



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
DECEMBER 21, 2020
6:30 PM**

Due to a recent increase in positive COVID-19 tests in both Harrisonville and Cass County, Harrisonville Board of Aldermen meetings are being conducted through a remote, online service. To attend this meeting, please dial 1-312-626-6799. The meeting access code is: 813-2967-4504.

Only residents who have submitted an Agenda Request Form will be able to speak during the meeting.

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
 - A. Service Award for Brian Kincaide**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Dec 7, 2020 6:00 PM**
- 5. Agenda Items**
 - A. Council Bill 91: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A REAL ESTATE DONATION CONTRACT WITH HB INVESTORS, LLC REGARDING THE DONATION OF LAND IN THE GLEN EAGLE SUBDIVISION FOR CONSTRUCTION OF A REGIONAL STORMWATER RETENTION/DETENTION BASIN**
 - B. Council Bill 92: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE ALLOWING THE CITY ADMINISTRATOR TO APPROVE THE HARRISONVILLE COMMUNITY CENTER TO OFFER FREE MEMBERSHIPS TO ALL FULL-TIME CITY OF HARRISONVILLE EMPLOYEES, AND ESTABLISHING AN EFFECTIVE DATE.**

- C. **Council Bill 87: A RESOLUTION PURSUANT TO CHAPTER 103, ADMINISTRATION, SECTION 103.010 PERSONNEL RULES AND REGULATIONS; ESTABLISHING AND APPROVING A NEW PERSONNEL POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI AND ESTABLISHING AN EFFECTIVE DATE**
- D. **Council Bill 93: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AMENDING THE OPERATING BUDGET FOR THE CITY OF HARRISONVILLE, MISSOURI, FOR THE FISCAL YEAR JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, AND ESTABLISHING AN EFFECTIVE DATE.**
- E. **Council Bill 94: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND OBIE J CARL FOR THE SALE OF CERTAIN CITY PROPERTY LOCATED AT 208 W PEARL STREET, HARRISONVILLE, MISSOURI.**
- F. **Acknowledgement of Ward 3 Alderman resignation**
- 6. **Aldermen and Committee Reports**
- 7. **Report from the City Administrator**
- 8. **Questions from the Media**
- 9. **Adjourn from Regular Session**

Posted on City Hall Bulletin Board this 18th day of December, 2020.

Daniel Barnett, 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.

Presented by the Mayor and the Harrisonville Board of Aldermen to

Brian Kincaide

In Grateful Appreciation for

10 Years

Of Dedicated Service to



December 21, 2020

Judy Bowman, MAYOR

Attachment: Brian Kincaide (Service Award for Brian Kincaide)



**MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
DECEMBER 7, 2020
6:00 PM**

HELD VIA ZOOM DUE TO INCREASE IN COVID-19 CASES THROUGHOUT CASS COUNTY

1. Call to Order

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

A. Pledge of Allegiance

Mayor Bowman asked all in attendance to please remain standing following the Pledge of Allegiance in a moment of silence for those citizens and veterans who lost their lives during the attack on Pearl Harbor.

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	Late	6:05 PM
Gary Davidson	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, Police Chief John Hofer, Fire Chief Eric Myler, City Planner Roger Kroh, Community and Economic Development Director Jim Clarke, CPA Ben Hart of Baker Tilly, Finance Manager Kim Hubbard, Director of Administrative Services Jeremy Smith, City Attorney Steve Mauer, Public Works Director/City Engineer Carl Brooks, Electric Superintendent Andy Pollard, Parks Director Grant Purkey, Building Official Chris Arthur, Streets Superintendent Rodney Jacobs and City Clerk Daniel Barnett - recording.

2. Ceremonial Matters

A. Service Award for Brian Kincaide

Chief Hofer advised Mayor Bowman that Officer Kincaide was unable to attend this meeting. Bowman said Officer Kincaide would be recognized at the next meeting of the Board.

3. Public Participation

None.

4. Approval of Minutes**A. Board of Aldermen - Regular Meeting - Nov 16, 2020 6:00 PM**

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

B. Board of Aldermen - Work Session - Nov 16, 2020 6:30 PM

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

C. Board of Aldermen - Work Session - Nov 30, 2020 6:30 PM

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

5. Agenda Items

Mayor Bowman mentioned a change to item E (Council Bill 86), editing the total number for the EMS Write Off request.

Bowman also mentioned a change to the agenda, as Council Bill 87 will be moved to the December 21, meeting.

A. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI APPROVING THE APPOINTMENT OF APRIL MCCLAUGHLIN TO THE BOARD OF ZONING ADJUSTMENT.

Mayor Bowman introduced April McLaughlin to the Board and informed the Board that, if approved, April will be serving on the Board of Zoning Adjustment as an alternate.

Bowman thanked April for her willingness to serve the Harrisonville community.

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

Minutes Acceptance: Minutes of Dec 7, 2020 6:00 PM (Approval of Minutes)

B. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO APPROVE THE SPECIAL EVENT REQUEST FOR THE ANNUAL 2020 YOUTH GOOSE HUNT.

Chief Hofer presented a staff report for the event and said that the event has been done for five or six years in the past and that the Police Department recommends approval.

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

C. A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH DANA F. COLE & COMPANY FOR ANNUAL AUDIT SERVICES FOR A PERIOD OF THREE YEARS BEGINNING WITH THE FISCAL YEAR 2020 FOR THE AMOUNT INCLUDED IN THE PROPOSAL, AND ESTABLISHING AN EFFECTIVE DATE.

City Administrator Ratliff presented a staff report detailing the Request For Proposal and proposal-review process'.

Alderwoman Milner asked if the City has used Dana F. Cole & Company in years past.

Finance Manager Hubbard said the City had used Dana F. Cole & Company several times in years past, prior to 2017.

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

D. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE MAYOR TO EXECUTE CERTAIN DOCUMENTS FOR THE TRANSFER OF TITLE FOR THE WALMART DISTRIBUTION CENTER

City Administrator Ratliff presented a staff report about the title transfer. Ratliff thanked the City leadership who approved the partnership/building of the Walmart Distribution Center in 2000.

Community and Economic Development Director Clarke shared information regarding PILOTS (Payments in Lieu of Taxes) paid by Walmart from the real and personal property taxes generated, if Walmart had owned the distribution center property, during participation in the Chapter 100 bonds program. Clarke stated that it was expressed in City files that the tax revenue for the Harrisonville Cass R-IX was approximately \$2,500 per year, on 125 acres, prior to the construction of the Walmart Distribution Center. Clarke stated, the Property Tax Liability per year in the year 2000, was previously estimated to be \$571,265. Clarke informed the Board that Walmart will pay \$645,383 in total Property Taxes (Real and Personal) in 2020, while receiving the formerly agreed upon 20% tax incentive of approximately \$115,265.

Clarke presented information about the Real Property tax and Personal Property tax payments being made by the center.

Walmart Distribution Center 6065 Plant Manager Rob Lee thanked the Board for the opportunity to present and for their support over the years. Lee informed the Board that

the distribution center currently employs 750 associates, 86 of whom live in Harrisonville. Lee said the center services 138 Walmart stores and 31 Sam's Clubs in six neighboring states. Lee also informed the Board that the center has donated \$25,000 in corporate grants and raised \$18,000 for charitable causes. Lee thanked the Board for all their support over the past 20 years.

Mayor Bowman shared a statement about the legacy of the strategic partnership between the City of Harrisonville and the Walmart Distribution Center.

"Nearly 20 years ago to the day, Mayor Chuck Jones led the Board of Aldermen to make the right decision for the right reason. They unanimously passed an ordinance to issue Industrial Development Revenue Bonds to finance costs for purchasing, constructing, and installing the 880,000 square foot distribution center facility that would come to be known as Walmart Distribution Center 6065.

Ordinance 2681 says in part that "the Board of Aldermen finds and determines it is desirable for the improvement of the economic welfare and development of the City and its citizens" to issue those bonds. While an unpopular decision for some at the time, our community is now reaping the rewards of that December 18, 2000 decision.

The Harrisonville Walmart Distribution Center is a great community partner, not only providing employment opportunities and attracting new residents to Harrisonville, but also by being invested with us through associate volunteerism and donations.

Rob, on behalf of the Board of Aldermen and the citizens of Harrisonville, I want to personally say, "thank you" for coming to Harrisonville.

I wish Mayor Jones could be with us today. Sadly, we lost him in January of this year. I am pleased that we have Alderman Mike Zaring serving in Ward 1 on our Board at the present time. Thank you for the bringing the type of leadership that your father-in-law, Mayor Jones, brought to our City.

'In any moment of decision, the best thing you can do is the right thing. The worst thing you can do is nothing.' -Theodore Roosevelt

Tonight, as we release these bonds, we can celebrate that Mayor Jones and his Board did the right thing 20 years ago."

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

E. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO AUTHORIZE THE HARRISONVILLE EMERGENCY SERVICES TO WRITE-OFF A SERIES OF DESIGNATED, UNCOLLECTIBLE DEBTS.

Chief Myler presented a staff report explaining the process that makes the debts uncollectible.

Alderwoman Milner asked how much of the total to be written off was related to the COVID-19 pandemic. Myler said he did not believe the current number featured any COVID-19 patients but rather those who were deceased or who had filed bankruptcy.

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

F. A RESOLUTION PURSUANT TO CHAPTER 103, ADMINISTRATION, SECTION 103.010 PERSONNEL RULES AND REGULATIONS; ESTABLISHING AND APPROVING A NEW PERSONNEL POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI AND ESTABLISHING AN EFFECTIVE DATE

At the beginning of the meeting, Mayor Bowman announced that Council Bill 87 had been moved from the December 7, agenda to the December 21, agenda.

RESULT: POSTPONED

Next: 12/21/2020 6:30 PM

G. AN ORDINANCE APPROVING THE SALE OF PROPERTY BY THE HIGHWAY 71/291 PARTNERS IN PROGRESS TRANSPORTATION DEVELOPMENT DISTRICT.

Megan Miller of Gilmore & Bell, legal council for the 71/291 Partners in Progress Transportation Development District, explained that an ordinance is required for the City to grant permission for the TDD to dispose of property. Miller explained that the property being discussed (0.481 acres) would connect to the piece of property voted upon during the November 2, Board of Aldermen meeting.

City Administrator Ratliff asked that Miller identify the property being discussed. Miller said the property was located to the south of Royal Street, directly across from the property discussed during the November 2 meeting.

RESULT: APPROVED [7 TO 0]

MOVER: Clint Miller, Board Member

SECONDER: Marcia Milner, Board Member

AYES: Zaring, Doerhoff, Milner, Miller, Dickerson, Davidson, Turner

AWAY: Judy Reece

H. AN ORDINANCE TO APPROVE THE FINAL PLAT OF ZAROOR ADDITION, BEING A REPLAT OF LOTS 66, 67 AND 68 IN BLOCK 24, ORIGINAL TOWN OF HARRISONVILLE, CASS COUNTY, MISSOURI

City Planner Kroh presented a staff report about the properties and explained that the plat is needed so the sale of portions of two City-owned lots at 300 and 304 E Mechanic Street to the Rhita Zaroor Family Trust can occur. Kroh explained that the plat increases the size of the Zaroor lot at 302 E Mechanic Street and maintains right-of-way in City ownership for marler Lane and future expansion of Wirt Lane. Kroh said staff recommends approval and the Planning Commission unanimously recommends approval.

Kroh informed the Board that the final step of the sale to the Zaroor Trust will be the closing of the property, which should occur in the next 30 days.

RESULT: ADOPTED [7 TO 0]

MOVER: Mike Zaring, Board Member

SECONDER: Matt Turner, Board Member

AYES: Zaring, Doerhoff, Milner, Miller, Dickerson, Davidson, Turner

AWAY: Judy Reece

I. Public Hearing to Rezone 8.97 Acres at NW Corner of Jefferson Parkway and Timber Dr. from R-1 Single Family Residential Zoning to R-3 Cluster or Garden-type Residential Zoning

Minutes Acceptance: Minutes of Dec 7, 2020 6:00 PM (Approval of Minutes)

City Planner Kroh introduced the Public Hearing and provided a location for the land to be rezoned. Kroh said the applicant is Housing Plus, represented by Patrick Joyce of Anderson Engineering. Kroh informed the Board of Housing Plus' plan for phase 2 of the Harrisonville Villas project. Kroh said that one concern voiced by a planning commissioner at the Planning Commission meeting was that he had heard concerns from residents in Phase 1 that it is difficult for them, as seniors, to turn from Timber Drive onto Jefferson Parkway because of the limited sight distance of southbound traffic coming from Waters Road on Jefferson Parkway. Kroh said he had advised the Planning Commission that staff will have the applicant have a traffic engineer look at the sight distance if the project moves to the next phase.

Kroh said staff recommends approval and the Planning and Zoning Commission unanimously recommends approval for the reasons listed in the staff report.

Joyce said Housing Plus plans to put in 48 units and 12 new buildings. Joyce said access to all buildings would come from Timber Drive.

Mayor Bowman opened the Public Hearing at: 6:44 p.m.

Mayor Bowman closed the Public Hearing at: 6:45 p.m.

J. AN ORDINANCE OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, APPROVING AN APPLICATION TO REZONE 8.97 ACRES FROM THE R-1 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE R-3 CLUSTER OR GARDEN-TYPE RESIDENTIAL ZONING DISTRICT FOR HARRISONVILLE VILLAS PHASE II SENIOR HOUSING AT THE NORTHWEST CORNER OF JEFFERSON PARKWAY AND TIMBER DRIVE AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

City Administrator Ratliff reminded the Board of the history of the Harrisonville Villas project and said that he had spoken with Housing Plus about that history. Ratliff said Building Official Chris Arthur would be involved in phase 2 from the beginning, and that he is confident that Arthur's involvement will make the project a good one.

Alderman Davidson asked Chief Hofer if he recalls any traffic accidents at the location of the entrance of the Harrisonville Villas. Hofer said he felt that the area did have sufficient sight distance for making turns but that the ability to turn will depend on the speed of oncoming traffic. Hofer said that he believes the safety of those entering Jefferson Parkway can be controlled by speed and that he feels the traffic study will be beneficial.

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

K. AN ORDINANCE OF THE HARRISONVILLE BOARD OF ALDERMEN ADOPTING AN OPERATING BUDGET FOR THE CITY OF HARRISONVILLE, MISSOURI, FOR THE FISCAL YEAR JANUARY 1, 2021 THROUGH DECEMBER 31, 2021.

Mayor Bowman reminded the Board that this would be the second reading of Council Bill 80 and of the changes made during the Budget Work Session on November 30 and are listed in the Staff Report on page 173 of the packet.

Alderswoman Milner asked about the decision to hold quarterly budget meetings. City Administrator Ratliff said that item was agreed upon but would not be required to be part of the budget document. Ratliff reminded the Board of the changes that were made to the

budget document during the November 30, Budget Work Session. Ratliff informed the Board that the budget will be a balanced budget.

RESULT: **ADOPTED AS AMENDED [UNANIMOUS]**
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson, Turner

L. Investigative Committee Report to the Board of Aldermen

Alderman Zaring presented information to the Board about the work done by the Investigative Committee to fully investigate the allegations.

Zaring said that based on the information received by the Investigative Committee, the committee recommends charges be brought.

Zaring moved that Aldermen Dickerson be charged with violation of City Code, as detailed in the committee's report for the three charges.

Alderman Doerhoff seconded the motion.

Mayor Bowman set the date for a hearing at 6 p.m. on December 14.

Attorney Mauer explained the rules of the hearing. Mauer asked Dickerson if he wanted the meeting to be closed or open to the public. Dickerson requested it be closed. Mauer asked the Board if they would prefer the meeting would be in person or via ZOOM.

Alderman Turner said he feels that the hearing should be done in person, similar to the November 30, Budget Work Session.

Alderman Reece said she agrees with Turner.

Mauer asked Dickerson if he had any objection to the meeting being in person. Dickerson said he would prefer that the meeting be held in person.

Mauer informed Mayor Bowman that he would take the Board's direction and arrange for the Hearing to be held at 6 p.m. on December 14, in-person, but limited to the Board of Aldermen and any interested witnesses; individually, one after the other.

RESULT: **APPROVED [7 TO 0]**
MOVER: Mike Zaring, Board Member
SECONDER: Dave Doerhoff, Board Member
AYES: Zaring, Doerhoff, Milner, Reece, Miller, Davidson, Turner
RECUSED: David Dickerson

(With no conflict of interest stated, based on Robert's Rules of Order, the abstain vote made by Alderman Miller will count with the majority, allowing the motion carry with a 7-0 vote.)

6. Aldermen and Committee Reports

Alderman Turner asked the status of the Shady Lane one-way street project. Public Works Director/City Engineer Brooks said staff had performed a traffic count on Shady Lane and had decided that, based upon the number of vehicles, there would be no change.

Alderman Miller thanked the Board for allowing the Hearing on December 14, to be held in person.

Alderman Reece thanked staff for postponing the approval of the new City Personnel Policy and spoke to the value of the policy for all City employees.

Alderman Milner also thanked staff for postponing the approval of the new policy. Milner thanked City Administrator Ratliff for his work on the policy and for providing detail about what would be changed. Mayor Bowman said the plan is to discuss the policy during a work session on December 21, which would be held before the regular meeting.

Alderman Zaring thanked Bowman for the kind words she said about former Mayor Chuck Jones. Zaring said if former Mayor Jones were still here, he would say there were many people involved in making that happen.

7. Report from the City Administrator

City Administrator Ratliff informed the Board that staff are in the final stages of their annual chlorine burn at the water plant and that the water is perfectly safe to drink.

Ratliff provided an update on truck wash station construction at Streets Dept.

Ratliff provided an update on the progress of the ongoing sidewalk and curb replacement project on Ann Avenue.

Ratliff informed the Board that the City received \$993,600 in federal funds from the Mid-America Regional Council for the Muddy Creek Tributary South Street Culvert project. Ratliff said the project will total \$1.1 million. Ratliff said this is the first time in 10 years that the City has received federal funds from the MARC. Ratliff thanked staff for their work to compile the information presented to MARC for approval of the funds. Ratliff said he is excited about the project and that the work will be completed in 2023.

Ratliff spoke about the retirement celebration for Fire Captain Johnny Coday and wished him well in his retirement. Ratliff also said the City's thoughts and prayers are with Coday as he continues his fight against cancer.

Ratliff informed the Board that staff are working diligently to complete the upgrade to INCODE 10 and said he believes this will be a valuable asset for staff.

Ratliff informed the Board that the City has received an additional permit application for a \$600,000 addition to the ongoing remodeling project at the Walmart Distribution Center. This brings the total cost of the project to \$3.8 million and is in conjunction with a \$2 million project that will begin in December at the Harrisonville retail store.

Ratliff informed the Board that there are currently four new homes being built in the Ranch.

Ratliff provided an update to the process of approving and utilizing the Certificates of Participation that were passed on October 19, and allowed staff to move forward with the sale of COPs necessary to fund certain sewer and stormwater projects. Ratliff reminded the Board that at the October 19, meeting, the estimated collateral required for the COPs was discussed. Ratliff said the collateral was estimated to be the UV Disinfection System and South Sewer Lift Station. Ratliff said that during staff's process, we came to realize that the property the South Sewer Lift Station sits on will soon be owned by Walmart and that to get the best rate possible, the underwriter has requested a change to include the City Lake and Lake Luna repairs as the substitute collateral for the property that will be owned by Walmart. Ratliff said staff wanted to bring this up tonight to the Board to seek informal approval, as we move forward to pricing the certificates. Ratliff asked if there were any objections to the change, to please let him know. None of the aldermen raised concerns or had questions during the meeting.

Mayor Bowman shared a message from Judge Don Lograsso, stating how happy he is to be the Municipal Judge for Harrisonville and expressing his appreciation for City staff.

Bowman thanked several staff for their hard work in connection with the Christmas on the Square celebration and Mayor's Christmas Tree Lighting. Bowman spoke to the importance of the event and thanked Scott Beck, Amanda Stites and Love the Harrisonville Square for partnering with the City and making the event possible.

Alderman Davidson asked if Municipal Waste Services had provided information about their yard waste removal in December. Bowman explained that MWS will not pick up yard waste in December of 2020. But, due to the recent approved agreement with the City, will begin year-around yard waste removal in January of 2021.

Davidson asked Chief Hofer to speak on behalf of Shop With a Cop. Hofer explained that while the event will be scaled back this year due to the COVID-19 pandemic, the department will still be able to serve 200 children during the event. Hofer explained that several COVID-19 prevention efforts will be in place. Bowman thanked Chief Hofer for his heart for Shop With A Cop and said it was a delight and the true spirit of Christmas to see the children being able to shop for their families.

A. October 2020 Municipal Court Report

8. Questions from the Media

Dennis Minich of the South Cass Tribune asked why the December 14, Hearing would be closed. Minich said he felt it would not be fair and that he would like the board to reconsider.

Attorney Mauer said the City Code allows for the meeting to be conducted as discretely as possible. Mauer said that in this instance, Aldermen Dickerson has asked that it has been conducted in closed session and that he believes it is within the Board's discretion to grant that request. Mauer said the vote would be held in closed session anyway and the decision made public. Mauer said he cannot remember an instance when a disciplinary vote was not made in closed session.

Minich said he strongly objects to the decision to hold the hearing in a closed session.

Mauer informed Minich that if he would like details about the hearing, he would have to take it up with Alderman Dickerson.

Mayor Bowman asked if the Investigative Committee's report could be sent to Minich.

Alderman Dickerson said he would like the report to be kept from the public until after the hearing.

Minich said he felt that the document was a public document and should be provided to the public.

Mauer said he would review the document and inform Mayor Bowman of his opinion in the morning.

9. Adjourn to Executive Session Pursuant to RSMo 610.021 (1) Litigation

A motion was made by Alderwoman Milner to adjourn to Executive Session pursuant to RSMO 610.021 (1) Litigation. The motion was seconded by Alderman Davidson and carried with a unanimous vote.

10. Adjourn From Regular Session

A motion to adjourn was made by Alderwoman Reece, with a second by Alderman Doerhoff. The motion carried and the meeting was adjourned at 7:44 p.m.

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

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Dec 7, 2020 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: December 16, 2020
SUBJECT: GLEN EAGLE LAND DONATION CONTRACT

Type of Item: *Approval*

GENERAL INFORMATION

Applicant: City Staff

Requested Action: Approve Resolution Authorizing the Mayor and City Administrator to Enter into a Real Estate Donation Contract with HB Investors, LLC., Regarding the Donation of Land in Glen Eagle Subdivision for a Regional Stormwater Retention/Detention Basin.

Date of Meeting: December 21, 2020

PROPOSAL

Authorize the Mayor and City Administrator to enter into a Real Estate Donation Contract with HB Investors, LLC regarding the donation of approximately 28 acres of vacant land in the Glen Eagle Subdivision to the City for a regional stormwater retention/detention basin. The recently adopted 2021-2025 Capital Improvements Plan calls for the basin to be constructed in 2021.

PREVIOUS ACTIONS

On October 19, 2021, BOA approved certificates of participation for financing the Glen Eagle Retention/Detention Basin and other capital improvements

On December 7, 2021, BOA approved the 2021-2025 Capital Improvements Plan with the Glen Eagle Retention/Detention Basin to be constructed in 2021

STAFF COMMENTS AND SUGGESTIONS

This contract sets forth that the owners of Glen Eagle Subdivision will donate approximately 28 acres of vacant ground in the Glen Eagle Subdivision to the City of Harrisonville for construction by the City of a regional stormwater retention/detention facility. Paragraph 4 in the contract sets forth certain understandings with regard to future development and relieves the owners of several fees and responsibilities contained in prior development agreements. Staff believes that the requests of the owner are reasonable given that they are donating 28 acres.

STAFF RECOMMENDATION

Approval

STAFF CONTACTS: **Ted Martin, P.E., CFM,**
City Engineer/Floodplain Administrator

Roger Kroh, AICP, Planner

A. Action Item (ID # 3739)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE
AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A REAL
ESTATE DONATION CONTRACT WITH HB INVESTORS, LLC REGARDING THE
DONATION OF LAND IN THE GLEN EAGLE SUBDIVISION FOR CONSTRUCTION OF
A REGIONAL STORMWATER RETENTION/DETENTION BASIN

Attachments:

Resolution (RTF)

Glen Eagle Land Donation Contract (Final 12.7.20) (00039336xC1FED) (002) (DOCX)

EXHIBIT A - Parcel 1. Sixty-two (62) Lots (DOCX)

EXHIBIT B - Parcel 2. Vacant Land (to be completed) (DOCX)

EXHIBIT C - Tracts (to be completed) (DOCX)

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO
ENTER INTO A REAL ESTATE DONATION CONTRACT WITH HB INVESTORS, LLC
REGARDING THE DONATION OF LAND IN THE GLEN EAGLE SUBDIVISION FOR
CONSTRUCTION OF A REGIONAL STORMWATER RETENTION/DETENTION
BASIN**

WHEREAS, HB Investors, LLC. ("Owner") is the owner of Glen Eagle Subdivision in the City of Harrisonville ("City"); and

WHEREAS, the Owner and the City have a desire to have Owner donate approximately 28 acres of vacant land in Glen Eagle Subdivision to be used as a regional stormwater retention/detention basin.

WHEREAS, the Board of Aldermen have reviewed the real estate donation contract with HB Investors, LLC., and believe it to be in the best interest of the city to approve the contract as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISONVILLE BOARD OF ALDERMEN THAT:

Section 1. The Mayor and City Administrator are hereby authorized and directed to enter into a real estate donation contract on behalf of the Board of Aldermen with HB Investors, LLC., regarding the donation of approximately 28 acres in the Glen Eagle Subdivision to the City of Harrisonville on which the City intends to construct a regional stormwater retention/detention basin.

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

**PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY
THE MAYOR OF THE CITY OF HARRISONVILLE THIS 21st DAY OF DECEMBER
2020.**

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

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of December 2020

Attachment: Resolution (GLEN EAGLE LAND DONATION CONTRACT)

REAL ESTATE DONATION CONTRACT

THIS CONTRACT is made and entered into effective the ____ day of December, 2020 (the “**Effective Date**”) by and between HB INVESTORS, LLC, a Kansas limited liability company (“**Owner**”) and City of Harrisonville, Missouri (“**City**”) (collectively “**parties**”).

WHEREAS, Owner is the owner of the 62 residential lots (each a “**Lot**”) described as “Parcel 1” on Exhibit A attached hereto, and the vacant ground described as “Parcel 2” on Exhibit B attached hereto.

WHEREAS, the Owner and the City desire to have Owner donate a portion of Parcel 2 to the City to be used as a regional water detention basin.

WHEREAS, Parcel 1 and Parcel 2 are subject to the “Development Agreement – Glen Eagle Development” approved by Resolution No. 04-09 on April 5, 2004 and “Agreement for Payment of Fees” recorded in Book 2925 at Page 219 (the “Prior Agreements”) between Owner’s predecessor in title and the City;

WHEREAS, Owner desires to sell Parcel 1 and to partition and sell the balance of Parcel 2 in three (3) separate Tracts as described on Exhibit C attached hereto (the “Tracts”).

WHEREAS, due to the donation, the Tracts may be less than 40 acres each.

WHEREAS, the parties have agreed to certain matters with respect to the foregoing donation.

TERMS AND CONDITIONS

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the sufficiency of which is acknowledged, the parties agree as follows:

1. **PROPERTY:** Subject to the terms and conditions of this Contract, Owner agrees to donate, and City agrees to accept, that portion of Parcel 2 described in Exhibit B attached hereto (the “Basin Property”).
2. **SURVEY/PLATTING:** Owner has no obligation to provide City with a survey of the Basin Property. Additionally, the City agrees that Owner shall have no obligation to plat the Tracts in connection with any sale. Harrisonville City Code exempts certain conveyances of land from platting where the land to be conveyed is to be used as right-of-way or other public utilities:

“Section 410.060 Exemptions From Platting

Notwithstanding the requirements of Sections 410.030 through 410.050, these subdivision regulations shall not apply in the following instances or transactions:

3. A conveyance of land or interest therein for use as right-of-way or other public utilities subject to State or Federal regulation, where no new street or easement of access is created.”

3. TITLE COMMITMENT; TITLE POLICY: The City, in the City’s sole discretion and expense, may obtain a title commitment and/or title policy for the Basin Property.

4. LOTS DEVELOPMENT. The parties hereby agree as follows:

- a. The Prior Agreements shall be null and void and of no further force or effect.
- b. No owner(s) of Parcel 1 or Parcel 2 shall have any obligation to pay the \$563.89 Administrative and Street Light Fee in the Prior Agreements for the next 28 lots requesting building permits. The City shall install up to four (4) streetlights on Crest Street, Talon Drive and Nest Court, at no additional costs to the property owners on those streets. All future development in Parcel I and Parcel II shall be subject to the Administrative and Street Light Fee in effect at the time on installation.
- c. No owner(s) of Parcel 1 or Parcel 2 shall have any obligations to install 13 trees in the landscape easement along 267th Street.
- d. No owner(s) of Parcel 1 or Parcel 2 shall have any obligation to contribute toward the costs of expanding or upgrading Crest Street. However, due to the substandard diameter of the turnarounds on Crest Street, Talon Drive, Nest Court, and Hawk View, the City will place Fire Lane No Parking signs in the turnarounds.
- e. No owner(s) of Parcel 1 or Parcel 2 shall have any obligation to inspect or maintain the existing sanitary and/or storm sewer lines currently constructed within the development.
- f. The parties shall agree on the location of the reservoir dam prior to Owner donating the Basin Property.
- g. The City shall construct the dam to accommodate a future public street without any modification of such dam other than construction of such street to be built and financed by a future developer.
- h. The owner(s) of Parcels 1 and 2 shall have the right to use the Basin Property as detention facilities without compensation.
- i. No owner(s) of Parcel 1 or Parcel 2 shall have any obligation to construct additional detention facilities within Parcels.
- j. The City’s approval of development of the Tracts shall not be conditioned upon or require the construction or completion of any detention facilities within the Basin Property, including the dam (or the street on such dam, if the City has not previously completed such dam).
- k. Prior to additional building permits being issued in Phase I and Phase II Final Plats, fire flow tests shall be conducted with PSWD No. 4 and results provided to the Fire Chief showing that the fire flow meets or exceeds 1000 gallons per minute.

5. **CONVEYANCE OF TITLE:** Owner will convey the Basin Property to City by a quitclaim deed, **subject to** any and all exceptions, easements, rights-of-way, covenants, conditions, restrictions, reservations, encroachments, protrusions, shortages in area, boundary disputes and discrepancies, matters which could be discovered or would be revealed by, respectively, an inspection or current survey of the Property, liens, encumbrances, impositions (monetary and otherwise), access limitations, leases, prescriptive rights, rights of parties in possession, rights of tenants, co-tenants, or other co-owners, and any and all other matters or conditions affecting the Property, whether known or unknown, recorded or unrecorded, as well as standby fees, real estate taxes, and assessments on or against the Property for the current year and prior and subsequent years and subsequent taxes and assessments for prior years becoming due by reason of a change in usage or ownership, or both, of the Property; and any and all zoning, building, and other laws, regulations, and ordinances or municipal and other governmental authorities affecting the Property (all of the foregoing being collectively referred to as the "Permitted Encumbrances").
6. **NOTICES:** All notices, consents, approvals, requests, waivers, objections or other communications required or permitted under this Contract shall be in writing and shall be served by hand delivery, prepaid and certified U.S. Mail or by reputable overnight delivery service to:

If to Owner: HB Investors, LLC
1010 Walnut, Suite 500
Kansas City, Missouri, 64106

With a copy to: Lewis Rice LC
Attn: Paul Torline
1010 Walnut, Suite 500
Kansas City, MO 64106

If to City: City of Harrisonville, Missouri
Attention: Brad Ratliff, City Administrator
300 E Pearl Street
Harrisonville, MO 64701

If either party shall mail any notice to the other party's Notice Address specified above, such notice shall be conclusively deemed given on the second regular postal day next following the date of mailing. Failure or refusal to accept service of a notice shall constitute delivery of the notice.

7. **SEVERABILITY:** If any provision of the Contract or any term, paragraph, sentence, clause, phrase or word appearing herein by judicially or administratively held invalid or unenforceable for any reason, such holding shall not be deemed to affect, alter, modify, or impair in any manner any other provision, term, paragraph, sentence, clause, phrase, or word appearing herein.

8. **SUCCESSORS AND ASSIGN:** All covenants, conditions, representations, promises, and agreements contained herein shall be binding upon, apply, and insure to the parties hereto and their respective heirs, executors, administrators, successors, and assigns. It being understood and agreed, however, that City shall have neither the right nor the power to delegate said party's duties or assign said party's rights hereunder without the express written consent of the other party, which consent may be withheld for any or no reason whatsoever. It also being understood and agreed that Owner shall have neither the right nor the power to delegate said party's duties or assign said party's rights hereunder without the express written consent of the other party, which consent may be withheld for any or no reasons whatsoever.
9. **GOVERNING LAW:** This Contract shall be deemed made within the State of Missouri and the laws of such state shall govern the interpretation and construction hereof. Venue for any dispute regarding this Contract shall be the Circuit Court of Cass County, Missouri.
10. **COUNTERPART EXECUTION:** This Contract may be executed in any number of counterparts and each shall be deemed an original.
11. **FURTHER ACTS:** Both parties shall do and perform such other and further acts, and sign any further documents, as are reasonably necessary so as to effectuate their intentions as herein expressed. This shall include agreement to any future easements needed to access and/or maintain the property.
12. **CAPTIONS AND CONSTRUCTION:** Captions throughout this instrument are for convenience of reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
13. **DRAFTING:** The provisions of this Contract were negotiated by the parties hereto and said Contract shall be deemed to have been drafted by all the parties hereto.
14. **TOTAL INTEGRATION:** THE CONTRACT (INCLUDING ANY ADDENDUM OR EXHIBIT ATTACHED HERETO) CONSTITUTES THE COMPLETE AGREEMENT BETWEEN OWNER AND CITY CONCERNING THE RELATIONSHIP OF THE PARTIES. THERE ARE NO ORAL AGREEMENTS, UNDERSTANDINGS, PROMISES, OR REPRESENTATIONS BETWEEN OWNER AND CITY AFFECTING THIS CONTRACT OR THE SUBJECT PROPERTY. ALL PRIOR NEGOTIATIONS AND UNDERSTANDING, IF ANY, BETWEEN THE PARTIES HERETO WITH RESPECT TO THE SUBJECT PROEPRETY OR THIS CONTRACT SHALL BE OF NO FORCE OR EFFECT AND SHALL NOT BE USED TO INTERPRET THIS INSTRUMENT.

WHEN SIGNED BY ALL PARTIES THIS IS A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING. TIME IS OF THE ESSENCE OF THIS CONTRACT.

IN WITNESS WHEREOF, OWNER AND CITY execute this Contract on the date(s) and at the time(s) indicated below their respective signatures.

OWNER:

HB INVESTORS, LLC

BY: _____
 NAME: _____
 TITLE: _____

Date _____, 2020, Time ____, __.M.

CITY:

 MAYOR OF HARRISONVILLE, MISSOURI

Date _____, 2020, Time ____, __.M.

 CITY ADMINISTRATOR OF HARRISONVILLE,
 MISSOURI

Date _____, 2020, Time ____, __.M.

 CITY ATTORNEY OF HARRISONVILLE,
 MISSOURI

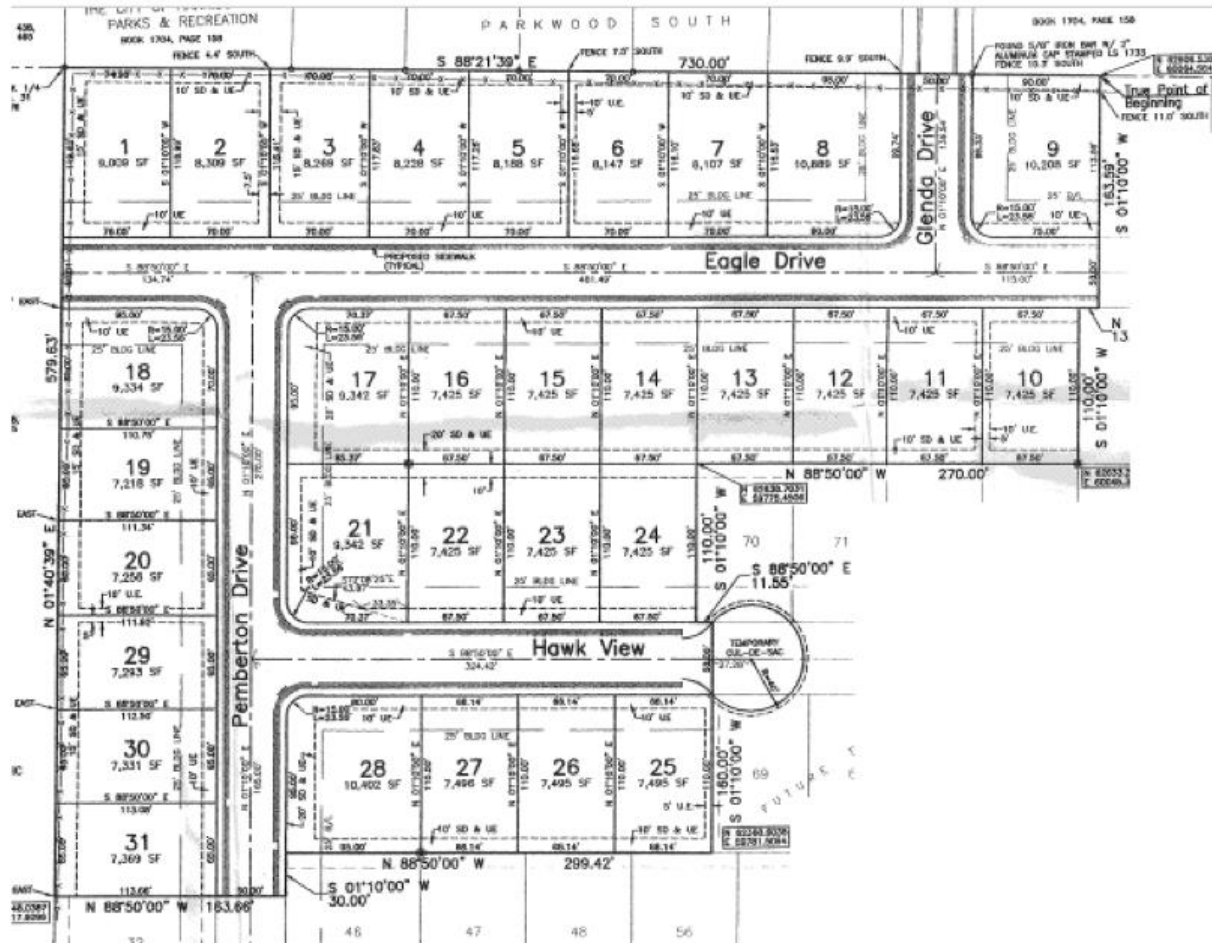
Date _____, 2020, Time ____, __.M.

DATE AND TIME OF FINAL ACCEPTANCE _____, 2020, __:__, __.M.

Attachment: Glen Eagle Land Donation Contract (Final 12.7.20) (00039336xC1FED) (002) (GLEN EAGLE LAND DONATION CONTRACT)

EXHIBIT A Parcel 1. Sixty-two (62) Lots

Glen Eagle Lots 1 thru 31



Attachment: EXHIBIT A - Parcel 1. Sixty-two (62) Lots (GLEN EAGLE LAND DONATION CONTRACT)

Glen Eagle Lots 213 thru 238, 243 thru 247 and Tract A

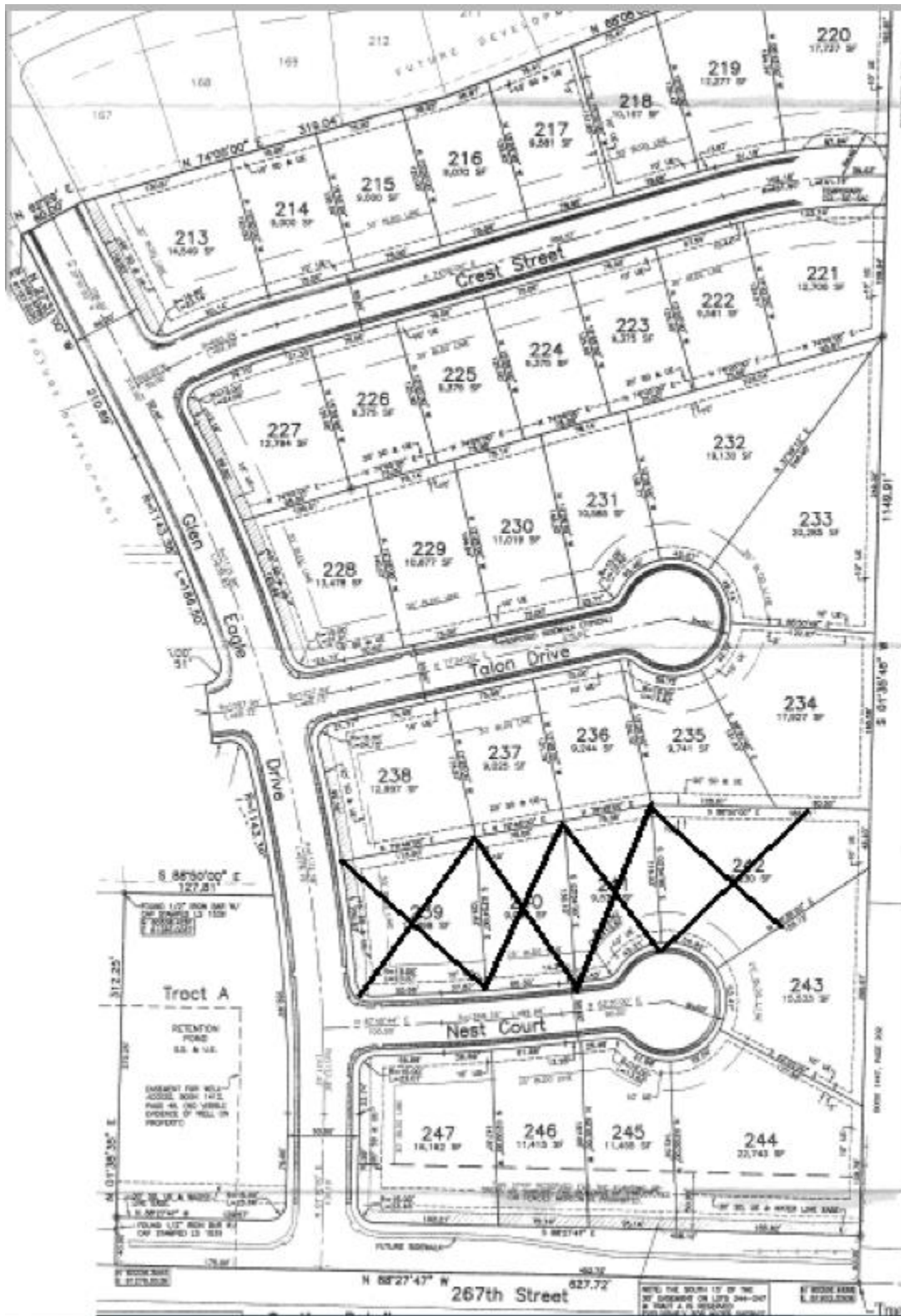


Exhibit A
Page 2 of 2

EXHIBIT B
Parcel 2. Vacant Ground

To Be Completed

Attachment: EXHIBIT B - Parcel 2. Vacant Land (to be completed) (GLEN EAGLE LAND DONATION CONTRACT)

EXHIBIT C
Tracts

To Be Completed

Attachment: EXHIBIT C - Tracts (to be completed) (GLEN EAGLE LAND DONATION CONTRACT)



STAFF REPORT

TO: Board of Aldermen
FROM: Grant Purkey,
DATE: December 14, 2020
SUBJECT: Free Community Center memberships for FT employees

Type of Item: *Approval*

To: Board of Aldermen

From: Grant Purkey

Date: 12-14-2020

Subject: Free Community Center Memberships for Full-Time Employees

GENERAL INFORMATION

Applicant: Grant Purkey

Requested Actions: Approval of Full-Time Harrisonville City Employees receiving a free Community Center Adult Membership.

PROPOSAL

The Mayor initiative to our employees for the health of our workforce, started with the new insurance opportunities and savings. The final part of that initiative is to provide the wellness opportunity to all our employees. Give Harrisonville City Employee the option to receive a free Harrisonville Community Center membership. City staff would be able to have a free community center membership and the option to purchase additional discounted family membership, as long as, they are a full-time employee with the City of Harrisonville.

PREVIOUS ACTIONS

Current Employee Price Guide:

Monthly Installment

2020 Community Center Price Guide:

Monthly Installment

Family - \$48.42

Adult Individual - \$28.58

Plus 1 - \$23.17

Senior Individual - \$23.17

Senior Couple - \$38.17

Family - \$53.92

Adult Individual - \$38.67

Plus 1 - \$23.17

Senior Individual - \$23.17

Senior Couple - \$38.17

Annual Fee

Family \$581.00

Adult Individual - \$343.00

Plus 1 - \$278.00

Senior Individual - \$278.00

Senior Couple - \$458.00

Annual Fee

Family \$647.00

Adult Individual - \$464.00

Plus 1 - \$278.00

Senior Individual - \$278.00

Senior Couple - \$458.00

KEY ISSUES

During the year of 2020 Community Center memberships have drop drastically. Currently there are 14 full-time city staff that are members of the Community Center. We would like to see that change.

STAFF COMMENTS AND SUGGESTIONS

Proposed Employee Rates:

Monthly Installment

Full-Time Employee - FREE

Family - \$38.17

Plus 1 - 23.17

Senior Employee - Remove

Senior Couple - Remove

Annual Fee

Full-Time Employee - FREE

Family - \$458.00

Plus 1 - 278.00

Senior Employee - Remove

Senior Couple - Remove

The goal is to help improve employee's health and wellness, while also encouraging new family membership enrollments.

If approved the Human Resource and Parks and Rec. Departments will be creating an employee health and wellness packet which will include City of Harrisonville Employee Price Guide, Employee Community Center registration form and United Healthcare Rally - health and wellness incentive program information.

Starting in January the Parks and Rec Department will be offering a variety of fitness programs at the Community Center, that are geared towards the busy individuals that just want to do a quick work out and get back to work.

STAFF RECOMMENDATION

Park Board approved the proposal of the free Full-Time City Employee Community Center membership and Employee Family price rate at the December 8th Park Board meeting.

Staff recommends approval.

ATTACHMENTS:

- 1) Resolution**
- 2) City of Harrisonville Rate Structure information**
- 3) Rally Member Information**
- 4) United Health Care Wellness Program**

STAFF CONTACT:

Grant Purkey, Director of Parks and Recreation

gpurkey@harrisonville.com <<mailto:gpurkey@harrisonville.com>>

816-380-8985

B. Action Item (ID # 3733)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE ALLOWING THE CITY ADMINISTRATOR TO APPROVE THE HARRISONVILLE COMMUNITY CENTER TO OFFER FREE MEMBERSHIPS TO ALL FULL-TIME CITY OF HARRISONVILLE EMPLOYEES, AND ESTABLISHING AN EFFECTIVE DATE.

Attachments:

rally-member-overview (PDF)

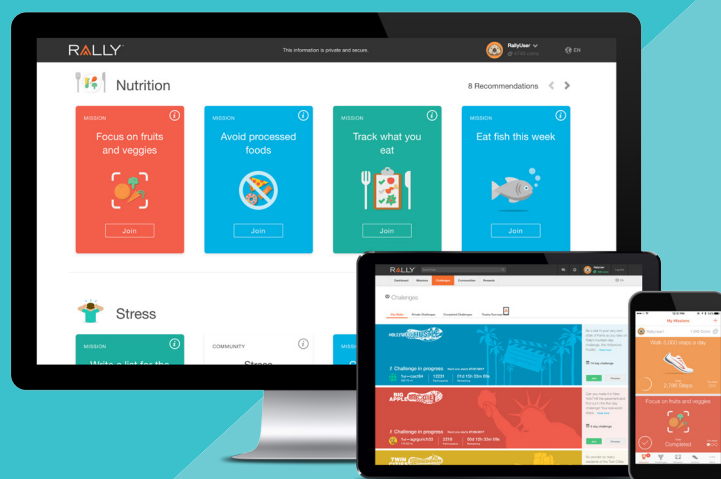
Simply Engaged flyer_Page_1 (JPG)

Free HCC memberships (DOCX)

City of Harrisonville 2020 - Revised 12.15.2020 (PDF)

Personalized health recommendations, just for you.

Rally® can help you get healthier, one small step at a time.



Rally is designed to help you make changes to your daily routine, set smart goals and track your progress. You'll get personalized recommendations to help you move more, eat better and improve your health—and have fun doing it.

Start with the quick Health Survey and get your Rally AgeSM, a measure to help you assess your overall health. Rally will then recommend missions for you: activities designed to help improve your diet, fitness and mood. Start easy, and level up when you're ready.

Plus, on Rally there are lots of ways to earn Rally Coins, which you can use for chances to win rewards. Rack up Rally Coins for taking healthy actions, like joining missions, completing healthy activities, or pushing yourself in a Challenge.

Rally is available at no additional cost to you, as part of your health plan benefits.

Get started today at myuhc.com®.



Get Your Rally Age



Build Healthy Habits



Win Cool Stuff

RALLY®

UnitedHealthcare®

Insurance coverage provided by or through UnitedHealthcare Insurance Company or its affiliates. Administrative services provided by United HealthCare Services, Inc. or their affiliates.

Rally Health provides health and well-being information and support as part of your health plan. It does not provide medical advice or other health services, and is not a substitute for your doctor's care. If you have specific health care needs, consult an appropriate health care professional. Participation of the health survey is voluntary. Your responses will be used in accordance with law to provide health and wellness recommendations and to conduct other plan activities. Your Health Age is based on self-disclosed information, including any applicable biometric screening data.

All trademarks are the property of their respective owners.

MT-1146576.0 8/17 © 2017 United HealthCare Services, Inc. All rights reserved. 17-5042-B



Earn up to \$200* for completing health and wellness activities

With SimplyEngaged, you can get rewarded for taking healthier actions.



Here's how SimplyEngaged works

Through Rally®, you can access the SimplyEngaged® health and wellness activities available to you. For each Health Action you complete, you'll earn Rally Coins,** which you can redeem for rewards. Plus, you can earn financial incentives. Rally's digital experience gives you one place to track your activities and rewards.

To get started, go to myuhc.com® > Health Resources > Rally

Health Actions	Reward
Complete the Health Survey and watch the video The Health Survey takes about 15 minutes and upon completion, you'll receive personalized suggestions to help you set health goals. Pair this with a short Health Actions video to see your opportunities to earn rewards.	\$25+ Rally Coins
Complete a Virtual Visit Virtual Visits may be a convenient option when you need care. You can talk to a doctor—24/7—by phone or video for conditions like the flu, allergies, rashes, migraines and many more.	\$25+ Rally Coins

*Earnings are per person and include covered spouse or domestic partner.

**Rally Coins can be earned under Rally Health. A reward can only be earned once per incentive year per health action, with the exception of the Fitness Action, up to the maximum incentive amount. Rally Coins may be used to enter sweepstakes for additional rewards.

Council Bill No.**Resolution No.**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE ALLOWING THE CITY ADMINISTRATOR TO APPROVE THE
HARRISONVILLE COMMUNITY CENTER TO OFFER FREE MEMBERSHIPS TO
ALL FULL-TIME CITY OF HARRISONVILLE EMPLOYEES, AND ESTABLISHING
AN EFFECTIVE DATE.**

WHEREAS, the City of Harrisonville values improving the health and wellness of all employees and their families; and

WHEREAS, full-time City employees currently pay \$28.58 per month for an adult individual membership (\$343 annually), \$23.17 per month for an additional adult (\$278 annually), \$48.42 per month for a family membership (\$581 annually), \$23.17 per month for a senior individual (\$278 annually) and \$38.17 per month for a senior couple (\$458 annually).

WHEREAS, staff are proposing to adjust membership rates for full-time City employees to the following: free for an adult individual membership, \$23.17 per month for an additional adult (\$278 annually) and \$38.17 per month for a family membership (\$458 annually).

WHEREAS, on December 8, 2020, the Harrisonville Park Board approved the proposal for free Community Center memberships for all full-time City employees and the Employee Family price rate; and

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

Section 1: That the Board of Aldermen hereby allows the City Administrator to approve the Harrisonville Community Center to offer free memberships to all full-time City of Harrisonville employees.

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

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI, THIS 21ST DAY OF DECEMBER, 2020.

Attachment: Free HCC memberships (Free Community Center memberships for FT employees)

VOTE TAKEN AS FOLLOWS:**AYES:****NAYS:****RECUSED:****ABSENT:**

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

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of December, 2020.

Attachment: Free HCC memberships (Free Community Center memberships for FT employees)

CITY OF HARRISONVILLE EMPLOYEES PRICE GUIDE 2021 NEW RATES BEGINNING JANUARY 1ST 2021



ANNUAL FEES:

EMPLOYEE RATES	NEW ANNUAL FEE	NEW MONTHLY INSTALLMENT ¹
Family (<i>*as defined below</i>)	\$458.00	\$38.17
Plus 1 (<i>can only be added to a Family only</i>)	\$278.00 each	\$23.17 each
Adult	No Cost	
Senior Couple	N\A	
Senior Individual	N\A	

¹ Monthly payment must be made through Payroll deductions only.

To be eligible for membership, employee (full-time) *must* be currently employed with the City.

In addition, all membership applications with fee or no fee must be submitted through payroll prior to activation.

*Membership Eligibility Requirements (as established by Park Board)

Family (Revised 8/1/2017): A maximum of two Adults with or without children (child ages 24 & under) living within the same household.

*At a minimum, one Adult will be required to be listed as the Primary Guardian of the household.

*Children of an Adult member may be included in the family membership even though they do not reside permanently within the household.

Plus 1: A Plus 1 membership is designated for an individual (age 25 & older) that is living within the same household as the Primary account holder and able to provide "Proof of Residency". ****Not a standalone membership and may only be added onto a Family membership.*** *

Cancellation

Any Cancellations must be received in written form. However, corporate memberships that are invoiced must be cancelled through their employer or HR Dept.

Exclusions

Selected areas of the building may be closed for maintenance or repair throughout the year. Compensation to memberships will not be granted when this occurs.

Today's Date: _____

Primary Member:	
Address:	
City, State & Zip:	
E-mail:	
Home Phone:	
Work Phone:	
Cell Phone:	

 Harrisonville Parks & Recreation	
2400 Jefferson Parkway PO Box 367 Harrisonville, MO 64701	Phone: 816.380.8980 Fax: 816.380.8987 Web: www.hparks.com

Primary Membership Type: (Please Select One)	☐ Family (\$581/yr) (\$48.42 monthly; continuous)	☐ Adult (No Fee)
	☐ Senior (N/A)	☐ Senior Couple (N/A)
*monthly automatic installment paid memberships are continuous and therefore do not expire		
Secondary Membership Type:	☐ PLUS 1 (\$278/each/year, Available with purchase of Family Only)** (\$23.17 monthly; continuous)	

MEMBER INFORMATION:

	Member Name	Date of Birth	Relationship to Primary	Membership Type
Primary Member				
Secondary Cardholder				
Additional Cardholder				
Additional Cardholder				
Additional Cardholder				
Additional Cardholder				
Additional Cardholder				

Monthly Payment Amount: _____ *Monthly payment must be made through Payroll deductions only.

Date Membership is to take effect: _____

Name of Employer: _____

I understand and attest that the information on this application is true and correct. **I understand that all monthly installment paid memberships are CONTINUOUS & will not expire. I understand that membership cancellations and changes must be made in writing.** I understand a parent or guardian must sign for children under the age of 18. I understand that a family membership is defined as indicated in the price guide established by the Harrisonville Park Board. I understand that any family member over the age of 18 must provide proof of residency. **PLUS 1** Memberships are not stand alone memberships and **must** be purchased through a Family Account Holder. **Exclusions:** Selected areas of the building may be closed for maintenance or repair throughout the year. Compensation to membership will not be granted when this occurs. I adhere to all Rules & Regulations of the Harrisonville Community Center as set forth by Park Board.

Member Signature: _____

Date: _____

HR Manager Signature _____

Date: _____



TO: Board of Aldermen
FROM: Kim Hubbard, Finance Manager
DATE: December 3, 2020
SUBJECT: PERSONNEL POLICY REVISION

Type of Item: *Approval*

TO: Mayor and Board of Aldermen
FROM: Kim Hubbard, Finance Manager
DATE: December 7, 2020
SUBJECT: Personnel Policy Revision

When City Administrator Ratliff started with the City in January one of his goals was have the personnel policy updated. Staff has worked with Randy Woehl and Christina Glapa at Bukaty.

Some of the significant changes are:

- Replaced the vacation, sick leave and personal day policies with the Personal Time Off (PTO) Policy.
- Equal employment Opportunity (EEO Policy)
- Harassment Policies
- Religious Accommodations
- Emergency Procedures were added
- Added Background Check and Self Representation
- Updated the Family and Medical Leave Act/Military Family Leave
- Added a Medical Marijuana Policy
- Added Infectious Disease Control Policy

Council Bill No.

Resolution No.

**A RESOLUTION PURSUANT TO CHAPTER 103, ADMINISTRATION,
SECTION 103.010 PERSONNEL RULES AND REGULATIONS;
ESTABLISHING AND APPROVING A NEW PERSONNEL POLICY FOR THE
CITY OF HARRISONVILLE, MISSOURI AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, this Resolution is done pursuant to Chapter 103, Administration, Section 103.010, Personnel Rules and Regulations to establish a Personnel Policy for the City of Harrisonville, Missouri (“City”); and

WHEREAS, the Personnel Policy will be the guide for all departments to follow for proper employment practices and is a guide for employment with the City; and

WHEREAS, this Personnel Policy is a separate document detached from the codebook with a copy retained in the city clerk’s office; and

WHEREAS, significant updates for this Personnel Policy include replacing Vacation, Sick Leave and Personal Day policies with the Personal Time Off (PTO) Policy, changes to the Equal employment Opportunity (EEO Policy), Harassment policies, religious accommodations, the addition of emergency procedures, background check and self-representation, updating the Family and Medical Leave Act/Military Family Leave policies, the addition of a Medical Marijuana Policy and the addition of an Infectious Disease Control Policy; and

WHEREAS, the Personnel Policy establishes a procedure for modified duty assignments for employees returning from an injury; and

WHEREAS, the Personnel Policy has been review and approved by qualified individuals in the employment practices field; and

WHEREAS, the staff have reviewed the details of the proposed Personnel Policy, the changes and additions to the prior policy, and voted in favor of sending this proposed Personnel Policy to the City’s full Board of Aldermen for review and approval; and

WHEREAS, the City of Harrisonville Board of Aldermen, after careful and due deliberation, concludes that amending the Personnel Policy as set forth below would be in the best interest of the City;

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

Section 1: That this Personnel Policy for the City of Harrisonville is established pursuant to Chapter 103, Section 103.010.

Section 2: That the attached Personnel Policy, designated Exhibit A and incorporated herein by reference, is hereby approved and adopted, shall be maintained in a file

designated by the City Administrator who shall advise and direct City staff to follow such policies, with a copy available for public inspection in the city clerk's office.

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

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

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED
BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI ON THIS 7TH
DAY OF DECEMBER 2020.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 7th day of December 2020.



EMPLOYEE HANDBOOK

January 2021

INTRODUCTION

Welcome to the City of Harrisonville!

We know that starting a new job is exciting, but at times can be overwhelming. This Handbook has been developed to help you become acquainted with the City of Harrisonville to answer many of your initial questions. You will find an Organization Chart posted in the warehouse to assist you in identifying Employees and their current positions to help you identify resources that may be of assistance to you on a variety of issues. We will endeavor to keep this document up-to-date.

As an employee of the City of Harrisonville, you are very important. Your contribution cannot be overstated. Our goal is to provide the best services to our residents and to do so efficiently and economically so that they will continue to live in the area and recommend us to others.

You are an important part of this process because your work directly influences our City's reputation. We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Brad Ratliff
City Administrator

TABLE OF CONTENTS

INTRODUCTION	2
SECTION I	5
DEFINITION OF TERMS	5
SECTION 2	10
GENERAL PROVISIONS.....	10
2.9.2.1 Sexual Harassment.....	13
2.9.2.2 Harassment Based on Other Protected Characteristics.....	14
2.9.2.3 Reporting Procedure	15
SECTION 3	24
APPLICATIONS AND APPLICANTS	24
SECTION 4	28
METHOD OF FILLING VACANCIES	28
SECTION 5	30
INTRODUCTORY PERIOD.....	30
SECTION 6	32
CLASSIFICATION, COMPENSATION, AND BENEFITS	32
SECTION 7	48
HOURS OF WORK AND LEAVE	48
SECTION 8	63
SUBSTANCE ABUSE	63
SECTION 9	77
SEPARATION AND DISCIPLINARY ACTIONS.....	77
SECTION 10	82

SUGGESTIONS AND COMPLAINTS 82

SECTION 11 84

TECHNOLOGIES 84

SECTION 12 85

HANDBOOK ACKNOWLEDGMENT 85

SECTION I

DEFINITION OF TERMS

The following words and phrases shall have the meaning indicated throughout this ordinance except where the context clearly indicates otherwise:

I.1 Acting capacity: An interim appointment to fill an existing vacancy in the classified service in a higher position.

I.2 Allocation: The assignment of an individual position to an appropriate class in accordance with its duties and responsibilities.

I.3 Anniversary Date: The appointment date to a position.

I.4 Appeal: A process which provides an employee the right of review of a Supervisor's or appointing authority's disciplinary action.

I.5 Applicant: A person who has filed a formal application for employment with the City of Harrisonville, Missouri.

I.6 Appointing authority: The City Administrator or such Supervisors, officer or agency as may be authorized to make appointments to positions in such office or agency, as provided by ordinance or by direction of the Mayor and Board of Aldermen.

I.7 Appointment: Employment or assignment to a position in an administrative department, office or agency, as provided by City ordinance or as provided by the Board of Aldermen.

I.8 Assembled examination: A written, oral or physical performance test at a specified time and place at which applicants are required to appear for testing under supervision.

I.9 Candidate: An applicant who has taken a merit examination whose name has not yet been recorded on an eligibility list.

I.10 Class: A group of positions similar in respect to duties, responsibilities, and authority and having similar qualifications that are necessary or desirable for the satisfactory performance of the duties of the positions.

I.11 Classification: The assignment of a position to an appropriate class, grade, or level on the basis of the kind, difficulty, and responsibility of the work to be performed.

I.12 Classified Employee: The classified service shall include all positions not specifically included in the unclassified service.

I.13 Conflict of Interest: A conflict between the private interests and the official responsibilities of a person in a position of trust, as defined by the State Statutes. All employees of the City shall be required to file an affidavit with the City advising the City of any business in which they have ten percent (10%) or more interest.

I.14 Consanguinity: (2nd Degree) Descendants from or related to a blood relative. 1st Degree includes parents, children, full siblings, nephews, uncles, and half siblings.

I.15 Demotion: The movement of an employee from a position in one class to a position in the same or another class, having a lower maximum salary rate.

I.16 Department Head: An individual appointed by the City Administrator to administer one of the departments. Also classified as a Director, City Engineer, or Police Chief.

I.17 Dismissal: The permanent separation of an employee from the City's service.

I.18 Eligible: A person who, under these policies, meets the requirements for certification for appointment to a position in the classified service.

I.19 Emergency: When the health, safety and/or services to the citizens of Harrisonville are disrupted to the extent that physical damage to persons and property would be affected.

I.20 Employment related injury: An injury or occupational disease, which arises out of the course of employment.

I.21 Exempt employees: Employee exempt from overtime as defined by FLSA.

I.22 Extended Family: Employee's nieces, nephews, aunts, uncles, including those by marriage.

I.23 Fiscal Year: The fiscal year is defined as January 1, through December 31.

I.24 General employee: Employees in the classified service other than those hereinafter designated as "Public Safety Employees".

I.25 Hire Date: The date employment started with the City. If a part-time employee becomes full-time, their hire date is then changed to the date of full-time employment.

I.26 Immediate family: Employee's spouse and/or domestic partner, children, grandchildren, grandparents, parents, brothers and sisters, including those by marriage.

I.27 Introductory period: A working test period during which an employee in the classified service, newly appointed or promoted, is required to demonstrate his/her fitness by actual performance of the duties of the position to which he/she is appointed or promoted. The introductory period for General Employees is typically six (6) months and for newly hired full-time public safety employees, twelve (12) months. This period may be extended at the discretion of the City Administrator.

I.28 Modified Duty: Position is a temporary position to which an employee is assigned when he/she is unable to return to his/her regular position following an on-the-job injury or illness. The Modified Duty position temporarily addresses the restrictions placed on an individual by the employee's treating doctor.

I.29 Pay anniversary date: Date employees receive a pay increase based on performance evaluation.

I.30 Physician: In this policy Physician means a (e.g. doctor of medicine, osteopathic medicine, optometry, dentistry, podiatry, or chiropractic who is licensed and authorized to practice as defined in the State of Missouri Workers' Compensation Regulations administered by the Missouri Department of Labor and Industrial relations under Chapter 287 RSMo.)

I.31 Performance rating: A performance rating is a periodic evaluation of an employee's performance in his/her assigned duties and responsibilities. This rating is made by the employee's immediate supervisor and reviewed by the Department Head. A final review will be made by the City Administrator or his/her designee.

I.32 Position: A group of current duties and responsibilities assigned or delegated by competent authority, requiring regular or temporary, part-time or full-time, employment of one person.

I.33 Promotion: The movement of an employee from a position in one class to a position in the same class or another class having a higher maximum salary rate.

I.34 Promotional examination: An examination in which the competition is limited to employees in the classified service who meet the qualifications set forth in the examination announcement notice.

I.35 Public Safety Employee and Volunteer: Employees in the service of the Police Department who are commissioned police officers and employees and volunteers in the service of the fire department and employees and volunteers in the service of the Emergency Services Department who are licensed paramedics and/or EMTs by the State of Missouri or possess other licenses required by the City and volunteers of the Emergency Management Department. Explorers & Volunteers in Police Service (VIPS) in the Police Department are considered volunteers, as well as people who assist in the Animal Control Department.

I.36 Public Works: Employees in the service of the Street, Water, Sewer, or Electric Departments are considered Public Works employees for this policy.

I.37 Reclassification: An official determination by the City Administrator that a position be assigned to a class different from the one to which it was previously classified.

I.38 Regular Full-time Employee: An employee who is employed to work any classified or unclassified position in the City and who is expected to work at least thirty (30) hours per week and has successfully completed the Introductory Period. Generally, full-time employees

are eligible for the full range of benefits, subject to the terms, conditions and limitations of each program as outlined herein.

I.39 Regular Part-time Employee: An employee appointed for work on a basis of twenty-nine (29) hours per week or less and under 1500 hours per year in a recurring regular weekly schedule and has successfully completed the Introductory Period. This definition does not apply to volunteers. Part-time employees are only eligible for benefits offered by the company as specifically outlined herein, subject to the terms, conditions and limitations of each program.

I.40 PRN Employee: An employee who works flexible schedules or hours at the City's convenience are generally considered part of our PRN staffing pool. These employees are used only when needed. Individual department requirements may be mandated to ensure competency and staffing requirements are met. PRN staffing pool are not entitled to benefits.

I.41 Regular position: A position included in the adopted budget that is not limited to a period of less than the budget year, or any position established during a given budget year with written approval by the City Administrator, Mayor and Board of Aldermen.

I.42 Reserve Employee: An employee who meets the minimum qualifications for a police dispatcher or police officer and has been sworn in, who has no set schedule to work and can be called upon to fill a vacancy in the dispatch center or patrol schedule.

I.43 Retiree: An employee who has attained an age and service allowance after completing 5 years of credited service and attaining the minimum service retirement age as defined by Missouri Local Government Employees Retirement System (LAGERS) and has separated from employment and is receiving retirement benefits.

I.44 Seasonal Employee: A position composed of duties which occur, terminate and recur seasonally, intermittently and/or according to the needs of the department. This employee is limited to less than 1500 hours per calendar year. Generally, less than one year. Seasonal employees are only eligible for statutorily required benefits.

I.45 Supervisor: May include department heads, managers, shift supervisors, foremen, chief plant operators, lieutenants, sergeants, corporals or any individual within a department who is authorized in a supervisor role.

I.46 Suspension: The temporary separation from City employment, with or without pay, of an employee for disciplinary reasons.

I.47 Temporary Employee: An employee who is hired to work in a position for a limited period of time; generally, less than one year. Temporary employees are only eligible for statutorily required benefits.

I.48 Temporary position: A position composed of duties which are expected to occur for only a limited non-seasonal period.

I.49 Transfer: The movement of an employee from one department or division of the municipal government to another or one position to another position in the same class, or to another class when the movement is not a promotion or demotion under these policies.

I.50 Unassembled examination: A test consisting of an appraisal of training, experience, work history or any other means of evaluating without the necessity for applicants appearing at a specified place.

I.51 Unclassified employee: The unclassified service shall consist of employees in the following positions: Mayor and Board of Aldermen, City Administrator, Community Development Director, Police Chief, City Clerk, Emergency Services Director, Director of Finance, Director of Public Works, City Engineer, Parks & Recreation Director, Director of Codes Administration, Street Superintendent, and IT Director.

I.52 Vacancy: A duly created or currently existing position which is not occupied and for which funds have been provided.

I.53 Volunteer: Any person who volunteers services to the City and receives no pay.

I.55 Working Day: A working day consists of the number of hours worked by regular employees during their normal or usual shift.

SECTION 2

GENERAL PROVISIONS

2.1 Purpose

The purpose of these rules is to establish policies and procedures, to be used as guidelines by the City of Harrisonville (Referred to as “City” throughout this document) in the administration of its personnel program. Any questions regarding eligibility for a benefit, the applicability of a policy or practice to you, or matters not covered by this Handbook should be addressed to The City Administrator, or his/her designee.

2.2 Amendment and Adoption

The City Administrator, or his/her designee, may recommend amendments or revisions of these policies by submitting proposed revisions to the Board of Alderman. Amendments or revisions of these policies shall become effective upon adoption by the Board of Aldermen, at any time, with or without notice to the employees, and shall supersede all previous policies which address the same subject matter. This document is effective January 1, 2021. This Handbook supersedes all handbooks and policies covered herein which were issued prior to this date. No one other than The City Administrator, or his/her designee has the authority to alter or create policies related to the areas covered in this handbook.

2.3 At-Will Employment

Missouri is an at-will employment state. All employment with the City is “at-will” which means that team members are free to resign at any time, with or without cause. Similarly, team members of the City may be terminated at-will, for any reason that is not unlawful, without prior notice. This Handbook does not in any way alter the “at-will” nature of your employment and none of the provisions in the Handbook are intended to create an employment contract with you or any other team members. At-will does not, and is not intended to, interfere with, limit or relinquish a team member’s right to join with others to work toward altering the terms or conditions of his/her employment, including at-will status. Further, no one other than the City Administrator, or his/her designee has the authority to enter into any employment agreement for a specific period or to make promises or a commitment of employment.

If you wish to resign your employment, the City requests that you notify your supervisor with a dated and signed written statement at least two weeks prior to your

planned departure date (excluding PTO time) to help ensure a smooth transition. All City property must be returned to the City at this time or whenever requested.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act. Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. The City employees have the right to engage in or refrain from such activities.

2.4 Authority to Interpret

If any interpretation, clarification, or temporary deviation from the policies and provisions contained herein has to be made, it will be done at the discretion of the City Administrator.

2.5 Departmental Rules and Regulations and S.O.P. Manuals

Departments may promulgate rules and regulations and SOP Manuals as may be necessary or appropriate. Departmental rules and regulations and S.O.P Manuals shall not conflict with the provisions of these policies. Departmental rules shall be approved by the City Administrator, or his/her designee, and when necessary or appropriate, shall be adopted by the Board of Aldermen. Such rules, when approved and/or adopted, shall have the force and effect of rules of that department. No rule, regulation or SOP shall affect or modify the status of employees including the at-will status. All changes and updates will be kept on the shared file within the Human Resources Department.

2.6 Employee Records

Personnel records for employees are retained by the Human Resource Personnel. Employees may inspect their own personnel records but may not remove documents from their files. Such an inspection must be requested in writing and submitted to the Human Resource Personnel. A mutually convenient time will be scheduled for the inspection. Employees must review their own personnel files in the presence of an authorized City representative and copies of records are not allowed.

2.7 Positions Covered

These policies shall be applicable to all regular employees in the classified and unclassified service, except as may be excluded herein, and to such other employees in such a manner as specifically prescribed.

The classified service shall include all positions not specifically included in the unclassified service.

2.8 Administration

The City Administrator is responsible for the administration of these policies. The City Administrator, or his/her designee, shall be responsible for maintaining a complete current set of rules and for bringing these rules to the attention of all employees.

2.9 Equal Employment Opportunity

2.9.1 EEO Policy

The City is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws.

The City strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy), gender (including gender nonconformity, gender identity, and status as a transgender individual), sexual orientation, age, physical or mental disability, AIDS/HIV status, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law. All City employees, other workers, and representatives are prohibited from engaging in unlawful discrimination. To give equal employment and advancement opportunities to all job applicants and employees, the City makes employment decisions based on a person's performance, qualifications and abilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

Improper interference with the ability of the City team members to perform their expected job duties is not tolerated. The City will not tolerate any discrimination in the workplace and it is expected that any team member who believes he or she has been subjected to any practice that appears to be inconsistent with this policy, or has witnessed such a practice, will contact the Human Resources Department regardless of the alleged offender's identity or position, so that rapid and constructive action can be taken. Employees are required to utilize the reporting procedure provided in this Handbook for any such problems.

The report will be investigated to determine what, if any, responsive action is necessary and appropriate. The City may disclose information regarding the investigation and the determination procedure to team members on a "need-to-know" basis to investigate and resolve or remedy the matter. All team members are required to cooperate in the investigation, which may include participating in witness interviews.

Anyone found responsible for an inappropriate or discriminatory act will be subject to disciplinary action, up to and including termination. Further, there shall be no retaliation or adverse action against a team member for raising an issue or complaint pursuant to this policy. A team member who witnesses or experiences retaliation is to immediately report such conduct to the Human Resources Department.

2.9.2 Harassment Policy

All City team members have a right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive or disruptive. Consistent with this philosophy, all team members of the City are always expected to treat others with dignity and respect. Civility in the workplace is a major principle of our culture. Harassment based on race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy), gender (including gender nonconformity, gender identity, and status as a transgender individual), sexual orientation, age, physical or mental disability, AIDS/HIV status, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law will not be tolerated. This policy applies to all individuals, whether related to conduct engaged in by fellow team members or someone not directly connected to the City such as customers, vendors, or visitors. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside of the City premises, including business trips, business-related meetings and business-related social events.

We encourage bystanders to become involved when they can possibly mitigate a situation in violation of this policy. Effective communication is an important tool in the effort to prevent or cease escalation of bad behavior, or to stop repeated abusive behavior.

2.9.2.1 Sexual Harassment

Sexual harassment of any form or nature constitutes discrimination under the law and will not be tolerated. The City defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;

or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Examples of sexually harassing behavior of a visual, verbal, physical or online nature may include, but are not limited to:

- Unwelcome or offensive sexual innuendo;
- Subtle pressure for sexual activity or coercion to date;
- Sexist remarks or jokes about a person's body, physical appearance or private life;
- Degrading remarks, posters, pictures, photographs, cartoons, drawings, graffiti or other objects in the workplace that contribute to an intimidating work environment;
- Unwelcome physical touching, including patting, pinching, stroking, kissing, hugging, or fondling;
- Making improper or unwelcome advances or propositions or condescending or paternalistic remarks;
- Sexually-suggestive gestures; comments, stories, or jokes; Abusive or vulgar language with sexual implications;
- Commentary about an individual's body, sexual prowess or deficiencies.

2.9.2.2 Harassment Based on Other Protected Characteristics

Harassment based on other protected characteristics is also strictly prohibited. Under this policy, harassment includes verbal, visual, written or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy), gender (including gender nonconformity, gender identity, and status as a transgender individual), sexual orientation, age, physical or mental disability, AIDS/HIV status, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law and that 1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities.

This prohibited conduct shall include, but is not limited to, the following, whether occurring in the workplace or otherwise on company time, using company equipment, or otherwise related to the City events:

- Visual forms of harassment, such as markings, cartoons, graffiti and drawings;
- Verbal harassment, such as racial remarks, jokes, epithets, slurs or negative stereotyping;

- Threatening, intimidating or hostile acts;
- Written or graphic materials that denigrates or shows hostility or aversion toward an individual or group;
- Denigrating remarks and jokes related to a protected class;
- Actions against or actions that tend to exclude persons due to their association with a protected class.

2.9.2.3 Reporting Procedure

Any individual who believes that he or she has been the victim of conduct or has witnessed conduct prohibited by this policy, whether it is conduct of another team member, customer, vendor, or anyone else associated with The City, should report the incident(s) immediately to the Human Resources Department or City Administrators Office. Employees are urged to use this procedure to report any incidents so that management is made aware of the situation and may conduct a prompt investigation and take appropriate corrective action to remedy the situation. The complaint procedure is always available without first confronting the offender. It is important that the situation is addressed without delay. This reporting procedure should be used to report instances involving agents and supervisory personnel, coworkers and any other persons involved in the workplace, including but not limited to customers, vendors, and visitors or any other person involved in the workplace.

2.9.3 Responsibility

- It is the responsibility of all employees to refrain from any form of harassment, including sexual harassment, or inappropriate verbal or physical conduct of a sexual or harassing nature.
- Any employee observing violations of this policy should report it to their immediate supervisor, a supervisor other than their direct/immediate supervisor, the department director, Human resources officer, or the City Administrator
- It is the responsibility of the employee who believes they or others are being or have been subjected to sexual or other harassment to report any violations of this policy to the employee's immediate supervisor, a supervisor other than their direct/immediate supervisor, the department director, Human resources officer, or the City Administrator
- Any person who receives such a report, or observes violations of this policy, should immediately convey the report and/or report the violations to Human Resources or the City Administrator.
- Employees have a responsibility to:
 - cooperate fully with the investigating parties;

- provide full and complete information when reporting an incident or when being interviewed about an incident as a possible witness; and understand this policy and its consequences for violations.

2.9.4 Investigation

The City has a compelling interest in protecting the integrity of the investigation and endeavors to protect witnesses from harassment, intimidation and retaliation, to keep evidence from being destroyed, to ensure that testimony is not fabricated, and to prevent a cover-up. In some instances, The City may decide that to achieve these objectives, those involved must maintain the investigation and any person's role in said investigation as confidential to the extent necessary to protect the investigation. Employees are expected to cooperate fully in any investigation. False and bad faith complaints of harassment, discrimination or retaliation will be subject to disciplinary action. If the complainant does not agree with the resolution, an appeal can be made to the City Administrator or his/her designee.

2.9.5 Consequences

The City forbids retaliation against anyone who has reported harassment or who has cooperated in the investigation of harassment complaints. If an individual feels they have been retaliated against for their role in an investigation they should report using the same reporting process as described above. Any person found to have retaliated against another individual will be subject to the same disciplinary action provided for harassment offenders.

Any individual found to have engaged in any prohibited form of harassment or retaliation, either directly or indirectly, or to have engaged in behavior that is disrespectful or disruptive or otherwise prohibited by this or other City Policies, *regardless* of whether that behavior constitutes harassment prohibited by law, may be subject to appropriate disciplinary actions, up to and including discharge.

** This policy does not preclude the City from taking disciplinary action, up to and including termination, against anyone who knowingly discloses false information and/or makes a report regarding harassment in bad faith.

2.10 Workplace Threats and Violence Policy

Threats, threatening behavior or acts of violence against employees or citizens visiting City facilities, by anyone on City property, will not be tolerated.

Workplace violence includes, but is not limited to, the following conduct, when such conduct is committed on the City's premises or in connection with the City's activity or event or off-site business:

- Offensive and/or unlawful touching or application of force by one person against another when done in a rude, insolent or angry manner;
- Assault or threat of physical assault;
- Damage to work area or property;
- Threats to do bodily harm to another; and
- Wrongfully excluding or disregarding a person in work-related activities.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City property may be removed from the premises as quickly as safety permits, and may be required to remain off City property pending the outcome of an investigation.

All City employees are responsible for notifying their supervisor, Department Head or the Human Resources Department of any threats which they have witnessed, received, or have been told that another person has witnessed or received.

Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on City property. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person and/or persons who were threatened or were the focus of the threatening behavior.

Employees who apply for or obtain a protective or restraining order which lists City property as being protected areas, must inform their supervisor, Department Head and the Human Resources Department. The City understands the sensitivity of the information requested and recognizes and respects the privacy of the reporting employees. Employee reports made pursuant to this policy will be held in confidence to the maximum extent possible.

2.11 Immigration Law Compliance

The City is committed to employing only people who are United States citizens or who are aliens legally authorized to work in the United States. The City will comply with federal and state immigration law in hiring and recordkeeping.

2.12 GINA (Genetic Information Non-Discrimination Act)

The City does not request, require, purchase, or deliberately acquire any genetic information (including information from genetic tests, the genetic tests of family members,

family medical history, or information about any employee's, applicant's or family member's request for or receipt of genetic information). Tests for drug or alcohol use are not considered "genetic testing" and may be required by the City in appropriate circumstances.

To the extent the City receives information about an applicant's or employee's family medical history or other genetic information inadvertently (e.g., in the administration of a leave request or accommodation request), that information will not be used except as required for any legitimate purpose (e.g., to consider a leave request for a family member's medical condition), and will be treated and maintained as a confidential medical record and will not be disclosed except as allowed or required by applicable law.

2.13 ADA (Americans with Disabilities Act)

It is the policy of the City to consider qualified applicants with disabilities in its hiring process and it commits to non-discrimination under the Missouri Human Rights Act (MHRA). If an applicant with a disability is qualified for a position that is available and can perform the essential functions of the employment position, either with or without reasonable accommodation, it is the City's policy to consider that person on an equal basis with any other applicants who apply for the job. The City will not make disability a factor in its hiring process; its employment decisions are based on job-related criteria alone.

Qualified individuals with disabilities may make requests for reasonable accommodation to their supervisor, Department Head or the Human Resources Department. If an employee has any questions regarding whether they qualify for a reasonable accommodation, they should contact Human Resources for more information.

Any accommodation request received by a supervisor or Department Head should be immediately reported to Human Resources. The City will not retaliate against any individual for making a request for accommodation. Employees can bring forth issues under this policy without fear of retaliation.

2.14 Religious Accommodation

The City respects the religious beliefs and practices of all employees and will make, upon request, accommodation(s) for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business.

An employee whose religious beliefs or practices conflict with his or her job, work schedule, or with the City's policy or practice on dress and appearance, or with other aspects of employment, and who seeks a religious accommodation must submit a written request for accommodation to the Human Resources Department. The written

request will include the type of religious conflict that exists and the employee's suggested accommodation.

The Human Resources Department will evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice, and whether an accommodation is available which is reasonable, and which would not create an undue hardship on the City's business. An accommodation may be a change in job, using paid leave or leave without pay, allowing an exception to the dress and appearance code which does not impact safety or uniform requirements, or for other aspects of employment. Depending on the type of conflict and suggested accommodation, the Human Resources Department will confer with the City Administrator or his/ her designee

The supervisor and employee will meet to discuss the request and decision regarding an accommodation. If the employee accepts the proposed religious accommodation, the direct supervisor will implement the decision. If the employee rejects the proposed accommodation, he or she may appeal following the City's Suggestions and Complaints policy and procedure (Section 10).

2.13 Workers' Compensation Benefits

If an employee sustains a work-related injury, the City's workers' compensation insurance will provide medical coverage and income replacement for the period of the employee's disability.

Following a work-related injury, workers' compensation benefits will not be paid until three (3) days have passed from the date of injury when the employee is treated by an authorized medical provider. Medical expenses will, however, be paid from the time of injury. Compensation benefits will begin the day after the waiting period ends. If the employee is disabled for 14 days or more, benefits will be paid retroactively to cover the waiting period. If it appears that the employee will be off work and the City is unable to accommodate the employee for 14 days or more, the waiting period may be waived. If an employee is injured on the job, the employee, the employee's supervisor, and any witness must complete the appropriate forms and forward them to the Human Resources Department no later than three (3) working days following the incident, in order to preserve the employee's right to workers' compensation benefits. Forms for reporting injuries may be obtained in the Human Resources Department.

Off-duty recreational activities sponsored by The City are not covered under this program. Additionally, use of drugs or alcohol, voluntary fighting or horseplay prior to the incident, failure to report an injury to the employer immediately or file a claim in a timely manner could impact the receipt of benefits. A team member's failure to follow this procedure may result in the appropriate workers' compensation report not being

filed timely in accordance with the law, which may impact your ability to receive workers' compensation benefits. Further, failure to timely report an incident may result in team member disciplinary action, up to and including discharge.

Your release and return to work will be coordinated with the Workers' Compensation carrier and in compliance with applicable law. Questions regarding workers' compensation insurance should be directed to the Human Resources Department. Refer to the official state posting for more information regarding your rights and obligations under this program.

2.14 Employee Smoking Policy

The City's facilities are smoke free and tobacco free. Smoking, and other tobacco use is not allowed in or around City buildings, in City Vehicles, or while using City equipment. Smoking, or other tobacco use, is permitted *only* outside and in clearly marked designated smoking areas and during break times. The City asks that those employees who smoke or use tobacco provide and utilize proper containers for extinguishing and disposing of tobacco products. For purposes of this policy, "smoking" and "tobacco use" includes the use of electronic cigarettes, vaporizers, or the like.

The City also prohibits any use including but not limited to smoking, ingesting or otherwise consuming marijuana at the workplace in any form (such as vapors, edibles or oils).

2.15 Workplace Investigations and Searches

In order to safeguard the security and property of our employees, our customers, and the City, and to help prevent workplace violence and/or the possession, use, and sale of illegal drugs on City premises, the City reserves the right to question employees regarding any suspected illegal activity occurring on City premises or in the workplace.

All offices, desks, files, lockers, computers, equipment and vehicles are the property of the City. Employees, officers, agents, or visitors of the City shall have no expectation of privacy in property owned by the City. Further, the City may search any of its property, at any time, without prior notice or consent.

The City will conduct searches only when it deems that there is a legitimate business reason to do so. Searches will be conducted in a selective and nondiscriminatory manner and only when there is a reasonable suspicion of a violation of policy. An effort will be made to conduct the search in as unobtrusive manner as possible. A team member who fails to cooperate with such a search will be subject to disciplinary action, which may include separation of services. Any illegal activity discovered as a part of this search process will be communicated to law enforcement authorities.

2.16 Emergency Procedures

In case of an emergency such as an accident, medical situation, bomb threat, threat of violence or potential fire, immediately notify your direct supervisor or the nearest company official. The City has developed an emergency procedure to be followed in the event of emergencies. All team members must make themselves fully aware of the proper procedures to address these incidents. If you have questions about the City emergency procedures, see your Department Head.

Summon assistance immediately and never try to personally handle a dangerous situation. Only after assistance is summoned should any attempt to deal with the situation be made **and only when it can be done without risk of personal injury**.

A summary of emergency procedures is provided below:

2.16.1 Fire

- **DIAL 911 if warranted.** Be clear on the exact location and type of fire.
- Evacuate the immediate area if there is any risk to health and safety and remain a safe distance from the building. Make sure all client s are evacuated safely as you are exiting. Meet in the designated area and account for all personnel.
- Be sure all non-exit doors are closed as ventilation will feed the fire.

2.16.2 Accidents

- **DIAL 911 if warranted.** Be clear on the exact location and type of emergency.
- Make the injured party comfortable, using care not to move anyone in a manner which could exacerbate the injury.
- Report the accident to your direct supervisor, who will commence an investigation.
- Guard the privacy of the injured party by not discussing the incident publicly.
- Tornadoes
- Cease operation (turn off any equipment currently in use).
- Close all windows.
- Proceed quickly and in an orderly fashion to an internally located hallway or area without outside windows. Outside windows and glassed areas should be avoided due to the possibility of flying glass and other debris as it presents one of the chief hazards under these conditions.
- Use the telephone to summon help for sick or injured team members if necessary.
- Remain in your safe area until the “All Clear” is given by management.
- Once the “All Clear” is given, return to your normal work duties.

2.16.3 Active Shooter

- **DIAL 911 if warranted.** Be aware of your environment and any possible dangers.
- Take note of the two nearest exits in any facility you visit.
- If you are in an office, stay there and secure the door.

- If you are in a hallway, get into a room and secure the door.
- As a last resort, attempt to take the active shooter down. When the shooter is at the close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her.

2.16.4 Bomb Threat

By Phone:

- Remain calm. Keep the caller on the line for as long as possible. DO NOT HANG UP, even if the caller does.
- Listen carefully. Be polite and show interest.
- Try to keep the caller talking to learn more information.
- If possible, write a note to a colleague to call the authorities or, as soon as caller hangs up, immediately notify them yourself.
- If your phone has a display, copy the number and/or letters on the window display.
- Complete the BOMB THREAT CHECKLIST immediately (found at www.dhs.gov). Write down as much detail as you can remember. Try to get exact words.
- Immediately upon termination of call, DO NOT HANG UP, but from a different phone, contact authorities immediately with the information and await instructions.

By Email:

- Do not delete and contact authorities.

By handwritten note:

- Handle note as minimally as possible.
- Suspicious package:
- DO NOT TOUCH OR MOVE PACKAGE.
- DO NOT USE TWO-WAY RADIOS OR CELLULAR PHONES. Radio Signals have the potential to detonate a bomb.

When working on a customer site, make sure you understand their emergency procedures to protect yourself in the event of the above situations.

2.17 Outside Employment

No full-time employee shall accept outside employment, whether part-time, temporary, or permanent, without prior written approval of the City Administrator. Any employee engaged in outside employment must fill out a form advising his/her Department Head or Supervisor and the City Administrator where he/she is working, the hours he/she is working, and the telephone number where he/she may be reached. (A copy of the outside employment form must be filed in the Human Resource office to be included in the employee's personnel file.) Approval shall not be granted when such outside employment conflicts or interferes, or is likely to conflict or interfere with the employee's municipal service or where it creates the appearance of impropriety. Employees may not engage in any private business or activity while on duty. No employee shall engage in or accept

private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with his/her official duties. Failure of an employee to seek approval, or openly disregard the denial of the City Administrator for said outside activity, may result in dismissal from City employment.

2.18 Personal Appearance of Employees

The City wishes to maintain a work environment that functions well and is free of unnecessary distractions. Each employee, volunteer, and contractor must maintain a groomed, clean, and businesslike appearance that is appropriate for the workplace and the type of work being performed. Depending upon the department, or the type of work being performed, certain individuals may be required to meet specific dress codes and appearance standards. For example, some individuals may be required to wear uniforms or protective clothing. Individuals who fail to comply with this policy may be subject to disciplinary action. If you have questions about these standards for your department or position, please contact your supervisor.

At the discretion of the department head or city administrator, a more “casual” dress code may be permitted under special circumstances. If you believe you need a reasonable accommodation from the requirements of this policy to comply with your religious beliefs, please inform the Human Resources Department.

Employees required to wear uniforms will receive a clothing allowance or will be provided uniforms, depending on department policy. Uniformed personnel are expected to keep their uniforms clean and neat, and wear them according to their respective department regulations. Uniforms are not to be worn outside of work activities, and the City’s logo is not to be affixed to any non-approved clothing. Further, uniformed personnel are not eligible to participate in City recognized casual days without prior approval by their Supervisor, with the consent of the City Administrator.

2.19 Mutual Aid Policy

Before, during or after an emergency event, City of Harrisonville may be called upon to provide Mutual Aid and Assistance to areas outside of the City of Harrisonville. In the event City of Harrisonville agrees respond by providing personnel and equipment, the following shall apply:

In the event City of Harrisonville Staff are called upon to participate in Mutual Aid, the City Administrator or his/her designee has the authority to modify overtime and other personnel procedures based on the Mutual Aid Agreement with the requesting city and/or agency.

SECTION 3

APPLICATIONS AND APPLICANTS

3.1 Announcement

The City Administrator, or his/her designee, shall practice suitable and effective methods for distributing information relative to job openings and securing the most qualified applicants available. Announcements for positions in the classified service shall be published by posting announcements on bulletin boards at City Hall, in the local newspaper or in such other places as shall be deemed appropriate. The announcement shall specify the title and salary range of the class for which the job opening is announced; the nature of the work to be performed; preparation desirable for the performance of the work of the class; the time, place and the manner of making application; closing date for receiving applications; and other pertinent information. It will also state: "The City of Harrisonville is an equal opportunity employer." Posting announcements only within the organization will be done when appropriate. On occasion an internal posting of a job opening may be the only announcement utilized.

3.2 Application Forms

All applications shall be made on forms prescribed by the City and shall be submitted to the Human Resources Office on or prior to the closing time specified in the announcement. Applications shall include complete information relating to the applicant's contact information, education and training, experience and other pertinent information. The City Administrator, or his/her designee, shall require such proof of minimum age, education, experience, and other requirements as may be appropriate when such information is pertinent to the position for which the applicant applies. The person applying must sign the application. All applications for employment shall be processed through the designated office. An applicant who intentionally bypasses this procedure and submits an application directly with the Supervisor causes his/her application to become null and void.

3.3 Disqualification

The City Administrator, or his/her designee, may reject any application from further consideration if the application indicates on its face that the applicant does not possess the minimum qualifications or if the applicant has made any false statement of any material fact or practice, or attempted to practice any deception or fraud in his/her application. Applications, whether accepted or rejected, shall remain on file for two years and shall not be returned.

3.4 Background Check and Self Representation

All offers of employment at the City are contingent upon clear results of a thorough background check. Background checks will be conducted on all final candidates and on all employees, who are promoted, as deemed necessary.

Background checks will include:

- **Social Security Verification:** validates the applicant's Social Security number, date of birth and former addresses.
- **Prior Employment Verification:** confirms applicant's employment with the listed companies, including dates of employment, position held and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on the past two employers or the previous five years, whichever comes first.
- **Personal and Professional References:** calls will be placed to individuals listed as references by the applicant.
- **Educational Verification:** confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.
- **Criminal History:** includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:
 - The nature of the crime and its relationship to the position.
 - The time since the conviction.
 - The number (if more than one) of convictions.
 - Whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the business, its employees or its customers and vendors.

The following additional background searches will be required if applicable to the position:

- **Motor Vehicle Records:** provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position.

- **Credit History:** confirms candidate's credit history. This search will be run for positions that involve management of the City funds and/or handling of cash or credit cards.

Procedure

Final candidates must complete a background check authorization form and return it to Human Resources.

Human Resources will order the background check upon receipt of the signed release form, and either internal HR staff or an employment screening service will conduct the checks. A designated HR representative will review all results.

The Human Resources Department will notify the Department Head regarding the results of the check. In instances where negative or incomplete information is obtained, the appropriate management and the director of Human Resources will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a background check, there may be certain additional Fair Credit Reporting Act (FCRA) requirements that will be handled by Human Resources in conjunction with the employment screening service (if applicable).

Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.

The City reserves the right to modify this policy at any time without notice.

3.5 Residence of Employees and Applicants

Principle Place of Residence-defined as that place the employee declares his/her home for voting purposes or with the intent to remain there permanently for a definite, indefinite or undermined length of time.

All City employees shall report changes of principal addresses to their respective department/division managers and the Human Resources Department within five (5) working days from the date of change of address.

All City employees are encouraged, but not required, to live inside Harrisonville city limits. At the time of appointment, promotion, etc.

All first responders, shall respond to their departments within thirty (30) minutes. Department directors shall establish the first responders for their respective service areas.

Exceptions to this policy are as follows: The City Administrator, Police Chief, and Fire Chief, City Clerk, Public Works Director must live within 15 miles of corporate city limits of Harrisonville.

Prior approval from the Board of Aldermen may supercede residence requirement.

3.6 Relatives – Hiring and Continued Employment of Relatives

It shall be the City's policy to not employ individuals in the same department within the 2nd degree of Consanguinity with a current employee. If a supervisor and subordinate marry or in any other way become members of the same immediate family, one of them must obtain employment in another department or sever employment with the City within six (6) months. This policy shall not apply to relationships/employment existing prior to June 1, 2018.

3.7 Valid Driver's License

Any employee who is required to drive a City vehicle as a part of his/her employment must have a valid driver's or Missouri CDL license (if required by department). A suspended, expired or revoked license will not be considered to be a valid license. Driving a City vehicle without a license or with a suspended or revoked license, will subject the employee to disciplinary action.

SECTION 4

METHOD OF FILLING VACANCIES

4.1 Request to Post Position

When a vacancy occurs, the appointing authority shall notify the City Administrator, or his/her designee, of the position that is to be filled.

4.2 Appointment

After an interview, the appointing authority may make appointments based on ability, training, education, and experience, and shall immediately obtain the approval of the City Administrator, or his/her designee, of the person or persons appointed. The City Administrator, or his/her designee, shall thereupon notify the person of the appointment contingent upon a successful drug test and background check; if the applicant accepts the appointment and presents himself/herself for duty within such period of time as the appointing authority shall prescribe, he/she shall be deemed to be appointed; otherwise, he/she shall be deemed to have refused the appointment.

4.3 Types of Appointments

4.3.1 Introductory

Except as may be provided otherwise in accordance with these policies, all appointments to regular full-time positions in the classified service, whether entry or promotional, shall be considered introductory for the period of time prescribed in these policies.

4.3.2 Transfer

If an employee wishes to be transferred to another department, he/she may so notify the City Administrator in writing, who, after consultation with the Supervisors concerned, may affect transfers which are to the advantage of the service. No person shall be transferred to a position for which he/she does not possess the required qualifications. The Supervisor of the department from which the employee is transferring shall complete a performance evaluation review form on the transferring employee for submission to the properly designated office.

4.4 Promotion

Whenever possible, vacancies are encouraged to be filled by promotion of a qualified employee within the City service. Such promotion will be based on qualifications, past performance, abilities, education, length of service and other legitimate nondiscriminatory factors

External applicants may be recruited for vacant positions along with internal applications at the time of the job posting. If no acceptable applicant is found within the City service, the vacancy will be filled from outside the City service, in accordance with the procedures established herein.

Transfer between departments within the same position classification will be considered when a vacancy occurs, but preference may be given to promotion within the department.

SECTION 5

INTRODUCTORY PERIOD

5.1 Objective

The introductory period shall be regarded as an integral part of the examination process and shall be utilized for closely observing newly appointed or promoted employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employee whose performance does not meet the required work standards to which he/she has been appointed or promoted.

5.2 Duration

5.2.1 General Employees

The introductory period for general employees in the classified service, whether originally appointed or promoted, shall be a minimum period of six (6) months with an evaluation at three (3) months. A general employee who is transferred to a new position or is promoted shall begin a new six (6) month period of introduction for that position upon assuming the new position with an evaluation at three (3) months.

5.2.2 Public Safety Employees

The introductory period for public safety employees shall be a minimum period of twelve (12) months from date of initial appointment and six months from date of promotion.

5.2.3 Extended Introductory Period

The City Administrator or Department Supervisor, with City Administrator approval, may extend the introductory period for general or public safety employees as deemed necessary.

5.3 Introductory Service Ratings

5.3.1 General Employees

One performance evaluation report will be submitted on each employee prior to the completion of the six (6) months introductory period.

5.3.2 Public Safety Employees

Two (2) evaluation reports shall be submitted on employees serving a twelve (12) month introductory period - the first at the end of six (6) months employment and the second prior to the completion of twelve (12) months employment. Public Safety employees serving a six (6) month introductory period will be evaluated the same as general employees.

5.4 Release During Introductory Period

An employee, who is released and/or dismissed during the original hire introductory period or the extended introductory period, shall not have the right to appeal such action.

5.5 Rejection Following Promotion

Any employee who fails to qualify during an introductory period following a promotional appointment will be terminated unless the position from which the employee was promoted is vacant and the employee's supervisor, department head, and City Administrator believes a return to that position would be for the good of the service to the City.

5.6 Employment At-Will

Nothing in this Section 5 of this policy changes the fact that employment with the City shall be At-Will. Employment with The City is voluntary and at-will, you may terminate your employment at any time during or after the Introductory Period, with or without cause or notice. Likewise, The City also may terminate your employment at any time during or after the Introductory Period, with or without cause or notice.

SECTION 6

CLASSIFICATION, COMPENSATION, AND BENEFITS6.1 Classification Plan6.1.1 Preparation of Classification Plan

The position classification plan, based upon and graded according to assigned work duties and responsibilities, shall be developed and maintained by the City Administrator or his/her designee to provide the standardization and the proper classification of all positions in the classified service of the City. This plan shall include:

- a. A descriptive title for each class of positions, and
- b. Job descriptions in such form as approved by the City Administrator.

6.1.2 Adoption of the Plan

The classification plan, as approved by the City Administrator and adopted by the Board of Aldermen by resolution, or as amended by resolution in accordance with these policies, shall constitute the classification plan for the City of Harrisonville, Missouri.

6.1.3 Amendment of the Plan

The classification plan may be amended in the same manner as prescribed for adoption of the plan. (See 6.1.2)

6.1.4 New Positions

New positions may be added to the classification plan in the manner prescribed for amendment of the classification plan. (See 6.1.3)

6.2 Classification of Positions

Each position in the classified service shall be allocated to the similar appropriate class therein on the basis of its duties, authority, and responsibilities. Positions shall be allocated to the same class when:

- 6.2.1 The positions are sufficiently similar in respect to duties and responsibilities that the same descriptive title may be used;
- 6.2.2 Substantially the same requirements as to education, experience, knowledge and ability are demanded of incumbents;

6.2.3 Substantially the same job-related test of fitness may be used in selecting qualified appointees; and

6.2.4 The same salary range may be made to apply with equity.

6.3 Reclassification of Positions

Positions, the duties of which have changed sufficiently to require reclassification in the approved Compensation Structure, shall be allocated to a more appropriate class (level), whether new or already created, in the same manner as originally classified and allocated. Reclassification shall not be used for the purpose of avoiding rules governing promotion and demotion or solely as the means of increasing the rate of pay of individual employees. An employee may, at any time, submit a written request to his/her appointing authority for review of the classification of his/her position. This request must set forth the employee's reasons justifying a review. The appointing authority shall notify the City Administrator, who may make an investigation of the position to determine its correct allocation, and if appropriate, seek a reclassification of the position.

6.4 Job Descriptions

The City Administrator, or his/her designee, shall maintain a master set of all approved job descriptions. Such job descriptions, as approved by the City Administrator, shall constitute the official job descriptions for the classified service for the City. The City Administrator, or his/her designee, shall provide each Department Head and appointing authority with a set of the job descriptions authorized in that department. Such job descriptions shall be open for inspection by employees under reasonable conditions during regular business hours. It shall be the responsibility of the appointing authorities to report to the City Administrator any and all significant, permanent changes in the duties or responsibilities of positions within their departments. However, job descriptions are descriptive only, and not restrictive and shall not be held to exclude those duties and responsibilities which are not specifically mentioned but are similar as to kind and level or directly connected to the functions of the position. Also, any specifications as approved may be subject to change predicated on City needs or Federal/State specification or requirements.

6.5 Use of Class Titles

Following the adoption of the classification plan and the assignment of positions in the classified service to classes therein, the class titles set forth therein shall be used to designate such positions on all official records, vouchers and payrolls.

6.6 Compensation Plan

6.6.1 Preparation of Plan:

A basic salary plan, directly related to the classification plan, shall be developed and maintained by the City Administrator or his/her designee. This plan shall consist of salary ranges, expressed in annual or hourly rates, for each class of positions, which shall constitute the minimum, median and maximum rates of pay for each salary range. Salary ranges shall be proposed with due regard to ranges of pay for other classes, prevailing rates of pay for comparable work in other public and private employment in the area, cost-of-living factors, benefits received by employees, the financial condition of the City, and other economic considerations.

6.6.2 Adoption of the Plan:

The basic salary plan, as proposed by the City Administrator and adopted by the Board of Aldermen, or as amended in accordance with these policies, shall constitute the pay plan for the City of Harrisonville, Missouri.

6.7 Amendment of the Plan:

The pay plan may be amended in the same manner as prescribed for adoption of the plan.

6.8 Personnel Action Request:

A Personnel Action Request (PAR) form must be completed before hiring any employee, whether regular full-time, regular part-time, temporary, seasonal or reserve positions.

6.9 Administration of the Pay Plan

6.9.1 Appointment Rate:

The minimum rate of pay for a class shall normally be paid upon appointment to the class. The rate above the minimum rate may be paid provided the appointing authority submits a written request justifying reasons for such action for approval by the City Administrator.

6.9.2 Date of Rate Adjustment:

Pay rate adjustments are effective on the first of the first pay period beginning on or after (1) performance pay advance, (2) transfer, (3) promotion, (4) demotion, or (5) reclassification, unless otherwise determined by the City Administrator.

6.10 Pay Rate Adjustments:

The following action shall affect the pay status of an employee in the manner provided. Such action must be reflected on a PAR form.

6.10.1 Transfer

When an employee is transferred between departments or divisions to a job of equal or higher classification, the salary rate of the employee will remain unchanged unless the employee's current rate is below the minimum rate established for the class to which the employee is transferring; in which event, the employee's salary shall be increased to the minimum rate for the class in the new department or division. When an employee is transferred between departments or divisions to a job of lower classification, the salary rate of the employee will be established within the range of the new classification by the appointing authority. Employees transferred to a different department begin a new period of 6 month's introduction.

6.10.2 Promotion

When an employee is promoted from a position in one class to a position in another class having a higher maximum salary rate, the salary rate of the promoted employee shall be increased to the minimum of the new range. The appointing authority, with the consent of the City Administrator or his/her designee, may establish a salary rate for the employee that is higher than the minimum wage for the class, so long as there are sufficient resources within that department's adopted personnel budget. The employee shall begin a new period of six-month introduction.

6.10.3 Demotion

In the event an employee is demoted, the salary of a demoted employee will be determined by the Department Head or City Administrator and will be within the pay range of the position to which the employee is demoted.

6.11 Reclassification or Reevaluation:

If a position is reclassified to a higher salary range or the salary range for an established classification is reevaluated to a higher maximum rate, the incumbent employee's comparative salary within the new range shall be changed only if it is below the minimum salary for the new range. If the reclassification is to a lower salary range or the reevaluation is to a lower maximum rate, the incumbent employee shall retain his or her present salary, and such employee shall not be eligible for further increases until his or her salary is again within the new salary range. This decision is up to the discretion of the City Administrator.

6.12 Pay Differential

The City Administrator, at his/her discretion, may approve a pay differential, not to exceed 4% for a period not to exceed three (3) months duration, to personnel subject to exceptional pressures, requirements, responsibility and demand for performance due to significantly increased duties over and above those normally associated with the employee's position. The City Administrator, pursuant to this subsection, shall approve no pay differential until after review and concurrence by the employee's Supervisor

6.13 Overtime and Compensatory Time

6.13.1 General Provisions

Exempt

Employees who are exempt from minimum wage and overtime pay under guidelines and standards outlined in the Fair Labor Standards Act. Exempt team members are paid on a salaried basis. Exempt team members may have to work hours beyond their normal schedules as work demands require without adjustment to compensation, in accordance with FLSA.

Non-Exempt

Employees who are eligible for overtime payment for **actual** hours worked more than forty (40) hours per week at 1½ times the base pay rate (or as directed by state law) and minimum wage. Or at the employee's discretion compensatory time off work can be granted equal to the overtime payment, for each hour worked beyond 40 in a week. Employees will be paid overtime unless the employee elects

to receive payment in the form of compensatory time off. Work by non-exempt Public Safety personnel in excess of their regular hours of work as established in Section 7.1 of this manual shall be considered overtime. Police and Fire Personnel will be paid one and one-half times the employee's regular rate for hours worked in excess of those specified by department policy in compliance with Section 29 CFR 553.230 (§207 (k) of the Fair Labor Standards Act).

The workweek starts at 12:01 A.M. Monday and ends at midnight, Sunday night. Work shall not include PTO, holidays, compensatory time off or jury duty. Failure to obtain prior supervisor approval for hours worked in excess of 40 hours in a work week may be cause for disciplinary action. Supervisors have the authority to adjust an employee's work schedule in order to avoid overtime. An employee shall not be allowed to exceed more than eighty (80) hours of accumulated compensatory time except upon written request and approval by the City Administrator. Overtime work, for the non-exempt employee, which would result in compensatory time above the eighty (80) hour limits, shall be paid at the employee's overtime rate. Upon termination, an employee shall be paid for all compensatory time accumulated.

6.13.2 Compensatory Time Option:

All new employees hired by the City shall advise the City in writing as to whether or not they desire an agreement related to compensatory time off as opposed to overtime pay.

6.14 Call Out and Court Time Payments

6.14.1 Call Out Payment

All employees who have completed their regular work schedule and left their normal place of work and who are called back to perform unscheduled emergency work, shall be compensated for not less than two (2) hours at a rate of time and one-half. Department supervisors will make the determination on whether work being performed meets the Call Out stipulated guidelines. After an employee has been called out under the above stipulated guidelines, that employee shall receive no additional compensation for any additional call within that stipulated two (2) hour time period beginning with the original call out. All hours worked under the above stipulated Call Out guidelines shall be paid at a rate of time and one-half. Employees who are called to work less than one hour before the beginning of their normal work schedule do not qualify for the minimum two-hour (2) payment. Pay for call in begins at the time the employees arrive at the work site. Only hours actually worked will be counted for determining eligibility for overtime compensation. The City will pay no meal allowance.

6.14.2 Court Time Payment

Any employee required to appear in court arising from your position with the City, shall receive his/her regular rate of pay and be granted time to appear.

6.15 Payroll Deductions

Certain deductions from pay are required by federal and state law, including Federal Income Tax, State Income, etc. The City will withhold as legally required for a garnishment, child support order or other official document. Each team member should monitor his/her pay stub to assure that all deductions are in accordance with their elections for tax withholding and benefits. Care is taken to ensure that paychecks are for the correct amount and paid in a timely manner; however, should an error be discovered, this matter should be immediately brought to the attention of the City Administrator so that a correction can be made promptly.

6.16 Employee Benefits- Premium Only Benefit Plan (Section 125 Internal Revenue Code)

6.16.1 Purpose and Allowed Deduction on a Pretax Basis

The purpose of providing employees benefits through Section 125 is to allow them to make pretax payroll deductions for the purpose of paying premiums on insurance products. The City will allow an employee to make pretax deductions from their payroll check to be applied toward the following insurance benefits through the plan:

- a. Health Insurance- including premiums and contributions to a flexible spending account and contributions to a health savings account
- b. Dental Insurance
- c. City-sponsored Supplemental Insurance (i.e. Aflac products)
- d. Vision

6.16.2 City's Contribution to Employee Benefits

Regular full-time employees of the City shall be eligible for life, major medical, vision, dental and disability insurance provided by the City. The City may pay for a portion, or contribute to, the employee insurance benefits as determined by the enacted budget. The City may also pay for a portion, or contribute to, insurance benefits for the employee's spouse, dependent, and or family as determined by the enacted budget. The employee shall pay insurance premiums not paid by the City. For employees who enroll in these programs, the effective date of coverage shall be the first day of the calendar month following employment unless starting on the first day of the month at which time coverage is immediate. The lookback period the City observes for the Affordable Care Act (ACA) is the 12-month period that runs a calendar year, January 1 to December 31.

- a. The City will contribute any unused portion of the City's contribution to major medical and vision insurance premium payment to that employees Health Savings Account for an employee enrolled in the High Deductible Health Plan.
- b. Employees may elect not to use the City's insurance benefits by showing proof of similar coverage through another source. Notwithstanding the foregoing an employee may request a waiver from this requirement from the City identifying the specific reason for the request.
- c. The City will not contribute funds to any insurance benefit that is not provided by the City.
- d. During authorized leave of absence with pay, the coverage shall be continued. Employees will be responsible for paying their own health, life and dental insurance while on approved leave of absence without pay in excess of one week unless on approved FMLA or military leave.

6.17 COBRA

Federal law requires continuation of health benefit coverage for a specified period of time for team members and dependents when any of the qualifying events occur, as described below:

- A covered team member's separation of employment for any reason other than gross misconduct;
- Reduction of work hours to fewer than the number required for participation;
- A covered team member's death;
- A covered team member's divorce or legal separation from the spouse (COBRA is then offered to the spouse and dependent children, if any);
- A covered team member's entitlement to Medicare under the Title XVIII of Social Security;
- A covered child's loss of dependent status under the plan.

In general, the period of coverage is 18 months, although this may be extended in specific situations. Other rules defining COBRA, period of coverage, etc., are defined in the health plan Certificate of Coverage. The qualifying event will coincide with the last day the team member actively worked. If you or your eligible dependents elect to continue as members of the City's Plans, you will be charged the full premium charged to the City by our carriers plus an additional 2 percent. The premium is subject to change if the rates charged to the City's increase or decrease.

If you would like additional information regarding COBRA, please contact the Human Resources Department. Alternatively, to COBRA, coverage may be available to the team member and eligible dependents or spouse through the Health Insurance Marketplace. The City provides each eligible team member with a written notice describing rights

granted under COBRA when the team member becomes eligible for coverage under the City's health plan.

6.18 Retirement Plan

All qualified regular City employees shall be members of the Missouri Local Government Employee Retirement System (LAGERS).

6.19 Traveling/Training Expense Reimbursement Policy

6.20.1 Purpose

The purpose of this policy is to establish a uniform procedure for reimbursing City officials, officers and employees for travel and related expenses incurred while carrying out official duties, conducting City business, or attending professional conferences and training courses.

All employees need to have prior approval for travel from their immediate supervisor and the City administrator.

6.20.2 Definitions

"Expenses" shall refer only to expenses actually and necessarily incurred in the performance of the official business of the City.

"Employee" shall include all persons employed by the City and all elected and appointed officials of the City, including members of the Board of Aldermen and all Boards and Commissions of the City when such members are acting in their official capacity.

6.20.3 Allowable Expenses

Expenses for which an employee may receive a travel advance or reimbursement when traveling as an official representative of the City shall include:

- a. Transportation - The mode of transportation should be selected based on the distance, costs, time involved and the purpose of the trip. Before a travel expense may be reimbursable, the method of travel must be pre-approved by an employee's Supervisor. Whenever practicable, the least expensive form of transportation should be used. If a city vehicle is available and the employee decides to take their own vehicle, the city will not pay for mileage. Air transportation expenses must be supported by documentation, which reflects the destination, dates of travel and cost. Mileage for personal owned vehicles will be paid at the current year Internal Revenue Service Standard Mileage Rates as published.

The employee, with prior approval, may use his/her personal vehicle in lieu of air transportation. The employee will either receive: (1) the “cash equivalent” for use of his/her personal vehicle; the “cash equivalent” will be based on the lowest airfare in effect 30 days prior to the employee’s departure date; or (2) will be reimbursed at the mileage rate established annually by the City Administrator, whichever is less. The City will consider mileage to be from city hall to the destination (and back) based on the shortest route.

The City is not liable for damage to an employees’ private/personal vehicle that is used for city business.

The rental of a vehicle from a private agency will be reimbursed if it is necessary, justified, approved in advance and is used for a specific period of time (when neither City nor personal vehicle is used). Employees are expected to rent the smallest sized vehicle to meet their needs and they will not be reimbursed for personal use, i.e., sightseeing. The City’s insurance policy will cover the employee’s liability and collision in a rental vehicle provided the City rents the vehicle. Most major agencies do not require additional coverage or deposits; therefore, this expense will not be reimbursed.

The use of buses, limousines or taxis should be governed by the local ground transportation available between the airport and the hotel/motel and the most economical cost and/or availability. Receipts should be obtained for these charges. Tips for taxi drivers, baggage handlers, etc., for a reasonable and customary amount, should be reported separately.

- b. Lodging- It is expected that all employees will endeavor to return to their permanent residence as soon as possible after the conclusion of the conference, business meeting or other approved trip. On one-day trips or at the conclusion of a longer trip, lodging will be reimbursed only in connection with travel, which would preclude the employee from arriving home before 10 p.m.

Employees shall stay in a hotel/motel, which is reasonably close and convenient to the place where the conference, business meeting or seminar is held, and such accommodations will be modestly priced for the local market. If possible, the lodging costs should be billed directly to the City or reserved by the use of the City’s credit card. If this is not acceptable, then the costs should be paid directly to the vendor by having the Finance Department issue a check prior to the employee’s departure. Lodging costs will be based at the “one person, one bed” rate and must be supported by receipts. The individual shall pay any additional charges due to a guest, such as a spouse, staying in the room. Whenever available, the lower government rate or conference rate must be used.

- c. Meals - The cost of all meals while on official City business will be reimbursed to a maximum established by the U.S. General Services Administration (GSA).

It is expected that employees will exercise good judgment when dining and such meals should generally meet the same standards as if the employee were bearing the cost. All meal costs must be supported by itemized receipts. The employee will not be reimbursed for any alcoholic beverages.

For travel beyond the local area (i.e., greater than a 50-mile radius from Harrisonville), reimbursement will be made on the following basis: (1) When travel commences before 7:00 am, breakfast will be reimbursed; (2) When travel extends over the period 12 noon to 1:30 p.m., lunch will be reimbursed; and (3) When travel ends after 6:00 p.m., dinner will be reimbursed.

When deemed appropriate by the Supervisor, meal costs for local training may be eligible for reimbursement but must be approved by the City Administrator prior to incurring the expense.

- d. Registration Costs - Conference registration costs will be paid directly to the sponsoring institution. The request for payment submitted to the Finance Department should include a copy of the completed registration form. Pre-registration is required whenever possible, especially if this results in a reduced rate. Cancellations are to be made as soon as possible in order to obtain the maximum refund. Entertainment type activities that are included as additional registration fees are the individual's responsibility.
- e. Other Reimbursable Expenses – All communication costs occurred during the travel that are necessary for City purposes are reimbursable (i.e. internet cost) but may need prior approval.

Parking and toll fees for business activities - receipt required; fuel when driving a city vehicle - receipt required; car washes in a reasonable amount; laundry for extended leaves lasting longer than five days - receipt required; valet parking - receipt required; money orders or travelers checks purchases - receipt required.

- f. Miscellaneous – The reimbursement of expenses not discussed herein, or not approved prior to being incurred will be at the sole discretion of the City Administrator.

6.20 Travel Time Compensation

The City will compensate an employee for travel time in accordance with the Fair Labor Standards Act.

6.21 Vacation Combined with Official City Travel

Employees wishing to combine a vacation by private vehicle with business or conference trip must have their Supervisor's approval, or where appropriate, the City Administrator's approval.

6.22 Travel Advances

Travel advances should be limited to those items which cannot be prepaid, such as meal costs, transportation costs and for projected expenses which would pose a financial burden to the employee. Requests for travel advances must be approved by the Supervisor and submitted to the Finance Department. The Finance Department may then advance payment of projected expenses if the projected expenses to be incurred by particular employees would pose a financial burden on such employees. If such advance is authorized, then the voucher for the expenses actually and necessarily incurred and the balance of the advance remaining (if any) shall be submitted to the Finance Department according to the procedure established herein for expense reimbursement. Employees shall not be given a travel advance unless all prior travel expense vouchers have been submitted and approved.

6.23 Procedure

Any employee incurring an expense and seeking reimbursement shall prepare, on a form provided by the Finance Department, a voucher of such expenses which has been certified by the employee as being true and accurate. The voucher shall be submitted to the Supervisor for review and approval, unless otherwise provided herein. The employee shall be reimbursed only for those expenses, which have been properly incurred. The City Administrator shall submit his/her vouchers to the Mayor for approval.

The City Administrator shall approve all Travel Expense Reports.

Each Supervisor shall be responsible for ensuring that expenses incurred for travel and training by employees under his/her supervision are essential to their functions and expenses are reasonable and justified. In order to maintain cost control, the Supervisor shall approve, in advance, each proposed trip or activity; review and approve all expenses reported for reimbursement in accordance with the specific provisions outlined below; and review and evaluate these expenses as a guide for future authorization.

The City reserves the right to perform an audit of any expenses submitted by an employee for reimbursement. The Finance Department has the responsibility for performing such audits from time to time. Any findings of misrepresentation will be forwarded to the City Administrator and Supervisor for appropriate action.

It is the responsibility of the Finance Manager or his/her designee to ensure full compliance by all employees with the procedures set forth in this policy; have all expense reports reviewed for mathematical accuracy, required receipts and authorized approval; review reported expenses for reasonableness and to make inquiries as deemed appropriate; and return all expense reports that are not in compliance with this policy or that require additional documentation, to the responsible individual for appropriate action/response.

Employees are required to submit vouchers and any other expense reports within five (5) days of the completion of any business trip or activity along with a copy of the conference agenda or class agenda.

6.24 City-Owned Vehicles

If a City vehicle is available for the purpose of conducting official City business the employee is required to use that vehicle. Employees may be permitted by a Dept. Head to use a private vehicle for conducting official City business if a City vehicle is not assigned or available in their department. All employees who drive City vehicles or personal vehicles on City business, are expected to exercise due diligence in driving safely and adhere to all local, state, and federal laws, as well as this Personnel Policy. Specifically, users of City vehicles must comply with the following:

- 6.24.1 Any person operating a vehicle on official City business must obey all applicable local, state, and federal laws relating to the lawful operation of a motor vehicle, including the use of seat belts.
- 6.24.2 Ensure the security of all vehicles and contents of vehicles. Keys must be removed from the vehicle while not in use and the vehicle locked. Any confidential documentation or information contained in the vehicle must be removed and secured as well. Employees must immediately report any accident, theft or malicious damage involving a City vehicle to their supervisor or Department Head, regardless of the extent of damage or lack of injuries. The supervisor or Department Head will be responsible for reporting the incident to the City Administrator.
- 6.24.3 Cell phone use is prohibited (phone, text, or any other available service) while operating a City vehicle or while operating any vehicle while on City business unless safely pulled off the road in a parked fashion.
- 6.24.4 The City Administrator or Department Head must provide prior approval before a City vehicle may be used. Individuals are required to inform their supervisor or Department Head of anything that may affect either their legal or physical ability to drive or their continued insurability.

- 6.24.5 Employees who drive a personal vehicle on City business must, in addition to meeting eligibility requirements previously mentioned in this policy, carry liability insurance and ensure that their personal vehicles meet all state and legal standards for maintenance and drivability. The City does not provide primary automobile insurance for personal vehicles. Employees are also responsible for any driving infractions or fines as a result of their driving.
- 6.24.6 Only employees and other individuals directly involved in the conduct of City business shall be permitted to ride in a City-owned vehicle. In certain situations, with the approval of the City Administrator, exceptions to this policy may be made for law enforcement. Under no circumstances may anyone other than an authorized City employee be allowed to operate a City-owned vehicle.
- 6.24.7 Any traffic violation, parking ticket, or other fine or violation will be the sole responsibility of the employee.
- 6.24.8 The City reserves the right to review annually or anytime deemed necessary the Motor Vehicle Record of any employee authorized to operate a City vehicle or a personal vehicle while conducting City business.
- 6.24.9 All City-owned vehicles except those used by the police department and City Administrator, Public Works Director, and Emergency Services Director will be left at their "base" location after hours and during weekends. Exceptions may be approved by the City Administrator if necessary.
- 6.24.10 Vehicles are not to be taken out of the City limits unless on official City business or as approved by the Supervisor or City Administrator.
- 6.24.11 All City-owned vehicles are to be maintained at the highest level of cleanliness and appearance. The assigned driver is responsible for regular interior and exterior cleaning, which should be done on their personal time and at their personal expense. A cursory vehicle check should be performed to monitor maintenance issues prior to driving each day.
- 6.24.12 All Company Vehicles are assigned a WEX fuel card. All Assigned and Authorized Drivers are issued a unique pin number to verify use of card. Depending on your position or level, you may be issued a fuel cap on a monthly basis.
- Pool vehicle pin
 - Assigned vehicle is assigned a card

6.25 Longevity Pay

The City would like to congratulate and honor regular full-time employees that have served an extended amount of time with the City. After ten years of service, the City employee will receive \$400 a year. After fifteen years, an employee will receive \$600 a year. After twenty years, \$800 a year will be received and after twenty-five years or more \$1,000 a year. For the determination of Longevity Pay, years of service shall be determined on the anniversary of an employee's appointment date to a full-time position. Longevity payments will be received annually with the first payroll of December. The Longevity payment received in December will reflect the number of years of service achieved during the calendar year. Should an eligible employee leave the City's employment after the anniversary of their appointment date to a full-time position but prior to the first payroll in December, the employee will receive their longevity pay with the final payroll check.

Additionally, in recognition of continuous and faithful years of service, employees will be recognized with a certificate of appreciation and will be given the opportunity to order a gift. The cost of the gift is determined by years of service as follows:

- 6.25.1 Ten (10) years of service \$30
- 6.25.2 Fifteen (15) years of service \$40
- 6.25.3 Twenty (20) years' service \$50
- 6.25.4 Twenty (25) years of service \$60
- 6.25.5 Thirty (30) years of service or more \$75

6.26 Tuition Assistance

It is the policy of the City to encourage employees to increase their education as it relates to their job responsibilities with the City. This policy sets out the guidelines for reimbursement of tuition expenses incurred by employees.

Any regular employee who wants to take an educational course or courses that pertain to his or her employment with the City may apply for tuition reimbursement, subject to the following conditions.

- 6.26.1 The educational course must relate to the employee's employment with the City. The city reserves the right to determine the value and relevance of the requested course to the employee's employment with the City.
- 6.26.2 The educational course must be approved in advance by the employee's department director and the City Administrator.

- 6.26.3 Reimbursement will be made up to \$1,500 for any one employee in any one calendar year.
- 6.26.4 The educational course must be given by an accredited degree-program college or university.
- 6.26.5 Reimbursement of tuition expenses will be made only upon completion of the course with a grade of “C” or better. Books, lab fees and other expenses are not reimbursable.
- 6.26.6 Reimbursement will be made only for tuition expenses actually paid by the employee. Tuition paid by grants, scholarships, military education programs, or other sources of funding which the employee is not required to repay will not be reimbursed.
- 6.26.7 The request for reimbursement must be made on a form provided by the City, which will include an agreement by the employee to reimburse the City the tuition expenses paid by the City should the employee separate from employment with the City for any reason at any time within twelve months from the date of completion of the course. Said form will also include the employee’s consent to withholding of monies from the employee’s final paycheck to be applied to the tuition reimbursement.
- 6.26.8 Any deviation of this policy would require a contractual agreement approved by the City Administrator.

SECTION 7

HOURS OF WORK AND LEAVE7.1 Hours of Work

The regular hours of work for regular employees of all City departments, shall be as follows:

	Hours in Work Period	Days in Work Period
Office, Public Works, Parks, Animal Control, Dispatchers	80	14
Emergency Services (Fire/EMS)	24-hour shifts, 96 or 120, or 144 hours	14mon
Police	84	14

7.1.1 Lunch Period

Each general employee will take a one-hour lunch period during his/her shift. Each emergency service department employee shall take lunch periods in accordance with department policy.

7.2 Attendance

Regular attendance and punctuality is required of all City employees. Absenteeism and tardiness place a burden on other employees and may delay citizens in the transaction of business with the City.

Any employee who is unable to report to work as scheduled, must advise his Supervisor as soon as practicable. You must provide an honest explanation for your delay or absence. Employees are expected to call each day of an absence, unless another arrangement (for example, it is known in advance that you will be gone two days) has been specifically established. Paid time off will be used for all unscheduled time off, unpaid days will only be allowed once PTO is exhausted.

An employee who fails to observe attendance requirements or procedures for recording and reporting of attendance may be subject to disciplinary action up to and including termination of employment.

Supervisors may authorize time off. Each Supervisor shall monitor employee attendance records, which shall be reported to the payroll department by 10:00 a.m. on Mondays. If Monday is a holiday, Supervisors shall submit the records to payroll the next regular workday by 10:00 a.m. A leave request shall be prepared and approved in advance and forwarded to the payroll department by the Supervisors for the affected employee.F.

7.3 Holidays

7.3.1 General Provisions

All regular employees (whose shifts are less than 24 hours) shall receive normal compensation for twelve (13) legal holidays listed in this section, provided the employee works the last regularly scheduled workday prior to and following the recognized holiday. With regard to holiday pay, the utilization of accrued leave or jury duty will be considered time worked, though proof of incapacity or sick leave may be required by the Supervisor and the City Administrator.

The twelve City holidays are:

New Year's Day	Columbus Day
Martin Luther King, Jr Day	Veteran's Day
President's Day	Thanksgiving Day
Spring Holiday	Day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	Christmas Hoiday
Labor Day	

Whenever one of the designated holidays falls on Sunday, the following Monday shall be observed as the holiday: whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday. Temporary, part-time, seasonal and reserve employees are not eligible for holiday pay. Regular part-time employees will receive holiday pay in proportion to their part-time schedule if the holiday falls on their regular scheduled workday.

The schedules for the two Christmas Holidays are as follows:

<u>If Christmas is on:</u>	<u>Days Off Are:</u>
Sunday	Monday and Tuesday
Monday	Monday and Tuesday
Tuesday	Monday and Tuesday
Wednesday	Tuesday and Wednesday
Thursday	Thursday and Friday
Friday	Thursday and Friday
Saturday	Thursday and Friday

7.3.2 Employees Required to Work on Holidays

Employees who are required to work a scheduled holiday will be compensated for that holiday within the pay period it occurs.

7.4 Paid Time Off

7.4.1 Generally

Full-time employees are eligible for Paid Time Off (PTO), as long as they are in good standing with the City. Employees on unpaid suspension and/or personal/medical leave do not earn PTO leave during the period of unpaid suspension or paid or unpaid leave.

PTO time cannot be taken in advance of being earned.

PTO is calculated according to our City's fiscal year, which begins January 1 and ends December 31.

7.4.2 Eligibility

Payroll/Benefits will inform you of the amount of PTO and the date on which you become eligible. Thereafter, you receive PTO as follows:

Years of Employment (as of 01/01)	Hours Earned (per pay period)	Hours Earned (annually)	Police Sworn & Fire 24 Hour (Hours Earned Per Pay Period)		Police Sworn & Fire 24 Hour (Hours Earned Per Pay Period)	
			P. S.	Fire	P.S.	Fire
0-5	7.5	195	8.0	10.77	208	280.02
6-10	8.5	221	9.2	12.93	239.20	336.10
11-15	9.0	234	9.5	13.	247	338
16-20	10.5	273	11.0	15	286	390
21-24	12.0	312	12.5	15.2	325	395.2
25 +	13.5	351	14.0	16	364	416

7.4.3 Procedure

Submit PTO requests in writing at least twenty-four hours in advance to your supervisor. When possible, PTO requests are granted, taking into account operating requirements. Length of employment may determine priority in scheduling PTO times.

PTO can be used as vacation time, sick time or to take care of personal matters. Pay is not granted in lieu of taking the actual time off. However, unused PTO time can be carried over to the following year. Up to a maximum of 380 hours of PTO scheduled may be used each fiscal year and 100 hours unscheduled PTO may be used in each fiscal

year. Once the 100-hour benchmark has been met documentation will be required thereafter. Corrective action up to and including termination, may be taken.

No more than ten (10) days of PTO can be taken at one time without City Administrator or his/ her designee approval. PTO should be taken in blocks of a minimum of one-hour increments.

Eligible employees who provide at least two (2) weeks' advance notice of their resignation will be paid for accrued but unused PTO according to the years of service chart, unless state law dictates otherwise. All other employees will not be paid for accrued but unused PTO upon discharge.

Years of Service at Separation	Maximum Dollars Allowed
1-5	\$2,500
6-10	\$3,500
11-15	\$5,000
16-20	\$7,500
21-24	\$10,000
25+	\$15,000

These maximums are calculated as follows:

*Carry over balance at the end of the fiscal year - Hours used through final day of employment
+ PTO earned through last day of complete month of employment*

7.4.4 Holidays Observed During Scheduled PTO

Said holiday shall be counted as a holiday and not a PTO day.

7.4.5 Effect of Employee's Termination

Employees who are separated from the City service shall be compensated for PTO time accrued up to the date of separation, to the maximum dollars allowed stated in Section 7.4.3 . will only be given to those employees who provide two (2) weeks written notification. This requirement may be waived at the sole discretion of the City Administrator. This compensation will be at the employee's pay rate upto the maximum allowed.. The City Administrator shall deduct from any ordinary PTO pay any sums which such employee may owe to the City, and such employee shall be entitled to receive only the amount of such PTO pay, less the amount of such deduction.

7.4.6 Pay in Lieu of PTO

Pay in lieu of PTO will only be granted when the Supervisor and City Administrator affirm that the employee cannot take PTO without jeopardizing the City's services.

7.4.7 Absence Verification

When absence is for three (3) consecutive work days or more, or for more than one 24-hour shift, the employee will be required, before returning to work, to file a written statement by a physician certifying that the employee's condition prevented him/her from appearing for work. Or, in the case of caring for a child, spouse, or parent, that the employee was needed to care for the child, spouse, or parent. The employee will provide verification of absence to his/her Supervisor by the start of their regular workday.

7.4.8 Sick Leave/PTO Donation Policy.

The policy has been suspended until it can be reviewed for taxing consideration.

7.5 Family and Medical Leave Act/Military Family Leave

Rights and Responsibilities

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; * and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

FMLA Posting

In accordance with federal law, The City will post a notice summarizing the main provision of the FMLA including enforcement of the law. To view the notice online go to: <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>

** Questions regarding an employee's eligibility for family and medical leave should be directed to the Human Resources Department. Because the Family and Medical Leave Act is extensive, and not all portions are reproduced in this handbook, if you believe that your leave may qualify under the Family and Medical Leave Act, please seek the assistance of the Human Resources Department for information.

7.9 Lactation/ Breastfeeding

For up to one (1) year after a child's birth, any team member who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. Breaks of more than twenty (20) minutes in length will be unpaid, and the team member should indicate this break period on her time record. Nursing mothers wishing to use the designated room must request/reserve the room by contacting the Human Resources Department. Additional rules for use of the room are posted in the room. Any breast milk stored in the refrigerator must be labeled with the name of the team member and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of in our regular cleaning process. Individuals storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering.

7.10 Military Leave

The City supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the Human Resources department and his or her supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the

prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

7.6 Use of Paid Leave

Employees are required to exhaust all accrued compensatory time and PTO. prior to receiving unpaid leave. In other words, employees are required to utilize their accrued leave concurrently with their unpaid leave. Once an employee has exhausted his/her accrued compensatory time, and .PTO, the remainder of the employee's FMLA leave will be unpaid.

7.7 Notification/Certification

There are both notification and certification requirements for both family and medical and military family leave. An employee should consult the Human Resource Personnel with regard to the specific requirements applicable to the type of leave sought. Inquiries brought to a supervisor or Department Head regarding FMLA, including eligibility, notification and/or required certification, should be brought to the attention of the Human Resource Personnel.

7.8 Benefit Coverage During Leave

During a period of family and medical leave, an employee will be retained on the City 's health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before leaving. Failure of any employee to pay his or her share of the health insurance premium may result in loss of coverage. The employee shall contact the Human Resources Department to discuss payment procedures for health insurance and other payroll deductions.

If the employee fails to return to work after the expiration of the family leave, the employee will be required to reimburse the City of Harrisonville for payment of health insurance premiums during the family leave, unless:

- (1) the employee utilized accrued leave during his/her absence or;
- (2) circumstances beyond the employee's control;
- (3) the employee does not return due to the continuation, recurrence or onset of a serious health condition of the employee or the employee's family member which would otherwise entitle the employee to FMLA leave.

Accruable time (i.e., sick leave, PTO, personal, holiday) shall discontinue accruing and all the benefits, excluding health insurance (which shall be paid for 12 weeks), shall

discontinue being paid by the City when an employee on family leave exceeds one month of unpaid leave. An employee who takes family and medical leave will not lose any seniority or employment benefits that accrued before the date leave began (excluding accrued time substituted for family and medical leave).

7.9 Extending Leave

If an employee, who is on Family and Medical Leave, sees that he or she is going to have to extend the length of his/her absence from work due to continuation, recurrence or onset of his or her own serious health condition, or of the serious health condition of the employee's spouse, child or parent, he/she must submit a request for extension, in writing, to the employee's immediate supervisor and the City's Human Resources Department. This written request should be made as soon as the employee realizes that he or she will not be able to return at the expiration of the leave period. A medical certification, of the need to extend the leave has to be provided by a health care provider.

7.10 Return from Leave

An employee must complete a "Notice of Intention to Return from Leave" before he or she can be returned to active status. If an employee wishes to return to work prior to the expiration of a family and medical leave of absence, notification must be given to the employee's supervisor and the City's Human Resources Department at least five (5) working days prior to the Employee's planned return.

7.11 Restoration to Employment:

An employee eligible for leave under the Family Medical Leave Act will be restored to his or her old position or equivalent position.

An employee who fraudulently obtains family or medical leave from the City of Harrisonville is not protected by the Family and Medical Leave Act for job restoration or maintenance of health benefit provisions.

7.12 Failure to Return from Leave:

The failure of an employee to return to work upon the expiration of a family and medical leave of absence will subject the employee to immediate termination unless an extension is granted as soon as possible.

7.13 Time off to Vote

In accordance with state law, The City will allow up to three (3) hours paid time off from work to vote in local, state or national elections in the unlikely event the team member cannot reach their polling place outside of work hours. This time must be requested in advance and scheduled with your supervisor. A voter's receipt will be required upon your return to work.

7.14 Volunteer Firefighter Job Protection Act

Employee will be provided unpaid time off to perform duties as a volunteer firefighter, MO-I Disaster Medical Assistance Team, MO Task Force One, Urban Search, Rescue Team and FEMA. When possible, employees should provide advance written notice to the City Administrator for such service. In addition to the written notice, a certification should be provided at the end of leave and include the date and time that the emergency was responded to. This leave does not run concurrently with other leave laws.

7.15 United States Coast Guard Auxiliary Leave

Any employee who is or may become a member of the United States Coast Guard Auxiliary is eligible for this leave during the periods in which the employee is required to engage in US Coast Guard or US Coast Guard Auxiliary duties.

An employee is entitled to 15 working days of leave within a calendar year. However, the time limit does not apply when the employee is responding to a state or national emergency declared:

- Within Missouri.
- On a navigable waterway in or adjacent to Missouri.

The 15 days of leave allowed by this law include time for travel related to the Coast Guard duties for which the employee is taking leave.

The City may request that the employee be exempted from responding to a specific mission, which must be honored by the employee's supervising Director of Auxiliary or other Coast Guard authority. This leave does not run concurrently with other leave law.

7.16 Civil Air Patrol Leave

Any employee who has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counter narcotics missions will be granted a leave of absence to perform Civil Air Patrol emergency service duty or counter narcotics missions. Such leave may not exceed 15 working days in any calendar year. However, his time limit does not apply when the employee is responding to a state or national emergency in Missouri. This leave does not run concurrently with other leave law.

7.17 Witness and Crime Victim Leave

Under Missouri law, eligible employees may take time off from work to comply with a criminal proceeding by honoring a subpoena to testify; attending the proceeding; or participating in the preparation for the proceeding.

Employees are eligible for time off under this policy if they are: (1) the victim of a crime, (2) a witness of a crime, (3) an immediate family member of the victim of a crime. An immediate family member is defined as a spouse, child, sibling, parent or grandparent, or legal guardian. When possible, employees should provide advance written notice to the President for such compliance. This leave will not run concurrently with other leave law. The City will not retaliate when responding to such proceedings nor require the use of PTO or sick leave.

7.18 Modified Duty

7.18.1 Policy Statement

It is the policy of the City, when possible, to modify work assignments for a limited period to assist employees who are temporarily restricted from performing their regularly assigned duties due to an on-the-job injury. (Note: This policy should not be construed as recognition that an employee has a disability as defined by the Americans with Disabilities Act (ADA) of 1990 or any subsequent revision.)

7.19 Scope

This policy applies to all administrative, court, police, fire/EMS and public works employees.

7.20 Eligibility:

7.20.1 Temporarily unable to perform his/her essential duties, following an employment related injury or illness; and

7.20.2 Capable of carrying out work of a modified nature from his/her regular duties and is expected to return to his/her regular duties within 90 calendar days.

7.21 Process

7.21.1 Once notified of an on-the-job injury or illness, the department shall contact Human Resources who shall inform the employee in writing of the Modified Duty program.

7.21.2 The employee must be seen and evaluated by his/her physician to determine if the employee is able to return to work, and if so, with or without restrictions. At the time of the evaluation, the employee must inform the physician of the availability of Modified Duty.

7.21.3 When the employee is able to return to work with restrictions, the employee's physician shall submit his/her evaluation form, indicating the specific restrictions,

and the duration of those restrictions. Clarification regarding temporary restrictions may be requested of the treating physician.

- 7.21.4 Taking into consideration the information provided by the physician, the employee's department, in consultation with the city administrator, will determine if a temporary Modified Duty assignment can be offered. It should be understood there may be instances in which the city will not be able to offer a Modified Duty assignment. If the employee's regular department is unable to meet the employees need for Modified Duty, the employee's department is responsible for payment of the employee's salary and benefits while performing a Modified Duty position in a different department which has been able to meet the employees' need for Modified Duty.

7.22 Compensation

In most cases, there will not be an adjustment in the compensation of the employee that is placed in a Modified Duty position. However, the employee placed in a Modified Duty position will be paid a salary that is equivalent to the salary of other employees holding the same position. The salary and benefits of the employee will remain the responsibility of the original employing department, including during any period of temporary placement external to the department.

7.23 Offer of Modified Duties Position

Once the employee has been approved to participate in the Modified Duty Program, the city must provide a Modified Duty job offer letter. This letter shall include:

- a. The position offered.
- b. The location and duties of the position offered.
- c. The wages and work schedule of the position offered.
- d. The duration of the temporary work assignment.
- e. A statement that the department will only assign a position/ duty consistent with the employee's knowledge and skills, and will provide training if necessary.
- f. A statement acknowledging that the employer is knowledgeable about and will abide by the limitations under which the treating physician has authorized the return to work.

7.24 Refusal of Modified Duties Offer

An employee may choose to accept or refuse the Modified Duty job offer. However, an employee who refuses a Modified Duty job offer is subject to termination. Rejection of

the job offer might also result in cancellation of income benefits under Workers' Compensation Insurance.

7.25 Duration of Modified Duty

A Modified Duty offer will be extended for an initial period not to exceed ninety (90) calendar days. The duration of approved time will be based upon the information provided by the employee's physician. If the employee is unable to return to work at full duty after the initial approved time, he/she may request a continuation of Modified Duty not to exceed a total of 90 additional calendar days in a Modified Duty capacity. An employee requesting an extension of Modified Duty, beyond the originally approved amount of time shall submit documentation to the city from his/her treating physician. This document should include what limitations continue to exist and the probable duration of those limitations from the employee's physician.

7.26 End of Modified Duty

An employee who is unable to return to his/her regularly assigned duties at the end of the Modified Duty agreement may request a leave of absence through his/her department or may elect to terminate his/her employment with the city. Provided the employee has exhausted any entitlement under the Family and Medical Leave Act (FMLA), the department has the option to approve or deny the leave of absence request. If Leave Without Pay is denied, employment with the city will be terminated. If the employee believes that the condition is permanent, progressive, or chronic, the employee may pursue the Americans with Disabilities Act Accommodation Policy to determine if they are a qualified individual with a disability.

7.26.1 For Assistance:

The City Administrator or his/her designee is responsible for administering the Modified Duty Program in consultation with the employee's department. Questions regarding the Modified Duty Program should be directed to human resources.

7.26.2 Benefits While Disabled Due to On-the-Job Illness or Injury. During any approved disability leave of absence an employee will continue to earn PTO and sick leave as previously outlined. Additional employee benefits that are provided by the City and are in place at the beginning of the leave will continue as long as the employee is receiving Workman's Compensation benefits from the City. Accruable time (i.e., sick leave, PTO, personal, holiday) shall discontinue accruing and all the benefits, excluding health insurance (which shall be paid for 12 weeks) shall discontinue being paid by the City when an employee's leave exceeds one month of unpaid leave.

7.26.3 Effect upon Employee's Retirement. The provisions of Section 7 concerning the separation from the service of an employee for disability shall not be deemed, in any manner, to affect any right such employee may have to apply for, or receive, disability retirement or other retirement benefits to which such employee is entitled pursuant to the Local Government Employees' Retirement System.

7.26.4 Application for Disability Retirement. Any employee who is finally determined to be permanently disabled within the meaning of this Section 7 and who does not desire and who is not eligible for employment in a different position of the City service, and who formally applies for disability retirement pursuant to the Local Government Employees' Retirement System laws and regulations shall follow the requirements of LAGERS.

7.27 Bereavement Leave

An employee may be granted, by the City Administrator, up to twenty-four (24) hours of leave in the event of death of a member of the employee's immediate family. Eight (8) hours may be granted for the death of a member of the employee's extended family. Such leave shall not be deducted from the employee's sick leave or vacation leave.

7.28 Jury Duty

An employee shall be granted leave with pay during normal working hours for required jury duty or appearance in court as a witness as a result of performing their duties as an employee of the City or litigation involving the City. The check stub for any compensation for jury duty during the time when the employee would normally be working for the City shall be turned over to the Human Resources Department and the amount will be deducted from the employee's paycheck in the following period.

7.29 Approved Leave of Absence without Pay

Supervisors, with the approval of the City Administrator, may grant a regular full-time employee a leave of absence without pay not to exceed:

Work Period	Number of Hours
40 Hours and Police Dispatchers	160
Police Department Employees With 84 Hour Work Period	168
42.5 Hours	170
45 Hours	180
24 Hour Shifts	212

Leave without pay shall be granted only when it will not result in prejudice to the interest of the City. No leave without pay shall be granted except upon the written request of the employee and the approval of the Supervisor and the City Administrator. Upon expiration of a regularly

approved leave without pay, the employee may be reinstated in his/her former position or one of equal status and pay. Failure on the part of an employee on leave to report promptly at its expiration shall be considered to be a voluntary resignation. Employees granted leave of absence without pay in excess of 5 consecutive working days in a month shall not earn PTO . or accrue any other benefits or service time provided herein unless otherwise stated. Employees will be responsible for paying the full expense (employee and employer cost) of their own health, life and dental insurance while on approved leave of absence without pay in excess of five (5) days. For 24-hour shift employees this will be in excess of 48 hours. Employees on Leave of Absence without pay will not be paid for holidays.

7.30 Unapproved Absence

PTO or compensatory time leave must be approved forty-eight (48) hours prior to the date of leave. An employee who is absent from duty, including any absence for a single day or part of a day, without notice or prior authorization as provided by these rules shall be deemed to be on unapproved leave. Any such leave shall be without pay and the employee subject to disciplinary action, up to and including discharge.

7.31 Tardiness/Absence Due to Inclement Weather

Unless the Mayor or City Administrator declares otherwise, time off due to poor weather conditions will not be considered as special, compensable leave, but shall be treated as PTO, compensatory time and/or leave without pay.

7.32 Absence - Exempt Employees

In no event will an exempt employee lose pay for an absence of less than one day.

SECTION 8

SUBSTANCE ABUSE

8.1. Policy Statement

The City, in a positive effort to provide a healthy and safe working environment for all its employees and the citizens of this community, adopts the following policy. The City believes that use of controlled substances and misuse of alcohol by City employees is detrimental to the achievement of these goals.

In order to meet the goals of providing safe and efficient service and a safe and healthy workplace, the City is implementing this policy to prevent alcohol and controlled substance abuse by its employees. This City will not tolerate unauthorized use, abuse, possession or sale of controlled substances or misuse of alcohol by any of its employees, including part-time and seasonal employees. Drug and alcohol testing will be an integral part of the City's program.

It is the policy of the City of Harrisonville not to hire or continue the employment of any individual who violates this policy. The purpose of this policy is to clarify, for employees, conditions under which drug or alcohol screening may be required, the testing procedures to be utilized and the consequences of positive test results.

8.2. Purpose

The purpose of this policy is to assure worker fitness for duty and to protect our employees, and the public from the risks posed by the use of alcohol and prohibited drugs. This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug programs.

It should be noted that while this policy details the City's prohibition against the use of alcohol and drugs in the workplace, it is the position of the City that it would prefer to help, rather than punish, employees who abuse drugs and/or alcohol.

8.3. Safety-Sensitive Employees

Employees who perform safety-sensitive functions will be subject to random testing. The following is a list of City of Harrisonville's safety-sensitive functions:

- 8.3.1. Any employee required to obtain a Commercial Driver's License (CDL)
- 8.3.2. Public Safety Officers (Police, EMS, and Fire)
- 8.3.3. Communication Officers
- 8.3.4. Public Works Employees
- 8.3.5. Animal Control Officers

8.4. Application

This policy applies to all safety-sensitive and non-safety-sensitive employees, paid part-time employees, seasonal employees, and contractors when they are on City property in an official capacity or when performing any City related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Meetings and functions, which are primarily social in nature, are not defined as performance in an official capacity for the purpose of this policy. Visitors, vendors, and contractor employees are governed by this policy while on City premises and will not be permitted to conduct City business if found to be in violation of this policy.

8.5. Prohibited Substances

Prohibited substances addressed by this policy include the following:

- 8.5.1. Illegally Used Controlled Substances or Drugs: Federal regulations as outlined by the Department of Transportation identify illegal drugs and substances. This includes, but is not limited to: Marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the United States Drug Enforcement Administration or the United States Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.
- 8.5.2. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medication is not prohibited. However, the use of any substance which carries a warning label that indicates the mental functioning, motor skills, or judgment may be adversely affected should be reported to supervisory personnel and medical advice should be sought, as appropriate, before performing work-related duties.

A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance,

quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited.

- 8.5.3. Alcohol: The use of beverages containing alcohol or substances including any medication such that alcohol is present in the body while performing City business is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath-testing device.

8.6. Prohibited Conduct

- 8.6.1. Manufacture, Trafficking, Possession, and Use: Any employee engaging in manufacture, distribution, dispensing, possession, or use of prohibited substances on City premises, in City vehicles, in uniform, or while on City business will be subject to disciplinary action up to and including termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.
- 8.6.2. Intoxication/Under the Influence: Any employee who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or not fit for duty shall be suspended from job duties pending an investigation and verification of condition. Any employee found to be under the influence of prohibited substances or who fails to pass a drug or alcohol test shall be removed from duty and subject to disciplinary action, up to and including termination. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in federal regulations administered by the Department of Transportation.
- 8.6.3. Alcohol Use: No employee should report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol. No employee shall use alcohol while on duty. No employee shall have used alcohol within four hours of reporting for duty. No employee shall use alcohol during the hours that they are on compensated stand-by. Violation of these provisions is punishable by disciplinary action up to and including termination.

8.7. Employee Responsibilities

An employee must:

- 8.7.1. Not report to work or be subject to duty while his/her ability to perform job duties is impaired due to alcohol or drug use, on or off duty;
- 8.7.2. Not possess or use, or have the odor of alcohol or drugs on his/her breath during work hours, on breaks, during meal periods, while on City property in an official capacity, or while operating any City vehicle, while on City business, or while on compensated stand-by time;

- 8.7.3. Not directly or through a third party sell or provide drugs or alcohol to any person or to any other employee while either employee or both employees are on duty or on compensated stand-by;
- 8.7.4. Consent to and submit immediately to reasonable requests for alcohol and/or drug analysis when requested by a Supervisor and/or the City Administrator or their designee;
- 8.7.5. Notify his/her supervisor, before beginning work, when taking any medication or drugs, prescriptions or non-prescription, which may interfere with the safe and effective performance of job duties or operation of City equipment;
- 8.7.6. Provide within twenty-four (24) hours of request a current valid prescription for any drug or medication identified when a drug screen/analysis is positive. The prescription must be in the employee's name.
- 8.7.7. Notify the City of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

8.8. Supervisor Responsibilities and Guidelines

- 8.8.1. Generally, the City is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action up to and including termination.
- 8.8.2. Reasonable Suspicion Testing. Supervisors may request that an employee submit to a drug and/or alcohol analysis when a supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol. Reasonable suspicion is a belief based on objective and articulable facts sufficient to lead a reasonably prudent Supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform his/her job safely is reduced. For example, any of the following, alone or in combination, may constitute reasonable suspicion.
 - (a) Slurred Speech
 - (b) Alcohol on Breath
 - (c) Inability to walk a straight line
 - (d) An accident involving City property
 - (e) Physical Altercation
 - (f) Verbal Altercation
 - (g) Behavior which is so unusual that it warrants summoning a supervisor or anyone else with authority
 - (h) Use or possession of alcohol or drugs

- (i) Information on use or possession of alcohol and drugs provided either by a reliable and credible source or independently corroborated
- (j) Arrest or conviction for a substance abuse offense or being the subject of a criminal investigation into illegal drug possession, use, or trafficking

This list is not intended to be all inclusive of conduct that constitutes reasonable suspicion.

Drug/alcohol tests are required for employees whenever there is a pattern of on-duty accidents or an accident resulting in severe property damage or bodily injury.

Any supervisor who has a reasonable suspicion that an employee is impaired on the job by alcohol or other substance will, with the approval of the Supervisor and the City Administrator or his/her designee, immediately arrange for a substance screening. If a screening is required after normal business hours, the supervisor will make direct contact with the facility that has been designated to perform screenings for the City. The following procedures shall be followed:

- (a) The supervisor should document in writing the facts constituting reasonable suspicion that the employee in question is impaired on the job by alcohol or other substances.
- (b) Any supervisor requesting an employee to submit to a drug and/or alcohol analysis shall be responsible for the employee's transport to the City's designated facility where a drug and /or alcohol analysis will be performed.
- (c) Any supervisor encountering an employee who~~m~~ refuses to submit to a drug and/or alcohol analysis upon request shall remind the employee of the requirements and consequences of this policy. Such continued refusal will constitute grounds for termination.
- (d) Supervisors shall not physically search employees, nor should they search the personal possessions of employees without sufficient reasons to suspect wrongdoing as well as the freely given consent of, and in the presence of the employee.
- (e) Supervisors shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession or in an area not jointly or fully controlled by the City.
- (f) Supervisors shall not confiscate, without consent, prescription drugs or medication from an employee.

8.8.3. Post-Accident Testing. Supervisors must produce employees for post-accident drug and alcohol testing within two hours of the accident or explain in writing why

the employee was not produced. The employee may be given necessary medical treatment and if such treatment prevents normal drug and alcohol testing, the supervisor shall immediately inform the Human Resources Department.

8.8.4. Other Required Testing. Whenever drug or alcohol tests are required under this policy, supervisors must produce the employee for those tests, and when current impairment is reasonably suspected, the supervisor shall not allow the employee to drive.

8.8.5. Documentation. Observations supporting a supervisor's reasonable suspicion of drug or alcohol use must be made just before, during or after the employee performs his/her job. These observations must be reduced to writing within twenty-four (24) hours of the observation.

Whenever drug or alcohol tests are required by this policy and the employee is not tested within eight (8) hours of notice of the need to test, the supervisor shall explain in writing why the test or tests were not performed.

8.8.6. Confidentiality. Supervisors are responsible for maintaining the confidentiality of all substance abuse issues.

8.9. Results of Drug and/or Alcohol Analysis

Upon a negative result, the employee shall return to work.

If the test is confirmed positive, the employee will then be given the opportunity, at the employee's expense, to have a second screen using a different technique given on the same sample pursuant to Paragraph 8.11.7, Employee Requested Testing. If the second screen shows a negative result, it will be assumed that the individual is not under the influence of or impaired by alcohol or drugs, and the employee shall return to work. If negative, the City will reimburse the employee for the expense of the second screen.

If all tests indicate a positive result, the employee must submit to evaluation by a Substance Abuse Professional. In addition, the employee is subject to disciplinary action up to and including termination. If the City determines not to terminate the employment of the employee, the employee may be required to participate in and complete a rehabilitation program recommended by the Substance Abuse Professional at the employee's expense.

8.10. Testing for Prohibited Substances

8.10.1. General Procedures. Analytical urine drug testing and breath testing for alcohol may be conducted when circumstances warrant or as required by federal regulations. All employees shall be subject to testing prior to employment, for reasonable suspicion, and following an accident. In addition, all employees will be tested prior to and after return-to-duty after failing a drug test and/or completion of rehabilitation treatment. Those employees who perform safety-sensitive

functions as defined in this policy shall also be subject to testing on a random, unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U. S. Department of Health and Human Services (DHHS).

The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine. An initial drug screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts present are above the minimum thresholds established in federal regulations administered by the Department of Transportation.

Tests for alcohol concentration will be conducted utilizing a National Highway Safety Administration (NHTSA) approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. An employee who has a confirmed alcohol concentration greater than 0.02 but less than 0.04 will result in removal from his/her position for twenty-four (24) hours unless a re-test results in a concentration measure of less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy.

Any employee who has a confirmed positive drug or alcohol test will be removed from his/her position, informed of educational and rehabilitation programs available, and evaluated by a Substance Abuse Professional (SAP). A positive drug and/or alcohol test will also result in disciplinary action up to and including termination.

The City of Harrisonville affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process.

- 8.10.2. Post Offer Pre-Employment Testing: all applicants, to whom an offer of employment has been made, including part-time and seasonal, shall undergo urine drug testing and alcohol testing prior to employment. Receipt by the City of satisfactory test results is required prior to employment and failure of a drug or alcohol test will disqualify an applicant for employment for a period of 120 days. Evidence of the absence of drug and alcohol dependency from a Substance Abuse Professional (SAP) and negative drug and alcohol tests will be required prior to further consideration for employment.
- 8.10.3. Reasonable Suspicion Testing: All employees may be subject to reasonable suspicion testing to include appropriate urine and/or breathe testing when there are reasons to believe that drug or alcohol use is adversely affecting job

performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the long or short-term effects of substance abuse. Examples of reasonable suspicion include (See also Section X, Paragraph I), but are not limited to the following:

- a. Adequate documentation of unsatisfactory work performance or on-the-job behavior
- b. Physical signs and symptoms consistent with prohibited substance use
- c. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.
- d. Occurrence of a serious or potentially serious accident that may have been caused by human error.
- e. Fights (to mean physical contact), assaults, and flagrant disregard for violations of established safety, security, or other operating procedures.

8.10.4. Post-Accident Testing: Employees will be required to undergo urine and breathe testing if they are involved in an accident with a City vehicle. This includes all employees who are on-duty in the vehicles and any other employee whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; and/or one or more vehicles incurs substantial damage, and/or the employee receives a citation under state or local law for a moving traffic violation arising from the accident, or evidence that the employee has previously tampered with a previous drug test.

Following an accident, the employee will be tested as soon as possible, but not to exceed eight (8) hours after the accident for alcohol and drug testing. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. Employees under this provision will include not only the operations personnel, but also any other covered employees whose performance could have contributed to the accident.

8.10.5. Random Testing: Employees in safety-sensitive positions will be subjected to random, unannounced testing. Employees will be randomly selected for testing from a pool of employee's subject to testing. Each employee will have an equal chance of being tested more than once. The testing dates and times will be unannounced and will be conducted throughout the year.

Each year, the number of random tests conducted by the City must equal at least 50% of all the safety-sensitive employees or other percentage as required by the federal regulations.

- 8.10.6. Return-to-Duty Testing: All employees who previously tested positive on a drug or alcohol test must test negative and be evaluated and released to duty by the Substance Abuse Professional before returning to work. Employees will be required to undergo frequent unannounced random urine and breath testing during the period of their re-entry statement of conditions. The Department of Transportation requires at least six (6) tests within the first twelve (12) months and the return-to-duty testing can be as long as sixty months.
- 8.10.7. Employee Requested Testing: Any employee who questions the results of a required drug test under this policy may request an additional test be conducted. This must be conducted at a different testing DHHS-certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. The employee pays all costs for such testing unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in federal regulations administered by the Department of Transportation. The employee's request for a re-test must be made to the Medical Review Officer (MRO) within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documented facts that were beyond the control of the employee and the split sample remains available.
- 8.11. Medical Review Officer. The City will employ a Medical Review Officer (MRO) to review the drug test results. The MRO shall be a licensed physician with knowledge of drug abuse disorders. Only the MRO may review and interpret each positive drug test and after discussing with the employee, report the results to the City.
- 8.12. Return to Work; Drug Test: In order to recommend return to work after a positive drug test, the MRO shall ensure the employee has subsequently tested drug free, the employee has been evaluated by a Substance Abuse Professional, and the employee is in compliance with rehabilitation conditions.
- The MRO shall determine whether and when a return to duty recommendation shall be made for an employee who has failed a drug test or refused to be tested and shall determine the schedule for return to work drug testing.
- 8.13. Substance Abuse Professional. The City will also employ a Substance Abuse Professional (SAP). The SAP shall be a licensed physician (M.D. or D.O.), or a licensed psychologist, social worker, employee assistance professional or addiction counselor (certified by MHADACCC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol-related disorders.

- 8.14. Return to Work; Alcohol Test: In order to recommend return to work after an alcohol test which indicates blood alcohol content greater than 0.04%, the SAP must first evaluate the employee to determine whether the employee has an alcohol-related disorder.

If the SAP determines that an employee has an alcohol disorder which requires assistance, the employee shall be subject to counseling, treatment and follow-up alcohol testing as directed by the SAP. Follow-up testing shall only occur just before, during or just after the employee performs City business.

8.15. Actions Taken in Response to Test Results/Refusal to be Treated

8.15.1. Refusal/What Constitutes Refusal: An employee who refuses to be tested will be treated as having had a positive test. Failure to report to a collection site on a timely basis, sign any required consent form or otherwise fail to fully cooperate with the testing procedure shall be treated as a refusal to be tested. Employees refusing to be tested shall be subject to immediate disciplinary action up to and including dismissal.

8.15.2. Positive Drug Test: An employee whose drug test result is reported to the City as positive shall be immediately referred to the Substance Abuse Professional for evaluation and will be subject to disciplinary action up to and including dismissal.

8.15.3. Positive Alcohol Test: An employee whose breath test results in a reading of 0.02-0.039% blood alcohol content shall be removed from duty and not returned to work for at least twenty-four (24) hours, and all hours not worked shall be recorded as uncompensated time. An employee who has a continuing pattern of breath test results between 0.02-0.039% blood alcohol content shall be referred to the Substance Abuse Professional for evaluation and may be subject to disciplinary action up to and including dismissal.

An employee whose breath test results in a reading of 0.04% blood alcohol content or greater shall be removed from duty and not returned to work for at least twenty-four (24) hours, and all hours not worked shall be recorded as uncompensated time. Additionally, the employee shall be referred to a SAP for evaluation and may be subject to disciplinary action up to and including dismissal.

8.15.4. Subsequent Positive Test(s): An employee whose drug test result is reported to the City as positive or whose breath test result is 0.04% blood alcohol content or greater and who has previously had positive drug tests and previous breath tests with a result greater than 0.04% blood alcohol content or who has previously been referred to a rehabilitation program under the provisions of this Policy shall be subject to disciplinary action up to and including dismissal.

8.15.5. Rehabilitation: Failure to immediately begin an approved rehabilitation program, successfully complete the program and/or participate in required or

recommended after-care may result in disciplinary action up to and including dismissal. Rehabilitation may consist of, but is not limited to, in-depth counseling and hospitalization and will be paid directly by the employee or their insurance provider. When appropriate the City may require a treatment agreement as a condition of continued employment and failure to comply is grounds for dismissal. Employees will be allowed to take accumulated sick leave, PTO, and compensatory time to participate in the prescribed rehabilitation program.

8.15.6. City's Right to Discipline: The above notwithstanding, the City has the right to take immediate disciplinary action for a violation of this policy, including termination, based on the severity of the violation.

8.15.7. Federal Highway Administration (FHA) Consequences: In addition to the penalties set out by the City for violations of this policy, the following consequences for those with CDL are required by FHA rules:

- a. No employee shall drive if they have used a drug (marijuana, cocaine, amphetamines, opiates, PCP), and no employee may drive within four hours of using alcohol or at any time when an alcohol test indicates an alcohol concentration of 0.04% or greater.
- b. A driver violating these rules may not return to work until evaluated and released by an SAP, and subsequently tested for alcohol and drugs with negative results.
- c. An employee tested with an alcohol concentration greater than 0.02% and less than 0.04% may not drive or perform other safety sensitive functions for twenty-four (24) hours after the test.

8.16. Re-entry Statement of Conditions

Employees who re-enter the workforce must comply with a re-entry statement of conditions. The statement may include but is not limited to:

8.16.1. A release to work statement from an approved Substance Abuse Professional.

8.16.2. A negative test for drugs and/or alcohol.

8.16.3. An agreement to unannounced frequent follow-up testing.

8.16.4. A statement of expected work-related behaviors.

8.16.5. An agreement to follow specified after care requirements with the understanding that violation of the re-entry agreement is grounds for termination.

8.17. Policy Contact. Any questions regarding this policy or any other aspect of the drug-free and alcohol-free program⁴ should be directed to the Human Resources Office.

8.19 Medical Marijuana

This policy outlines the rules and regulations around workers who possess a Medical Marijuana card and consume or possess Medical Marijuana.

- The presence of marijuana in your system as verified by a random or post-accident test will be grounds for disciplinary action up to and including termination even if the employee has a Medical Marijuana card.
- Operating a motor vehicle while under the influence of medical marijuana is prohibited.
- Medical marijuana cannot be consumed or possessed on company or client property at any time. Failure to follow this will result in disciplinary action up to and including termination.

8.20 Infectious Disease Control Policy

The City will take proactive steps to protect the workplace in the event of an infectious disease outbreak. It is the goal of The City during any such time period to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

The City is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

Preventing the Spread of Infection in the Workplace

The City will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. The City Administrator or his/ her designee will be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of child care should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

Limiting Travel

All nonessential travel should be avoided until further notice. Employees who travel as an essential part of their job should consult with management on appropriate actions. Business-related travel outside the United States will not be authorized until further notice.

Employees should avoid crowded public transportation when possible. Alternative scheduling options, ride-share resources and/or parking assistance will be provided on a case-by-case basis. Contact the Human Resources Department for more information.

Telecommuting

Telework requests will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to your manager for consideration.

Staying Home When Ill

Many times, with the best of intentions, employees report to work even though they feel ill. We provide PTO to compensate employees who are unable to work due to illness.

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing the following symptoms: fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue. Currently, the Centers for Disease Control and Prevention recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. Employees who report to work ill will be sent home in accordance with these health guidelines.

Requests for Medical Information and/or Documentation

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an

absence relates to the infection, and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

Confidentiality of Medical Information

Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

Social Distancing Guidelines for Workplace Infectious Disease Outbreaks

In the event of an infectious disease outbreak, The City may implement these social distancing guidelines to minimize the spread of the disease among the staff.

During the workday, employees are requested to:

1. Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
6. Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.

Outside activities

Employees might be encouraged to the extent possible to:

1. Avoid public transportation (walk, cycle, drive a car) or go early or late to avoid rush-hour crowding on public transportation.
2. Avoid recreational or other leisure classes, meetings, activities, etc., where employees might come into contact with contagious people.

SECTION 9

SEPARATION AND DISCIPLINARY ACTIONS9.1. Resignation

To resign in good standing, an employee must give the appointing authority at least fourteen (14) calendar days or two (2) weeks prior notice unless the appointing authority, because of extenuating circumstances, agrees to permit a shorter period of notice. The employee shall supply a written resignation to his/her Supervisor, giving reasons for his/her leaving. Failure to resign in good standing shall be entered on the service record of the employee and shall be cause for denying future employment by the City. The resignation, and any other pertinent information concerning the cause of resignation, shall be forwarded to the City Administrator's office for inclusion in the employee's personnel file. An exit interview will be conducted by the City Administrator or his/her designee at the time employee leaves the city service as referenced in Section 9.12.

9.2. Reemployment after Resignation

A former employee shall be eligible for rehire at the discretion of the appointing authority and the City Administrator after four (4) months of separation. . . . He/she returns to City employment, he/she can be considered for reemployment at a salary level by the current paystructure and years of experience. However, in the police department, if a ranking officer resigns, he/she can only be reemployed as a patrolman with a pay rate agreed upon between the appointing authority and the City Administrator. These All employees returning are subject to an interview or other applicable testing, provided such former employee meets the minimum qualifications for the position and has had a satisfactory prior record of service. Former employees reemployed in the classified service shall be subject to the provisions of these policies that are applicable to new employees, including serving of the appropriate introductory period. However, an employee who is rehired and who remains an employee of the City for a period of five (5) continuous years shall receive credit for his/her previous period of employment when computing PTO and other benefits, as provided in these rules if allowed by their current insurance and retirement group plans such as LAGERS retirement plan. An employee shall be eligible only once for previous employment credits.

9.3. Lay Offs

An appointing authority may lay off an employee, subject to approval of the City Administrator, because of a material change in duties or organization, or because of a shortage of work or funds. Ten (10) working days before the effective date of lay off, such an appointing authority shall notify the Human Resources Department of the intended action, with reasons and support thereof, and a statement certifying whether the service of the employee is affected.

9.3.1. Order of Lay Offs

Laid off employees shall be determined on the basis of service reports and other pertinent data. If it is found that two (2) or more persons in the organizational unit in which a lay off is to be made have equal ratings as determined by service reports or other pertinent data, the order of lay off shall be made based on length of service.

9.3.2. Reemployment after Lay Off

The appointing authority may rehire employees who have been laid off subject to the approval of the City Administrator. Employees who are rehired under this provision shall be reinstated and credited for his/her previous employment when computing vacation and other benefits, as provided in these rules except that, if the layoff has been for less than one (1) year, the five (5) continuous years of employment after rehire will be waived with the exception of the LAGERS Retirement and that will be based upon the LAGERS requirements at that time.

9.3.3 Quit

Voluntary employment termination initiated by an employee, without proper written notice to management of at least two weeks. The lack of proper notice will result in the individual being ineligible to receive pay for available PTO benefits or rehire.

9.3.4 Job Abandonment

Employees who fail to report to work or follow call in procedures outlined in the Attendance Policy for two (2) consecutive workdays will be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. Employees who abandon his/her job are ineligible for rehire.

9.4. Retirement

Participating employees are eligible for retirement from the municipal service in accordance with the terms and conditions of the Missouri Local Government Retirement System (LAGERS).

9.5. Reason for Disciplinary Action

The City does not use a progressive disciplinary policy. As a result, any action which, in the discretion of an employee's Supervisor, Department Head, or the City Administrator, reflects discredit upon the municipal service or is a hindrance to the effective performance of the municipal government functions may result in disciplinary action against any officer or employee of the City. Disciplinary action may include oral reprimand, letter of instruction, written reprimand, suspension, demotion or termination. Some of the major reasons for disciplinary action are listed below. However, this list does not describe all

conduct which could lead to disciplinary action and, in no way, modifies the at-will employment relationship between the City and its employees:

- 9.5.1. Incompetence, inability or failure to perform the duties as required
- 9.5.2. Offensive conduct that brings discredit upon the City or the service
- 9.5.3. Insubordination
- 9.5.4. Misappropriation, destruction, theft or conversion of City property
- 9.5.5. Conviction of felony or other crimes involving moral turpitude (this conviction constitutes grounds for dismissal)
- 9.5.6. Excessive absenteeism, absence without good cause or failure to report after a leave of absence has expired or has been revoked or canceled.
- 9.5.7. Violations of the provisions of city policies
- 9.5.8. Disregard of others
- 9.5.9. Falsification of any information required by the City
- 9.5.10. Failure to properly report accidents or personal injuries
- 9.5.11. Neglect or carelessness resulting in damage to City property
- 9.5.12. Knowingly driving a City vehicle without a valid driver's license or CDL license.
- 9.5.13. Disregard for the City's safety policies.
- 9.5.14. Repeated convictions during employment of misdemeanor and/or traffic charges.
- 9.5.15. Introduction, possession or use, on City property or City equipment, of intoxicating liquors or any controlled substance, as set out in these policies. These acts constitute grounds for dismissal.
- 9.5.16. Unauthorized use of City vehicles
- 9.5.17. Inducing or attempting to induce any officer or employee in the City service to commit an illegal act, or to act in violation of any lawful and reasonable departmental order, or assisting in the commission of such an act.

9.5.18. Solicitation or acceptance for personal use of a fee, gift or other valuable thing - from any vendor seeking to do business with the City or any person having a matter before the City the disposition of which could be influenced by the employee. Employees shall avoid any conflicts of interest that will bring discredit to the City. This section shall not prohibit acceptance of items of nominal value used as promotional items, such as pens, mugs, and note pads, nor gifts of food made available to employees of a department, such as gifts of food for holidays.

9.5.19. Willful failure to comply with Department Standard Operating Procedures (SOP) manual.

9.5.20. Other actions which an employee's supervisor, Department Head, and/or the City Administrator do not believe were for the good of the service of the City.

Oral Reprimand

An employee may receive an oral reprimand from his/her immediate Supervisor. No appeal will be accepted.

9.6. Letter of Instruction

An immediate Supervisor or Department Head informs employee in writing that changes need to be made in regard to work performance or employee conduct. This will be included in the immediate supervisor's coaching file. Information contained shall not be considered a part of the employee's personnel file.

9.7. Written Reprimand

An Employee may be reprimanded by the immediate supervisor with Department Head approval. Such reprimand shall be in writing and shall be signed by the employee, the Supervisor and the Department Head and delivered to the appropriate office for inclusion in the employee's Personnel file. An employee's refusal to sign an acknowledgment of receipt of a reprimand shall be cause for immediate suspension without pay. The employee may file a letter of response to the reprimand, which shall be attached to the reprimand in his/her personnel file. An employee who receives three (3) reprimands within one year will be discharged, unless, the City Administrator believes mitigating circumstances exist.

9.8. Suspension

An employee may be suspended by the immediate supervisor with Department Head approval. Such suspension may be with or without pay for such length of time as may be considered appropriate, not exceeding thirty (30) calendar days in any twelve (12) month

period. The City Administrator shall be furnished with a written statement setting forth reasons for such suspensions for filing in the employee's personnel file. A copy of such statement shall be furnished to the affected employee and to the appropriate department for inclusion in the employee's personnel file.

9.9. Demotion

An employee may be demoted by the immediate supervisor with Department Head approval. Such demotion shall be in compliance with the provisions for involuntary demotion prescribed in these policies. The City Administrator shall be furnished, with a written statement setting forth reasons for such demotion for filing in the employee's personnel file. A copy of such statement shall be furnished to the affected employee and to the appropriate department for inclusion in the employee's personnel file.

9.10. Discharge

An employee, with the exception of the Chief of Police, may be discharged by the immediate supervisor with Department Head approval. The City Administrator shall be furnished with a written statement setting forth reasons for such discharge for filing in the employee's personnel file. A copy of such statement shall be furnished to the affected employee and to the appropriate department for inclusion in the employee's personnel file. The Chief of Police may be discharged in accordance with the requirements of R.S.Mo. § 106.273, a copy of which can be provided upon request.

9.11. Exit Interviews

All employees of the City may request the opportunity to participate in an exit interview with the City Administrator, or his or her designee, upon separation from employment with the City. The interview provides information to the City about working conditions, pay and benefits. The ideas and suggestions of individuals who have chosen to leave the City might offer opportunities for the City to enhance its appeal as an employer. The interview will not be required but is encouraged.

9.12. Release of Information

The Human Resource Manager will provide or verify the following information upon verbal or written request for both current and former employees.

- employment dates
- job title (s)
- rate of pay

No other information will be released.

SECTION 10

SUGGESTIONS AND COMPLAINTS10.1. Suggestions and Complaints

The City Administrator may set up a system for employees to express their concerns in an effort to improve the municipal service. Unless otherwise prescribed by this policy, this procedure shall be used by employees to inform the City of their suggestions or concerns.

10.2. Procedures for Handling Complaints

- 10.2.1 An employee who has a complaint shall discuss the issue(s) orally with their immediate supervisor within seven (7) standard workdays of the incident causing the issues. The employee shall specifically state the oral discussion should be considered a complaint.
- 10.2.2 If the issue is not satisfactorily resolved within three (3) standard workdays of the date of the oral discussion the employee shall present, his/ her complaint in writing to his/her immediate supervisor within five (5) standard workdays of the oral discussion. Said writing shall refer to the oral discussion and present the complaint.
- 10.2.3 The immediate supervisor shall consider the written complaint and provide the employee with a written notice of his/her decision within five (5) standard working days of receipt to the written a complaint
- 10.2.4 If the issue is not resolved, the employee may, within three (3) standard working days of the notice of decision submit a written the complaint with supporting documentation, of the immediate supervisor's decision to the Department Head. If the Department Head is the immediate Supervisor, the complaint shall be submitted directly to City Administrator, and the procedures outlined in subsection seven (7) shall apply.
- 10.2.5 The Department Head shall confer with the aggrieved employee within ten (10) standard workdays and the employee's immediate supervisor before rendering a decision. Such decision shall be in writing and shall be delivered to the complaining employee within five (5) standard workdays of the conference.
- 10.2.6 If appeal to the Department Head fails to resolve the complaint, the employee may, within three (3) standard workdays of receipt of the decision, submit the complaint to the City Administrator.

- 10.2.7 On receipt of the complaint, the City Administrator or his/her designated representatives may hear matters pertinent to the complaint. The City Administrator will designate the date and time for the employee to speak with the City Administrator or his/her designee. The decision of the City Administrator shall be final. The decision of the City Administrator shall be delivered to the employee and a copy to the Department Head involved and to the Human Resource Department.
- 10.2.8 If the employee fails to submit or process his/her complaint within the time frames set forth in this section, the matter is assumed to be resolved. If the immediate supervisor or Department Head fails to respond within the time frame set forth in this section, then the employee shall immediately file the complaint with the City Administrator pursuant to the procedures set forth in this section. In the event that the employee, immediate supervisor, or Department Head must be absent from work in a manner that affects the time periods listed herein, these periods may be reasonably extended to allow for adequate response time at the request of the absent party as approved by the City Administrator.
- 10.2.9 In case of a grievance regarding the Americans with Disabilities Act, see City Resolution R-92-14 dated November 23, 1992.
- 10.2.10 Complaints concerning discrimination and/or harassment should be handled in accordance with Section 2.9.

10.3. Procedures for Handling Appeals of Discipline

Any regular full-time employee who is suspended, demoted (reduced in rank or compensation 'pay grade') or who is discharged, may appeal the discipline, in writing, to the City Administrator within five (5) days after the effective date thereof. Both the appealing employee and the Supervisor/Department Head, whose action is reviewed, will have the opportunity to informally present information to the City Administrator, or his/her designee, during a meeting to either support or oppose the discipline. The City Administrator or his/her designee will render the decision, in writing within five (5) working days of the meeting. The City Administrator's decision will be final and not subject to any further review. The City Administrator has complete discretion in deciding whether to uphold, modify, or overturn the disciplinary decision at issue and the City Administrator's decision is not dependent upon the existence or nonexistence of any criteria.

SECTION II

TECHNOLOGIES-SEPARATE POLICY

SECTION 12

HANDBOOK ACKNOWLEDGMENT

I have entered my employment relationship with the City voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the City can terminate the relationship at-will, with or without cause, at any time. At-will does not, and is not intended to, interfere with, limit or relinquish a team member's right to join with others to work toward altering the terms or conditions of his/her employment, including at-will status.

I understand and agree that nothing in this Handbook creates or is intended to create a promise or alter my employment-at-will status. Furthermore, I acknowledge that this Handbook is neither a contract of employment nor a legal document. No team member has a contract of employment unless expressly agreed to in writing and signed by the City Administrator or his/her designee.

I understand that, except for employment-at-will status, all policies and practices may be changed at any time by the City and the City reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices.

I understand that revised information may supersede, modify or eliminate existing policies. Only the City Administrator or his/her designee of the City can adopt any revisions to the policies in this Handbook.

I acknowledge that I have received a copy of the City Employee Handbook, dated **January 2021**, to read to fully understand the guidelines contained in the Handbook, and that if any of these policies are unclear to me in any way, I am to ask my direct supervisor for clarification.

Employee's Signature

Employee's Name (Print)

Date

Please detach/print this page after signing and return it within five (5) days to the Human Resources Department to be placed in team member's personnel file.



TO: Board of Aldermen
FROM: Kim Hubbard, Finance Manager
DATE: December 15, 2020
SUBJECT: BUDGET AMENDMENT FOR FY 2020

Type of Item: *Budget*

GENERAL INFORMATION

TO: Mayor and Board of Aldermen
FROM: Kim Hubbard, Finance Manager
DATE: December 21, 2020
SUBJECT: Budget Amendment

APPROVAL ITEM

2020 budget amendment for the engineering costs for the Lawrence Smith Memorial Airport Taxilane Reconstruction Project in the amount of \$118,000.

DISCUSSION

At the October 19, 2020 Board meeting, City Engineer, Ted Martin presented to the Board that the City had obtained a State Block Grant from the Missouri Department of Transportation and a \$30,000 CARES grant to cover the costs of the engineering design. The Board approved Ordinance 3516 authorizing an agreement with the Missouri Highways and Transportation Commission.

Staff needs Board approval to amend the FY 2020 budget to reflect the engineering cost of the project which has been completed. This will result in an unbalanced budget but there will be a fund balance to cover the costs and the City will receive reimbursement in 2021.

An amendment for revenues is not needed at this, the MoDOT and CARES monies will not be received until 2021.

STAFF RECOMMENDATION

Staff recommends approval.

Council Bill No.

Ordinance No.

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE AMENDING THE OPERATING BUDGET FOR THE CITY
OF HARRISONVILLE, MISSOURI, FOR THE FISCAL YEAR JANUARY 1,
2020 THROUGH DECEMBER 31, 2020, AND ESTABLISHING AN EFFECTIVE
DATE.**

Council Bill No.

Ordinance No.

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AMENDING THE OPERATING BUDGET FOR THE CITY OF HARRISONVILLE, MISSOURI, FOR THE FISCAL YEAR JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Harrisonville (“City”) staff has reviewed the Fiscal Year January 1, 2020 to December 31, 2020 (“Fiscal Year”) revenues and expenditures; and

WHEREAS, changes reflected for engineering expenditures in the General Fund for the Lawrence Smith Memorial Airport Taxilane Project occurring during the Fiscal Year need to be adopted before the end of 2020; and

WHEREAS, this will cause the budget to be unbalanced, the City will use carryover of funds to cover the costs and will see reimbursement in the 2021 Fiscal Year: and

WHEREAS, this is a standard accounting practice to do a final budget amendment at the end of the Fiscal Year; and

WHEREAS, The Board of Aldermen feel it is in the best interest of the City to approve the budget amendment presented for Fiscal Year 2020;

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, is hereby amended. Maximum amounts to be expended by fund are as follows:

BUDGETED REVENUE	BUDGETED EXPENDITURES	
\$ 8,899,145	\$ 9,017,145	
531,870	531,870	
2,151,860	2,151,860	
3,984,835	3,984,835	
847,430	847,430	
606,805	606,805	
13,193,080	13,193,080	
5,434,440	5,434,440	
188,700	188,700	
35,838,165	35,956,165	

Attachment: Budget amendment airport 2020 (BUDGET AMENDMENT FOR FY 2020)

Section 2: 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 3: That this ordinance shall become effective immediately upon its passage and approval.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 21ST DAY OF DECEMBER 2020 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 21ST DAY OF DECEMBER 2020 AND PASSED BY THE BOARD OF ALDERMEN THIS 21ST DAY OF DECEMBER 2020.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of December, 2020.



STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: December 1, 2020
SUBJECT: Approval of sale of old Cass County Jail

Type of Item: *Approval*

GENERAL INFORMATION

TO: Mayor and Board of Aldermen
FROM: Daniel Barnett, City Clerk
DATE: December 21, 2020
SUBJECT: Sale of City property at 208 W Pearl Street

APPROVAL ITEM

Sale of City property at 208 W Pearl Street, Harrisonville, MO 64701 to Obie J Carl for the price of \$55,000.

DISCUSSION

On December 8, 2020, the Cass County Commissioner's Office approved the sale of property at 208 W Pearl Street, Harrisonville, MO 64701 to Obie J Carl for the price of \$55,000.

The old Cass County Jail currently sits on the property. Years ago, as the Cass County Sheriff's Office was seeking to expand the jail, they came to an agreement with the City of Harrisonville to expand the jail onto a piece of adjacent property owned by the City.

Presiding Commissioner Bob Huston informed staff that after paying commission to the auction company and closing costs for the property, he expects a payout of about \$25,000 for both the City and the County.

A legal description of the property has been included in your packet.

Now that the property has been sold, staff will need the Board to approve the sale to Mr. Carl.

STAFF RECOMMENDATION

Staff recommends approval.

E. Action Item (ID # 3718)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND OBIE J CARL FOR THE SALE OF CERTAIN CITY PROPERTY LOCATED AT 208 W PEARL STREET, HARRISONVILLE, MISSOURI.

Attachments:

Old County Jail land sale 2020 (DOCX)

Cass - QC deed - jail (DOCX)

Council Bill No.

Ordinance No.

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND OBIE J CARL FOR THE SALE OF CERTAIN CITY PROPERTY LOCATED AT 208 W PEARL STREET, HARRISONVILLE, MISSOURI.

WHEREAS, on December 8, 2020, Obie J Carl purchased a piece of property owned by the City of Harrisonville, located at 208 W Pearl Street, Harrisonville, Missouri for the price of \$55,000; and

WHEREAS, Obie J Carl and the City desire to exchange property;

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

Section 1: That the Mayor of the City of Harrisonville is hereby authorized and directed to execute a contract for sale of real estate on behalf of the City of Harrisonville and that the City Clerk is hereby authorized and directed to attest thereto.

Section 2: That the City of Harrisonville agrees to sell property to Obie J Carl located at 208 W Pearl Street, Harrisonville, Missouri or the price of \$55,000.

Section 3: That this ordinance shall become effective immediately upon its passage and approval.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 21ST DAY OF DECEMBER 2020 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 21ST DAY OF DECEMBER 2020 AND PASSED BY THE BOARD OF ALDERMEN THIS 21ST DAY OF DECEMBER 2020.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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

ATTEST:

Attachment: Old County Jail land sale 2020 (Approval of sale of old Cass County Jail)

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of December, 2020.

RELEASE AND QUITCLAIM DEED

THIS RELEASE AND DEED, witnesseth, that the **City of Harrisonville, Missouri**, a Missouri fourth-class city ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, does by these presents REMISE, RELEASE and FOREVER QUITCLAIM unto **Cass County, Missouri**, a Missouri first-class county, whose mailing address is 102 East Wall Street, Harrisonville, Missouri 64701 ("Grantee"), its successors, heirs and assigns, the following described land in Cass County, Missouri, to wit:

The East 52 Feet of Lot 31 in Block 12 in the Original Town of Harrisonville, Cass County, Missouri.

Grantor further releases its reversionary interest created by the automatic reverter clause contained the Corporation Warranty Deed dated June 13, 1983, which provides: At such time as the County of Cass no longer uses this property in conjunction with the Cass County Jail, then the title to said property shall automatically revert to the City of Harrisonville, Missouri.

TO HAVE AND TO HOLD, the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining, unto said Grantee and unto its successors, heirs and assigns forever; so that neither Grantor nor its successors, heirs nor any other person or persons, for its or in their name(s) or on its or their behalf, shall or will hereafter claim or demand any right or title to the said premises, or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on _____, 2020.

City of Harrisonville, Missouri:

By: Judy Bowman
Title: Mayor

Attachment: Cass - QC deed - jail (Approval of sale of old Cass County Jail)

STATE OF _____)
) ss.
 COUNTY OF _____)

On this ____ day of _____, 2020, before me, personally appeared Judy Bowman to me personally known, who being by me duly sworn did say that she is the Mayor of the City of Harrisonville, Missouri, and that said instrument was signed on behalf of said City by authority of its Board of Aldermen, and she acknowledged said instrument to be the free act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in _____ County the day and year last above written.

(SEAL)

 Notary Public in and for said State
 Commissioned in _____ County

My Commission Expires:

Attachment: Cass - QC deed - jail (Approval of sale of old Cass County Jail)



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: December 17, 2020
SUBJECT: Acknowledgement of Ward 3 Alderman resignation

Type of Item: *Discussion*

F. Discussion Item (ID # 3740)

Acknowledgement of Ward 3 Alderman resignation

Attachments:

David Dickerson Resignation Letter (PDF)

To whom it may concern:

I, David Dickerson here by resign my office of Ward 3 Alderman effective Friday December 11, 2020. Please accept this letter as my notice to the Mayor and Board of Aldermen of my resignation. Please let me know if/when this has been accepted by the Board of Aldermen so I can consider this matter closed.

Sincerely



David Dickerson, Alderman Ward 3

David Dickerson turned in his Chrome Book, carrier bag, access Key and Code book at 8:55am on 12/11/20.



Attachment: David Dickerson Resignation Letter (Acknowledgement of Ward 3 Alderman resignation)