



**THE CITY OF
HARRISONVILLE**
WHERE TRADITION MEETS INNOVATION

**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
SEPTEMBER 6, 2022
6:00 PM**

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
 - A. Fire Department Badge Pinning**
- 3. Public Participation**
 - A. Agenda Request - Scott Emmons**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Work Session - Aug 10, 2022, 6:00 PM**
 - B. Board of Aldermen - Regular Meeting - Aug 15, 2022, 6:00 PM**
 - C. Board of Aldermen - Work Session - Aug 15, 2022, 6:30 PM**
- 5. Agenda Items**
 - A. Council Bill 59: A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH HARRISONVILLE CASS R-9 SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER AND ESTABLISHING AN EFFECTIVE DATE.**
 - B. Council Bill 60: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO APPROVE THE SPECIAL EVENT REQUEST FROM THE HARRISONVILLE AREA CHAMBER OF COMMERCE TO HOLD THE 2022 LOG CABIN FESTIVAL.**
 - C. PUBLIC HEARING: Rezoning from A to C2 at 21400 E. 275th Street**
 - D. Council Bill 61: AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING OF APPROXIMATELY 4.63 ACRES OF LAND FROM AGRICULTURE (A) TO SERVICE BUSINESS DISTRICT (C-2) ON LAND LOCATED AT 21400 E. 275TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**

- E. **PUBLIC HEARING: Special Use Permit for Digital Billboard**
 - F. **Council Bill 62: AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT TO UPGRADE AN EXISTING BILLBOARD TO DIGITAL ON LAND LOCATED WEST OF I-49 AND EAST OF THE SOUTH GARDENS SUBDIVISION IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**
 - G. **PUBLIC HEARING: Rezoning for "Junior's Addition"**
 - H. **Council Bill 63: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI ESTABLISHING SECTION 240.050(G) AND 240.050(H) OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE**
 - I. **PUBLIC HEARING: Municipal Separate Storm Sewer System (MS4) Permit**
- 6. **Aldermen and Committee Reports**
 - 7. **Report from the City Administrator**
 - 8. **Questions from the Media**
 - 9. **Adjourn to Executive Session pursuant to RSMo 610.021 (3) Hiring, Firing, Discipline or Promotion of Employee**

Pursuant to RSMo 610.021 (2) Leasing, purchase or sale of real estate
 - 10. **Adjourn from Regular Session**

Posted on City Hall Bulletin Board this 2nd day of September 2022

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.



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: August 31, 2022
SUBJECT: Fire Department Badge Pinning

Type of Item: *Presentation*

- A. Discussion Item (ID # 4296)**
Fire Department Badge Pinning



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: August 31, 2022
SUBJECT: Agenda Request - Scott Emmons

Type of Item: *Discussion*

A. Discussion Item (ID # 4297)

Agenda Request - Scott Emmons

Attachments:

Scott Emmons 9-6 (PDF)



City of

Harrisonville

est.
1836

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

AGENDA REQUEST FORM

This form must be completed and submitted to the office of the City Clerk. Completed materials for the agenda shall be submitted no later than Monday at 5:00 p.m., 5 business days prior to the next Board of Aldermen's meeting. 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. The Board of Aldermen's regular meetings are the 1st and the 3rd Monday of each month.

Date of Request: 8/22/22 Scheduled Meeting Date: 9/5/22

Full Name of Speaker: Scott Emmons Organization: N/A

Home Address: 201 W. Washington St City H'ville State MO Zip 64701

Home Phone #: _____ Work Phone #: _____ Cell#: 816.602.8494

Email: seeworks@gmail.com

Specifics of Topic: city sponsored grants as catalysts toward incentivizing private home ownership upgrades.
Keys to success.

(You may write on the back or add additional sheets of paper for "Topic" and "Outcome" sections.)

Desired Outcome: enhancing a successful feedback mechanism to measure outcomes of actionable efforts.

If applicable, has this item been previously presented to any of the following Boards for consideration?

<u>N/A</u> Board of Aldermen	Date Presented _____	Outcome _____
_____ Planning & Zoning	Date Presented _____	Outcome _____
_____ Park Board	Date Presented _____	Outcome _____
_____ Board of Adjustment	Date Presented _____	Outcome _____

***I have been made aware of the date and time of the next scheduled Board of Aldermen meeting.

RECEIVED

AUG 23 2022

CITY OF HARRISONVILLE

Signature: _____

Scott Emmons

Office Use Only:

Date request received: _____



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
AUGUST 10, 2022
6:00 PM

1. Call to Order

The meeting was called to order at 6:10 PM by Mayor Judy Bowman.

2. Present

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Remote	
Mike Zaring	Harrisonville	Board Member	Remote	
Sandy Franklin	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, Director of Administrative Services Jeremy Smith, Economic Development Director Jim Clarke, Community Development Director Christina Stanton, Joe Lauber of Lauber Municipal Law and Ryan Head of Lauber Municipal Law, Harrisonville Schools Superintendent Paul Mensching and City Clerk Daniel Barnett - recording.

3. Discussion Items

A. Chapter 353 Discussion

Mayor Bowman welcomed all in attendance to the meeting.

Joe Lauber of Lauber Municipal Law reminded the Board of previous discussions surrounding the City's potential use of the Chapter 353 program.

Lauber provided the Board with an outline for the meeting.

Lauber spoke to the formation, structure and guidelines for a proposed Harrisonville Square Neighborhood Redevelopment Plan.

Lauber also reminded the Board about some previous discussions regarding the potential use of a Chapter 353 program in Harrisonville and how they affect the proposed plan.

Alderwoman Milner voiced concerns regarding the eligibility of properties on which the original structure was raised and a new structure constructed.

Alderman Mills said he would support allowing new construction of both owner-occupied and rental properties on either vacant lots or lots where a previous structure had existed but was raised, to be eligible for the program.

A consensus of the Board was reached that language regarding lots that are vacant prior to the approval of the program will be deleted. Additionally, it was agreed by consensus that new construction projects would be eligible for the program only if an existing structure is demolished and new construction commences within three months from the date demolition of the previous structure commenced.

A consensus of the Board was reached to restrict participating parcels from reapplying for the Chapter 353 program at any point.

Alderman Zaring reminded the Board that if a parcel wanted to reapply, they would need to apply at the new higher tax base.

Alderman Davidson expressed concerns regarding the potential loss of revenue for the School District during the two-year 100-percent abatement period for residential structures.

Superintendent Mensching echoed the concerns of Alderman Davidson.

Mensching said he would have greater concerns regarding the potential revenue loss for participating commercial properties.

Ratliff informed the Board that the abatements could be capped at a particular dollar figure, if revenue loss was a concern.

Lauber suggested a further discussion between his office, City staff, commercial developers and the School District to address concerns regarding the structure of the program for both residential and commercial properties and how they affect revenue losses within the tax base.

Director of Administrative Services Smith used a calculator tool created by Baker Tilly to outline the costs and benefits of the program, as it is currently proposed.

A consensus of the Board was reached to allow for Mr. Lauber's plan, with a presentation to the Board coming at a later date.

Mills voiced his support for utilizing the Chapter 353 program as an incentive and the need for making substantial residential and commercial improvements in the proposed program area.

Lauber presented a series of program comparisons for nearby communities utilizing the Chapter 353 program.

Lauber spoke to the formation of the program's Articles of Agreement and Bylaws.

Alderman Davidson asked a question about filling a vacated seat on the Chapter 353 Board during a term.

Lauber provided the Board with an outline for next steps in the process to potential approve a Chapter 353 program.

Davidson asked that Mr. Lauber to present to the Board at a future date, showing examples and break-even points on the Baker Tilly calculator.

Milner asked if the tax abatement of a Chapter 353 property can be transferred if the property is sold.

Lauber said it can be if the Board allows for it.

Lauber asked if the Board would allow the program to be transferable.

A consensus of the Board was reached to deny the transfer of tax abatement for a Chapter 353 property if the property was sold. A consensus was also reached to deny

application for tax abatement on a sold property, if the property had previously participated in the Chapter 353 program.

A motion was made by Alderman Davidson to adjourn from the Work Session, with a second by Alderman Doerhoff. The motion carried with a unanimous vote.

The meeting was adjourned at 8:29 p.m.

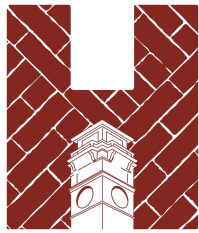
RESULT: DISCUSSION

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

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Aug 10, 2022 6:00 PM (Approval of Minutes)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
AUGUST 15, 2022
6:00 PM

1. Call to Order

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

A. Pledge of Allegiance

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Excused	
Mike Zaring	Harrisonville	Board Member	Remote	
Sandy Franklin	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Excused	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, City Attorney Mauer, Public Works Director/City Engineer Carl Brooks, Police Chief John Hofer, Parks and Recreation Grant Purkey, Community Development Director Christina Stanton, Economic Development Director Jim Clarke, Fire Chief Rusty Sullivan, Electric Superintendent Andy Pollard, Building Official Chris Arthur, Baker Tilly CPA Ben Hart, Missouri Public Utility Alliance Chief Association and Development Officer Ewell Lawson, Streets Superintendent Rodney Jacobs, Streets Maintenance Supervisor Cassie Cunningham, Police Lieutenant Darin Chance, Police Lieutenant Darla Harris, Fire Marshall Eric Myler, Electric Department staff members - Brent Stockstill, Chase Lewis, Matt Beckman, Austin Hendrix, Garret Propst, Riley Branstetter and Caden Sims and City Clerk Daniel Barnett - recording.

2. Ceremonial Matters

A. Presentation of APPA Certificate of Excellence in Reliability

Missouri Public Utility Alliance Chief Association and Development Officer Ewell Lawson spoke to the value of Public Power entities in the state of Missouri, Electric Reliability

Lawson spoke to power-outage rates throughout the state and praised the 30-minute average outage time per year in Harrisonville.

Lawson presented a Certificate of Excellence in Reliability to Electric Department Superintendent Andy Pollard and the members of the Electric Department. Lawson also noted that the department in 2022 has also received the RP3 designation (Reliable Public Power Provider) and a Platinum Level designation for reliable service; making Harrisonville one of only 10 utilities to achieve that status in the State of Missouri.

Mayor Bowman thanked Lawson for the award and shared her appreciation to the entire Electric Department for their dedication to reliable power services in Harrisonville.

RESULT:	DISCUSSION
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B. Brent Stockstill 25-Year Service Award

Mayor Bowman welcomed Brent Stockstill and congratulated him on his 25 years of service to the Harrisonville community.

Electric Superintendent Pollard spoke about Stockstill's leadership within the department and the guidance he has provided to electrical service throughout the community.

Each member of the department spoke to Stockstill's leadership within the department and said they have enjoyed learning from him.

Stockstill thanked those on the staff for their dedication and willingness to learn and grow.

RESULT:	PRESENTED
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C. Cassandra Cunningham 10-Year Service Award

Mayor Bowman spoke about the value of leadership throughout the City and the entire community and said she has enjoyed being able to watch Cunningham grow and move into a leadership role.

Bowman praised Cunningham's leadership ability and the knowledge she brings to the Public Works Department.

Streets Superintendent Jacobs echoed the Mayor's sentiments and spoke about Cunningham's love of public works and dedication to learning.

Public Works Director/City Engineer Brooks spoke to Cunningham's work ethic and highlighted some of the programs she has helped lead in recent years.

Before moving on to the Public Participation portion of the meeting, Police Chief Hofer introduced newly hired Lieutenant Darla Harris to the members of the Board of Aldermen.

Hofer spoke about Lt. Harris' career in law enforcement and said he is excited about the experience she will bring to the Police Department.

Harris said she is excited to be working in Harrisonville and looks forward to being a part of the department and the community.

Mayor Bowman welcomed Lt. Harris and said she is thrilled to have her on board and to now have a full command staff once again at the Police Department.

RESULT:	PRESENTED
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3. Public Participation

None.

4. Approval of Minutes

Minutes Acceptance: Minutes of Aug 15, 2022 6:00 PM (Approval of Minutes)

A. Board of Aldermen - Regular Meeting - Aug 1, 2022 6:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Sandy Franklin, Board Member
AYES: Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED: Bill Mills, Gary Davidson

B. Board of Aldermen - Work Session - Aug 1, 2022 6:30 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Dave Doerhoff, Board Member
SECONDER: Matt Turner, Board Member
AYES: Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED: Bill Mills, Gary Davidson

5. Agenda Items**A. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE ESTABLISHING AND AUTHORIZING AN INCENTIVE PAY POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI AND ESTABLISHING AN EFFECTIVE DATE**

Staff report presented by City Administrator Ratliff.

Upon passage, Mayor Bowman designated the resolution to be Resolution number 33.

RESULT: APPROVED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Sandy Franklin, Board Member
AYES: Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED: Bill Mills, Gary Davidson

B. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE LEVYING A TAX FOR THE CURRENT EXPENSE OF THE CITY OF HARRISONVILLE, MISSOURI, UPON REAL PROPERTY AND ALL TANGIBLE PERSONAL PROPERTY OF WHATSOEVER NATURE AND CHARACTER SUBJECT TO TAXATION BY THE CITY OF HARRISONVILLE FOR SUCH PURPOSES; ALSO, LEVYING A SPECIAL TAX UPON THE AFORE DESCRIBED PROPERTIES FOR PUBLIC PARKS; FOR A TOTAL TAX LEVY OF \$.6440

Staff report presented by Director of Administrative Services Smith.

Mayor Bowman opened the Public Hearing at 6:24 p.m.

With no one wishing to make comment, Mayor Bowman closed the Public Hearing at 6:24 p.m.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number 3595.

Minutes Acceptance: Minutes of Aug 15, 2022 6:00 PM (Approval of Minutes)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Matt Turner, Board Member
SECONDER: Marcia Milner, Board Member
AYES: Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED: Bill Mills, Gary Davidson

C. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING THE HARRISONVILLE MUNICIPAL CODE REGARDING SOLID WASTE SERVICES

Staff report presented by Building Official Arthur.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number 3596.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Dave Doerhoff, Board Member
SECONDER: Marcia Milner, Board Member
AYES: Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED: Bill Mills, Gary Davidson

D. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI ESTABLISHING THE COMMUNITY DEVELOPMENT DEPARTMENT GRANT PROGRAM

Staff report presented by Building Official Arthur.

Arthur reminded the Board about the discussion held during the August 1, Work Session, regarding the proposed Community Development Department Grant Program.

Arthur highlighted key characteristics of the proposed program, including costs, timing, eligibility, creation of a program board, educational and advertising information and application process.

Alderswoman Milner thanked Arthur for the hard work put into the creation of the program by Community Development staff.

Alderman Doerhoff asked if property owners would be able to participate in both the grant program and a Chapter 353 program.

Arthur said he did not anticipate the pool of property owners applying for the grant program also applying for the Chapter 353 program.

Mayor Bowman said she was thrilled to be able to add this program as a tool the City can use to continue its beautification efforts throughout the community.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number 3597.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marcia Milner, Board Member
SECONDER: Matt Turner, Board Member
AYES: Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED: Bill Mills, Gary Davidson

E. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING THE HARRISONVILLE MUNICIPAL CODE REGARDING OUTSIDE AMBULANCE AND EMERGENCY MEDICAL SERVICES

Staff report presented by Fire Marshall Myler.

Myler spoke to staff's desire to allow private ambulance services to transport patients from Cass Regional Medical Center.

Myler said currently, the hospital is utilizing American Medical Response for non-emergency transfers.

City Attorney Mauer provided additional details regarding the ordinance and outlined future actions that could be taken.

Mauer said the hope is that the new ordinance would reduce the number of non-emergent transfer calls directed to Harrisonville Fire Department by Cass Regional Medical Center.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number 3598.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dave Doerhoff, Board Member
SECONDER:	Judy Reece, Board Member
AYES:	Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED:	Bill Mills, Gary Davidson

6. Aldermen and Committee Reports

Alderman Zaring said he was encouraged to see the recognition given to various City departments throughout the meeting and thanked Building Official Arthur and the rest of City staff for all of their hard work.

Alderwoman Franklin provided an update regarding the renovations to the indoor pool at the Harrisonville Community Center. Franklin spoke about the upcoming Doggie Dive event on September 6, and about proposed improvements at the Dog Park in City Park. Franklin also recognized the Electric Department for their constancy and dedication to maintaining power throughout Harrisonville. Franklin also recognized Police Chief Hofer for his assistance during a recent incident.

Alderman Doerhoff thanked City staff for their many hours of hard work and dedication on a number of ongoing projects.

7. Report from the City Administrator

City Administrator Ratliff spoke to the Board about a series of upcoming City meetings and events.

Ratliff informed the Board that City staff have launched a new business license software. Ratliff said staff have located a few minor problems and are working to address them.

Ratliff provided an update about the fast-paced discussions regarding the Royal Street Extension Project.

Ratliff told the Board that the contractor is nearing completion of the installation of a 10-inch sewer main between Halsey Avenue and James Street. Ratliff said the new pipe should be 100-prcent installed this week.

Ratliff recognized the City of Gallatin for their recent donation of 500 water meters.

Ratliff informed the Board that 74 of the approved 100 utility-connection fee waivers have been issued.

Ratliff provided an update to the status of the ongoing Rental Ready Program, saying the program has been implemented and so far, eight landlords, operating 51 rental units, have applied for a business license. Ratliff said the deadline for new business licenses is September 1, but staff plan to work with landlords, since the program is new.

Ratliff introduced Baker Tilly CPA Ben Hart.

Hart reviewed the 2023 Budget Calendar, with the initial budget presentation coming on October 3, 2022.

Hart reviewed the mission statement and goals set by the Board at the spring Board of Aldermen retreat. Hart asked if the Board would like any changes made to the current goals and mission statement.

No changes were proposed.

A. Municipal Court Report - July 2022

8. Questions from the Media

None.

9. Adjourn from Regular Session

Mayor Bowman reminded the Board that the first meeting in September will be held on September 6, instead of September 5, due to the Labor Day holiday.

Bowman thanked the Board for their discussions and decision to pass the Incentive Pay Program. Bowman said she is hopeful that the new program will bring new and talented individuals to join our team.

A motion was made by Alderwoman Franklin to adjourn, with a second by Alderwoman Reece. Motion carried with all ayes. Meeting adjourned at 6:57 p.m.

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

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Aug 15, 2022 6:00 PM (Approval of Minutes)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
AUGUST 15, 2022
6:30 PM

1. Call to Order

The meeting was called to order at 7:04 PM by Mayor Judy Bowman.

2. Present

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Excused	
Mike Zaring	Harrisonville	Board Member	Remote	
Sandy Franklin	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Excused	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, Director of Administrative Services Jeremy Smith, Public Works Director/City Engineer Carl Brooks, Police Chief John Hofer, Parks Director Grant Purkey, Economic Development Director Jim Clarke, Community Development Director Christina Stanton, Electric Superintendent Andy Pollard, Building Official Chris Arthur and City Clerk Daniel Barnett - recording.

3. Discussion Items

A. Municipal Code Changes for Commercial Dumpster Screening

Building Official Arthur spoke to the Board about considering a proposed addition of trash receptacle screening requirements and landscaping requirement changes to the City's Municipal Code.

Arthur spoke to how dumpsters and garbage collection areas that are placed in areas visible from public thoroughfares can cause a citywide perceived blighting problem.

Arthur said the issue can be easily rectified.

Minutes Acceptance: Minutes of Aug 15, 2022 6:30 PM (Approval of Minutes)

Arthur informed the Board that currently, any new construction of non-residential and multi-family residential construction require a trash-collection screening structure be installed.

Arthur told the Board that for existing buildings, a requirement to screen trash collection areas can be adopted within two years of the Board's approval of the proposed change.

Arthur spoke to how businesses could use the newly approved Community Development Incentive Grant Program.

Community Development Director Stanton spoke to staff's desire to remove exemptions for landscaping requirements for CBD-2 and C-2 zoning districts.

Stanton said staff also recommend adding a basic requirement for landscaping in residential-single-family and duplex development, on a per-lot basis.

Mayor Bowman asked Electric Superintendent Pollard about what trees he would recommend not be planted as part of the proposed landscaping requirements.

Pollard recommend willows and ash trees not be planted and recommended no trees be planted in a right-of-way.

Bowman asked staff to remove ash trees from the list of acceptable trees.

Alderman Milner raised concerns about the proposed landscaping requirements and how they apply to a resident being able to move into their home.

Arthur spoke to how the requirements would apply to the issuing of a temporary occupancy permits.

Arthur said the landscaping requirements would not be retroactive.

City Administrator Ratliff informed the Board that most cities do have landscaping requirements.

Arthur spoke to City staff's efforts to work cohesively with the City's new Comprehensive Plan.

Bowman suggested a requirement based on lot size.

Alderman Doerhoff echoed the statements made by Alderman Milner regarding the proposed landscaping requirements.

Alderman Zaring said he agreed with the statements made by Alderman Doerhoff and Alderman Milner.

Arthur recommended that the Board would consider accepting the commercial aspects of the proposed changes.

Turner proposed giving the owner options regarding the landscaping they plant on their property.

Arthur proposed to move the requirement to the development stage of a subdivision, instead of having the requirement placed on the individual homeowner.

Doerhoff suggested asking the developers to present the homeowners with a series of landscaping options.

Alderman Franklin said she would support Alderman Doerhoff's suggestions regarding landscaping options.

A consensus of the Board was reached to move forward with the proposed commercial landscaping requirements but to move the residential landscaping requirements into the development review process for each new subdivision or project; with the developer presenting the potential homeowner with a series of landscaping options.

A consensus of the Board was reached to allow commercial businesses two years to construct a trash-collection screening structure.

A consensus of the Board was reached to require the screening structures to be put in place before the two-year window is closed, if a project is proposed on the property that has a value greater than 30-percent of the building's market value.

RESULT:	DISCUSSION
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B. Municipal Code Change for Annexed Areas

Community Development Director Stanton informed the Board that, under the current language, any property that is annexed into the City is rezoned to the Agriculture District.

Stanton suggested to zone the property as the underlying, or neighboring equivalent, district at the time of annexation.

A consensus of the Board was reached to approve the proposed changes to the zoning language for properties annexed into the City.

A motion was made by Alderman Doerhoff to adjourn from the Work Session, with a second by Alderwoman Reece. The motion carried with a unanimous vote.

The meeting was adjourned at 8:13 p.m.

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

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Aug 15, 2022 6:30 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: August 28, 2022
SUBJECT: SRO Agreement Renewal 2022-23

Type of Item: *Approval*

GENERAL INFORMATION

Applicant: Cass R-IX School District

Requested Actions: Approval of the SRO agreement for the 2022-23 school year.

Date of Application: August 25, 2022

PROPOSAL

Renewal of the SRO (School Resource Officer) agreement between the City of Harrisonville and the Cass R-IX School District for the 2022-2023 school year.

PREVIOUS ACTIONS

The City of Harrisonville and the Cass R-IX School District have participated in this joint program since the beginning of the 1998-1999 school year.

KEY ISSUES

The agreement states that the school district will compensate the city at a rate of \$38.19 per hour which is a \$4.10 per hour, 12%, increase over last year. The city is being reimbursed for the officer's salary and benefits only. The increase to this year's agreement is reflective of bringing staff up to the market value at the beginning of the 2022.

STAFF COMMENTS AND SUGGESTIONS

After reviewing the program with City Administrator Ratliff and School Superintendent Mensching there were no proposed changes to the SRO program for the upcoming year, other than the change to the reimbursement cost as well as in personnel. The contract was previously reviewed and approved by the City Attorney Mauer.

STAFF RECOMMENDATION

Staff recommends approval of this contract to continue to provide the SRO protection for the Harrisonville School District for the 2022-2023 school year.

ATTACHMENTS

2022-23 SRO Agreement approved and signed by the school Board.

STAFF CONTACT:

John J. Hofer, Chief of Police
jhofer@harrisonville.com

A. Action Item (ID # 4292)

A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH HARRISONVILLE CASS R-9 SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER AND ESTABLISHING AN EFFECTIVE DATE.

Attachments:

Signed SRO Agreement 2022-23 (PDF)

SRO contract 2022 (DOCX)



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

School Resource Officer AGREEMENT

This Agreement is entered into this 1st day of August 2022, by and between the City of Harrisonville, a public entity, hereinafter referred to as "City" and the Harrisonville Cass R-IX School District, a political subdivision of the State of Missouri, hereinafter referred to as "District."

WITNESSETH

For, and in consideration of, the mutual promises, terms, and covenants, and conditions set forth herein, the parties agree as follows:

1. Purpose of Agreement – The purpose of the Agreement is for the City to assign two police officers to provide law enforcement services, through the School Resource Officer (SRO) program, as specified herein. The School Resource Officers will have additional duties outside of the District involving School/Youth/Community Outreach not specified in this agreement. Those duties will be determined in cooperation with the Assistant Superintendent and the Harrisonville Chief of Police.

The two (2) police officers, hereinafter referred to as the "officers" will serve the District facilities within the city limits of Harrisonville.

The officers will work with school district personnel in providing education on topics that include, but not limited to alcohol/drug education and support, anti-bullying/cyber-bullying, community/school safety, safe driving and teen dating violence. These officers are responsible for maintaining a safe campus environment, serving as a law enforcement problem-solving resource, and providing the appropriate response regarding on-campus or school related criminal activity.

2. Term – The term of the Agreement shall be from August 15, 2022 through June 30, 2023 as outlined in the attached District calendar, provided the term may be mutually extended by the parties as they deem necessary to satisfy attendance requirements that may have been affected by inclement weather, or other factors. During days the officers are not on duty with the School District, the officers may perform community outreach duties or other police duties as determined by the Chief of Police. In the event of a city-wide emergency, the officers may be removed from the school to perform police duties at the direction of the Chief of Police, or a designee.
3. Termination – The Agreement may be terminated without cause by either party upon 30 days prior written notification.
4. Relationship of Parties – The City and the assigned officers shall have the status of an

independent contractor for purposes of the Agreement. The officers assigned to the District shall be considered employees of the City, selected by and under the command and supervision of the Police Department.

The District shall have the ability to request the immediate removal of any officer for any reason, including but not limited to, failure to abide by Board Policy or Regulations, or federal, state or local law. In the event the District requests removal of an SRO from District property, the City will ensure a replacement SRO is provided to the District as soon as is practical for the City to accomplish.

The assigned officers will be subject to current procedures in effect for the City of Harrisonville police officers, including attendance at all mandated training and testing to maintain state law enforcement certification. The Agreement is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership, or formal business association or organization of any kind between the parties, and the rights and obligations of the parties shall be only those expressly set forth in the Agreement. The parties agree that no person supplied by the District to accomplish the goals of the Agreement is considered to be a City employee and that no rights under City civil service, retirement, or personnel rules accrue to such person.

5. Consideration – In consideration of the assignment of two (2) police officers to work in the District as provided herein, the District agrees to pay the City \$38.19 per hour, for a maximum of 42.5 hours per week per Officer, whenever school is in session. The District will not be responsible for payment of overtime, unless it is requested by the District and mutually agreed upon with the Police Department. Any school district assignment of the officers requiring overtime pay shall be reimbursed to the City at the overtime rate of \$57.29 per hour. The officers' weekly district schedule will be assigned by the Assistant Superintendent in cooperation with the Harrisonville Chief of Police, or a designee. The Assistant Superintendent and the Chief of Police will meet at regular intervals to ensure that any issues and/or concerns are addressed in a timely manner.

The officers may be asked to attend afternoon or evening events in lieu of regular day duty. Each party will maintain a budget for expenditures under the Agreement. Payment from District to City is due within seven (7) days of the District's Board of Education Meeting directly following District's receipt of an itemized statement of cost from the City. The City will invoice the District monthly based upon number of days (full or half as defined above) worked in each particular month. The officers shall submit a monthly timesheet through the chain of command to the Chief of Police, who will approve and forward to the District's Assistant Superintendent showing the number of days worked and any pre-approved overtime prior to payment being made from the District to the City. The City will provide an official police vehicle and fuel for the assigned officers and cover the costs of police officer training consistent with City policies and procedures. Use of department vehicle must be consistent with Police Department policy at all times.

6. Officer Responsibilities – The officers assigned to the District shall:
 - a. Provide a program of law and education-related issues to the school community, including parents, on such topics as: tobacco, alcohol, and other drug related issues, and in addressing violence diffusion, violence prevention, anti-bullying, cyber-bullying, seatbelt education, texting and distracted driving, and other safety issues in the school community.
 - b. Act as a communication liaison with law enforcement agencies; providing basic information concerning students on campuses served by the officers, in accordance with confidentiality

- laws, including the Family Educational Rights and Privacy Act ("FERPA").
- c. Provide informational in-service training and be a general resource for the staff on issues related to alcohol and other drugs, violence prevention, gangs, safety and security.
 - d. The officers will gather information regarding problems such as criminal activity, gang activity and student unrest, and attempt to identify particular individuals who may be a disruptive influence to the school and/or students.
 - e. If/when a crime occurs, the officers will take the appropriate steps consistent with Missouri law enforcement police officer duties, and the Codes and policies of the City of Harrisonville.
 - f. The officers will present educational programs to students, parents and/or school staff on topics agreed upon by the Police Department and the District.
 - g. The officers will refer students and/or their families to the appropriate agencies for assistance when a need is determined and communication with the School Principal has occurred before doing so.
 - h. Unless exigent circumstances prevent it, the officers will advise the Police Department, Assistant Superintendent and the School Principal prior to taking law enforcement action, subject to the officers' duties under the law and the District's Board Policy.
 - i. The officers shall not act as school disciplinarian, nor make recommendations regarding school discipline. The officers may be used for regularly assigned supervision duties such as lunchroom, hall monitoring, bus supervision or other monitoring duties. If there is an unusual/temporary problem in any other area of the District, the officers may be used to assist District employees until the problem is solved through agreement between the District and Harrisonville Police Department.
 - j. The officers will conduct safety and security assessments of the school facilities and make recommendations for improvement to the Assistant Superintendent of Administrative Services.
 - k. The officers will maintain an activity log, attendance calendar and compile monthly safety and security data to be furnished on District approved forms and submitted to the Assistant Superintendent of Administrative Services.
 - l. Incidents requiring police action that occur outside of Harrisonville City limits must be referred to the appropriate jurisdiction.
 - m. The officers shall be allowed to provide security for Harrisonville Elementary School and McEowen Elementary School during dismissal at the end of each day, at a rate of \$57.29/hour of paid overtime, to be paid to the officers by the City and the City to be reimbursed by the District for such services.
 - n. The officers shall abide by all federal, state, and local laws, and all Board Policies and Regulations when carrying out their duties, including, but not limited to, the Family Educational Rights and Privacy Act ("FERPA").
 - o. The officers will be allowed to inspect any public records maintained by the District to the extent allowed by state and federal law. However, any officer access to student records will be governed by FERPA, any other applicable federal or state confidentiality laws, and Board Policy and Regulations.
 - p. The officers' use of District technology (e.g., computer, internet access, electronic devices, etc.) will be in accordance with Board Policy, Regulations and Procedures regarding staff technology use.

Provided further that nothing required herein is intended to nor will it constitute a relationship or duty for the assigned officers of the City beyond the general duties that exist for law enforcement officers within the State of Missouri.

7. Time and Place of Performance – The City will endeavor to have an officer available for duty at

the assigned school(s) each day indicated in advance on a mutually agreed upon schedule. The assigned officers' activities will be restricted to school grounds except for:

- a. Follow-up home visits when needed as a result of school related student problems.
- b. School related off-campus activities when police officer participation is requested by the Assistant Superintendent and/or Principal and approved by the Police Chief.
- c. In response to off-campus, but school related, criminal activity.
- d. In response to emergency police activities.

The City may furnish a substitute officer on days when an assigned officer is absent due to illness or police department requirements in order to fulfill the number of days stipulated in this contract.

8. City Responsibilities – The City will ensure the following:

- a. The City shall maintain police liability and general liability insurance. Such policy or policies of insurance shall name the District as an additional insured. Such policy or policies shall cover cost of defense as well as liability for every claim or demand which may be made by any person or entity arising from or caused by any act of neglect, fault or omission of the City or its SROs in the performance of this Agreement, except to the extent that such claim or demand arises from or is caused by the negligence or willful misconduct of the District, its agents or employees.
- b. The City will ensure all SROs obtain and maintain the proper training, licensure, commissions, and meet any and all requirements of their positions, at the City's expense.

9. District Responsibilities – The District will provide the assigned officers an office and such equipment as is necessary at his/her assigned school. Equipment shall include a telephone, secured filing space and access to a computer.

10. Miscellaneous Terms

- a. **ASSIGNMENT.** This Agreement shall not be assigned or subcontracted in whole or part by any party without prior written consent of all parties.
- b. **COMPLIANCE WITH LAWS.** All parties shall comply with all applicable federal, state, and local laws, rules, regulations, and ordinances.
- c. **GOVERNING LAW.** This Agreement shall be construed in accordance with and governed by the laws of the State of Missouri.
- d. **RELATIONSHIP OF PARTIES.** The parties hereto, in the performance of this Agreement, shall not act as agents, employees, partners, joint ventures, or associates of one another and shall not be construed as the employees or agents of the other party for any purpose whatsoever.
- e. **NON-DISCRIMINATION.** Each party agrees that it will not discriminate based on race, color, religion, sex, disability, or national origin, or on any other basis as prohibited by law.
- f. This Agreement may be terminated by any party whenever, for any reason, such party determines the termination is in its best interest. Termination of services shall be effected by delivery to the other parties of a written Termination Notice at least thirty (30) days prior to the termination effective date.
- g. **EXPENDITURE OF FUNDS.** All obligations of the parties under this Agreement which require the expenditure of funds are conditional upon the availability of funds budgeted and appropriated for that purpose.
- h. **NO WAIVER OF IMMUNITY.** In no event shall the language of this Agreement constitute or be construed as a waiver or limitation of any party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

- i. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties. This Agreement expressly revokes any prior understandings, agreements, or representations, oral or written, of the parties.
- j. MODIFICATION. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by the parties.
- k. NOTICE. When any notice or statement of other communication is required under this Agreement, it shall be sent to the following addresses, unless otherwise specifically advised:

To the District:
Paul Mensching, Superintendent of Schools
503 S. Lexington
Harrisonville, MO 64701

To the City:
[Name]
[Title]
[Address]

[Remainder of this page intentionally left blank.]

Harrisonville-Cass R-IX School District

By:

Paul Menez
Superintendent of Schools

By:

Don B. Bly
President, Board of Education

Attested by:

Juan M. Breker
Secretary, Board of Education

City of Harrisonville, Missouri

By:

City Administrator

By:

Mayor

Attested by:

City Clerk

Attachment: Signed SRO Agreement 2022-23 (SRO Agreement Renewal 2022-23)

Council Bill No. 2022**Resolution No. 2022****A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH HARRISONVILLE CASS R-9 SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Harrisonville (“City”) has participated with the Cass R-IX School District to offer a school resource officer since 1998; and

WHEREAS, the Cass R-IX School District has agreed to compensate the City of Harrisonville at a rate of \$38.19 per hour for resource officer compensation; and

WHEREAS, the Board of Aldermen have reviewed the agreement between the City of Harrisonville and the Cass R-IX School District and find it in its best interest to approve the agreement.

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

Section 1: The Mayor and City Administrator are hereby authorized and directed by the Board of Aldermen to enter into agreement on behalf of the City of Harrisonville, Missouri with Cass R-IX School District.

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 ON THIS 6TH DAY OF SEPTEMBER 2022.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

EXCUSED:

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

Attachment: SRO contract 2022 (SRO Agreement Renewal 2022-23)

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 6th day of September 2022.

Attachment: SRO contract 2022 (SRO Agreement Renewal 2022-23)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: September 2, 2022
SUBJECT: Log Cabin Festival 2022

Type of Item: *Approval*

GENERAL INFORMATION

Applicant: Harrisonville Area Chamber of Commerce
Bing Schimmelpfenning and Kevin Wood

Requested Actions: Closure of the square area to host the 2022 Log Cabin Festival
September 29, 2022, through October 2, 2022.

Date of Application: September 1, 2022

PROPOSAL

The Harrisonville Chamber of Commerce has requested an approval for the 2022 Log Cabin Festival scheduled for September 30 through October 1, 2022, for the historic Harrisonville square and areas surrounding.

PREVIOUS ACTIONS

If approved, this will be the 12th year for this event hosted by the Chamber of Commerce.

KEY ISSUES

The Chamber of Commerce has several requests of the city for this event which are listed on the Event Permit Application.

STAFF COMMENTS AND SUGGESTIONS

Most of the Chamber's requests are the same as previous years. Below I will outline new or altered requests for the 2022 event: The number shown is the item number on the event permit:

- 2) **Band** – Rather than two Bands, one each on Friday and Saturday night there will be just one band playing on the main stage on Friday night until 10:30.

- 3) **Beer Garden** – There will be no beer garden at this year’s festival. The old hotel lot at the corner of Pearl and Lexington will be used for vendor parking this year rather than the beer garden.
- 5) **Trash pickup** – The chamber has requested assistance from the city with trash pickup for the entire area including a 40 yard roll off container. City staff has reluctantly provided this assistance each year of the festival and is quite taxing on staff and the subsequent overtime budgets. The 40-yd. roll off dumpster has been provided as a donation from the local trash provider in the past. Should the dumpster not be donated again this year the cost of the dumpster shall be the responsibility of the Chamber. The roll-off container is estimated to cost \$500.00 for the event if not donated.
- 8) **Security** - Security will be provided by the Chamber of Commerce; security will be contracted for overnight security of event location.
- 14) **Special Use of ATVs/Razor/Gator:** Chamber of Commerce is requesting a special use permit to use ATVs/Razor/Gator type vehicles on city street of Pearl, from the high school to the square the morning of the parade and along with the streets of Lexington and Independence around the square and for the purpose of transporting equipment and other items related to the festival to and from various places around the square.

City Response - I do not support letting these types of vehicles roam the city as they are not licensable therefore, they are not legal and do not require insurance, but I will let the Board of Alderman determine whether or not to allow this request. To allow the Board of Alderman to make an informed decision on this request I do have a few questions I would like answered.

- What is your definition of an ATV? To me an ATV is a four-wheel motored vehicle that the driver, and passenger straddle the vehicle as it is moving and to me this type of vehicle would not provide any real assistance transporting equipment.
- What type of equipment needs to be transported from the square to the beginning of the parade and why can’t it be transported by a licensed vehicle?
- Is this a request for chamber staff to use these type vehicles or all vendors?

These questions were emailed to the applicant on Sunday August 28, 2022, and a reply was not received until 11:07 am on Thursday September 1, 2022. The chamber’s reply email is attached.

In recent years I have noticed many concerns with these type vehicles and will share my experiences with the Board of Alderman in my memo regarding this request. Some of my concerns are as follows:

- We have a difficult time of Razors and UTVs driving the city of Harrisonville even though they are not licensable and legal. I believe allowing these vehicles to drive the streets during the festival only increases the perception that they are legal to drive on roadways.

- A few years ago, I observed several Razor UTVs driving back and forth between the square and high school (parade beginning) and some of were above the posted speed limit. When I mentioned this to the Chamber staff, I was informed that they were parade entries even though the parade wasn't to start for another 20-30 minutes.
- This same year, these same Razor UTVs occupants distributed candy by throwing it from inside the vehicle by the driver and passenger even though this is prohibited in the Parade Rule. Immediately after this occurred at the corner of Independence and Pearl I had to grab and stop a young child from running into the middle of the street, and parade entries in his efforts to get candy improperly distributed from the middle of the street.
- Last year during the Love the Square Bicentennial Birthday celebration the Rotary Train overturned near the intersection of Chestnut and Main. We were very fortunate that it was just the engine that turned over and not the entire train as it was full of young children.
- As a police department and city that prides itself on focusing on pedestrian and vehicular safety, I don't support using these type vehicles in barricaded areas, such as the festival, where pedestrians are not anticipating maneuvering between moving vehicles.
- If these type vehicles are truly needed to move equipment around the square during the event, I could support allowing one UTV vehicle, to be by the chamber only, with a utility box to assist with such movements.

Costs to the City of Harrisonville for requested items shown on te event permit. .			
Department	Costs		Notes
Water Department	\$2,340.00		
Parks & Recreation Department	\$629.44		
Street Department	\$2,397.42		Does not include dumpster shown in # 5
Electric Department	\$3,800.00		
Police Department	\$3,557.55		
TOTAL	\$12,724.41		

STAFF RECOMMENDATION

One event scheduled during the festival that is not on the event permit application is a planned Civil War reenactment that is planned for the green space near Ash Street between Lexington and Independence streets.

In addition to the items listed above the Chamber of Commerce will be responsible for following the Cass County Health Department's guidelines appropriate for this event, port-a-potties (no less than ten) to the predetermined locations. In the past the City provided the Insurance for the Parade portion of the event while the Chamber was responsible for the remaining event coverage. I would suggest following the same protocol this year.

ATTACHMENTS

Chamber Application
Chamber Email Response
Parade Rules
Event Layout Map

STAFF CONTACT:

John J. Hofer, Chief of Police
jhofer@harrisonville.com

B. Action Item (ID # 4299)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE
TO APPROVE THE SPECIAL EVENT REQUEST FROM THE HARRISONVILLE AREA
CHAMBER OF COMMERCE TO HOLD THE 2022 LOG CABIN FESTIVAL.

Attachments:

Parade Rules (PDF)

Chamber Event Permit Clarifications Email (MSG)

Chamber Event Permit 2022 (PDF)

Chamber Event Mpas (PDF)

Log Cabin Festival 2022 (DOCX)

Harrisonville Parade Rules & Regulations

1. Entrants must observe all applicable rules and regulations and follow instructions from police and parade officials or be barred from the parade. The Harrisonville Police Department reserves the right to remove any entrant from the parade either prior to or any time during the parade.
2. No Parade participant may throw candy or any other item to Parade spectators. **Any entry with participants throwing items will be removed from the Parade by the Parade applicant/director and/or the Harrisonville Police Dept. Walkers may hand items to spectators only. There will be no exceptions to this rule.**
3. Tractors, trucks and other tow vehicles must be clean, attractive and quiet running vehicles.
4. No entry will be allowed that conveys any obscene message.
5. **No one will get on or off a float or entry once it has started down the parade route.**
6. All entries having music or sound amplifying systems shall maintain a volume that will not interfere with other entries, especially those with animals. If a unit is informed by the Police that the noise generated by their unit is too loud; they shall immediately turn the volume down or take other steps identified by the parade applicant/director or the Police.
7. Drivers of any and all vehicles in the parade areas must possess a valid driver's license, be at least 18 years old, and possess all liability vehicle insurance. The driver will remain seated in the driver's seat for the duration of the parade. Entries (lawn mowers, mini bikes, mopeds, go-carts, etc.) with younger drivers require written approval by the Chief of Police at least 24 hours prior to the event.
8. All pets in the Parade must be kept on leashes and held by someone strong enough to manage them. Animals participating in the Parade must be kept under control. If you cannot control your animal or its presence presents any safety issue, please leave the Parade area with your animal rather than risk a problem.
9. Entries involving animals of any kind must provide their own clean-up, or "pooper scooper" immediately following their entry.
10. Participants on bicycles, scooters, skates, skateboards, etc. must wear a helmet and proper safety equipment.
11. Floats must have proper safety chains to connect the float to the tow vehicle.
12. Support vehicles for marching units will not be allowed in the parade.
13. All vehicular entries shall proceed at a safe and appropriate speed, shall maintain a safe distance from spectators and shall not weave from side to side.
14. Parade units that stop along the parade route due to a mechanical malfunction may be removed from the parade.
15. All participants, in consideration of participation in this event, agree to indemnify, hold harmless and release the City of Harrisonville, its agents and employees, from any and all liability for any injury or damage which may arise out of or in any way be connected with participation in the Parade.

Theresa West

From: Bing Schimmelpfenning <executivedirector@harrisonvillechamber.com>
Sent: Thursday, September 1, 2022 11:07 AM
To: John Hofer
Subject: Re: Event Permit Clarifications

Hello Chief, here are the answers to your questions regarding the Log Cabin Festival permit.

#6: No other times are needed. I believe and correct me if I am wrong, but the night shift will monitor the square to make sure that vendor booths are not being vandalized or items stolen just as part of their regular duties. If not, we will need 2 overnight officers, the chamber will pay them just as we have in the past.

#12: We are requesting the same street closures and times as last year so no changes there, and yes all businesses have been notified in writing of the times and closure dates along with a personal visit from me reminding them of such.

#14: We use these "gators/razors/ATV's" every year for a variety of purposes. The reason we use these types of vehicles vs. regular ones is the fact that they are smaller, which allows for us to move better in and out of crowds, get to emergencies quicker etc..when the square is closed with all the vendor booths set up, a regular sized car/truck would not be able to get around. We use them to assist vendors take tables, tents, chairs, etc.. to their booth area to help keep the square clear of traffic, we used them to assist the elderly and disabled get to their booths, as well as from where they've parked to the festival. We use them at the beginning of the parade route (CCC/HHS) to help line up the entries, this often times means upwards of 40 participants which stretches down from the High School to the far north end of the Cass Career Center, this is too long to "walk". The parade sponsor then needs to use the "gator/razor/ATV" to get the line up forms from the HHS/CCC up to the square before the parade starts so that the emcee has the line up and description of the entries. They use the parade route to do this and since the parade route is already blocked off this shouldn't present an issue. This year we will have civil war "re-enactors" down at the park between Lexington and Independence, so we will need to use them to get back and forth, bringing them anything they might need, check on them, etc..and this is way too far to walk. We understand your concerns and would accept a limited number (2) be used, as well as restrictions on who (the chamber, committee members, parade sponsor) can use them as well as which streets they can be used on (all of Lexington-not past Mechanic to the South and Ash to the North, all of Independence-not past Mechanic to the south and Ash to the North\ , all streets around the square, over to the library, as well as at HHS/CCC, and on the parade route (Elm, to Price to Pearl).

Hope that helps. Thanks, Bing



Virus-free. www.avg.com

On Wed, Aug 31, 2022 at 6:19 PM Bing Schimmelpfenning <bing.schimmelpfenning@harrisonvilleschools.org> wrote:

Attachment: Chamber Event Permit Clarifications Email (Log Cabin Festival 2022)

----- Forwarded message -----

From: **John Hofer** <jhofer@harrisonville.com>

Date: Sun, Aug 28, 2022, 3:17 PM

Subject: Event Permit Clarifications

To: bing.schimmelpfenning@harrisonvilleschools.org <bing.schimmelpfenning@harrisonvilleschools.org>

Bing,

I have received and reviewed the event permit recently submitted for the upcoming Log Cabin Festival and need a couple areas clarified.

#6 – requests that the city provide police services to keep watch during the event to include the carnival area. I will schedule police staff for foot patrol during the event on Friday (9/30) from 5:00 pm to 11:00 pm and then again Saturday (10/1) from 9:00 am to 11:00 pm. No additional hours are being requested, correct?

#12 – in the past we have not closed the entire parking lot and Wirt Street until Wednesday of festival week so that local businesses, Cass County Library, Schroeder Chiropractic, My Ladies, and Brickhouse Coffee, etc., to use this parking for their patrons. Have you, or will you notify local businesses of this earlier than normal closure?

#14 – as you know I do not support letting these types of vehicles roam the city as they are not licensable therefore, they are not legal and do not require insurance, but I will let the Board of Alderman determine whether or not to allow this request. To allow the Board of Alderman to make an informed decision on this request I do have a few questions I would like answered.

- What is your definition of an ATV? To me an ATV is a four-wheel motored vehicle that the driver, and passenger straddle the vehicle as it is moving and to me this type of vehicle would not provide any real assistance transporting equipment.
- What type of equipment needs to be transported from the square to the beginning of the parade and why can't it be transported by a licensed vehicle?
- Is this a request for chamber staff to use these type vehicles or all vendors?

In recent years I have noticed many concerns with these type vehicles and will share my experiences with the Board of Alderman in my memo regarding this request. Some of my concerns are as follows:

- We have a difficult time of Razors and UTVs driving the city of Harrisonville even though they are not licensable and legal. I believe allowing these vehicles to drive the streets during the festival only increases the perception that they are legal to drive on roadways.
- A few years ago, I observed several Razor UTVs driving back and forth between the square and high school (parade beginning) and some of were above the posted speed limit. When I mentioned this to the Chamber staff, I was informed that they were parade entries even though the parade wasn't to start for another 20-30 minutes.
- This same year, these same Razor UTVs occupants distributed candy by throwing it from inside the vehicle by the driver and passenger even though this is prohibited in the Parade Rule. Immediately after this occurred at the corner of Independence and Pearl I had to grab and stop a young child from running into the middle of the street, and parade entries in his efforts to get candy improperly distributed from the middle of the street.
- Last year during the Love the Square Bicentennial Birthday celebration the Rotary Train overturned near the intersection of Chestnut and Main. We were very fortunate that it was just the engine that turned over and not the entire train as it was full of young children.
- As a police department and city that prides itself on focusing on pedestrian and vehicular safety, I don't support using these type vehicles in barricaded areas, such as the festival, where pedestrians are not anticipating maneuvering between moving vehicles.
- If these type vehicles are truly needed to move equipment around the square during the event, I could support allowing one UTV vehicle, to be by the chamber only, with a utility box to assist with such movements.

I hope to take this event permit application to the Board of Alderman for approval at their September 6th meeting so the sooner you can respond would be greatly appreciated.

Thanks,

John



THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE AND ANY ATTACHMENTS IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IF THE READER OF THIS E-MAIL MESSAGE AND ANY ATTACHMENTS IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU ARE IN THE POSSESSION OF PRIVILEGED INFORMATION. PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE OR REPLY EMAIL OF YOUR INADVERTENT RECEIPT AND DELETE THIS E-MAIL MESSAGE AND ANY ATTACHMENTS IMMEDIATELY.

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This is an email from outside your organization.

SPECIAL EVENTS APPLICATION

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

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

1. Organization: Harrisville Chamber of Commerce
2. Name of Applicant: Bing Schimmler + Kevin Wood
 Address: 106 S. Independence Harrisville, MO.
 Phone: 816-380-5271 Cell: 816-830-1470 64701
3. Purpose of Event: Log Cabin Festival
4. Proposed date(s) and time(s) of Event: September 30 + October 1, 20.
5. Location(s) where event will be held: Harrisville Square
+ adjacent streets
6. Anticipated crowd size: 4000
7. City services requested: (Please check all that apply) Provide detailed letter for these requests.
☒ Electricity ☒ Police Protection ☒ Traffic Control ☐ Ambulance Standby
☒ Cones ☒ Barricades ☒ Street or parking lot clean up
8. Any additional information: organized similar to
previous years.

APPROVED this _____ day of _____, 20 ____

Chief of Police

City Clerk

Sponsored by: Harrisville
Area Chamber of Commerce
AND City of Harrisville

Attachment: Chamber Event Permit 2022 (Log Cabin Festival 2022)

Harrisonville Parade Rules & Regulations

1. Entrants must observe all applicable rules and regulations and follow instructions from police and parade officials or be barred from the parade. The Harrisonville Police Department reserves the right to remove any entrant from the parade either prior to or any time during the parade.
2. No Parade participant may throw candy or any other item to Parade spectators. **Any entry with participants throwing items will be removed from the Parade by the Parade applicant/director and/or the Harrisonville Police Dept. Walkers may hand items to spectators only. There will be no exceptions to this rule.**
3. Tractors, trucks and other tow vehicles must be clean, attractive and quiet running vehicles.
4. No entry will be allowed that conveys any obscene message.
5. **No one will get on or off a float or entry once it has started down the parade route.**
6. All entries having music or sound amplifying systems shall maintain a volume that will not interfere with other entries, especially those with animals. If a unit is informed by the Police that the noise generated by their unit is too loud; they shall immediately turn the volume down or take other steps identified by the parade applicant/director or the Police.
7. Drivers of any and all vehicles in the parade areas must possess a valid driver's license, be at least 18 years old, and possess all liability vehicle insurance. The driver will remain seated in the driver's seat for the duration of the parade. Entries (lawn mowers, mini bikes, mopeds, go-carts, etc.) with younger drivers require written approval by the Chief of Police at least 24 hours prior to the event.
8. All pets in the Parade must be kept on leashes and held by someone strong enough to manage them. Animals participating in the Parade must be kept under control. If you cannot control your animal or its presence presents any safety issue, please leave the Parade area with your animal rather than risk a problem.
9. Entries involving animals of any kind must provide their own clean-up, or "pooper scooper" immediately following their entry.
10. Participants on bicycles, scooters, skates, skateboards, etc. must wear a helmet and proper safety equipment.
11. Floats must have proper safety chains to connect the float to the tow vehicle.
12. Support vehicles for marching units will not be allowed in the parade.
13. All vehicular entries shall proceed at a safe and appropriate speed, shall maintain a safe distance from spectators and shall not weave from side to side.
14. Parade units that stop along the parade route due to a mechanical malfunction may be removed from the parade.
15. All participants, in consideration of participation in this event, agree to indemnify, hold harmless and release the City of Harrisonville, its agents and employees, from any and all liability for any injury or damage which may arise out of or in any way be connected with participation in the Parade.

ARTICLE II. PERMITS

SECTION 397.070: PERMIT REQUIRED

No person shall engage in, participate in, aid, form or start any procession or event, unless a parade permit shall have been obtained from the Board of Aldermen.

SECTION 397.080: APPLICATION -- REQUIRED

A person seeking issuance of a procession or event permit shall file an application with the City Clerk on forms provided by such officer.

SECTION 397.090: APPLICATION -- FILING PERIOD

An application for a procession or event permit shall be filed not less than seven (7) days prior to a meeting of the Board of Aldermen. Such meeting shall be at least twenty (20) days prior to the proposed date of the parade to allow the Board to further investigate the matter as necessary. (CC 1977 §23-103; Ord. No. 972 §4, 4-19-72)

SECTION 397.100: APPLICATION -- CONTENTS

The application for a procession or event permit shall set forth the following information as applicable:

1. The name, address and telephone number of the person seeking to conduct such parade;
2. Purpose of event;
3. If the procession or event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
4. The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;
5. The date when the parade is to be conducted;
6. The route to be traveled, the starting point and the termination point;
7. The approximate number of persons who, and animals and vehicles which, will constitute such parade, the type of animals and descriptions of the vehicles;

9. A statement as to whether the procession or event will occupy all or only a portion of the width of the streets proposed to be traversed;

10. The location by streets of any assembly areas for such parade;

11. The time at which units of the parade will begin to assemble at any such assembly areas;

12. The interval of space to be maintained between units of such parade;

13. If the procession or event is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the City Clerk a communication in writing from the person proposing to hold the procession or event, authorizing the applicant to apply for the permit on his/her behalf;

14. Location at which the event will be held; and

15. Any additional information which the Board of Aldermen shall find reasonably necessary to a fair determination as to whether a permit should be issued. (CC 1977 §23-104; Ord. No. 972 §4, 4-19-72)

SECTION 397.110: STANDARDS FOR ISSUANCE

The Board of Aldermen shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, they find that:

1. The conduct of the procession or event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

2. The conduct of the procession or event will not require the diversion of so great a number of Police Officers of the City to properly Police the line of movement and the areas contiguous thereto as to prevent normal Police protection to the City;

3. The concentration of persons, animals and vehicles at assembly points of the procession or event will not unduly interfere with proper fire and Police protection of, or ambulance service to, areas contiguous to such assembly areas;

4. The conduct of such procession or event will not interfere with the movement of fire-fighting equipment enroute to a fire;

5. The conduct of the procession or event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;

6. The procession or event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute;

7. The procession or event is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit. (CC 1977 §23-105; Ord. No. 972 §5, 4-19-72)

SECTION 397.120: ALTERNATIVE PERMIT

The Board of Aldermen, in denying an application for a procession or event permit, shall be empowered to authorize the conduct of a procession or event on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five (5) days after notice of the action of the Board of Aldermen, file a written notice of acceptance with the City Clerk. An alternate procession or event permit shall conform to the requirements of and shall have the effect of a procession or event permit under this Article. (CC 1977 §23-107; Ord. No. 972 §7, 4-19-72)

SECTION 397.130: COMPLIANCE

An applicant for a procession or event permit shall comply with all permit directions and conditions and with all applicable laws and ordinances. (CC 1977 §23-109; Ord. No. 972 §9, 4-19-72)

SECTION 397.140: POSSESSION

The procession or event chairman or other person heading or leading such activity shall carry the procession or event permit upon his/her person during the conduct of the procession or event and be present. (CC 1977 §23-110; Ord. No. 972 §9, 4-19-72)

SECTION 397.150: REVOCATION

The City shall have the authority to revoke a procession or event permit issued pursuant to this Article upon its' determination that the procession or event does not conform with the procession or event permit. (CC 1977 §23-111; Ord. No. 972 §11, 4-19-72)

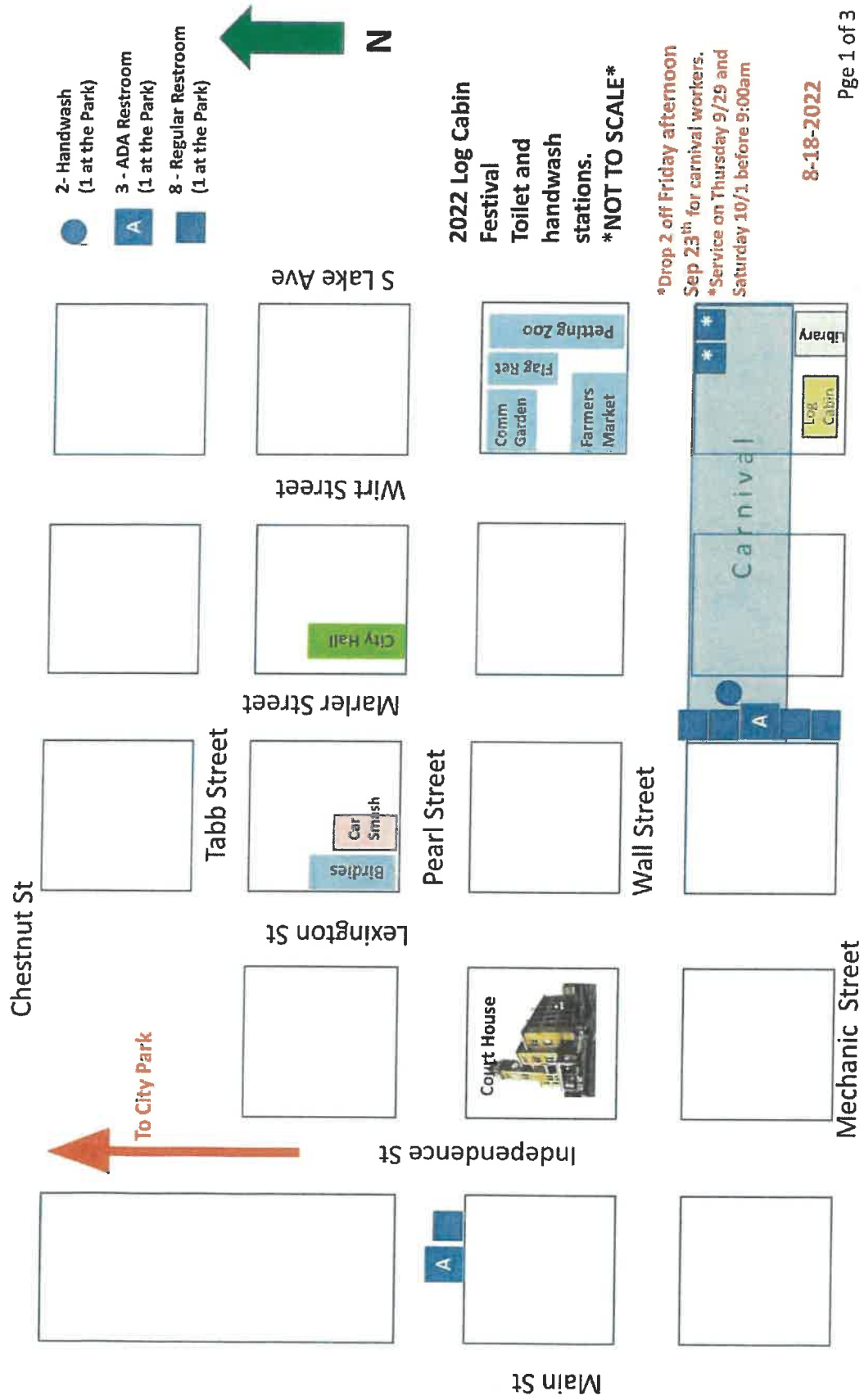
SECTION 397.160: RESTRICTIONS/REQUIREMENTS

A. Event organizers must provide proof of liability insurance in the amount of one million dollars (\$1,000,000.00) to the City Clerk at least fifteen (15) days prior to the event date. Failure to meet this requirement shall make the permit null and void.

B. Restrooms and trash receptacles shall be provided. Trash disposal is the responsibility of event organizers.

C. *Food Vendors.*

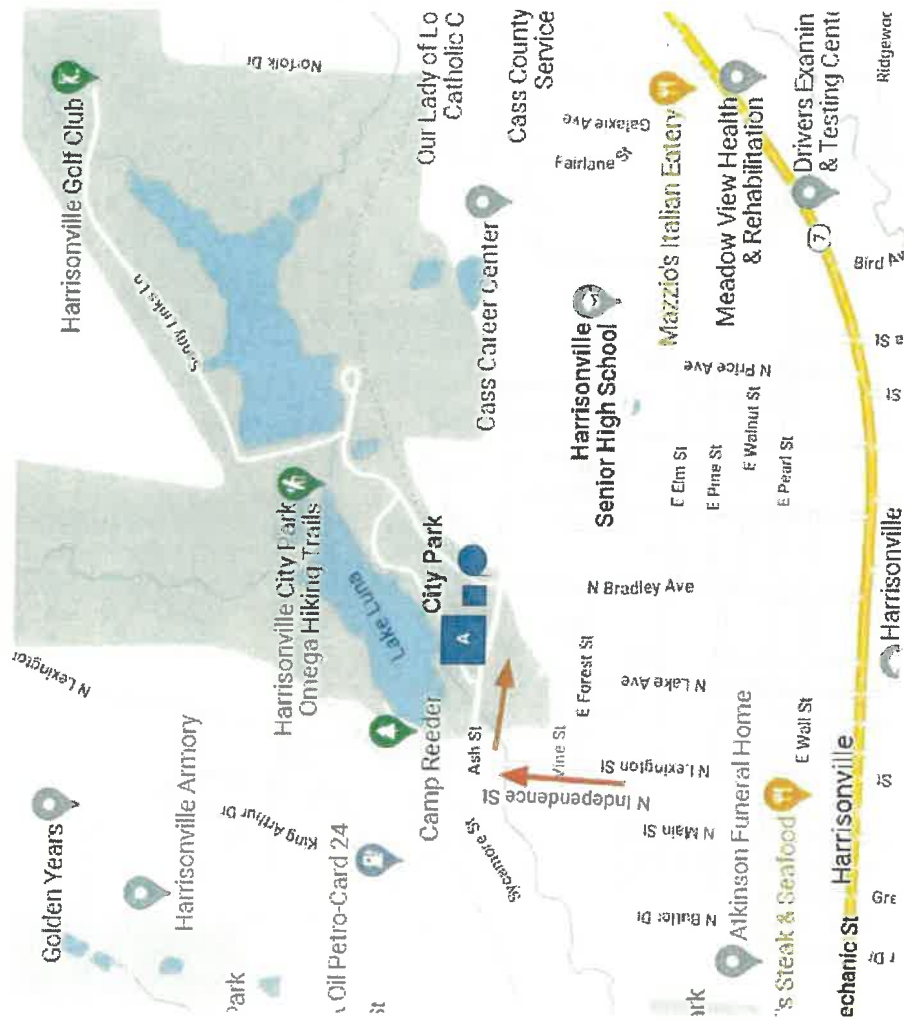
1. Only fires within an apparatus manufactured for the purpose in which it is being used shall be permitted in booths.
2. Each food vendor will remove all used cooking grease from event premises and dispose of it appropriately.
3. All food vendors cooking, heating or otherwise utilizing any source of heat must have at least one (1) dry chemical fire extinguisher in booth area at all times.
4. Only UL approved heavy gauge extension cords rated for outside use can be used in event booths.
5. Booth participants are responsible for daily cleanup of their areas. (CC 1977 §23-116; Ord. No. 2338 §1, 2-3-97; Ord. No. 2424 §3, 9-8-97)





6/29/2021

Port-A-Pottie Map- Harrisonville City Park



Council Bill No. 2022**Resolution No. 2022**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE TO APPROVE THE SPECIAL EVENT REQUEST FROM THE
HARRISONVILLE AREA CHAMBER OF COMMERCE TO HOLD THE 2022 LOG
CABIN FESTIVAL.**

WHEREAS, the Harrisonville Area Chamber of Commerce has requested to hold the 2022 Log Cabin Festival on Friday, September 30 and Saturday, October 1; and

WHEREAS, City staff have reviewed the required special event application,

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 approves the Special Event Request for the 2022 Log Cabin Festival.

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 6TH DAY OF SEPTEMBER 2022.

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

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

ATTEST:

Daniel Barnett, City Clerk

Attachment: Log Cabin Festival 2022 (Log Cabin Festival 2022)

WITNESS my hand and seal this 6th day of September, 2022.



STAFF REPORT

TO: Board of Aldermen
FROM: Christina Stanton,
DATE: August 22, 2022
SUBJECT: Slumber Inn Rezoning

Type of Item: *Public Hearing*

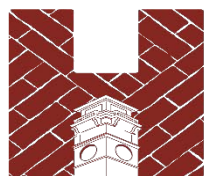
C. Action Item (ID # 4289)

AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING OF APPROXIMATELY 4.63 ACRES OF LAND FROM AGRICULTURE (A) TO SERVICE BUSINESS DISTRICT (C-2) ON LAND LOCATED AT 21400 E. 275TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

Attachments:

Slumber Inn BOA Packet (PDF)

Ordinance (DOC)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

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

5.C.a

To: Board of Aldermen

From: Christina Stanton, AICP, Community Development Director

Date: September 6, 2022

Re: Slumber Inn Rezoning from Agriculture (A) to Service Business District (C-2)

GENERAL INFORMATION

Applicant: Hardeep Khehra, representing Aria Hospitality, LLC

Requested Actions: Approval of Requested Rezone from Agriculture (A) to Service Business District (C-2)

Date of Application: August 5, 2022

PROPOSAL

Mr. Hardeep Khehra, representing Aria Hospitality, LLC, is seeking approval of a requested Rezoning from Agriculture (A) to Service Business District (C-2). This property was annexed into the City in 2021 by Ordinance #3535.

Please see the attached maps and aerial photos.

The surrounding properties are currently zoned as follows:

North: M-1 (Limited Industrial District) – SPX Cooling Technologies
East: Commercially developed County parcels - Amoco and Midwest Marine
South (across West Outer Rd.): C-2 (Service Business District) – SAPP Bros.
West (across Brookhart Dr.): Commercially developed County parcel – Brian Russell Properties

PREVIOUS ACTIONS

- March 15, 2021--The Board of Aldermen approved an extension of the City limits by annexing approximately 4.63 acres of adjacent territory owned by Baldev S. Khehra and the Khehra Family Wealth Trust located at 21400 E. 275th Street by Ordinance #3535.
- August 18, 2022—The Planning and Zoning Commission recommended approval of the Rezoning request to the Board of Aldermen.

KEY ISSUES

- This lot was annexed into the City in early 2021, and because of the way Section 405.080 is worded it was “designated ‘District ‘A’, Agricultural District”.
- Prior to annexation this parcel was already a commercially developed parcel.
- Staff will be bringing forward, at a future meeting, proposed language changes for Section 405.080 so that future properties annexed into the City, that are already developed, will be zoned appropriately when annexed.

Attachment: Slumber Inn BOA Packet (Slumber Inn Rezoning)

STAFF COMMENTS AND SUGGESTIONS

Staff recommends approval of this requested rezone.

STAFF RECOMMENDATION

Staff recommends approval of the requested Rezone from Agriculture (A) to Service Business District (C-2).

ATTACHMENTS

Application
Ordinance No. 3535
Zoning Map
Aerial Map

STAFF CONTACT:
Christina Stanton



REZONING AND SPECIAL USE PERMIT APPLICATION

Application Type

☒ Rezoning (Fee \$250+\$5 per lot) ☐ Special use Permit (Fee \$ 250)

Applicant and Property Owner Information

Applicant (Print): Hardeep Khehra

Signature: Hardeep Khehra

Company Name: Aria Hospitality, LLC

Street Address: 21400 E 275th St City: Harrisonville State: MO Zip: 64701

Telephone: (816) 884-3100 Email: contact@slumberinn.com

Property Owner Authorization (all owners listed on title report must sign or submit signed authorizations and contact info)

Property Owner Name (print): Aria Hospitality, LLC

Signature(s): Hardeep Khehra

Street Address: 21400 E 275th St City: Harrisonville State: MO Zip: 64701

Telephone: (816) 884-3100 Email: contact@slumberinn.com

Firm Preparing Application:

Contact:

Street Address: City: State: Zip:

Telephone: Email:

* All correspondence should be sent to (check one): Applicant ☐ Property Owner ☒ Firm ☐

Project Information

General Location or Address: 21400 E 275th St, Harrisonville, MO 64701

Project Description: Rezoning of property due to annexation in 2021 Acres or Sq. Ft. 4.63 Acres

Current Zoning: Ag Proposed Zoning: C-2

Items to be Submitted 30 Days Before Planning Commission Meeting

- ☐ 1) **Application**
- ☐ 2) **Filing fee** - Payable to City of Harrisonville or contact Planning Commission Secretary to pay by phone.
- ☐ 3) **Site Plan drawn to scale and showing adjacent tracts within 185 ft. and current ownership.** Seven (7)
copies at least 8 1/2" x 11", and one (1) electronic copy emailed to city planner.
- ☐ 4) **Email full legal description in WORD** to planner (not assessor's abbreviated description).

City staff may modify submittal requirements as necessary.

Resources

City Website

<http://www.harrisonville.com/>

Zoning Map

<http://www.harrisonville.com/DocumentCenter/View/9508/Zoning-Final-Draft?bidId=>

Zoning Regulations

<https://www.ecode360.com/27908265>

Subdivision Regulations

<https://www.ecode360.com/27909481>

Cass County GIS Map

<https://cassgis.integritygis.com/h5/index.html?viewer=cass>

For Office Use Only

Case No.: Filing Fee: Amount Paid: \$ Date Application Received:

Planning & Zoning Commission Meeting Date: BOA Meeting Date:

Council Bill No. 2021-020

Ordinance No. 3535

AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY ANNEXING APPROXIMATELY 4.63 ACRES OF ADJACENT TERRITORY OWNED BY BALDEV S KHEHRA AND THE KHEHRA FAMILY WEALTH TRUST LOCATED AT 21400 E. 275TH STREET INTO THE CITY OF HARRISONVILLE, MISSOURI AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a verified petition for voluntary annexation signed by the fee and simple owner of record of real estate, hereinafter described, requesting annexation of said territory into the City of Harrisonville, Missouri under Section 71.014 of the Missouri Statutes 2013, was filed with the City Clerk; and

WHEREAS, said real estate, as hereinafter described, is adjacent and contiguous to the existing corporate limits of the City of Harrisonville, Missouri; and

WHEREAS, said real estate is within the City of Harrisonville's "Plan of Intent" to annex; and

WHEREAS, upon approval of the petition by the Board of Aldermen the petitioners will be applying for rezoning of said real estate to a commercial zoning district; and

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, does find and determine that said annexation is reasonable and necessary for the proper development of the City.

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

Section 1. That the corporate limits of the City of Harrisonville, in the County of Cass, state of Missouri, are annexed so as to embrace and include all that part of said County of Cass lying within the following boundary lines.

LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER THEREOF AND RUNNING THENCE EASTT ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 475.88 FEET; THENCE NORTH 424.02 FEET; THENCE WEST 476.37 FEET TO A POINT IN THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWESTT QUARTER OF SECTION 9, AFORESAID; THENCE SOUTH 0 DEGREES 04 MINUTES 00 SECONDS EAST, 424.02 FEET TO THE POINT OF BEGINNING SUBJECT TOT EH POINT OF BEGINNING, SUBJECT TO EXISTING ROADS.

Section 2: That the boundaries of the City of Harrisonville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

Section 3: That the city Clerk of the City of Harrisonville is hereby ordered to cause three (3) certified copies of this ordinance to be filed with the Cass County Clerk.

Section 4: Effective Date. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

VOTE TAKEN AS FOLLOWS:

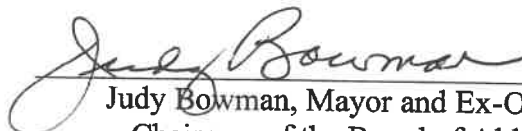
AYES: Davidson, Doerhoff, Franklin, Mills, Milner, Reece, Turner, Zaring

NAYS:

ABSENT:

ABSTAIN:

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 15TH DAY OF MARCH 2021 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 15TH DAY OF MARCH 2021 AND PASSED BY THE BOARD OF ALDERMEN THIS 15TH DAY OF MARCH 2021.


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

ATTEST:


Daniel Barnett, City Clerk

WITNESS my hand and seal this 15th day of March 2021

Exhibit I. Map
Exhibit II. Petition

Attachment: Slumber Inn BOA Packet (Slumber Inn Rezoning)

EXHIBIT I
MAP OF ANNEXED AREA
21400 East 275th Street

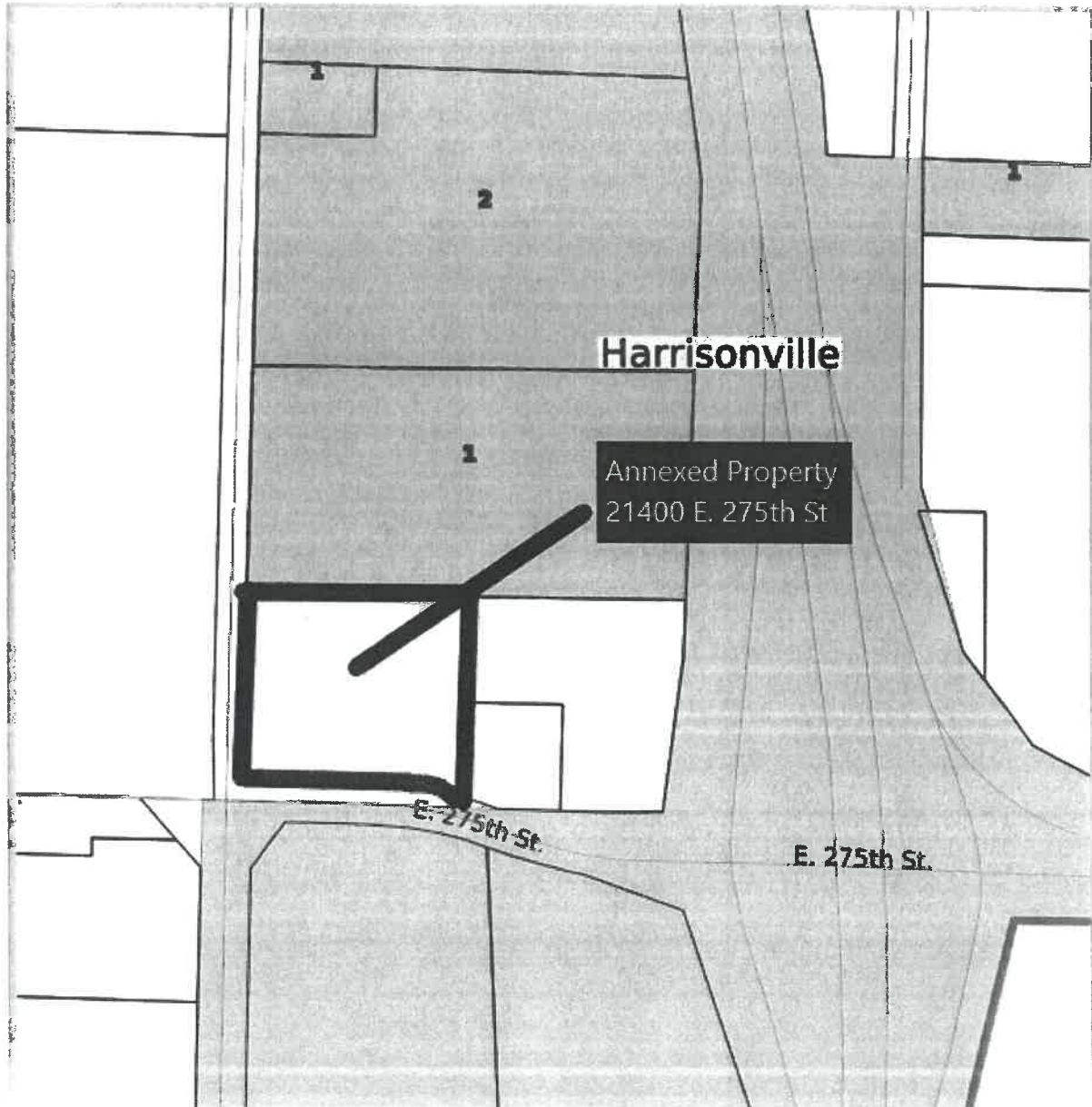


EXHIBIT II
ANNEXATION PETITION
PETITION

TO: THE CITY OF HARRISONVILLE, MISSOURI, A MUNICIPAL CORPORATION

We, the undersigned petitioner, submit to the Board of Aldermen of the City of Harrisonville, Missouri as follows:

- 1) The undersigned is the fee and simple owner of record of the real estate in Cass County, Missouri more fully described in Exhibit A, and
- 2) The request and petition to the City of Harrisonville, Missouri to annex the land described in Exhibit A is not now part of any corporate limits of any incorporated City, and
- 3) The land described in Exhibit A is contiguous to the existing corporate limits of the City of Harrisonville, Missouri, and
- 4) The request and petition is voluntarily made and is submitted under the provisions of Section 71.014 of the Revised Missouri Statutes 2013.

SIGNED: Baker S. Kehn

STATE OF MISSOURI
COUNTY OF CASS SS.

ACKNOWLEDGEMENT OF CORPORATE OFFICIAL

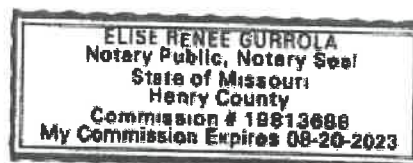
On this 18th day of February, 2021, before me appeared Baldev Khohra
Kashmir Kumar to me personally known, who, being by me duly sworn did say that he/she is the
Property Owners of Slumber Inn Motel, and that the
seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was
signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said
instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in
the day and year first above written.

"Notary Seal"

Notary Public: [Signature]

Print Name: Elise Renee Gurrola



Rev. 122820

Legal Description

Part of the southeast quarter of the southwest quarter of Section 9, Township 44, Range 31, Cass County, Missouri, Described as beginning at the southwest corner thereof and running thence east along the south line of said quarter quarter section, 475.88 Feet; Thence North 424.02 Feet; Thence West 476.37 Feet to a point in the West line of the Southeast quarter of the Southwest quarter of Section 9, aforesaid; Thence South 0 degrees 04 Minutes 00 Seconds East, 424.02 Feet to the point of beginning subject to the point of beginning, subject to existing roads.

Attachment: Slumber Inn BOA Packet (Slumber Inn Rezoning)

Council Bill No.**Ordinance No.**

AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING OF APPROXIMATELY 4.63 ACRES OF LAND FROM AGRICULTURE (A) TO SERVICE BUSINESS DISTRICT (C-2) ON LAND LOCATED AT 21400 E. 275TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Hardeep Khehra, to approval a Rezoning for approximately 4.63 acres of land from Agriculture (A) to Service Business District (C-2) on land located at 21400 E. 275th Street in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, the Rezoning was considered by the Planning and Zoning Commission on August 18, 2022, and, with a vote of 9 Ayes and 0 Nays, recommended that the Board of Aldermen approve the Rezoning; and

WHEREAS, the property was annexed into the City by Ordinance No. 3535 on March 15, 2021; and

WHEREAS, in accordance with the provision of Chapter 89 RSMo, and Chapter 405 of the Code of Ordinance of the City of Harrisonville, Missouri, the Board of Aldermen, after careful and due deliberation, find that approval of the Rezoning is in the best interest of the City of Harrisonville and its residents.

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

Section 1: The Board of Aldermen of Harrisonville, Missouri, hereby approves a Rezoning of approximately 4.63 acres of land from Agriculture (A) to Service Business District (C-2) on land located at 21400 E. 275th Street in the city of Harrisonville, Cass County, Missouri.

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

LEGAL DESCRIPTION:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER THEREOF AND RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 475.88 FEET; THENCE NORTH 424.02 FEET; THENCE WEST 476.37 FEET TO A POINT IN THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, AFORESAID; THENCE SOUTH 0°04'00" EAST, 424.02 FEET TO THE POINT OF BEGINNING SUBJECT TO THE POINT OF BEGINNING, SUBJECT TO EXISTING ROADS.

Section 3: Severability. The sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or

phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4: Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

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

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 6TH OF SEPTEMBER 2022 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 6TH DAY OF SEPTEMBER 2022 AND PASSED BY THE BOARD OF ALDERMEN THIS 6TH DAY OF SEPTEMBER 2022.

AYES:

NAYS:

AWAY:

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 6th day of September 2022

Attachment I: Zoning Map

Attachment: Ordinance (Slumber Inn Rezoning)

Zoning Map - Slumber Inn



Attachment: Ordinance (Slumber Inn Rezoning)



STAFF REPORT

TO: Board of Aldermen
FROM: Christina Stanton,
DATE: August 22, 2022
SUBJECT: Grogger Billboard Upgrade

Type of Item: *Public Hearing*

D. Action Item (ID # 4291)

AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT TO UPGRADE AN EXISTING BILLBOARD TO DIGITAL ON LAND LOCATED WEST OF I-49 AND EAST OF THE SOUTH GARDENS SUBDIVISION IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

Attachments:

Staff Rpt_Billboard Upgrade SUP_9-6-22 BOA (PDF)

Application (PDF)

GROGGER ZONING LETTER (PDF)

ATTACHED ZONING MAP (PDF)

MoDOT Approval Letter and Permit (PDF)

Section 435.140 (PDF)

Zoning Map (PDF)

Aerial Map (PDF)

Ordinance (DOC)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

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

5.D.a

To: Board of Aldermen

From: Christina Stanton, Community Development Director

Date: September 6, 2022

Re: Grogger Billboard Upgrade Special Use Permit (SUP)

GENERAL INFORMATION

Applicant: Margaret Jean Grogger Trust

Requested Actions: Approval of Special Use Permit

Date of Application: June 24, 2022

PROPOSAL

Margaret Jean Grogger Trust is seeking approval of the attached Special Use Permit for upgrading an existing billboard to digital. This billboard has existed in this location since approximately 1965.

Please see the attached maps and aerial photos.

The surrounding properties are currently zoned as follows:

North: M-1 (Limited Industrial District)
East: R-4 (Medium Density Apartment District)
South (across I-49): M-1 (Limited Industrial District)
West (across I-49): M-1 (Limited Industrial District)

PREVIOUS ACTIONS

- The applicant claims that the billboard has existed since about 1965.
- September 20, 1978—The Board of Aldermen approved Zoning Ordinance #1194, which defined “Painted Bulletin – An outdoor sign of approximate dimension 14 x 48 feet and advertising products, services, etc. not offered on the premises”. This type of sign was allowed in Districts C-3 Service Business District (now C-2), M-1 Light Industrial District, and M-2 General Industrial District. Under this Zoning Ordinance this type of sign was not allowed closer than 30 feet to a property line and at least 30 feet from a “District R-1 to C-1 inclusive and shall not extend higher than 30 feet above the elevation of adjacent roadway to which the advertising [was] directed” and each exposed face could not exceed 100 square feet in area. Additionally, these types of signs were required to be at least 800 feet apart from one another when on the same side of the street or highway.
 - It is unclear if there were any sign regulations prior to this Ordinance. This billboard does seem to meet the requirements of the 1978 Ordinance, which did not require a special use permit for billboards. If this billboard were built closer to that timeframe there should be a sign permit, but staff has not been able to locate such at this time.

Attachment: Staff Rpt_Billboard Upgrade SUP_9-6-22 BOA (Grogger Billboard Upgrade)

- September 5, 1997—The State first permitted this billboard as permit #680. Discussions with Aaron Distler, the Senior Outdoor Advertising Permit Specialist with the Missouri Department of Transportation (MoDOT) who reviewed and approved the requested upgrade to digital, stated that this structure may have existed prior to this time but was on-premise advertising that did not require a permit from MoDOT.
- August 18, 2022—The Planning and Zoning Commission recommended approval of the requested Special Use Permit with conditions pertaining to surveying being waived since this is an existing billboard and the location of the structure is not changing.

KEY ISSUES

The billboard has existed in the current location since approximately 1965. A legal non-conforming sign is allowed to remain, as-is with appropriate maintenance; however, to upgrade or enlarge or light or reconstruct the legal non-conforming sign requires the sign to come into compliance with current regulations. This means that anything beyond basic maintenance, for legal non-conforming billboards, requires a sign permit, a building permit, and a Special Use Permit as specified in Section 435.140.A.1 and 3 of the City's Code of Ordinances.

Additionally, Section 435.140.A contains several criteria pertaining to Billboards:

- Section 435.140.A.4 provides criteria for consideration of the placement of new billboards; however, this is an existing billboard.
 - a) *The billboard is located on private property.*
 - b) *It is located approximately 850 feet to the north from another legal non-conforming billboard and does not meet the 1,500 feet separation from other billboards.*
 - c) *The base of the billboard is located approximately 80 feet from the nearest edge of pavement of I-49 and does not meet the 1,500 feet setback discussed in subpart c.*
 - d) *The base of the billboard is approximately 370 feet from the residential property to the east and does not meet the 1,500 feet setback from residentially zoned property.*
 - e) *The base of the billboard is located approximately 80 feet from the nearest edge of pavement of I-49 and does not meet the 660-foot setback.*
 - f) *The property that the billboard is located on is zoned M-1 (Limited Industrial District).*
 - g) *The billboard is not mounted, attached or affixed to any building rooftop or that walls of any building.*
- Section 435.140.A.5 provides criteria for the lighting of billboards.
- Section 435.140.A.6 provides criteria for the size of billboards.
- Section 435.140.A.7 provides criteria for setbacks and height of billboards.
 - a) To provide a safety zone to prevent injury or property damage from collapse caused by acts of nature or other causes, Billboards shall meet the following minimum Safety Setback Requirements from all points of the Sign:
 1. At least ninety (90) feet from the Billboard's nearest edge to the rights-of-way of any Federal or State Highway. *Staff is aware that the base of the billboard doesn't even meet this setback so neither would the nearest edge; however, it should be noted that the State has already reviewed the requested billboard upgrade and approved it.*
 2. At least ninety (90) feet from all property lines on which the Billboard is located, and all roofed structures including roofed structures located on the Parcel on which the Billboard is located. *The nearest structure is approximately 400 feet away from the billboard.*
 3. At least ninety (90) feet from any other structure that would require a building permit for its construction including structures located on the Parcel on which the Billboard is located. *Again, the nearest structure is approximately 400 feet away.*
- Section 435.140.A.8 pertains to service drives for Billboards.
- Section 435.140.A.9 contains "Additional Information Required Prior to Permitting of a Billboard".
 - a) Billboards shall not be permitted by the City until a permit has been issued by the Missouri Highway and Transportation Commission. *This has been done and is attached.*

- b) Billboards shall not be permitted before the applicant has submitted the following certifications from the appropriate professionals registered in Missouri:
 1. Certification from a professional engineer registered in the State of Missouri that the soil and subsoil surface is capable of accepting the projected loads of the Billboard;
 2. Certification from a professional engineer registered in the State of Missouri as to the electrical portion of the Billboard;
 3. Certification from a professional engineer registered in the State of Missouri as to the structural strength of the Billboard; and
 4. A certified boundary survey from a surveyor registered in the State of Missouri of the Billboard site and its Safety Setback Requirement Zones.
- c) Billboards shall not be permitted before the applicant has submitted a Billboard survey to indicate the relative vertical and horizontal distances between the proposed Billboard and all other Billboards within one thousand five hundred (1,500) feet. If by reason of height, size or spacing the proposed Billboard unreasonably detracts from the visibility of other neighboring Billboards or properties, the City may require reasonable modification of the Billboard's dimensions to cure these deficiencies as a condition to granting a permit.
- d) Billboards shall not be permitted before the applicant has submitted to the City financial security in the form of a bond, letter of credit or other financial security as approved by the Director of Codes; a right of access; and any other measures necessary and sufficient to ensure removal of Billboards that are not validly permitted or that constitute a nuisance.
- Section 435.140.A.10 states: "Owners of all Billboards shall be required to submit an inspection to the City concerning a sign's structural integrity as deemed necessary by the City from time to time upon reasonable notice to the owner or operator of the property on which the Billboard is located. Failure to submit a report shall result in the immediate revocation of the Sign's permit."

STAFF COMMENTS AND SUGGESTIONS

While the exact date this billboard came into existence is unclear, what is known is that for the applicant to proceed with the proposed upgrade to digital a Special Use Permit (SUP) is required.

STAFF RECOMMENDATION

Staff recommends approval of the requested special use permit with the following conditions:

1. The applicant shall provide the required certifications in accordance with Section 435.140.A.9.b:
 - a. Certification from a professional engineer registered in the State of Missouri that the soil and subsoil surface is capable of accepting the projected loads of the Billboard;
 - b. Certification from a professional engineer registered in the State of Missouri as to the electrical portion of the Billboard;
 - c. Certification from a professional engineer registered in the State of Missouri as to the structural strength of the Billboard; and
 - ~~d. A certified boundary survey from a surveyor registered in the State of Missouri of the Billboard site and its Safety Setback Requirement Zones.~~
- ~~2. The applicant shall provide a Billboard survey to confirm the exact setbacks from existing billboards, property lines, and the pavement of I-49.~~
3. The applicant shall provide financial security as specified in Section 435.140.A.9.b of the City's Code of Ordinances.

ATTACHMENTS

Application
 Zoning Letter
 Attached Zoning Map
 MoDOT Approval Letter

Section 435.140
Zoning Map
Aerial photo

5.D.a

STAFF CONTACT:
Christina Stanton

Attachment: Staff Rpt_Billboard Upgrade SUP_9-6-22 BOA (Grogger Billboard Upgrade)

REZONING AND SPECIAL USE PERMIT APPLICATION

Application Type

☐ Rezoning (Fee \$250+\$5 per lot) ☒ Special use Permit (Fee \$ 250)

Applicant and Property Owner Information

Applicant (Print): Margaret Jean Grogger Trust Signature: Cynthia R. Warner, Trustee

Company Name: _____

Street Address: 1704 S. Oakland City: Harrisonville State: MO Zip: 64701

Telephone: 816-591-9875 Email: cindy@warnerlawmo.com

Property Owner Authorization (all owners listed on title report must sign or submit signed authorizations and contact info)

Property Owner Name (print): Margaret Jean Grogger Trust Signature(s): Cynthia R. Warner, Trustee

Street Address: 1704 S. Oakland City: Harrisonville State: MO Zip: 64701

Telephone: 816-591-9875 Email: cindy@warnerlawmo.com

Firm Preparing Application: Warner Law, LLC

Contact: Cynthia Warner

Street Address: 1708 N. Commercial, Ste. A City: Harrisonville State: MO Zip: 64701

Telephone: 816-591-9875 Email: cindy@warnerlawmo.com

* All correspondence should be sent to (check one): Applicant _____ Property Owner _____ Firm X

Project Information

General Location or Address: 1704 S. Oakland

Project Description: reconfiguring current billboard sign to a digital one Acres or Sq. Ft. _____

Current Zoning: M-1 Proposed Zoning: do not need rezoning see attached letter

Items to be Submitted 30 Days Before Planning Commission Meeting

- ☐ 1) Application
- ☐ 2) Filing fee - Payable to City of Harrisonville or contact Planning Commission Secretary to pay by phone.
- ☐ 3) Site Plan drawn to scale and showing adjacent tracts within 185 ft. and current ownership. Seven (7) copies at least 8 1/2" x 11", and one (1) electronic copy emailed to planner.
- ☐ 4) Email full legal description in WORD to planner (not assessor's abbreviated description).

City staff may modify submittal requirements as necessary.

Resources

City Website www.ci.harrisonville.mo.us
 Zoning Map <https://www.ci.harrisonville.mo.us/documentcenter/view/6182>
 Zoning Regulations <https://www.ecode360.com/27908265>
 Subdivision Regulations <https://www.ecode360.com/27909481>
 Cass County GIS Map <https://cassgis.integritygis.com/h5/index.html?viewer=cass>

For Office Use Only

Case No.: _____ Filing Fee: Amount Paid: \$ _____ Date Application Received: _____

Planning & Zoning Commission Meeting Date: _____ BOA Meeting Date: _____



City of

Harrisonville

est.
1836

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

November 30, 2021

Cynthia R. Warner
 Warner Law, LLC
 1708 N. Commercial St.
 Harrisonville, MO 64701
cindy@warnerlawmo.com

Re: Zoning of Grogger-Warner Tracts

Dear Cynthia:

The zoning for all three of you mother's tracts at 1704 S. Oakland is M-1, Light Industrial. The tracts are as follow:

Cass County Assessor PIN No.

13-31-05-000-000-002.000	5.5 ac.	M-1 Light Industrial
13-31-05-000-000-004.001	2.0 ac.	M-1 Light Industrial
13-31-05-000-000-004.000	9.5 ac.	M-1 Light Industrial

Sincerely,

Roger Kroh, AICP
 Community Development Planner

Cc: Jim Clarke, Director of Community Development

Attach. Zoning Map

Attachment: GROGGER ZONING LETTER (Grogger Billboard Upgrade)



Attachment: ATTACHED ZONING MAP (Grogger Billboard Upgrade)

Missouri
Department
of Transportation



Central District
1511 Missouri Blvd.
P.O. Box 718
Jefferson City, MO 65102
(573) 751-3322
Fax (573) 526-5490
Toll free 1-888 ASK MODOT
www.modot.org

January 11, 2022

CYNTHIA R WARNER
19701 E 267TH ST
HARRISONVILLE, MO 64701

RE: Permit 680
CASS County, IS 49 N

Dear CINDY WARNER:

On 1/11/2022, the digital upgrade request for permit 680 was approved. You have twelve (12) months to upgrade this sign with digital technology pursuant to Section 226.541, RSMo and 7 CSR 10-6.040 (4)(1). MoDOT will consider the upgrade complete once the digital panel(s) has been installed on the structure. If the digital panel(s) is not installed, the approval to upgrade will expire twelve (12) months from the date issued pursuant to Section 226.541, RSMo and 7 CSR 10-6.040 (4) (1).

For additional information regarding outdoor advertising rules and regulations, please log onto http://www.modot.org/business/Outdoor_Advertising. If you have questions, please contact me at 573-751-7187.

Sincerely,

Aaron Distler
Sr Outdoor Advertising Permit Specialist

Additional forms and information available at http://www.modot.org/business/Outdoor_Advertising

Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.

Revised 05/2015

Attachment: MoDOT Approval Letter and Permit (Grogger Billboard Upgrade)



MISSOURI DEPARTMENT OF TRANSPORTATION

OUTDOOR ADVERTISING PERMIT

MoDOT Permit Number: 680

Expiration Date: April 30, 2023

☐ Conforming Permit

☒ Conforming Out of Standard

☐ Nonconforming Permit

☒ Biennial Permit

☒ Transfer Permit

In Accordance With Section 226.550 RSMo and 7 CSR 10-6.070, this BILLBOARD permit is being issued to CYNTHIA R WARNER, 19701 E 267TH ST, HARRISONVILLE, MO 64701 for a CONFORM OUT OF STANDARD sign in a(n) INDUSTRIAL area located along IS 49 N at county log mile 12.20 on the RIGHT side of the road in CASS county on property owned by MARGARET JEAN TR GROGGER, 19701 E 267TH ST, HARRISONVILLE, MO 64701 .

This permit is conditioned upon the continued existence of material facts as represented by the applicant in the application for permit and on complete compliance with Sections 226.500 to 226.600 RSMo, as amended and 7 CSR 10-6. The State of Missouri reserves the right to remove the sign at the owner's expense if compliance is not met. If at any time, this sign is completely destroyed, this permit becomes void and the sign cannot be rebuilt until a new permit is issued.

Ed Hassinger
Chief Engineer

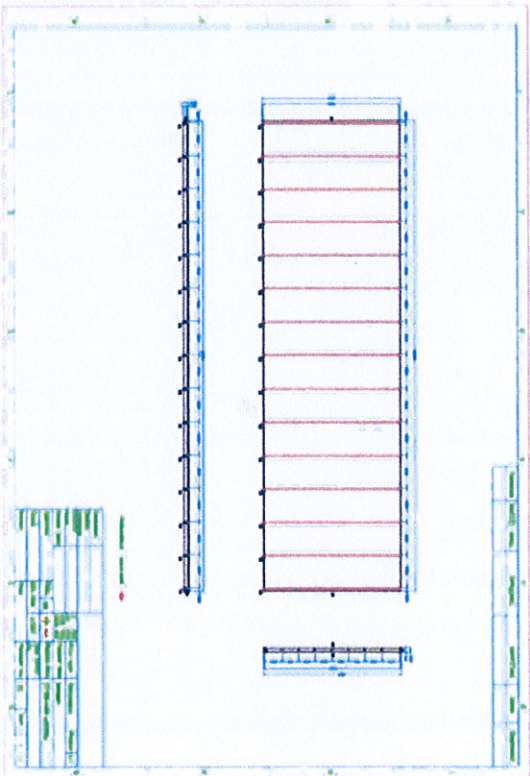
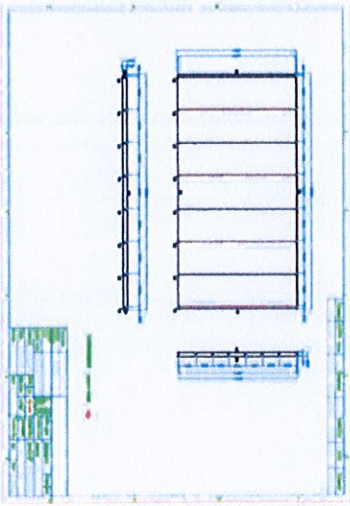
Date Printed: 6/28/2021

Additional forms and information available at http://www.modot.org/business/Outdoor_Advertising

Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.

Revised 04/2011

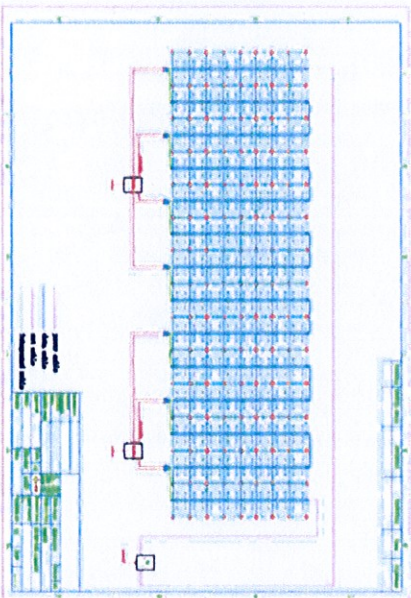
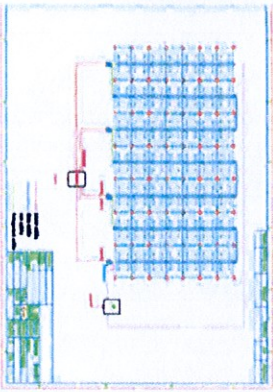
Attachment: MoDOT Approval Letter and Permit (Grogger Billboard Upgrade)



SQUARE TUBE
FRAME VIEW

Print

Re
Hi



OPTION 1 -
14'x48' FULL SIZE
BILLBOARD /
BULLETIN SIGN

TOTAL = 112 XLS
SIGN SECTIONS

14x48=672

X Close Markup

City of Harrisonville, MO
Wednesday, July 13, 2022

Chapter 435. Sign Regulations

Section 435.140. Regulations Relating To Billboards.

[Ord. No. 3456, 1-7-2019]

- A. Billboards shall be regulated under this Section **435.140**, and if a regulation in this Section **435.140** conflicts with another regulation contained in these Sign Regulations, then the regulation in this Section **435.140** shall take priority and apply.
1. Permit Required. In addition to the Sign permit required by this Chapter, a building permit shall be obtained from the Director of Codes prior to installation or placement of any Billboard. Billboards shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Plans required for issuance of a building permit for a Billboard shall be certified as to conformance with all structural and wind-load resistive standards of the Building Code by a registered design professional in the State of Missouri.
 2. Purpose. Billboards targeting messages at drivers on Missouri State highways and roadways within the City have a significant adverse impact on the safety of the traveling public when such structures because of their size, lighting, spacing, location, height or design distract or confuse travelers, interfere with vision, or obscure traffic signs or signals. Billboards targeting messages at drivers on the interstate and Missouri State highways within the City also have a significant adverse aesthetic impact on the community when such structures dominate the surrounding environment both visually and physically with their large sizes, bright lighting, close spacing, intrusive locations and great heights. Therefore, the erection and placement of Billboards along Missouri State highways and roadways within the City are subject to reasonable regulations relative to size, lighting, spacing, location and height to avoid adverse safety impacts; and to adapt the State Highway Commission standards so that in-town Billboards are compatible with urban land uses, where neighbors are closer to one another than in open rural areas. Avoiding such adverse impacts is intended to further the substantial public interest in protecting private investment in adjoining properties and public investment in the interstates and highways, promote the recreational value of public travel, preserve the natural beauty of the community, provide a favorable first impression of the community and promote the safety of public travel.
 3. Special Use Permit Required For A Billboard. In addition to complying with the terms of these Sign Regulations, a special use permit must be obtained in accordance with the procedures set forth in the Zoning Regulations, and to ensure the Billboard complies with Federal and State laws and regulations.
 4. Placement Of Billboards. The following conditions and/or situations shall be considered to determine the legal placement of all Billboards, including, but not limited to, State and Federal laws and regulations:
 - a. Billboards shall be located on private property.
 - b. A Billboard shall not be located closer than one thousand five hundred (1,500) feet from any other Billboard. Spacing shall be determined based on Signs that have received a Special Use Permit or that are Signs established as legal non-conforming uses. Billboards having received prior authorization or that are a legal non-conforming use shall

Attachment: Section 435.140 (Grogger Billboard Upgrade)

have priority over a later applicant in determining compliance with the spacing restrictions. Where two (2) different applications conflict with each other, so that only one (1) of the applications may be granted, the first application received by the City will be the first considered for approval. The second application shall remain pending until resolution of the first application. The second applicant shall be advised, in writing, if the first application considered is granted, and the second application shall be automatically denied. If the first application is denied, the second application shall then be considered.

- c. Billboards shall not be located adjacent to or within one thousand five hundred (1,500) feet of any interchange, intersection at grade or safety rest area that is existing or approved for construction. The one thousand five hundred (1,500) feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way or, if there is no pavement widening, then from the midpoint of the intersection.
 - d. To preserve adjoining property values and avoid adverse aesthetic impacts, Billboards shall not be located within one thousand five hundred (1,500) feet of land zoned for residential purposes.
 - e. Billboards shall be permitted only within six hundred sixty (660) feet of the nearest edge of the rights-of-way of Interstate 49.
 - f. Billboards shall be permitted only in the following zoning districts: "C-2," "M-1."
 - g. No Billboard shall be permitted to be mounted, attached or affixed to a building rooftop or the walls of any building.
5. Lighting Of Billboards.
- a. Billboards shall not include any revolving or rotating beam or beacon of light that simulates any emergency light or device.
 - b. Billboards shall not include any flashing, intermittent or moving light or lights.
 - c. Billboards may be lighted by external lighting, such as floodlights, thin line and gooseneck reflectors, provided the light source is directed upon the face of the Billboard and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or highway or into any portion of adjacent properties and the lights are not of an intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
 - d. Billboards shall not be illuminated so that it interferes with the effectiveness of, or obscures, an official traffic Sign, device or signal.
 - e. Billboards shall not have a maximum average lighting intensity level that exceeds twenty (20) foot-candles.
6. Size Of Billboards. The Sign Face Area of Billboards shall not exceed a maximum area for any one (1) Sign of one thousand two hundred (1,200) square feet with a maximum height of thirty (30) feet and a maximum length of sixty (60) feet, inclusive of border and trim but excluding the base or apron, supports and other structural members. The maximum size limitations shall apply to each side of a Billboard Sign Structure, and Billboards may be placed back to back, double faced, or in a V-type construction with not more than two (2) displays to each facing, but the Billboard structure shall be considered as one (1) Billboard.
7. Setbacks And Height Of Billboards.
- a. To provide a safety zone to prevent injury or property damage from collapse caused by acts of nature or other causes, Billboards shall meet the following minimum Safety Setback Requirements from all points of the Sign:

- (1) At least ninety (90) feet from the Billboard's nearest edge to the rights-of-way of any Federal or State highway;
 - (2) At least ninety (90) feet from all property lines on which the Billboard is located, and all roofed structures including roofed structures located on the Parcel on which the Billboard is located; and
 - (3) At least ninety (90) feet from any other structure that would require a building permit for its construction including structures located on the Parcel on which the Billboard is located.
 - b. To provide a further safety zone to prevent injury or property damage from collapse of Billboards caused by acts of nature or other causes, Billboards shall not exceed thirty (30) feet in height above the rights-of-way grade from which it is viewed. In cases where the grade at the location of the proposed Billboard is higher than the right-of-way grade adjacent to which it is located, the City may require the overall height of the Sign to be lowered as a condition of granting a permit to prevent the Sign from unreasonably detracting from the visibility of other neighboring Signs or properties.
 - c. The application for the Billboard Sign permit shall contain documentation to the satisfaction of the City that the applicant has secured the legally enforceable right to prevent the erection of structures within the Safety Setback Requirement zones. No building permit shall be issued for construction of any building within the Safety Setback Requirement zone.
8. Service Drives To Billboards. Billboards shall be accessible by means of a paved drive that is internal to the Lot or Parcel on which the Billboard is located. All vehicles, equipment and people used to build, service, maintain and repair the Billboard must confine their activity so as not to interfere with pedestrian or vehicular traffic on public roads.
9. Additional Information Required Prior To Permitting Of A Billboard.
- a. Billboards shall not be permitted by the City until a permit has been issued by the Missouri Highway and Transportation Commission.
 - b. Billboards shall not be permitted before the applicant has submitted the following certifications from the appropriate professionals registered in Missouri:
 - (1) Certification from a professional engineer registered in the State of Missouri that the soil and subsoil surface is capable of accepting the projected loads of the Billboard;
 - (2) Certification from a professional engineer registered in the State of Missouri as to the electrical portion of the Billboard;
 - (3) Certification from a professional engineer registered in the State of Missouri as to the structural strength of the Billboard; and
 - (4) A certified boundary survey from a surveyor registered in the State of Missouri of the Billboard site and its Safety Setback Requirement zones.
 - c. Billboards shall not be permitted before the applicant has submitted a Billboard survey to indicate the relative vertical and horizontal distances between the proposed Billboard and all other Billboards within one thousand five hundred (1,500) feet. If by reason of height, size or spacing the proposed Billboard unreasonably detracts from the visibility of other neighboring Billboards or properties, the City may require reasonable modification of the Billboard's dimensions to cure these deficiencies as a condition to granting a permit.
 - d. Billboards shall not be permitted before the applicant has submitted to the City financial security in the form of a bond, letter of credit or other financial security as approved by the Director of Codes; a right of access; and any other measures necessary and

sufficient to ensure removal of Billboards that are not validly permitted or that constitute a nuisance.

10. Inspection Of Billboards. Owners of all Billboards shall be required to submit an inspection to the City concerning a sign's structural integrity as deemed necessary by the City from time to time upon reasonable notice to the owner or operator of the property on which the Billboard is located. Failure to submit a report shall result in the immediate revocation of the Sign's permit.

Council Bill No.**Ordinance No.**

**AN ORDINANCE OF BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE
APPROVING A SPECIAL USE PERMIT TO UPGRADE AN EXISTING BILLBOARD
TO DIGITAL ON LAND LOCATED WEST OF I-49 AND EAST OF THE SOUTH
GARDENS SUBDIVISION IN THE CITY OF HARRISONVILLE, CASS COUNTY,
MISSOURI.**

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Margaret Jean Grogger Trust, represented by Cynthia Warner, requesting approval of a Special Use Permit to upgrade an existing billboard to digital on land located west of I-49 and east of the South Gardens subdivision in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, the Special Use Permit was considered by the Planning and Zoning Commission on August 18, 2022, and, with a vote of 9 Ayes and 0 Nays, recommending that the Board of Aldermen approve the requested Special Use Permit waiving conditions pertaining to surveying; and

WHEREAS, in accordance with the provision of Chapter 89 RSMo, and Chapter 405 of the Code of Ordinance of the City of Harrisonville, Missouri, the Board of Aldermen, after careful and due deliberation, find that approval of the Special Use Permit is in the best interest of the City of Harrisonville and its residents.

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

Section 1: The Board of Aldermen of Harrisonville, Missouri, hereby approves the requested Special Use Permit to upgrade an existing billboard to digital on land located west of I-49 and east of the South Gardens subdivision in the city of Harrisonville, Cass County, Missouri.

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

LEGAL DESCRIPTION:

BEGINNING 800 FEET WEST OF THE SOUTHEAST CORNER OF LOT 2 NORTHEAST;
THENCE NORTH 800 FEET WEST TO THE RIGHT-OF-WAY; THENCE
SOUTHEASTERLY TO THE POINT OF BEGINNING CONTAINING APPROXIMATELY
5.5 ACRES.

Section 3: Severability. The sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4: Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

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

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 6TH OF SEPTEMBER 2022 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 6TH DAY OF SEPTEMBER 2022 AND PASSED BY THE BOARD OF ALDERMEN THIS 6TH DAY OF SEPTEMBER 2022.

AYES:

NAYS:

AWAY:

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 6th day of September 2022

Attachment I: Aerial Map

Attachment: Ordinance (Grogger Billboard Upgrade)

Aerial Map





TO: Board of Aldermen
FROM: Christina Stanton,
DATE: August 22, 2022
SUBJECT: Ausmer Rezoning for "Junior's Addition"

Type of Item: *Public Hearing*

E. Action Item (ID # 4290)

Ausmer Rezoning for "Junior's Addition"

Attachments:

Ausmer BOA Packet (PDF)



To: Board of Aldermen

From: Christina Stanton, Community Development Director

Date: September 6, 2022

Re: Ausmer Rezoning for "Junior's Addition" Subdivision from R-1B to R-2B

GENERAL INFORMATION

Applicant: Karen and Wilson Ausmer, Jr.

Requested Actions: Approval of Requested Rezone from R-1B to R-2B

Date of Application: June 24, 2022

PROPOSAL

Mr. and Mrs. Ausmer are seeking approval of a requested Rezoning from R-1B to R-2B for property that they, relatively, recently had platted into four (4) lots.

Please see the attached maps and aerial photos.

The surrounding properties are currently zoned as follows:

North (across Elm St.): R-1B (Near Downtown Single-Family Neighborhood District), R-3 (Cluster or Garden Apartment District), and G (Government)

East: R-1B (Near Downtown Single-Family Neighborhood District)

South (across Pine St.): R-1B (Near Downtown Single-Family Neighborhood District)

West: R-1B (Near Downtown Single-Family Neighborhood District)

PREVIOUS ACTIONS

- August 19, 2021--The Planning & Zoning Commission recommended approval to the Board of Aldermen for "Junior's Addition", a four (4) lot subdivision of the property located west of King Street and between Elm and Pine Streets. The lots met all the requirements for the district (R-1B).
- September 7, 2021--The Board of Aldermen approved the minor plat of "Junior's Addition" by Ordinance #3565. It is recorded in the minutes that staff stated, "...the applicant plans to plat the property into four single-family lots".
- December 2, 2021--The Planning & Zoning Commission heard a request to Rezone from R-1B to R-2B for 0.645 acres west of King Street and between Pine and Elm Streets. The application was recommended for denial to the Board of Aldermen. Chairman Chiodini stated that if the rezoning were approved and the applicants' were to seek a variance to the minimum lot size requirement it would be a self-imposed hardship. Commissioner Wood stated that if the plat were for 2 lots, instead of 4, he would have considered duplexes. Staff recommended denial of the requested Rezoning from R-1B to R-2B for the following reasons:
 - In 2015, the City did a major Rezoning of the area to R-1B and R-2B. The duplexes south of Mr. Ausmer's property on R-1B zoned property are grandfathered as legal non-

conforming uses. Given that the majority of homes north, east, and west of Mr. Ausmer's property are single-family, it does not seem appropriate to extend the R-2B Zoning north of Pine Street.

- The lots on Mr. Ausmer's property fall far short of meeting the minimum lot size required for 2-family duplexes in the R-2B Zoning District. The four lots in Junior's Addition are 5809 - 5811 square feet in size. Section 405.177.C.5 states that every dwelling shall provide a lot area of not less than five-thousand (5,000) square feet per family. This means that a duplex shall provide a lot area of not less than 10,000 square feet per family.
- March 17, 2022--After testimony by Staff and the applicant Chairman Chiodini stated that the existing zoning map needs to show what is actually in the Zoning District. Staff recommended denial of the requested Rezoning from R-1B to R-2B for the following reasons:
 - The public process conducted in 2015 to create two new Zoning Districts, was with the intent for R-1B Near Downtown Single-Family Neighborhood Zoning District to promote single-family neighborhood development.
 - Adopted Ordinance 3341 was with the intent to promote single-family neighborhood development in R-1B Near Downtown Single-Family Neighborhood Zoning District.
 - Applicant made a Rezoning request from R-1B to R-2B on this property at the December 2, 2021, Planning and Zoning Commission meeting, the Rezoning request was denied by the Planning and Zoning Commission. No significant changes have occurred on this property, or the surrounding properties since December 2, 2021.
- August 18, 2022—The Planning and Zoning Commission recommended denial of the Rezoning request to the Board of Aldermen.

KEY ISSUES

- The lots within *Junior's Addition* were reviewed and considered against the Zoning District that they currently are in, R-1B.
- A review of the minutes from the Board of Aldermen on September 7, 2021, indicates that staff had never been told that the applicant had any plans to rezone, as it is stated that "...the applicant plans to plat the property into four single-family lots".
- While there are duplexes on all the lots in the block south of the Ausmer's property, all the lots within the block that contains *Junior's Addition* contain single-family dwellings.
- Staff has reviewed the R-1B and R-2B Zoning Districts and compared against multi-family dwelling units information in GIS and on the County Assessor's mapper. Staff has identified 26 properties with a mismatch between the Zoning District and the number of dwelling units. Of the 26 properties, only 8 are adjacent to an appropriate Zoning District (R-2B). The remaining 18 properties are duplexes that are surrounded by single-family residential.

STAFF COMMENTS AND SUGGESTIONS

Staff has recommended denial of this requested rezone three times (including this time) as is detailed in the "Previous Actions" section of the staff report. All properties within the subject block with built structures are single-family owner-occupied buildings. It does not make sense to spot zone these four lots that were created, originally, for the purpose of creating four single-family lots and allow for duplexes in the middle of the existing single-family owner-occupied lots within this block.

STAFF RECOMMENDATION

Staff recommends denial of the requested Rezone from R-1B to R-2B.

ATTACHMENTS

Application
Scanned Minutes from September 7, 2021 BOA Meeting
Zoning Map

STAFF CONTACT:
Christina Stanton



REZONING AND SPECIAL USE PERMIT APPLICATION

Application Type

☒ Rezoning (Fee \$250+\$5 per lot) ☐ Special use Permit (Fee \$ 250)

Applicant and Property Owner Information

Applicant (Print): WILSON AND KAREN AUSMER Signature: Wilson Ausmer

Company Name: _____

Street Address: _____ City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Property Owner Authorization (all owners listed on title report must sign or submit signed authorizations and contact info)

Property Owner Name (print): WILSON AUSMER Signature(s): Wilson Ausmer

Street Address: 505 E. Pearl St City: Harrisonville State: MO Zip: 64701

Telephone: (816) 380-4398 Email: _____

Firm Preparing Application: _____

Contact: _____

Street Address: _____ City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

* All correspondence should be sent to (check one): Applicant _____ Property Owner _____ Firm _____

Project Information

General Location or Address: 800 Pine St, Harrisonville, MO

Project Description: 4 lots

Acres or Sq. Ft. _____

Current Zoning: RB1 Proposed Zoning: RB2

Items to be Submitted 30 Days Before Planning Commission Meeting

- ☒ 1) Application
- ☒ 2) Filing fee - Payable to City of Harrisonville or contact Planning Commission Secretary to pay by phone.
- ☐ 3) Site Plan drawn to scale and showing adjacent tracts within 185 ft. and current ownership. Seven (7)
copies at least 8 1/2" x 11", and one (1) electronic copy emailed to city planner.
- ☐ 4) Email full legal description in WORD to planner (not assessor's abbreviated description).

City staff may modify submittal requirements as necessary.

Resources

City Website www.ci.harrisonville.mo.us
 Zoning Map <https://www.ci.harrisonville.mo.us/documentcenter/view/6182>
 Zoning Regulations <https://www.ecode360.com/27908265>
 Subdivision Regulations <https://www.ecode360.com/27909481>
 Cass County GIS Map <https://cassgis.integritygis.com/h5/index.html?viewer=cass>

For Office Use Only

Case No.: _____ Filing Fee: Amount Paid: \$ _____ Date Application Received: _____

Planning & Zoning Commission Meeting Date: _____ BOA Meeting Date: _____

CITY OF HARRISONVILLE

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

C. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING SECTIONS 410.530, 700.770, and 700.780 OF THE HARRISONVILLE MUNICIPAL CODE TO REFERENCE THE HARRISONVILLE ELECTRIC SERVICE POLICY.

Staff report presented by Electric Department Superintendent Pollard.

Pollard spoke to the need for an updated Electric Service Policy. Pollard said the previous policy was established in 2001 and spoke to City staff's efforts to make the policy easier to access by contractors and residents.

Mayor Bowman asked if the policy will be posted on the City website.

Pollard said it would.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number: 3564.

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

D. AN ORDINANCE TO APPROVE THE MINOR PLAT OF "JUNIOR'S ADDITION", BEING A REPLAT OF LOTS 5, 6, 7, AND 8, BLOCK 17, "CUMMIN'S & SIM'S ADDITION", BETWEEN ELM STREET AND PINE STREET AND WEST OF NORTH KING AVENUE IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI

Staff report presented by City Planner Kroh.

Kroh spoke to the history of the property.

Kroh said the applicant plans to plat the property into four single-family lots.

Kroh said two lots will face Elm Street. Kroh said there is no gravity sewer in front of those lots. Kroh said the Public Works Department said they would approve of using low-pressure grinder-pump sewers at that location

Kroh said that for the two properties facing Pine Street, the sewer main that is currently there might be too shallow for the sewers. Kroh said if this is the case, the applicant will need to also use low-pressure grinder-pump sewers.

Kroh said staff and the Planning and Zoning Commission recommend approval.

Alderman Mills asked if the alley pictured in the packet has been vacated.

Kroh said the alley has been vacated but the street in the image has not been vacated.

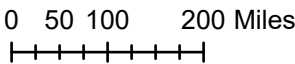
Mills asked if the low-pressure grinder pumps will go all the way to the City sewer main.

Kroh said they would.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number: 3565.

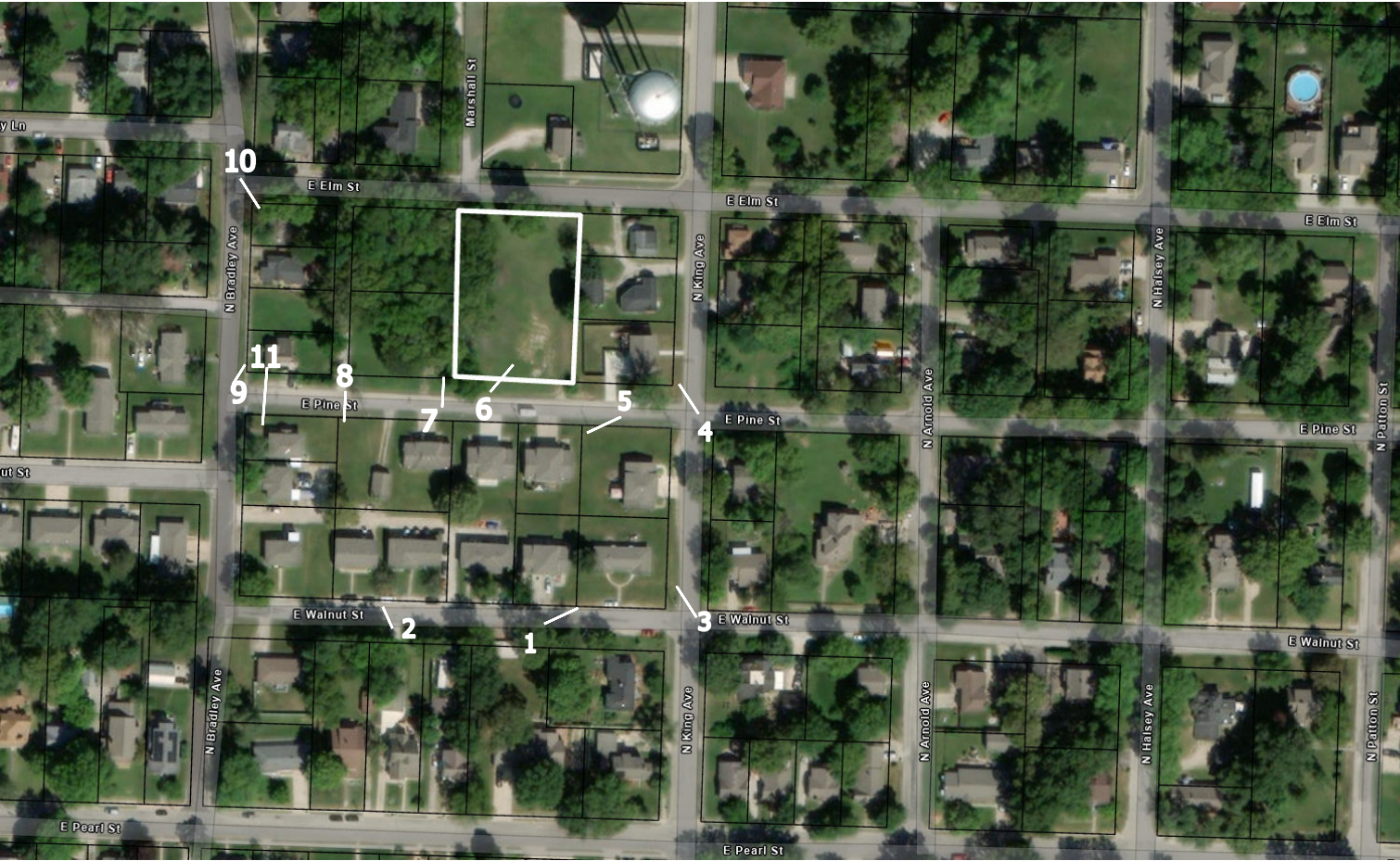
RESULT: APPROVED [UNANIMOUS]
MOVER: Bill Mills, Board Member

Zoning Map - Ausmer Rezoning



Attachment: Ausmer BOA Packet (Ausmer Rezoning for "Junior's Addition")

Aerial Map - Ausmer Rezoning



Attachment: Ausmer BOA Packet (Ausmer Rezoning for "Junior's Addition")



Picture 1



Picture 2

Picture 3



Picture 4





Picture 5

Picture 6





Picture 7

Picture 8





Picture 9



Picture 10



Picture 11



TO: Board of Aldermen
FROM: Theresa West, Assistant
DATE: August 31, 2022
SUBJECT: Modifications to 240.050 Trash Containers/Enclosures

Type of Item: *Approval*

F. Action Item (ID # 4295)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI ESTABLISHING SECTION 240.050(G) AND 240.050(H) OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE

Attachments:

- 1 Staff report 9_6-22 BOA RS multiple items (PDF)
- 2 240_050 Municipal code change for comm dumpstr screeng final for 9_19_22 BOA RS (PDF)
- 4 Current pictures (PDF)
- 3 O. Trash Cart Screening Ordinance (00042154xC1FED) (DOCX)



To: Board of Aldermen

From: Chris Arthur, Building Official
Christina Stanton, Director of CD

Date: September 6th, 2022, BOA Regular Session.

Re: Modifications to 240.050 Trash Containers/Enclosures.

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Adoption of proposed addition of trash receptacle screening requirements changes to Municipal Code section 240.050.

Date of Application: September 6th, 2022

PROPOSAL

Approval and adoption of proposed addition of trash receptacle screening requirements changes to Municipal Code Section 240.050 as previously discussed and agreed upon at the BOA WS meeting 8/15/22.

PREVIOUS ACTIONS

10/18/21 BOA WS – Discussions regarding addition of trash receptacle screening requirements and Landscaping/Screening.

8/15/22 BOA RS – Commercial property dumpster enclosure incentive program adopted.

08/15/22 BOA WS – Continued discussions and finalizing of details. (240.050).

KEY ISSUES

Throughout the city many dumpsters are placed in the front of buildings and/or are visible from public thoroughfares. This contributes to blighting problems that can be easily rectified with the proper screening. We would also ask you to refer to the current citizen survey and their thoughts on this, as you consider this change.

All of these items are also part of the intent of the new Comprehensive Growth Plan recently adopted by the BOA.

STAFF COMMENTS AND SUGGESTIONS

Per BOA discussions, staff recommends approval for modifications to Municipal Code Section 240.050.

STAFF RECOMMENDATION

Recommend modifications to 240.260, see attached.

ATTACHMENTS

Please see attached files.

STAFF CONTACT: Chris Arthur – Building Official
Christina Stanton – Director of Community Development Department

Attachment: 1 Staff report 9_6-22 BOA RS multiple items (Modifications to 240.050 Trash Containers/Enclosures)



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

Commentary below in GREEN
Ordinance change below in RED

Throughout the city many dumpsters and garbage collection areas are placed in areas visible from public thoroughfares. This is causing a citywide perceived blighting problem that is easily rectified. With new construction of non-residential and multi-family residential construction a trash container screening structure is already required.

For existing non-residential and multi-family residential (defined as any residential dwelling building which contains more than 2 residential dwelling units) properties and parcels if a building permit is required and applied for a remodel, addition, or alteration project and the valuation of all work, labor and materials, is 30% or greater than the current year's market value of the building, not including land, per the county accessor's office listing, a trash container enclosure will be required.

With existing buildings this requirement will be adopted to be required within 2 years of the BOA approval of this change. This will give all businesses enough time to achieve compliance, plus the new incentive program will provide some financial help for some of these businesses and if successful the BOA could increase the grant incentive funding.

Section 240.050 Containers for Garbage/Refuse

[CC 1977 §§14-18 — 14-22, 14-24; Ord. No. 666 §3, 1-19-1966]

A.

It shall be the duty of every resident householder, the owner of every business establishment and of every other person about whose premises garbage or refuse accumulates to provide or cause to be provided and at all times keep and maintain an adequate portable receptacle or receptacles for the holding of garbage.

B.

The garbage receptacles shall be watertight, provided with a close-fitting cover or lid sufficient to prevent the admission of flies and the emission of noxious odors.

C.

The cover of garbage containers or receptacles shall not be removed when the receptacle contains garbage, except for the purpose of depositing garbage therein or removing garbage therefrom.

D.

All garbage receptacles shall be kept at some suitable place, convenient and readily accessible for the emptying and removal of the same and where the same shall not become a public nuisance.

E.

All garbage shall be deposited and kept in the garbage receptacles until the same has been removed in accordance with the provisions of this Chapter.

F.

Every garbage and refuse container required by this Article shall be maintained in as sanitary condition as possible in view of the use to which it is put and shall be thoroughly cleansed as needed by washing, scalding or otherwise.

G.

1.

All, new or substantially remodeled, multi-family residential projects and all non-residential projects, shall include, on a landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with garbage/trash receptacles, containers, compactors, or grease recycling collectors, on the property. No new garbage/trash receptacles, containers, compactors, or grease recycling collectors shall be visible from off the property and a permanent masonry or frame enclosure shall be provided for each such receptacle, container, compactor, collector, or group thereof. For the purpose of this subsection, substantially remodeled shall be defined as any project remodeling, addition, or alteration in which the valuation of the work involved is equal to or more than 30% of the current year's market value of the building, not including land, per the county accessor's office listing.

All garbage/trash receptacles, containers, or compactors, garbage collection areas, grease recycling collectors, for all residential dwelling unit properties except single family and duplex properties, and all nonresidential uses must be permanently screened from view on all sides. The screen is to be a wall, solid fence, or natural barrier of six (6) feet in height fence of 100 percent opacity.

Such receptacles, containers, collectors, or compactors must be screened as follows: all screens that are part of new construction projects must match the primary color and material of the structure served, and doors accessing storage areas must remain closed at all times when not being accessed.

Chain link and slat screening is only allowed in M-1 and M-2 zoning. The screen must be opaque.

2.

Within 2 (two) years of the adoption/enactment of this Section 240.050 subsection G all Existing multi-family residential projects' and all non-residential projects' garbage/trash receptacles, containers, or compactors, and grease recycling collectors, of any size, visible from a public thoroughfare must be screened from view of the public way or thoroughfare. The screen is to be a wall, solid fence, or natural barrier of six (6) feet in height, on any side of the collection area which may be visible from a public way or thoroughfare adjacent to the collection area.

Such receptacles, containers, collectors, or compactors must be screened as follows:

all screens that are part of new construction projects must match the primary color and material of the structure served, and doors accessing storage areas must remain closed at all times when not being accessed.

Chain link and slat screening is only allowed in M-1 and M-2 zoning. The screen must be opaque.

3.

No garbage/trash receptacles, containers, or compactors, garbage collection areas, grease recycling collectors may be located in a front or side yard unless located in an existing enclosure or if the existing developed site does not afford any other option; in such a case, the trash receptacle should be located in the side yard if possible and must comply with the screening requirements of this section.

The Board of Alderman will have the authority to grant an administrative variance where it is demonstrated that screening is impossible. After a request in writing for such relief, the Board of Alderman will notify the applicant of the determination in writing within 30 days.

The wall, fence, or natural barrier shall be maintained in a neat, clean, sanitary, and proper mechanical condition at all times. Such maintenance shall include but is not limited to: replacing or repairing any missing or damaged boards, posts, concrete blocks or hinges, painted or stained wooden, metal, or concrete, and screening shall be maintained in a well-painted and stained condition, and removing and replacing any dead or diseased portions of a natural barrier.

The City may require specific maintenance if necessary to eliminate an unsightly or dangerous condition.

Temporary trash receptacles for special events, construction sites, parcel demolition or clean up, and similar, at the discretion of the Building Official or Code Enforcement Officer, are not required to comply with this section.

H.

Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished in accordance to Section 100.200.

09/16/2021 13:37



09/08/2021 10:23



09/08/2021 10:16

ERWIN-WILLIAMS-PAINTS





Attachment: 4 Current pictures (Modifications to 240.050 Trash Containers/Enclosures)



Attachment: 4 Current pictures (Modifications to 240.050 Trash Containers/Enclosures)



Attachment: 4 Current pictures (Modifications to 240.050 Trash Containers/Enclosures)



Attachment: 4 Current pictures (Modifications to 240.050 Trash Containers/Enclosures)

Council Bill No. _____

Ordinance No. _____

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE, MISSOURI ESTABLISHING SECTION 240.050(G) AND 240.050(H)
OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City of Harrisonville desires to enact municipal code regulations that require screening for commercial property dumpster enclosures.

WHEREAS,

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

Section 1: Section 240.050(G) is hereby established to read as follows:

“G.

1. All, new or substantially remodeled, multi-family residential projects and all non-residential projects, shall include, on a landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with garbage/trash receptacles, containers, compactors, or grease recycling collectors, on the property. No new garbage/trash receptacles, containers, compactors, or grease recycling collectors shall be visible from off the property and a permanent masonry or frame enclosure shall be provided for each such receptacle, container, compactor, collector, or group thereof. For the purpose of this subsection, substantially remodeled shall be defined as any project remodeling, addition, or alteration in which the valuation of the work involved is equal to or more than 30% of the current year’s market value of the building, not including land, per the county accessor’s office listing.

All garbage/trash receptacles, containers, or compactors, garbage collection areas, grease recycling collectors, for all residential dwelling unit properties except single family and duplex properties, and all nonresidential uses must be permanently screened from view on all sides. The screen is to be a wall, solid fence, or natural barrier of six (6) feet in height fence of 100 percent opacity.

Such receptacles, containers, collectors, or compactors must be screened as follows:

all screens that are part of new construction projects must match the primary color and material of the structure served, and doors accessing storage areas must remain closed at all times when not being accessed.

Chain link and slat screening is only allowed in M-1 and M-2 zoning. The screen must be opaque.

2. Within 2 (two) years of the adoption/enactment of this Section 240.050 subsection G all existing multi-family residential projects' and all non-residential projects' garbage/trash receptacles, containers, or compactors, and grease recycling collectors, of any size, visible from a public thoroughfare must be screened from view of the public way or thoroughfare. The screen is to be a wall, solid fence, or natural barrier of six (6) feet in height, on any side of the collection area which may be visible from a public way or thoroughfare adjacent to the collection area.

Such receptacles, containers, collectors, or compactors must be screened as follows: all screens that are part of new construction projects must match the primary color and material of the structure served, and doors accessing storage areas must remain closed at all times when not being accessed.

Chain link and slat screening is only allowed in M-1 and M-2 zoning. The screen must be opaque.

3. No garbage/trash receptacles, containers, or compactors, garbage collection areas, grease recycling collectors may be located in a front or side yard unless located in an existing enclosure or if the existing developed site does not afford any other option; in such a case, the trash receptacle should be located in the side yard if possible and must comply with the screening requirements of this section.

The Board of Alderman will have the authority to grant an administrative variance where it is demonstrated that screening is impossible. After a request in writing for such relief, the Board of Alderman will notify the applicant of the determination in writing within 30 days.

The wall, fence, or natural barrier shall be maintained in a neat, clean, sanitary, and proper mechanical condition at all times. Such maintenance shall include but is not limited to: replacing or repairing any missing or damaged boards, posts, concrete blocks or hinges, painted or stained wooden, metal, or concrete, and screening shall be maintained in a well-painted and stained condition, and removing and replacing any dead or diseased portions of a natural barrier.

The City may require specific maintenance if necessary to eliminate an unsightly or dangerous condition.

Temporary trash receptacles for special events, construction sites, parcel demolition or clean up, and similar, at the discretion of the Building Official or Code Enforcement Officer, are not required to comply with this section."

Section 2: Section 240.050(H) is hereby established to read as follows:

"H. Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is

provided therefor, the violation of any such provision of this Code or ordinance shall be punished in accordance to Section 100.200.”

Section 3: That this Ordinance shall be in effect immediately upon its passage and approval.

Read for the first time by title only on the 6th day of September 2022. Read for the second time by title only on the 6th day of September 2022.

Judy Bowman, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 6th day of September, 2022



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: September 1, 2022
SUBJECT: Municipal Separate Storm Sewer System (MS4) Permit Public Hearing

Type of Item: *Public Hearing*

G. Discussion Item (ID # 4298)

Municipal Separate Storm Sewer System (MS4) Permit Public Hearing