consent from all property owners and/or residents, the chicken owner may request an appeal before the Board of Alderman.

SECTION 210.266: ENCLOSURES

- (a) Chickens must be kept in an enclosure or fenced area in the rear yard only at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.
- (b) Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
- (c) Henhouses, chicken tractors and chicken pens must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats.
- (d) Henhouses, chicken tractors and chicken pens.
- (1) Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
 - a. A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than (1) inch openings.
 - b. The materials used in making a henhouse or chicken tractor shall be uniform for each element of the structure such that walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.
 - c. Chicken henhouses, chicken tractors and chicken pens shall only be located in the rear yard.
 - d. Henhouses, chicken tractors and chicken pens must be located at least ten (10) feet from the property line and at least twenty-five (25) feet from any adjacent residential dwelling, church, school, or place of business.

SECTION 210.267: ODORS AND NOISE IMPACTS, PREDATORS, RODENTS, INSECTS AND PARASITES.

- (a) Odors from chickens, chicken manure or other chicken related substances shall not be perceptible at the property boundaries.
- (b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.
- (c) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and

parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an Animal Control Officer.

SECTION 210.268: FEED, WATER, WASTE AND REMOVAL

- (a) Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds, and predators.
- (b) The chicken owner must provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

SECTION 210.269: CHICKENS AT LARGE, UNLAWFUL ACTS, NUISANCES, CONTINUING VIOLATIONS.

- (a) No dog or cat which kills a chicken will, for that reason alone, be considered a dangerous or aggressive animal.
- (b) It shall be unlawful for any person to keep chickens in violation of any provision of this article.
- (c) It shall be unlawful for any owner, renter or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this article.
- (d) Any violation of this article that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of Chapter 220.
- (e) Each day that a violation of this article continues is a separate offense.

Section 4: That Section 210.320: ISSUANCE OF TAG, is amended to read as follows:

Delete "may" in the second sentence and **Insert** "will".

Section 5: That this order shall become effective upon its passage and approval.

Read two times by title on March 19, 2012 and passed and approved by the Board of Alderman this 19th day of March, 2012.

Kevin W. Wood, Mayor & Ex-Officio

Chairman of the Board of Alderman

ATTEST:

Kim Hubbard, City Clerk

APPROVED by the Mayor this March 19th day of March, 2012.

Attachment: Prior Goat approval in 2014 (Brandon Polk Goat Request)

GENERAL INFORMATION

Applicant: **Brandon Polk**

Requested Actions: Requesting to keep a miniature goat at 2609 E Elm Street

Date of Application: June 18, 2020

PROPOSAL

Request to allow resident to keep miniature goat at 2609 E. Elm Street

PREVIOUS ACTIONS

This was received by the City Clerk's office. In the past, the guidelines pertaining to chickens have been followed with the issue of goats also. Included is written permission from Mr. Polk's neighbors to allow him to have a goat on his property. Mr. Polk is seeking permission from the Board. Attached also is a request for pet goats in 2014 that the board approved.

KEY ISSUES

STAFF COMMENTS AND SUGGESTIONS

Mr. Polk has obtained written permission from his neighbors to keep his miniature goat.

STAFF RECOMMENDATION

Mr. Polk has had his miniature goat for the past five years with little to no issues that staff is aware of.

ATTACHMENTS

STAFF CONTACT: Randy Jones, City Clerk

Attachment: staff report (Brandon Polk Goat Request)



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: June 8, 2020
SUBJECT: Conflict of Interest Ordinance

Type of Item: *Approval*

This bill concerns a routine matter that is taken up by the Board of Aldermen on a biennial basis.

The current Conflict of Interest Ordinance, Ordinance 3411, was adopted in 2017 and will expire this year. If the Board wishes to keep this policy in effect, a new ordinance must be adopted at an open meeting prior to September 15, and a certified copy sent to the Missouri Ethics Commission within 10 days of its adoption.

If the ordinance is not re-adopted, all elected, appointed and decision-making personnel, as well as candidates for public office, are required to file a Personal Financial Disclosure statement each year.

There has been no change to the language of this ordinance.

Council Bill No.**Ordinance No.**

**Conflict of Interest Ordinance An Ordinance to Repeal Ordinance 3411 and to
enact in Lieu Thereof a New Ordinance Regarding an Established Procedure to
Disclose Potential Conflicts of Interest and Substantial Interests for Certain
Officials and to amend the Time in Which Candidates for Office are Required to file
Disclosure Statements with the City Clerk**

WHEREAS, the City of Harrisonville believes that the proper operation of government requires that the public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government; and

WHEREAS, the City of Harrisonville believes a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the city should be established to meet those goals;

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

Section 1: That Ordinance 3411, approved by the Board of Aldermen July 17, 2017, regarding an established procedure to disclose potential conflicts of interest and substantial interests for certain officials be and hereby is repealed and the following enacted in lieu thereof to amend the time in which candidates for office are required to file disclosure statements with the City Clerk.

1. Conflicts of Interest.
 - a. All elected and appointed officials of the City must comply with the applicable provisions of §§105.450-105.496 of the Revised Statutes of Missouri on conflicts of interest and financial disclosure, as well as any other state law governing official conduct, subject to the provisions of this ordinance.
 - b. The Mayor, any member of the Board of Aldermen, and any member of a Board or Commission who has a "substantial or private interest" in any measure, bill, order or ordinance proposed or pending before such body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly, of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.
2. Disclosure Reports. The Mayor, each Alderman, and the City Administrator shall disclose the following information by May 1, if any such transactions occurred during the previous calendar year:

- a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the City, other compensation received as an employee or payment of any tax, fee or penalty due to the City, and other transfers for no consideration to the City.
- b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial or private interest, with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
- c. The Mayor, each Alderman, and City Administrator also shall disclose by May 1, for the previous calendar year the following information:
 - (1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
 - (2) The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
 - (3) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

3. Filing of Reports.

- a. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:
 - 1) Every person required to file a financial interest statement shall file the statement annually not later than May 1, and the statement shall cover the preceding calendar year ending December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired

after December 31, of the covered year until the date of filing of the financial interest statement.

- 2) Each person appointed to office shall file the statement within thirty days of such appointment or employment
- b. Financial disclosure reports giving the financial information required in Paragraph 3 shall be filed with the City Clerk and with the Secretary of State prior to January 1, of each year. After January 1, reports shall be filed with the City Clerk and the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.
- c. The financial disclosure reports required of the Mayor and Aldermen shall be required of any candidate for such office no later than 14 days after the close of filing. Reports filed by candidates for office shall be filed with the Missouri Ethics Commission and the City Clerk and shall be available for public inspection and copying during normal business hours.

Section 2: Filing of Ordinance. A certified copy of this Ordinance adopted on this date shall be sent within ten days of its adoption to the Secretary of State's office.

Section 3: Effective Date. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Vote taken as follows:

Ayes:	Aldermen
Nays:	None
Absent:	None
Abstain:	None

Read two times by title only on July 6, 2020, and passed by the Board of Aldermen of the City of Harrisonville, Missouri, and approved by the Mayor this 6th day of July 2020.

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

APPROVED by the Mayor this 6th day of July 2020



STAFF REPORT

TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 2, 2020
SUBJECT: 2020 Budget Amendment Ordinance

Type of Item: *Approval*

E. Action Item (ID # 3545)

2020 Budget Amendment Ordinance

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

Section 1: That the annual operating budget for the City of Harrisonville, Missouri, for the fiscal year beginning January 1, 2020, and ending on December 31, 2020, a copy of which is appended hereto and made a part hereof, is hereby amended.

Section 2: To the extent an item is unbudgeted but reimbursable by Cass County, Missouri was made due to the COVID-19 pandemic and was previously approved by the Board of Aldermen, the City Administrator is hereby authorized to make such expenditures.

Section 3: Since passing the operating budget for the City of Harrisonville, Missouri for fiscal year 2020, the City has had experienced operational and employment changes including, but not limited to, City Administrator, Public Works Director, and City Finance Director, necessitating a change in wages and compensation. The wages and compensation for employees hired after approval of the budget are hereby confirmed and approved. All City staff wages and salary changes in fiscal year 2020 to date are hereby authorized by the Board of Aldermen.

Section 4: That the City Administrator is hereby authorized to amend the line items of the budget as needed, but in no event shall more funds be expended for any particular fund than that authorized by this budget without prior approval of the Board of Aldermen. In addition, any monies set aside for capital outlays shall not be used for any other purposes without prior approval of the Board of Aldermen.

Section 5: That this ordinance shall become effective immediately upon its passage and

approval.

Read for the first time by title only on the 6th day of July, 2020. Read for the second time by title only on the 6th day of July, 2020.

Judy Bowman, Mayor

ATTEST:

Randy Jones, City Clerk

APPROVED by the Mayor this 6th day of July, 2020

Attachments:

Budget Amendment Fund Summaries 070620 (PDF)



City of

Harrisonville ^{est. 1836}

5.E.a

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

To: Board of Aldermen
From: Ben Hart, Director, Baker Tilly Municipal Advisors
Date: July 6, 2020
Re: Mid-Year Budget Amendment

GENERAL INFORMATION

Each year, a review of revenue and expenditures as of June 30th is completed, comparing what was anticipated with the appropriated amounts in the budget. This provides an idea of how the programs and projects are running in relation to what was anticipated and aids in the development of next year's budget. The attached memorandum outlines some line items that require adjustment as well as the reasoning behind each adjustment

This year there are two funds which have adjustments in them. The General Fund and the Emergency Services Fund.

STAFF RECOMMENDATION

Staff recommends approval of the attached budget amendments.

ATTACHMENTS

STAFF CONTACT: Ben Hart

Attachment: Budget Amendment Fund Summaries 070620 (2020 Budget Amendment Ordinance)

Mid-Year Budget Amendment

City of Harrisonville, Missouri

July 6, 2020

Introduction

Each year the City of Harrisonville (the City) adopts a budget for the coming year. As part of best practices, the budget for that year is based on City staff's best estimate of revenues and expenditures at that time. From time to time environmental, economic, or other issues surface that require that budget to be adjusted or amended.

Below is a table of mid-year budget amendments that have been identified by City staff for Board approval.

Account #/Name	Dept	Amount	Description	Fund Impacted
01-6-0608-0103 Salary-Overtime	Community Development	\$7,253.00	Add overtime budget which is mostly for emergency response and partially workload r elated to maintain level of service to citizens. this replenishes to have the contingency available should an event occur. This \$7,253 (3/1/20 through 6/28/20) will be submitted for reimbursement on the Covid 19 relief funding.	General Fund
01-6-0608-0103 Salary-Overtime	Community Development	1,119.00	Move \$1,119.00 from ceiling and lighting work to Overtime from 01-6-0608-05404	General Fund
01-6-0608-0103 Salary-Overtime	Community Development	3,600.00	Move part-time budget to Over-time. Did not use a PT this year from 01-6-0312-0102	General Fund
01-06-0608-0101 Salary Full Time	Community Development	21,000.00	Addition for a FT Codes Inspector. Request ½ year budget, would double for next year and a full year 2080 hours period. The enhanced and increased Code Enforcement we are doing now will not be sustainable personnel resource wise as our current commercial projects start, notably Cedarhurst and Walmart's interior work. Any uptick in building activity will affect the level of Code Enforcement current personnel resources will be able to handle. As noted above, overtime expenses continue to increase with general workload and special projects.	General Fund
01-6-0608-0351	Community Development	2,400.00	Addition of 3 tablets and 2 vehicle printers for better accessing computer systems for in the field work. Workload and COVID 19 parameters would benefit from enabling on site communications and data entry.	General Fund
01-6-0311-0216	Police Department	7,144.00	Funding for the Lexipol Policy Manual subscription	General Fund

01-6-310-0502	Police Department	-56,000	Defund capital outlay related to building improvements due to offset loss in revenue.	General Fund
01-6-0203-0216 Contractual Services	Finance	44,000.00	Move savings from Fulltime employees to contractual services. The city entered into an agreement with Baker Tilly Municipal Advisors in February providing financial consulting services. This agreement was entered in lieu of filling the Finance Director vacancy. The monthly services are \$4,000.	General Fund
01-6-0203-216 Contractual Services	Finance	-40,000.00	Defund server and Office 365 to offset loss in revenue	General Fund
01-6-0203-0218 Banking Fees	Finance	10,000.00	The banking fees are in line to exceed the current budget of \$12,000. The interest from the nightly sweeps initially was to assist in covering the fees but with the decline of interest rates due to COVID-19 we do not believe the fees will be covered. To date the sweep interest received totals \$4,141.05 (account 01-5815).	General Fund
01-6-0215-0502 Building Capital Outlay	Finance	2,841.00	COVID-19 reimbursable costs include front door intercom, glass installed at the utilities counter, glass replaced at the customer service window in the court office to protect employees and better serve customers	General Fund
01-6-0103 – various	City Administrator	114,461.50	Adjust various line items with the new City Administrator's budget: Personnel Services - \$99,461.50 <i>Full-time, part-time, and over-time due to the interim status of former city administration before Brad.</i> Contractual Services - \$15,000.00 <i>Miscellaneous COVID related items including building interior changes.</i>	General Fund
16-06-0103-0211 Equipment Maintenance	Emergency Services	22,000.00	The shortage was created when 2017 Ford F450 Type I Ambulance had an engine failure in the late part of May. The vehicle is outside of the warranty and has 153,000 miles on it.	Emergency Services Fund

01 General Fund

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY Adjustment	FY 2020 Amended Budget	FY May 2020 YTD
Revenue						
50 Sales Taxes	2,143,858.79	2,280,727.12	2,146,200.00	0.00	2,146,200.00	489,747.00
50.27 PS Sales Taxes	257,796.07	271,902.68	255,300.00	0.00	255,300.00	132,033.50
51 Taxes	1,787,498.68	1,264,194.05	1,466,150.00	0.00	1,466,150.00	815,137.00
51.13 Franchise	1,412,258.63	1,328,839.89	1,557,115.00	0.00	1,557,115.00	505,517.10
52 License And Permits	132,714.05	124,304.13	125,600.00	0.00	125,600.00	55,248.10
53 Charges For Service	1,731,672.74	1,916,358.86	1,970,270.00	0.00	1,970,270.00	812,256.30
55 Misc. Income	118,981.75	171,772.71	120,600.00	0.00	120,600.00	43,775.50
56 Intergovernmental	129,165.64	73,845.16	193,050.00	12,494.00	205,544.00	31,040.80
57 Municipal Court	240,092.57	230,931.10	223,750.00	0.00	223,750.00	53,245.50
58 Interest	147,950.01	140,104.50	129,550.00	0.00	129,550.00	89,938.00
59 Other Rev. Sources/Trans	84,900.00	85,840.00	711,560.00	0.00	711,560.00	0.00
Revenue Total	8,186,888.93	7,888,820.20	8,899,145.00	12,494.00	8,911,639.00	3,027,939.10
Expenditure						
101 Adm-Mayor And Board	178,046.27	161,999.40	178,070.00	0.00	178,070.00	73,855.10
103 Administration	462,562.39	492,462.86	463,935.00	114,461.50	578,396.50	210,096.60
105 Adm Legal	211,830.38	129,438.54	174,250.00	0.00	174,250.00	34,375.90
203 Finance-Administration	578,557.69	611,955.63	706,530.00	-81,334.00	625,196.00	275,638.10
204 Finance-Municipal Court	190,732.34	198,610.04	214,550.00	0.00	214,550.00	68,048.50
215 Finance-Property Mangmnt	73,600.21	61,737.65	109,440.00	2,841.00	112,281.00	20,382.30
230 Finance-Utilities	213,585.04	216,147.67	248,955.00	0.00	248,955.00	103,028.80
310 Law Enf-Adm And Dispatch	577,527.52	588,694.66	707,035.00	-56,000.00	651,035.00	258,132.10
311 Law Enf-Patrol	2,117,557.34	2,186,934.54	2,511,905.00	7,144.00	2,519,049.00	954,719.50
312 Law Enf-Animal Control	208,849.35	174,779.32	246,650.00	0.00	246,650.00	64,062.60
608 Community Development	360,053.85	344,401.44	532,830.00	30,653.00	563,483.00	134,597.60
707 P.W.-Street	824,073.07	863,970.78	934,850.00	0.00	934,850.00	321,443.60
717 P.W.-Airport	203,024.88	98,269.96	154,230.00	0.00	154,230.00	57,712.40
718 P.W.-Engineering	81,067.64	76,599.04	86,310.00	0.00	86,310.00	36,937.30
816 Nondepartmental	727,610.00	1,321,886.58	1,129,605.00	0.00	1,129,605.00	392,859.10
907 Cap Projects - Street	510,470.70	383,210.36	300,000.00	0.00	300,000.00	0.00
917 Cap Projects - Airport	700.35	2,954.00	0.00	0.00	0.00	0.00
936 Cap Projects-Stormwater	0.00	0.00	100,000.00	0.00	100,000.00	31,674.50
938 Cap Projects - Sidewalks	329,689.82	342,908.94	100,000.00	0.00	100,000.00	89.30
990 Capital Projects - CDBG	0.00	0.00	0.00	0.00	0.00	0.00
Expenditure Total	7,849,538.84	8,256,961.41	8,899,145.00	17,765.50	8,916,910.50	3,037,654.20
Net Increase (Decrease)	337,350.09	-368,141.21	0.00	-5,271.50	-5,271.50	-9,715.10
Beginning Fund Balance	5,934,865.91	6,272,216.00	5,904,074.79	5,904,074.79	5,904,074.79	5,898,803.29
Ending Fund Balance	6,272,216.00	5,904,074.79	5,904,074.79	5,898,803.29	5,898,803.29	5,889,088.19

Attachment: Budget Amendment Fund Summaries 070620 (2020 Budget Amendment Ordinance)

16 Emergency Services Fund

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY Adjustment	FY 2020 Amended Budget	FY May 2020 YTD
Revenue						
50.27 PS Sales Taxes	513,951.00	544,406.77	508,200.00	0.00	508,200.00	249,050.8
53 Charges For Service	2,587,395.00	2,530,258.63	2,697,120.00	0.00	2,697,120.00	923,219.2
55 Misc. Income	19,246.00	7,931.01	40,820.00	0.00	40,820.00	5,470.4
58 Interest	1,380.00	1,061.11	0.00	0.00	0.00	333.3
59 Other Rev. Sources/Trans	328,430.00	849,958.00	738,695.00	0.00	738,695.00	276,982.4
Revenue Total	3,450,402.00	3,933,615.52	3,984,835.00	0.00	3,984,835.00	1,455,056.2
Expenditure						
103 Administration	3,677,375.00	3,827,821.37	3,984,835.00	22,000.00	4,006,835.00	1,469,069.0
Expenditure Total	3,677,375.00	3,827,821.37	3,984,835.00	22,000.00	4,006,835.00	1,469,069.0
Net Increase (Decrease)	-226,973.00	105,794.15	0.00	-22,000.00	-22,000.00	-14,012.7
Beginning Fund Balance	-245,554.00	-472,527.00	-366,732.85	-366,732.85	-366,732.85	-388,732.8
Ending Fund Balance	-472,527.00	-366,732.85	-366,732.85	-388,732.85	-388,732.85	-402,745.6

Attachment: Budget Amendment Fund Summaries 070620 (2020 Budget Amendment Ordinance)



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: June 30, 2020
SUBJECT: Public Hearing -- Rezone 2801 Brookhart Dr from M-1 to R-1

Type of Item: *Approval*

PUBLIC HEARING

Applicant: David and Roberta Donnell
 523 Whisper Lane, Belton, MO 64012

Requested Actions: Approve Rezoning from M-1 Light Industrial to R-1 Single-family Residential

Date of Application: May 29, 2020

Location: 2801 Brookhart Dr.

Property Owners Kenneth Cox
 19001 E. 299th St., Harrisonville, MO 64701

Acres .95 acres

Existing Zoning M-1 Light Industrial District

F. Action Item (ID # 3538)

Public Hearing -- Rezone 2801 Brookhart Dr from M-1 to R-1



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: June 30, 2020
SUBJECT: Rezone 2801 Brookhart Dr from M-1 Light Industrial to R-1 Single-family Residential

Type of Item: *Approval*

GENERAL INFORMATION

PUBLIC HEARING

Applicant: David and Roberta Donnell
523 Whisper Lane, Belton, MO 64012

Requested Actions: Approve Rezoning from M-1 Light Industrial to R-1 Single-family Residential

Date of Application: May 29, 2020

Location: 2801 Brookhart Dr.

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Acres .95 acres

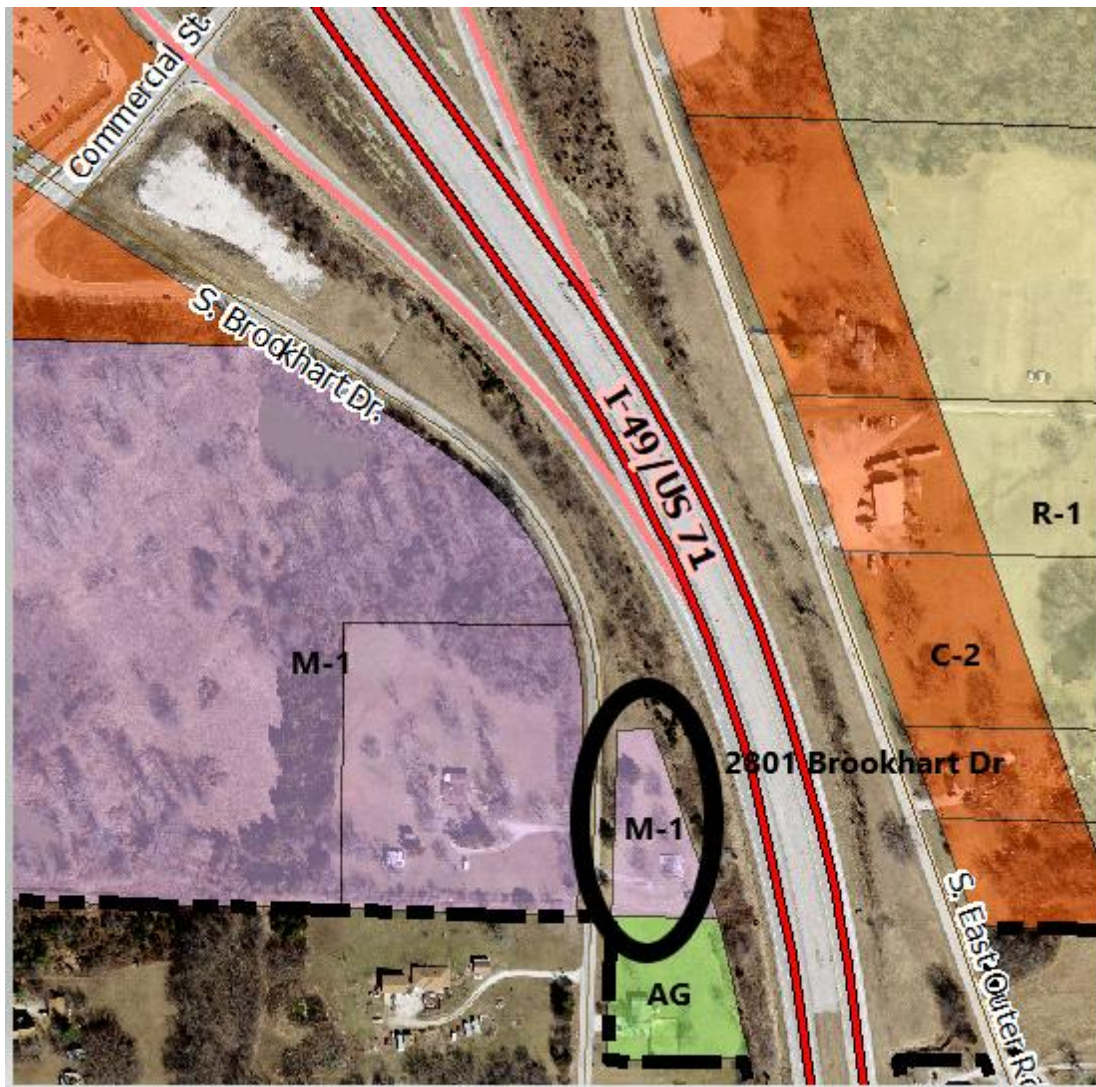
Existing Zoning M-1 Light Industrial District

PROPOSAL

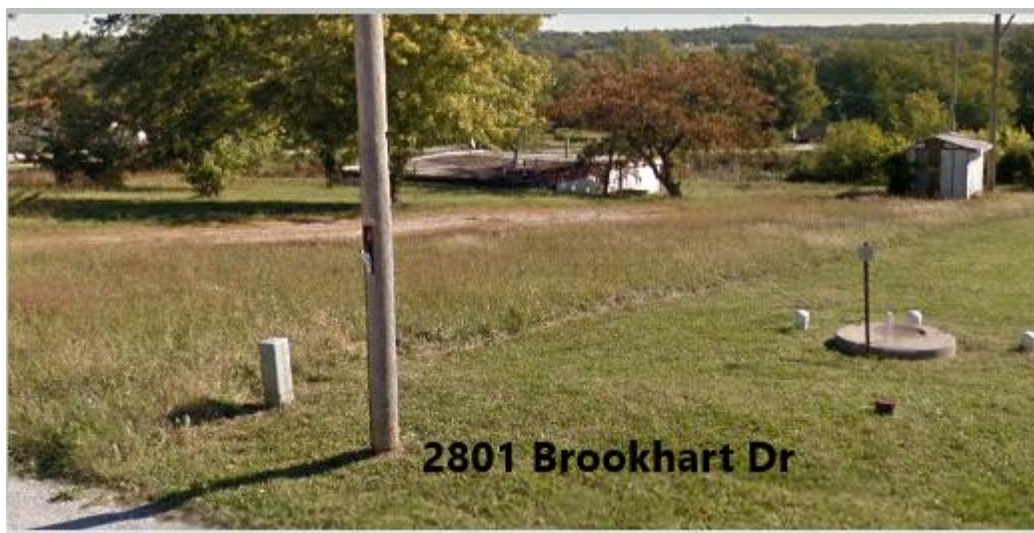
The City has received an application from David and Roberta Donnell to rezone a .95-ac. tract at 2801 Brookhart Drive from M-1 Light Industrial District zoning to R-1 Single-Family Residential District so they may remove a vacant and blighted basement home and build a new single-family home on the property. The existing basement house has been vacant for a long period time and so the property has lost its legal non-conforming rights. Therefore, the Donnell's are requesting that the property be rezoned to R-1 Single-family so they might build a new house on the property.

Vicinity Maps

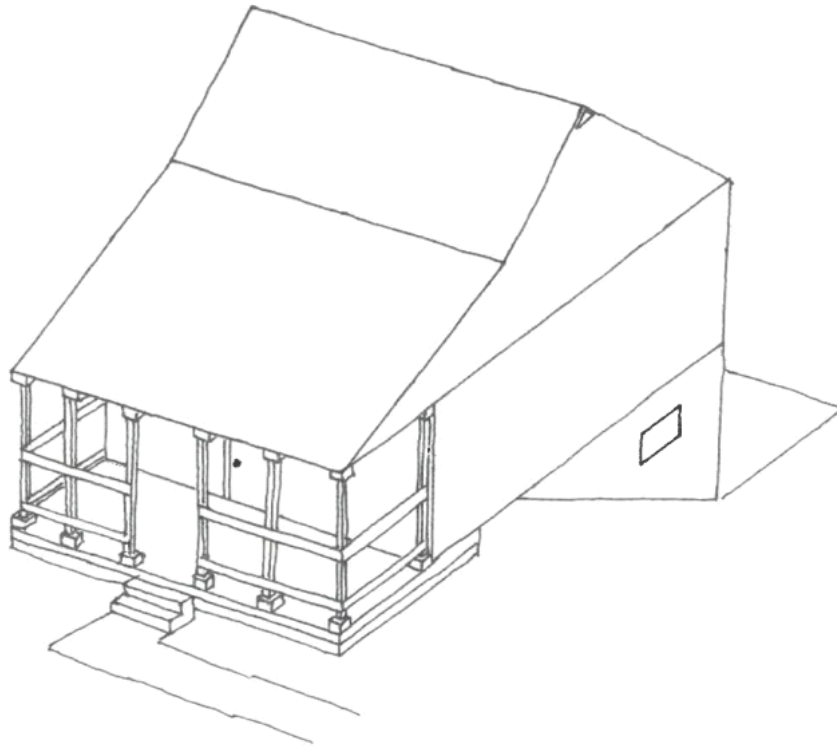




Present



Proposed - Preliminary



Vacant Basement to be Removed. New Home and Garage Proposed



STAFF COMMENTS AND SUGGESTIONS

Review of Application using Zoning Ordinance Criteria for SUPs:

- 1. The character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property.**

North: M-1 Light Industrial
 East: I-49 and C-2 Service Business District on east side of interstate.
 South: Agriculture. Existing residence.
 West: M-1 Light Industrial. Existing residence.

Even though 2801 Brookhart Dr. is in the M-1 light industrial portion of the city, we do not believe this .95 ac. tract will develop as industrial due to its small and narrow size and the fact that it sits on the side of a hill between Brookhart Dr. and I-49.

- 2. The physical character of the area in which the property is located.**

The .95 ac. tract is small and narrow size and sits on the side of a hill between Brookhart Dr. and I-49.

- 3. Consistency with the goals and objectives of the Comprehensive Plan and other plans, codes and ordinances of the City.**

The Comprehensive Plan shows the future land use for this area as industrial. However, we do not believe 2801 Brookhart drive will develop as industrial due to its size and topography.

- 4. Suitability of the subject property for the uses permitted under the existing and proposed zoning districts.**

Staff believes the property is more suitable as residential rather than industrial.

- 5. The trend of development near the property, including changes that have taken place in the area since the subject property was placed in its current zoning districts.**

The property west of 2801 Brookhart will undoubtedly develop as industrial. However, one cannot predict how quickly it will develop as it has limited sewers and electricity.

6. The extent to which the zoning amendment may detrimentally affect nearby property.

Removing the blight situation that now exists will certainly improve nearby properties. See email with the staff report from two neighboring residential property owners.

7. Whether public facilities and services will be adequate to serve development allowed by the requested zoning map amendment.

There are adequate public facilities to serve the one house that is proposed.

8. The suitability of the property for the uses to which it has been restricted under the existing zoning regulations.

We see the existing M-1 zoning as not appropriate for 2801 Brookhart Drive due to its small size, hilly topography and narrow configuration between Brookhart and I-49.

9. The length of time (if any) the property has remained vacant as zoned.

We are not certain of the length of time that the properties have been vacant, but we believe that it has been for at least several years.

10. Whether the proposed zoning map amendment is in the public interest and is not solely in the interest of the applicant.

Based on the conversations with the two residential neighbors, the rezoning to allow the existing basement house to be replaced with a new house is in the public interest.

11. The gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.

Denying the application would allow a blighted situation to remain with the problems stemming from it. Staff believes that the City should rezone 2801 Brookhart Dr. to R-1 Single-family residential so that t new home can replace the existing vacant and blighted basement home.

STAFF RECOMMENDATIONS

Staff Recommendation: Approval.

P&Z Commission Recommendation: Unanimous recommendation of approval at June 18, 2020 P&Z Meeting.

ATTACHMENTS

Ordinance

Exhibit I

Memorandum from Applicant

Emails from Neighbors

P&Z Minutes - June 18, 2020

STAFF CONTACT: Roger Kroh, Community Development Planner

G. Action Item (ID # 3539)

AN ORDINANCE OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, REZONING .95 ACRES FROM M-1 LIGHT INDUSTRIAL DISTRICT TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AT 2801 BROOKHART DR AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from David and Roberta Donnell to rezone .95 acres from M-1 Light Industrial District to R-1 Single-family Residential District at 2801 Brookhart Dr in the City of Harrisonville, Cass County, Missouri;

WHEREAS, on June 18, 2020, the Planning and Zoning Commission did conduct a public hearing, and after evaluating the application for rezoning, did recommend with a vote of 7 ayes and 0 nays that the Board of Aldermen approve the rezoning;

WHEREAS, on July 6, 2020 the Board of Aldermen did conduct a public hearing and did consider the staff report, input from the public, and the recommendation of the Planning and Zoning Commission.

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

Section 1. The application for rezoning .95 acres from the M-1 Light Industrial Zoning District to the R-1 Single-family Residential Zoning District at 2801 Brookhart Dr is hereby approved.

Section 2: The rezoning comprises the following real estate in the City of Harrisonville, Cass County, Missouri, described as follows:

Legal Description:

All that part of the Southeast Quarter of the Southwest Quarter of Section 4, Township 44, Range 31, in Harrisonville, Cass County, Missouri, described as follows: Beginning at the Southwest corner of said Quarter Quarter Section; thence North 328 feet; thence east and parallel to the South line of said Section 4, to the Westerly right-of-way of US Highway No. 71 as now established; thence Southeasterly along said right-of-way to the point of intersection with the South line; thence West along said South line to the point of beginning, except therefrom that part in public road.

Section 3. Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase 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 to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void 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 4. Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

AYES:

NAYS:

ABSENT:

ABSTAIN:

**READ FOR THE FIRST TIME BY TITLE ONLY ON THE 6TH DAY OF JUNE 2020
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 6TH DAY OF
JUNE 2020 AND PASSED BY THE BOARD OF ALDERMEN THIS 6TH DAY OF JUNE
2020.**

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this _____ day of June 2020

Attachment I: Site Plan for 2801 Brookhart Dr.

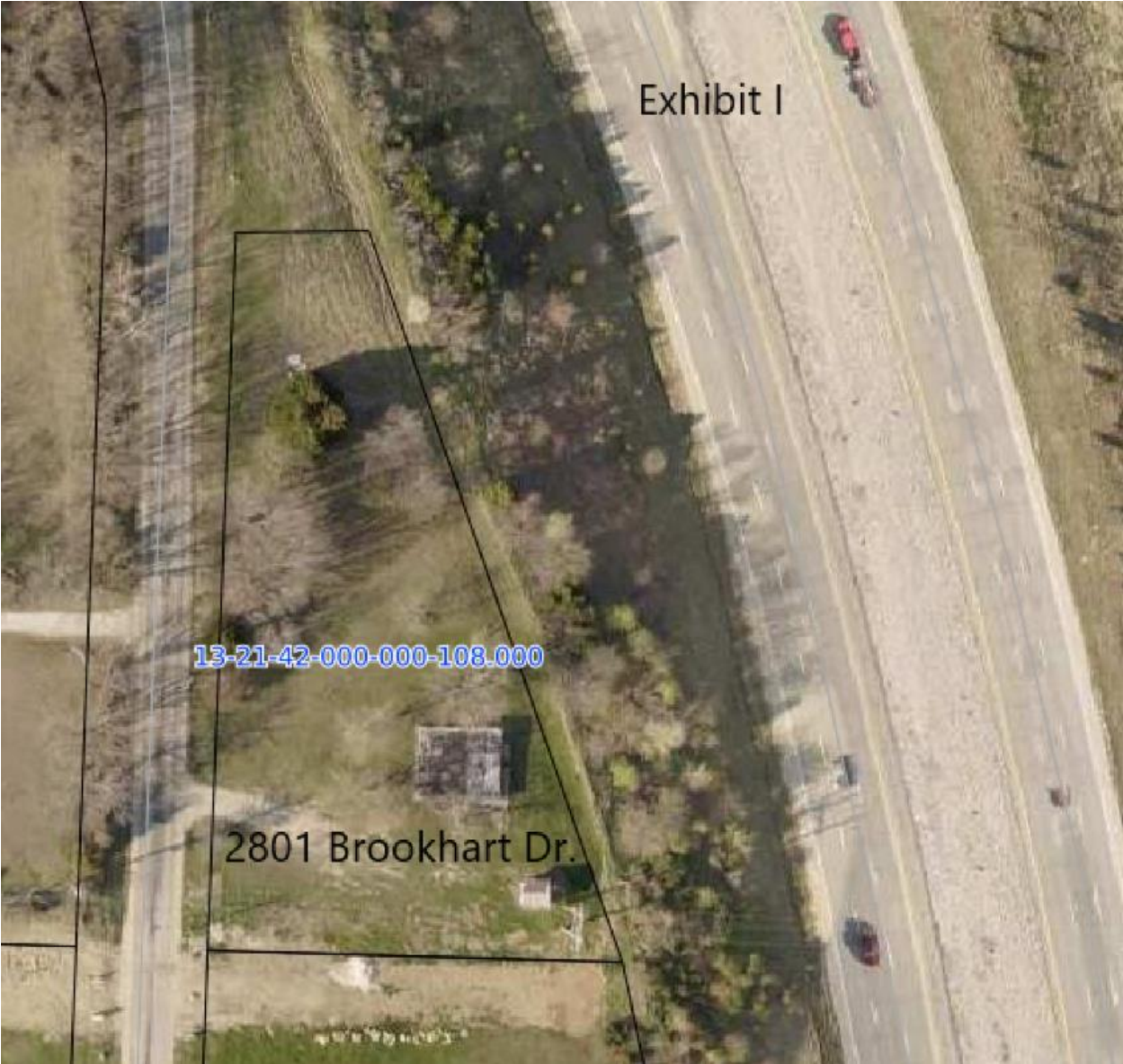
Attachments:

Exhibit I (DOCX)

Memo from Applicant(PDF)

Emails from Neighbors (DOCX)

PZ Minutes 061820 (PDF)



Memo

To: Roger Kroh
From: Dave Donnell
Date: May 12, 2020
Re: Rezoning property at 2801 Brookhardt Dr

Roger,

We would like to build our home on this property. We have recently moved back into the area to care for our parents. Our children and Dave's parents have moved to Harrisonville and that is where we are hoping to settle also.

Our first course of action would be to clear and secure the property of the apparent vandalism and vagrancy and remove all of the vandalized and dilapidated structures. We would plan to build on the 32ft. x 24ft. basement coming out 12ft. towards the road on a pier or crawl space foundation making the house 32ft. wide and 36ft. deep. The house would face the road and include an eight-foot covered porch across the front of the house.

We are currently living in Belton in the duplex attached to Roberta's 89 and 90-year-old parents. When they are no longer in need of us, we would finalize our building and move in.

EMAILS FROM NEIGHBORS

Re: Rezoning on Brookhart

From: [doug walton <dw533pf@yahoo.com>](mailto:doug.walton@dw533pf@yahoo.com)

Sent: Sun, Jun 7, 2020 at 4:40 pm

To: [Roger Kroh](#)Images not displayed. **[SHOW IMAGES](#) | [ALWAYS SHOW IMAGES FROM THIS SENDER](#)**

Mr. Kroh, Got your letter last week, regarding the rezoning of the property at ,2801 Brookhart Dr. I have been hoping for years that someone would come along and buy that property, clean it up, and build new on it. For too long, it has been neglected, trashed, and occupied by the less fortunate, from time to time. It would be a welcome change to see the new owners follow through with their plans, as they have my blessings. I also wish them luck in their endeavors. If you have any further questions, feel free to contact me at, 816-380-2178 or, 816-258-1890. Thanks, again.

Re: Rezoning on Brookhart

From: [Randy Huey <bigred53@embarqmail.com>](mailto:bigred53@embarqmail.com)

Sent: Tue, Jun 9, 2020 at 8:45 pm

To: [Roger Kroh](#)

Hey Roger, this is Randy Huey at 26704 S Brookhart Dr. I would love to see the property at 2801 Brookhart be re-zoned and made in to a nice 1-2 family home. This property has been an eyesore for years, as several squatters and druggies have occupied this property for as long as I can remember.. The police have responded numerous times to complaints of trespassers, not only from me, but from my neighbors as well, to subjects in the house. I am all for the re-zoning of this address, and the new owners building decent housing and cleaning up our neighborhood. Thank you. Any questions, please call me at 816-738-3429.

Attachment: Emails from Neighbors (Rezoning 2801 Brookhart Dr from M-1 Light Industrial to R-1 Single-family Residential)



**DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
JUNE 18, 2020
6:00 PM**

1. Call to Order

The meeting was called to order at 6:00 PM by Dorothy Young

Attendee Name	Organization	Title	Status	Arrived
Chris Chiodini	Harrisonville	Chair	Absent	
Scott Milner	Harrisonville		Present	
Judy Bowman	Harrisonville	Mayor	Present	
Virgil Butler	Harrisonville		Absent	
Dorothy Young	Harrisonville		Present	
Cheryl Bush	Harrisonville		Present	
Barrett Welton	Harrisonville		Present	
Wilbert Crawford	Harrisonville		Present	
Brian Pulliam	Harrisonville		Present	

Also in attendance were Roberta and David Donnell, Applicants; Matthew Turner, Alderman Liaison; Roger Kroh, Community Development Planner; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Apr 16, 2020 6:00 PM

With no additions or corrections, the minutes from the April 16, 2020, meeting were unanimously accepted.

Dorothy Young welcomed Brian Pulliam to the Planning and Zoning Commission.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Wilbert Crawford
SECONDER:	Scott Milner
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

3. Agenda Items

A. Rezoning from M-1 to R-1 at 2801 Brookhart Dr.- PUBLIC HEARING

Publish

Roger Kroh presented an application from David and Roberta Donnell to rezone 2801 Brookhart Dr. from M-1 Light Industrial to R-1 Single Family Residential. They would like to remove the vacant, blighted basement home that is on the property and build a new single family home. Staff recommends approval for the list of reasons stated in the Staff Report.

Roberta Donnell stated they want to make the property their home. It has a lot of potential. Dorothy Young asked about their timeline. Mrs. Donnell stated that they would be focusing on cleaning up the property. Fencing, safety and security would be their first steps. The building of the home would be at a later date.

Dorothy Young opened the Public Hearing.

With no public participation, Wilbert Crawford made a motion to close the Public Hearing. Scott Milner seconded the motion. The Public Hearing was closed.

Cheryl Bush made a motion to recommend approval as outlined in the Staff Report. Scott Milner seconded the motion. The Commission voted unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cheryl Bush, Board Member
SECONDER:	Scott Milner
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

B. Cedarhurst Final Plat

Roger Kroh presented the Cedarhurst Final Plat. Mr. Kroh stated that this final plat adds utility easements and relocates the storm sewer line. Staff recommends approval as presented in the Staff Report.

Judy Bowman made a motion to recommend approval to the Board of Aldermen as presented. Wilbert Crawford seconded the motion. The Commission voted unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Judy Bowman, Mayor
SECONDER:	Wilbert Crawford
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

4. Discussion Items

None

5. Adjourn

With nothing further to come before the Commission, Scott Milner made a motion to adjourn. Barrett Welton seconded. The meeting was adjourned at 6:09 PM.

Chris Chiodini,
Chairperson of the Planning & Zoning Commission

Regular Meeting**Thursday, June 18, 2020****6:00 PM**

ATTEST:

Jamie Martin, Secretary

Attachment: PZ Minutes 061820 (Rezone 2801 Brookhart Dr from M-1 Light Industrial to R-1 Single-family Residential)



STAFF REPORT

TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 1, 2020
SUBJECT: Cedarhurst of Harrisonville Final Plat

Type of Item: *Approval*

GENERAL INFORMATION

Note: No public hearing is required for plats, but public input is welcomed.

Applicant: Dover Development, LLC
300 Hunter Ave., Suite 200, St. Louis, MO 63124-2013
Representative - Tina Charleville

Requested Actions: Final Plat of Cedarhurst of Harrisonville

Date of Application: May 29, 2020

Location: 2606 Rock Haven Road

Property Owners Heritage Tractor Properties, Inc.
Representative - Derek Dummermuth

Acres 9.93 acres

Building 69,565 sq. ft.

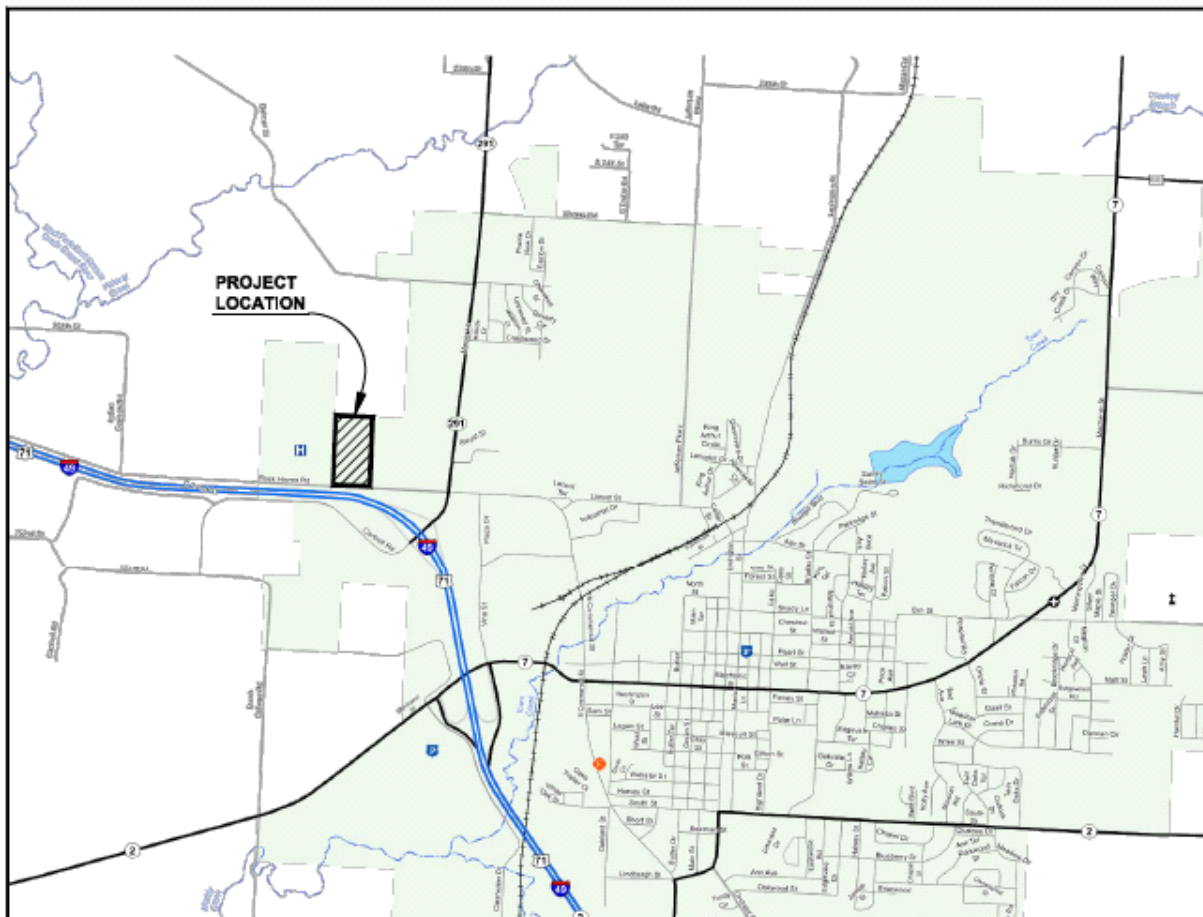
Zoning C-2 Service Business District

PROPOSAL

City staff have reviewed civil, stormwater and architectural plans and are in the process of issuing the building permit for the project. This final plat adds utility easements on the perimeter of the property and relocates a sanitary sewer easement to allow for the Cedarhurst to be constructed.



VICINITY MAP



PREVIOUS ACTIONS

The Planning and Zoning Commission and Board of Aldermen previously approved a special use permit for Dover Development, LLC, to construct and operate the Cedarhurst of Harrisonville assisted living and memory care facility at 2606 Rock Haven Road next to the Cass County Regional Medical Center. The project will consist of a one-story, 73-unit building of approximately 70,000 sq. ft. and associated infrastructure. The Missouri Department of Health and Senior Services has granted a certificate of need for the facility.

On June 18, 2020 the Planning and Zoning Commission unanimously recommended that the BOA approve the final plat.

KEY ISSUES

A final plat prepared by a registered land surveyor or registered professional engineer describes the precise location and dimension of lots, established easements, and dedicated street right-of-way of property being subdivided. Approval by the City indicates that the final plat meets the design standards and requirements of the subdivision regulations and conforms to the requirements of the zoning regulations and other applicable provisions of the policies and standards of the city.

STAFF COMMENTS AND SUGGESTIONS

The final plat consists of one lot and has all of the notes, easements, and dedications required by the subdivision ordinance of the City.

STAFF AND P&Z RECOMMENDATIONS

Staff recommendation: Approval.

P&Z Commission unanimously recommended approval at June 18, 2020 meeting.

ATTACHMENTS

Final Plat

STAFF CONTACT: Roger Kroh, Community Development Planner

H. Action Item (ID # 3541)

AN ORDINANCE TO APPROVE THE CEDARHURST OF HARRISONVILLE FINAL PLAT, A 9.93-ACRE SUBDIVISION AT 2606 ROCK HAVEN RD IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Dover Development, LLC to approve the Cedarhurst of Harrisonville Final Plat, a 9.93-acre subdivision at Rock Haven RD; and

WHEREAS, the final plat was considered by the Planning and Zoning Commission on June 18, 2020 and recommended by a vote of 7 ayes and 0 nays that the Board of Aldermen approve the final plat; and

WHEREAS, the City will retain easement rights in the proposed subdivision; and

WHEREAS, in accordance with the provision of Chapter 89 RSMo, and Chapter 410 of the Code of Ordinance of the City of Harrisonville, Missouri, the Board of Aldermen, after careful and due deliberation find that approval of the final plat is in the best interest of the City of Harrisonville and its residents.

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

Section 1. That the Board of Aldermen of Harrisonville, Missouri, hereby approves the Cedarhurst of Harrisonville Final Plat, a 9.93-acre subdivision at 2602 Rock Haven Rd. in the C-2 Service Business District, which is attached as Exhibit I.

Section 2: The Cedarhurst of Harrisonville Final Plat comprises the following described real estate in the City of Harrisonville, Cass County, Missouri, to-wit:

Legal Description

Commencing at a point on the north right-of-way of Old U.S. Highway 71, 30 feet north of the southwest corner of the southeast quarter of the southeast quarter of Section 32, Township 45, Range 31, Cass County, Missouri, for the true point of beginning; thence north 1295.72 feet; thence east 333.90 feet; thence south 1295.61 feet to the north right-of-way line of Old U.S. Highway 71; thence west along the north right-of-way of Old U.S. Highway 71, 333.90 feet to the true point of beginning, except any part thereof in roads.

(As described in Alta Commitment for title insurance issued by Old Republic National

Title Insurance Company, (File Number 13533STL)

Section 3. Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase 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 to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void 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 4. Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

AYES:

NAYS:

ABSENT:

ABSTAIN:

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 6TH DAY OF JULY 2020 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 6TH DAY OF JULY AND PASSED BY THE BOARD OF ALDERMEN THIS 6TH DAY OF JULY 2020.

Officio

Judy Bowman, Mayor and Ex-

Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this _____ day of July 2020

Attachment I: Cedarhurst of Harrisonville Final Plat

Attachments:

20153.001V_Final Plat-24x36 (PDF)

PZ Minutes 061820 (PDF)

FINAL PLAT CEDARHURST OF HARRISONVILLE

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 45
NORTH, RANGE 31 WEST, CASS COUNTY, MISSOURI

DESCRIPTION:

COMMENCING AT A POINT ON THE NORTH RIGHT-OF-WAY OF OLD U.S. HIGHWAY 71, 30 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 45, RANGE 31, CASS COUNTY, MISSOURI, FOR THE TRUE POINT OF BEGINNING; THENCE NORTH 1295.72 FEET; THENCE EAST 333.90 FEET; THENCE SOUTH 1295.61 FEET TO THE NORTH RIGHT-OF-WAY LINE OF OLD U.S. HIGHWAY 71; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY OF OLD U.S. HIGHWAY 71, 333.90 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT ANY PART THEREOF IN ROADS.

(AS DESCRIBED IN ALTA COMMITMENT FOR TITLE INSURANCE ISSUED BY: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, (FILE NUMBER: 135335TL)

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE REAL ESTATE DESCRIBED HEREIN HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THIS PLAT, WHICH SUBDIVISION AND PLAT SHALL BE HEREAFTER BE KNOWN AS "CEDARHURST OF HARRISONVILLE", IT SHALL BE A SUFFICIENT DESCRIPTION OF EACH LOT PLATTED HEREON TO BE DESIGNATED BY THE NUMBER WHICH APPEARS ON SAID LOT FOLLOWED BY THE WORDS "CEDARHURST OF HARRISONVILLE".

BUILDING LINES OR SETBACK LINES SHALL CONFORM TO ORDINANCES OF THE CITY OF HARRISONVILLE, MISSOURI, NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT-OF-WAY LINE, REAR OR SIDE LOT LINES.

THE USE OF ALL LOTS ON THIS PLAT SHALL BE SUBJECT TO ANY AND ALL RESTRICTIONS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI.

DEDICATION:

AS OWNER I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, DEDICATED AND ACCESS RIGHT RESERVED AS REPRESENTED ON THIS PLAT.

IN WITNESS WHEREOF, THE UNDERSIGNED PROPRIETORS HAVE HEREUNTO SET THEIR HANDS THIS

DAY OF _____, 2020.

STATE OF _____)
COUNTY OF _____) SS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2020,

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME _____, TO ME, PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

(SEAL)

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

THIS PLAT OF "CEDARHURST OF HARRISONVILLE" ACCEPTED BY THE BOARD OF ALDERMEN HAS BEEN SUBMITTED TO AND APPROVED BY THE HARRISONVILLE BOARD OF ALDERMEN

BY ORDINANCE NO. _____, DULY PASSED AND APPROVED BY THE MAYOR OF HARRISONVILLE, MISSOURI,

ON THIS _____ DAY OF _____, 2020.

(SEAL)

MAYOR: _____

ATTEST: _____

CITY CLERK

CITY ENGINEER

COMMUNITY DEVELOPMENT DIRECTOR

LEGEND

(M) MEASURED
(P) PLATTED
(D) DEED

U.E. UTILITY EASEMENT
S.S.E. SANITARY SEWER EASEMENT
S.W.E. STORM WATER EASEMENT

SET 3/4" X 24" REBAR
WITH 2005013257 ID CAP

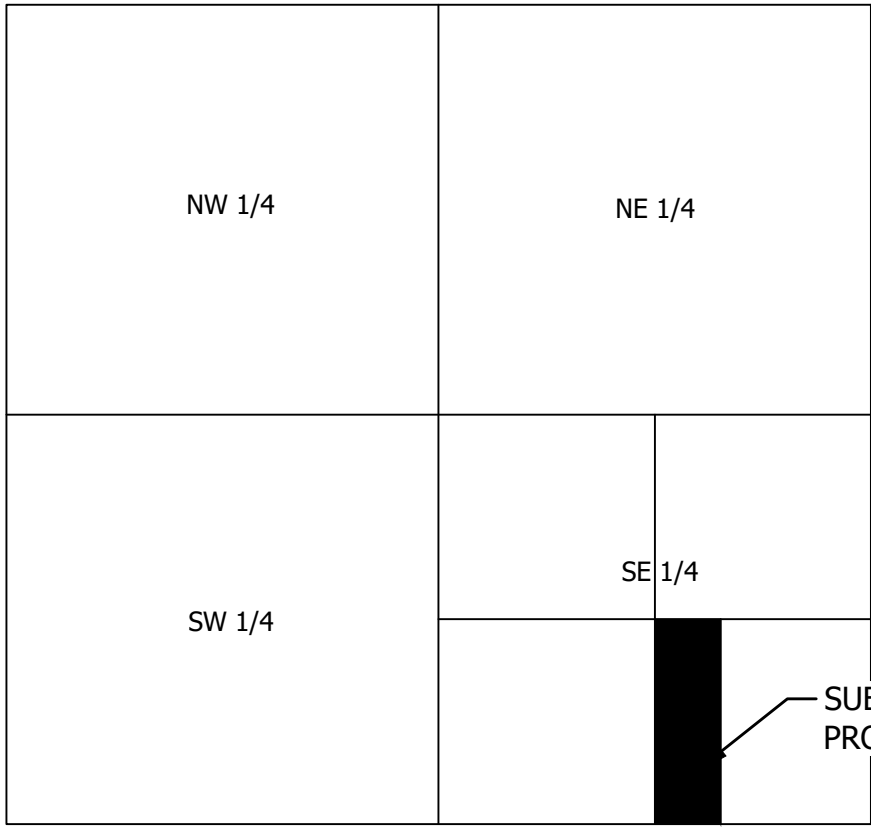
FOUND MONUMENT
(AS NOTED)

EASEMENT LINE

BOUNDARY LINE

SECTION LINE

RIGHT OF WAY LINE



VICINITY MAP
SEC. 32-45N-31W
NOT TO SCALE

SURVEY NOTES:

- THE SUBJECT PROPERTY DESCRIBED HEREON IS LOCATED WITHIN DESIGNATED FLOOD ZONE X - AREA OF MINIMAL FLOOD HAZARD, ACCORDING TO FLOOD INSURANCE RATE MAP 29037C0186F, EFFECTIVE DATE JANUARY 2, 2013.
- THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF AN URBAN CLASS SURVEY AS DEFINED BY THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY STANDARDS.
- THIS SURVEY WAS COMPLETED WITH THE BENEFIT OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 135335TL, DATED OCTOBER 4, 2019 AT 8:00 AM.
- NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO DETERMINE WHETHER JURISDICTIONAL WATERS OF THE UNITED STATES ARE PRESENT ON THIS PROPERTY; WHETHER THIS SOIL IS SUITABLE FOR A SEPTIC SYSTEM; WHETHER ANY EXISTING SEWAGE TREATMENT FACILITIES THAT SERVE THIS PROPERTY MEET APPLICABLE HEALTH DEPARTMENT OR MISSOURI DEPARTMENT OF NATURAL RESOURCES REGULATIONS; WHETHER THIS PROPERTY HAS DRIVEWAY ACCESS TO A STATE, COUNTY OR CITY ROADWAY RIGHT-OF-WAY OR THAT ONE WILL BE GRANTED; WHETHER UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES MAY OR MAY NOT EXIST WHICH MAY AFFECT THIS PROPERTY.

REFERENCE SURVEYS:

- NON RECORDED SURVEYS BY HOWARD L. SHERMAN, LS-918, DATED JUNE 7, 1968 AND DECEMBER 6, 1976.
- NON RECORDED SURVEY BY ROGER L. BRENNER, LS-1476, DATED MARCH 5, 1992.
- RECORDED SURVEYS BY GREGORY B. BOWERS, LS-2672, FILED IN BOOK 15, PAGE 76 DATED OCTOBER 5, 1998 AND BOOK 19, PAGE 95 DATED APRIL 15, 2008, IN THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI.
- PLAT OF CASS REGIONAL MEDICAL CENTER, PLAT BOOK 21, PAGE 42.
- PLAT OF CASS REGIONAL MEDICAL CENTER REPLAT, PLAT BOOK 21, PAGE 45.

CERTIFICATION:

THE UNDERSIGNED REGISTERED LAND SURVEYOR HEREBY STATES THAT THE WITHIN PLAT OF CEDARHURST OF HARRISONVILLE IS BASED ON AN ACTUAL SURVEY MADE BY HIM OR UNDER HIS DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ADOPTED BY THE BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND THE MISSOURI DEPARTMENT OF AGRICULTURE LAND SURVEY PROGRAM. HE FURTHER STATES THAT HE HAS COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF HIS PROFESSIONAL KNOWLEDGE AND BELIEF.

THE FIELD WORK WAS COMPLETED ON NOVEMBER 8, 2019.

STEPHEN I. MARINO II, PLS #2010000245
BARTLETT & WEST INC.

Bartlett & West

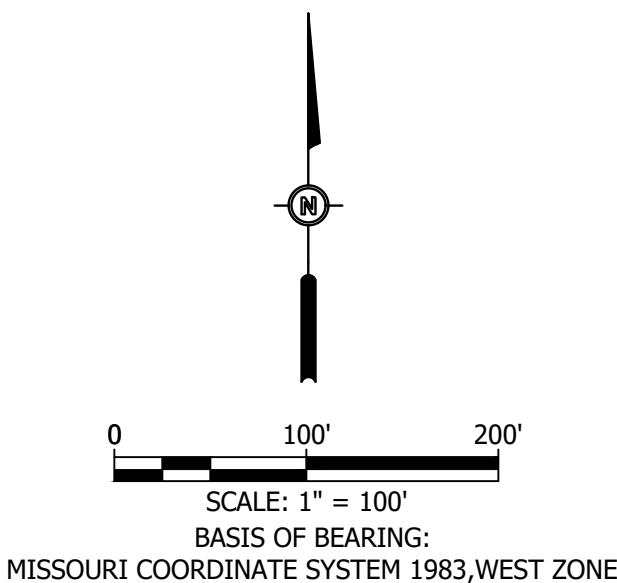
FINAL PLAT
CEDARHURST OF HARRISONVILLE

PART OF THE SOUTHEAST QUARTER OF
THE SOUTHEAST QUARTER OF SECTION 32
TOWNSHIP 45 NORTH, RANGE 31 WEST, CASS COUNTY, MISSOURI

PRELIMINARY

DESIGNED BY: JCW
DRAWN BY: SIM
APPROVED BY: SIM
DESIGN PROJ: 20153.001
CONST PROJ:
SCALE: AS NOTED
DATE: MAY 2020
DRAWING NO: P20
SHEET NO: 1 of 1

ALL RIGHTS RESERVED. ALL BARTLETT & WEST ENGINEERS PLANS, SPECIFICATIONS AND DRAWINGS ARE PROTECTED UNDER COPYRIGHT LAW, AND NO PART MAY BE COPIED, REPRODUCED, DISSEMINATED PUBLICLY, USED TO CREATE DERIVATIVES, DISTRIBUTED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM BY ANY MEANS WITHOUT PRIOR WRITTEN PERMISSION OF BARTLETT & WEST ENGINEERS. Attachment: 20153.001V_Final Plat-24x36 (Cedarhurst of Harrisonville Final Plat)



CONTROL INFORMATION:

CONTROL POINT CA-77, MISSOURI DNR MONUMENT
COORDINATES: NORTHING: 277006.846 (METERS)
EASTING: 860046.049 (METERS)

CA-77 TO POINT OF COMMENCEMENT: N84°36'14"E 2728.52' (STATE PLANE)

HORIZONTAL CONTROL IS BASED ON THE NORTH AMERICAN DATUM 1983, MISSOURI WEST ZONE, IN METERS. THIS SURVEY IS REFERENCED TO THE MISSOURI GEOGRAPHIC REFERENCE SYSTEM CONTROL POINT STATION CA-77. COORDINATES SHOWN HEREON ARE STATE PLANE VALUES, UNADJUSTED, IN METERS.

ERROR OF BOUNDARY CLOSURE EXCEEDS 1 FOOT IN 20,000 FEET, AND THE ACCURACY STANDARD FOR THIS PLAT IS AN "URBAN" SURVEY.

OWNER/DEVELOPER:

DOVER DEVELOPMENT, LLC
120 SOUTH CENTRAL AVENUE
SUITE 1050
CLAYTON, MO 63105



**DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
JUNE 18, 2020
6:00 PM**

1. Call to Order

The meeting was called to order at 6:00 PM by Dorothy Young

Attendee Name	Organization	Title	Status	Arrived
Chris Chiodini	Harrisonville	Chair	Absent	
Scott Milner	Harrisonville		Present	
Judy Bowman	Harrisonville	Mayor	Present	
Virgil Butler	Harrisonville		Absent	
Dorothy Young	Harrisonville		Present	
Cheryl Bush	Harrisonville		Present	
Barrett Welton	Harrisonville		Present	
Wilbert Crawford	Harrisonville		Present	
Brian Pulliam	Harrisonville		Present	

Also in attendance were Roberta and David Donnell, Applicants; Matthew Turner, Alderman Liaison; Roger Kroh, Community Development Planner; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Apr 16, 2020 6:00 PM

With no additions or corrections, the minutes from the April 16, 2020, meeting were unanimously accepted.

Dorothy Young welcomed Brian Pulliam to the Planning and Zoning Commission.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Wilbert Crawford
SECONDER:	Scott Milner
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

3. Agenda Items

A. Rezoning from M-1 to R-1 at 2801 Brookhart Dr.- PUBLIC HEARING

Publish

Roger Kroh presented an application from David and Roberta Donnell to rezone 2801 Brookhart Dr. from M-1 Light Industrial to R-1 Single Family Residential. They would like to remove the vacant, blighted basement home that is on the property and build a new single family home. Staff recommends approval for the list of reasons stated in the Staff Report.

Roberta Donnell stated they want to make the property their home. It has a lot of potential. Dorothy Young asked about their timeline. Mrs. Donnell stated that they would be focusing on cleaning up the property. Fencing, safety and security would be their first steps. The building of the home would be at a later date.

Dorothy Young opened the Public Hearing.

With no public participation, Wilbert Crawford made a motion to close the Public Hearing. Scott Milner seconded the motion. The Public Hearing was closed.

Cheryl Bush made a motion to recommend approval as outlined in the Staff Report. Scott Milner seconded the motion. The Commission voted unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cheryl Bush, Board Member
SECONDER:	Scott Milner
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

B. Cedarhurst Final Plat

Roger Kroh presented the Cedarhurst Final Plat. Mr. Kroh stated that this final plat adds utility easements and relocates the storm sewer line. Staff recommends approval as presented in the Staff Report.

Judy Bowman made a motion to recommend approval to the Board of Aldermen as presented. Wilbert Crawford seconded the motion. The Commission voted unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Judy Bowman, Mayor
SECONDER:	Wilbert Crawford
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

4. Discussion Items

None

5. Adjourn

With nothing further to come before the Commission, Scott Milner made a motion to adjourn. Barrett Welton seconded. The meeting was adjourned at 6:09 PM.

Chris Chiodini,
Chairperson of the Planning & Zoning Commission

Regular Meeting**Thursday, June 18, 2020****6:00 PM**

ATTEST:

Jamie Martin, Secretary



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: July 1, 2020
SUBJECT: Moratorium on Capacity Recovery Fees for 25 Residential Living Units

Type of Item: *Approval*

To: Board of Aldermen

From: Brad Ratliff, City Administrator

Date: June 30, 2020

Re: Moratorium on Utility Capacity Recovery/Connection Fees for 25 Residential Living Units

GENERAL INFORMATION

The City has heard complaints for several years from individuals working in Harrisonville, about the difficulty in finding housing; whether it is starter homes for first time buyers or larger homes that families can grow into. The lack of housing choices has been underscored in economic development meetings by bankers, business owners and the building community.

In March 2020, the Mayor and City Administrator began a dialogue with 4-5 members of the building community to learn more about, why the City is not able to have a healthy variety of housing choices and prices. On June 25 and 29, a second round of meetings were held with 12 members of the building community.

In both meetings, there was an understanding that planning and building fees are not being recovered at a high enough percentage compared to total Community Development Department budget expenses and are the lowest in the County and there is a legitimate need to increase them to cover a greater share of planning, permits and plan review and overall department expenses. However, there were many questions and objections to the utility capacity recovery fees (also called impact and connection fees) for new water, sewer and electrical connections. They are charged with building permits for new residential and commercial buildings. Based on the concerns expressed, staff is asking Burns and

McDonnell, who are currently doing a rate study for the city, to also look at utility capacity recovery and connection fees.

There were also a number of questions from those now owning Katy Trails, The Ranch, Burris Ridge, Eastern Hills and Glen Eagle about utility related charges that are added to building permits for new homes. These fees are a barrier to selling lots for new homes. The ownership of these subdivisions has changed several times over the years and most of these charges are for sanitary sewer, underground electrical and street lighting work done by the city in 2003-2006. The City staff will be researching the history and methodology behind these fees to determine if modifications are needed.

PROPOSAL AND PREVIOUS ACTIONS

Recognizing that there is a need to incentivize residential building in Harrisonville and there is a need to review the way the city charges new construction for utilities, the City team that has been meeting with the building community recommends that the Board of Aldermen adopt a moratorium on the utility capacity recovery/connection fees for twenty-five (25) building permits for new residential construction in the City. This was previously done in 2012 when the City was updating utility capacity recovery/connection fees and wishing to incentivize residential construction.

KEY ISSUES

The moratorium on utility capacity recovery/connection fees would follow these parameters.

- 1) The moratorium on utility capacity recovery/connection fees applies to building permits for twenty-five (25) new residential living units on a first-come, first serve basis. These living units can be single-family homes or duplex 2 family homes.
- 2) The capacity recovery fees that will be waived are as follows:

A) Water connection fee	\$420-\$630
B) Sewer connection fee	\$481
C) Electrical service fee	\$173.50

Additional fees waived in 5 subdivisions are:

D) Underground electrical fee	\$1,155/house Katy Trails, The Ranch, Burris Ridge, Eastern Hills and Glen Eagle.
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E) Force main and lift station fee \$1,300/acre in Katy Trails

F) Street light fee \$570/lot for first 33 lots in Glen Eagle

- 3) The city will charge the building permit fee and trash deposit.
- 4) Demolishing an old home and replacing it with a new home will eligible. Expanding, rehabilitating or remodeling a residential property is not eligible.
- 5) Eligibility decisions of the Building Official can be appealed to the City Administrator.

STAFF COMMENTS AND SUGGESTIONS

Based on the assumption that the moratorium on utility capacity recovery/connection fees will produce new homes sales that will have been lost to subdivisions in other cities or in rural Cass County, the net financial impact would be as follows for the first twenty-five homes.

Average Infill

Single-family Home

Fees waived

Water connection fee(\$420.00-\$630.00)

Sewer connection fee(481.00-\$1,131.00)

Electrical service fee (\$173.50)

\$250,000

Single-family Home

In Jones Ranch

Fees waived

Water connection fee Water District 9

Sewer connection fee (\$1,131.00)

Electrical service fee (\$173.50)

Underground electrical (\$1,155.00)

STAFF RECOMMENDATION

Approval

ATTACHMENTS

Resolution

OTHER STAFF CONTACTS: Chris Arthur and Roger Kroh

I. Action Item (ID # 3540)

A RESOLUTION OF THE CITY OF HARRISONVILLE PLACING A MORATORIUM ON THE COLLECTION OF UTILITY CAPACITY RECOVERY AND CONNECTION FEES FOR TWENTY-FIVE RESIDENTIAL LIVING UNITS IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

WHEREAS, the City of Harrisonville, Missouri (the "City") is undertaking a study of capacity recovery fees, also called impact and connection fees for water, sewer and electricity services for new homes and buildings in the City as described in Sections 700.800 to 700.820 Harrisonville Municipal Code; and

WHEREAS, the City does not wish to charge utility capacity recovery/connection fees that may be modified soon after the study is completed; and

WHEREAS, the City of Harrisonville also wishes to incentivize residential housing construction within the City in an effort to provide housing, improve the local economy and increase the sales tax base of the City.

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

Section 1. Building permits for the first twenty-five residential single and duplex 2 family living units issued after the adoption of this resolution will be exempt from the utility capacity recover/connection fees, also known as impact or connection fees, listed in Section 2 of this resolution; and

Section 2: The waiver of utility capacity recovery/connection fees will follow these parameters.

- 1) The moratorium would be for building permits for twenty-five (25) new residential living units on a first-come, first serve basis. These living units could be single-family homes or duplex 2 family homes.
- 2) The capacity recovery/connection fees that would be waived are as follows:
 - A) Water connection fee
 - B) Sewer connection fee
 - C) Electrical service fee

Additional utility fees waived in subdivisions indicated are:

- D) Underground electrical fee \$1,155/house Katy Trails, The Ranch,
Burriss Ridge, Eastern Hills and Glen Eagle.
- E) Force main and lift station fee \$1,300/acre in Katy Trails
- F) Streetlight fee \$570/lot for first 33 lots in Glen Eagle
- 3) The city will charge building permit and trash deposit fees to the twenty-five (25) residential units with utility capacity recovery/connection fees waived.
- 4) Demolishing an old home and replacing it with a new home will be eligible for a waiver of utility capacity recovery/connection fees. Expanding, rehabilitating or remodeling a residential property is not eligible for a waiver.
- 5) Eligibility decisions of the Building Official can be appealed to the City Administrator.

Section 3: That this resolution shall be effective immediately upon its passage and approval.

AYES:

NAYS:

ABSENT:

ABSTAIN:

PASSED AND RESOLVED by the Board of Aldermen of the City of Harrisonville, Missouri
this 6th day of July 2020.

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this 6th day of July 2020.



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 1, 2020
SUBJECT: June 2020 Municipal Court Report

Type of Item: *Approval*

A. Action Item (ID # 3542)

June 2020 Municipal Court Report

Attachments:

June 2020 Municipal Court Report (PDF)

IN THE MUNICIPAL COURT OF HARRISONVILLE, MISSOURI
CASS COUNTY

I certify that the attached is a report on all cases heard or tried before the Judge of the Circuit Court of Cass County Missouri, Municipal Division at Harrisonville during the month of **June 2020** and that the information and statements contained in said report are true and correct according to my best information, knowledge and belief.

Kevin K. Anderson
Municipal Court Judge

Date

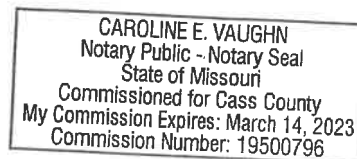
Presented and reviewed as required by Court Operating Rule 4.29.

City Clerk

Date

Subscribed and sworn to before me this 1st day of July, 2020.

Notary



Attachment: June 2020 Municipal Court Report (June 2020 Municipal Court Report)

Municipal Division Summary Reporting

17th Judicial Circuit - Cass County - Harrisonville Municipal Division

I. COURT INFORMATION

Reporting Period:		
June	2020	Court activity occurred in reporting period: Yes
Clerk's Physical Address:	Mailing Address:	Vendor
300 E. Pearl St. Harrisonville, MO 64701	PO Box 367 Harrisonville, MO 64701	Incode (Tyler Technologies)
Telephone Number:	Fax Number:	
(816) 380-8903		
Prepared by:	Prepared by E-mail Address:	Municipal Judge(s) Active During Reporting Period:
MICHELLE SHAFFER	michelle.shaffer@courts.mo.gov	Kevin Anderson

II. MONTHLY CASELOAD INFORMATION		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations / informations) pending at start of month		117	743	777
B. Cases (citations / informations) filed		1	48	45
C. Cases (citations / informations) disposed				
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0
2. court / bench trial - GUILTY		0	0	0
3. court / bench trial - NOT GUILTY		0	0	0
4. plea of GUILTY in court		0	20	29
5. violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)		0	5	0
6. dismissed by court		0	0	0
7. nolle prosequi		0	2	0
8. certified for jury trial (not heard in the Municipal Division)		0	0	0
9. TOTAL CASE DISPOSITIONS		0	27	29
D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) – C9]		118	764	793
E. Trial de Novo and / or appeal applications filed		0	0	0

Attachment: June 2020 Municipal Court Report (June 2020 Municipal Court Report)

III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS	
1. # Issued during reporting period:	177	Does court staff process parking tickets? Yes	
2. # Served/withdrawn during reporting period:	101	1. # Issued during reporting period:	0
3. # Outstanding at end of reporting period:	932		

V. DISBURSEMENTS**Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)**

Fines – Excess Revenue	\$2,533.00
Clerk Fee – Excess Revenue	\$240.00
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Excess Revenue	\$7.40
Bond forfeitures (paid to city) – Excess Revenue	\$332.00
Total Excess Revenue	\$3,112.40

Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)

Fines – Other	\$5,158.20
Clerk Fee – Other	\$262.53
Judicial Education Fund (JEF) Court does not retain funds for JEF: Yes	
Peace Officer Standards and Training (POST) Commission surcharge	\$41.00
Crime Victims Compensation (CVC) Fund surcharge – Paid to State	\$292.33
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Other	\$7.77
Law Enforcement Training (LET) Fund surcharge	\$84.49
Domestic Violence Shelter surcharge	\$84.49
Inmate Prisoner Detainee Security Fund surcharge	\$84.99
Sheriffs' Retirement Fund (SRF) surcharge	\$129.00
Restitution	\$0.00
Parking ticket revenue (including penalties)	\$0.00
Bond forfeitures (paid to city) – Other	\$650.00
Total Other Revenue	\$6,794.80

Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.

Over Payment - Not Excess Revenue	\$1.00
DWI Recoupment Fee - Not Excess Revenue	\$47.50
Total Other Disbursements	\$48.50
Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$9,955.70
Bond Refunds	\$997.50
Total Disbursements	\$10,953.20

Attachment: June 2020 Municipal Court Report (June 2020 Municipal Court Report)