



THE CITY OF
HARRISONVILLE
WHERE TRADITION MEETS INNOVATION

AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
FEBRUARY 20, 2024
6:00 PM

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
 - A. 2024 National FFA Week Proclamation**
 - B. Police Department Badge Pinning**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Feb 5, 2024 6:00 PM**
 - B. Closed Session Minutes - February 5, 2024**
- 5. Agenda Items**
 - A. Council Bill 06: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO SHOW THE SUPPORT OF THE BOARD OF ALDERMEN FOR AN APPLICATION OF GRANT FUNDS FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAY SAFETY STEP (SPECIAL TRAFFIC ENFORCEMENT PROGRAM) PROGRAM; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID APPLICATIONS FOR GRANT FUNDS**
 - B. Council Bill 05: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR IFIL EXPANSION ON PROPERTY LOCATED AT 1801 W. VINE STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**
 - C. PUBLIC HEARING: Various Code Changes**

- D. Council Bill 07: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405-ZONING REGULATIONS, CHAPTER 435-SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410-SUBDIVISION REGULATIONS, CHAPTER 515-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530-RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.**
- 6. Aldermen and Committee Reports**
- 7. Report from the City Administrator**
- A. Municipal Court Report January 2024**
- 8. Questions from the Media**
- 9. Adjourn From Regular Session**

Posted on City Hall Bulletin Board this 16th day of February, 2024.

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.

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 15, 2024
SUBJECT: 2024 National FFA Week Proclamation

Type of Item: *Discussion*

A. Discussion Item (ID # 4760)

2024 National FFA Week Proclamation

Attachments:

National FFA Week Proclamation 2024 (PDF)



NATIONAL FFA WEEK PROCLAMATION

Whereas, FFA and agricultural education provide a strong foundation for the youth of America and the future of food, fiber and natural resources systems; and

Whereas, FFA promotes premier leadership, personal growth and career success among its members; and

Whereas, agricultural education and FFA ensure a steady supply of young professionals to meet the growing needs in the science, business and technology of agriculture; and

Whereas, the FFA motto —“Learning to Do, Doing to Learn, Earning to Live, Living to Serve” —gives direction and purpose to these students who take an active role in succeeding in agricultural education; and

Whereas, FFA promotes citizenship, volunteerism, patriotism and cooperation.

Therefore, I do hereby designate the week of Feb. 17-24, 2024, as National FFA Week.

Mayor Mike Zaring

DATE

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 15, 2024
SUBJECT: Police Department Badge Pinning

Type of Item: *Discussion*

- B. Discussion Item (ID # 4759)**
Police Department Badge Pinning



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
FEBRUARY 5, 2024
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Mayor Mike Zaring.

A. Pledge of Allegiance

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Present	
Sandy Franklin	Harrisonville	Board Member	Present	
Larry Pfautsch	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Present	
Kile Chaney	Harrisonville	Board Member	Present	
Mike Zaring	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, City Attorney Alex Felzien, Director of Administrative Services Jeremy Smith, Public Works Director Patty Hilderbrand, Parks and Recreation Director Grant Purkey, Fire Chief Rusty Sullivan, Economic Development Director Jim Clarke, Community Development Director Christina Stanton, City Engineer Ted Martin, Police Lieutenant Darla Harris, Police Lieutenant Darin Chance, Fire Marshall Eric Myler, Police Sargent Tim Mikelson, Police Sargent Brian Kincaide, Police Sargent Brendan Rinehart, Firefighters Brooklyn Tavernaro, Caleb Kubicina and Hayden Odell, Fire Engineer Joe Parris, Fire Captain Katie Bailey, Executive Secretary to the City Administrator Theresa West and City Clerk Daniel Barnett - recording.

2. Ceremonial Matters

A. Fire Department Badge Pinning

Mayor Zaring was joined at the front of the room by Fire Chief Sullivan, Fire Marshall Myler and Firefighters Brooklyn Tavernaro, Caleb Kubicina and Hayden Odell, Fire Engineer Joe Parris and Fire Captain Katie Bailey.

Brooklyn Tavernaro was pinned by her father Brent Tavernaro.

Caleb Kubicina was pinned by his fiancé Emma Gates.

Hayden Odell was pinned by his mother Jill Odell.

Joe Parris was promoted to Engineer and pinned by his wife Katie Parris.

Katie Bailey was promoted to Captain and pinned by her husband Alex Bailey.

Chief Sullivan spoke to the hard work that each of these firefighters has put in and about their dedication to the Harrisonville community.

Mayor Zaring congratulated each firefighter and thanked them for their service to the citizens of Harrisonville.

B. Police Department Badge Pinning

Mayor Zaring was joined at the front of the room by Police Lieutenant Chance and Corporal Matthew McCulloch.

Chance spoke to McCulloch's service to the Harrisonville Police Department, highlighting his leadership and his work with the Department's K9s.

McCulloch was pinned as a Corporal by his wife Emily McCulloch.

Mayor Zaring congratulated McCulloch and thanked him for his service to the Harrisonville community.

3. Public Participation

A. Agenda Request - Lyndell Leatherman

Lyndell Leatherman (501 W Wall Street) - Leatherman said he would like to request a code amendment to allow him to add a living area or guest quarters into the carriage house that is on his property.

Leatherman said the current zoning regulations within the R2 and R2B zones do not allow for accessory dwelling units.

Leatherman said all designs for the proposed guest quarters have ensured that the historical integrity of the home and the carriage house are maintained.

Leatherman thanked the Board for their time.

B. Agenda Request - David Gilsdorf

David Gilsdorf (26101 E 155th Street, Pleasant Hill, MO) - Gilsdorf spoke about a letter that had been received by those who store airplanes at the Lawrence Smith Memorial Airport stating that rent would be charged while the airport is closed for runway maintenance.

Gilsdorf spoke about the timing of the letter and the hardship that the charging of rent puts upon those utilizing the airport.

Gilsdorf asked the Board to uphold the commitment he claims the City made to not charge rent while the airport is closed.

C. Agenda Request - Ryan Sparks

Ryan Sparks (10008 E 213th Street, Peculiar, MO) - Sparks thanked the Board for approving to budget for the City's portion of the runway reconstruction project at the Lawrence Smith Memorial Airport.

Sparks encouraged the Board to continue efforts to improve safety at the airport.

Sparks spoke to the timeline of meetings and communication between City staff and pilots/plane owners regarding the charging of rent during the airport's closure in 2024.

Sparks spoke to the proposed increases in hangar rent once the runway reconstruction project is completed.

Sparks asked the Board to pursue opportunities to not charge the full rent for hangar space while the airport is closed.

D. Agenda Request - Leslie Moore

Leslie Moore (1235 Edwards Circle, Raymore, MO) - Moore thanked the Board for their approval of the runway reconstruction project at Lawrence Smith Memorial Airport.

Moore asked the Board to not require hangar rental fees while the airport is closed for the project.

Moore spoke about hangar rental fees at airports he believed to be of similar size to that of LSMA, and asked the Board to consider keeping rent fees close to that of those similarly sized airports.

Moore spoke about upgrades he would like to see at the airport before the City increases rental fees.

Moore spoke about how pilots have a positive impact on the Harrisonville community.

E. Agenda Request - Larry Rhoads

Mr. Rhoads was not present at the meeting.

F. Agenda Request - Ron Terwilliger

Ron Terwilliger (20109 S Mullen Road, Belton, MO) - Terwilliger spoke about the value of community and of utilizing services and resources that exist within the community one lives in.

Terwilliger spoke about his loyalty to the Harrisonville community and to Lawrence Smith Memorial Airport.

Terwilliger asked the Board to reconsider their decision to charge rental fees while the airport is closed.

Mayor Zaring thanked all who addressed the Board about the issue regarding Lawrence Smith Memorial Airport and said he appreciated their insight.

4. Approval of Minutes

A. Board of Aldermen - Regular Meeting - Jan 16, 2024 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dave Doerhoff, Board Member
SECONDER:	Gary Davidson, Board Member
AYES:	Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner, Davidson, Chaney

B. Board of Aldermen - Work Session - Jan 16, 2024 6:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Marcia Milner, Board Member
SECONDER:	Sandy Franklin, Board Member
AYES:	Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner, Davidson, Chaney

C. Closed Session Minutes - January 16, 2024

A motion to accept the minutes from the January 16, 2024, Closed Session was made by Alderman Turner, with a second from Alderman Chaney. The motion carried with a unanimous 8-0 vote.

5. Agenda Items**A. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, TO PROVIDE LOCAL MATCHING FUNDS FOR THE HAZARD MITIGATION GRANT PROGRAM.**

Staff report presented by City Engineer Martin.

Martin spoke to the process of assessing the value of the homes that are included within the ongoing flood buyout project.

Martin said the revised appraisals will move the City's share of the project from \$101,499.80 to \$123,248 and will move the federal share of the project from \$913,498.20 to \$1,109,232.

Martin said once the City approves its 10-percent share and once the Federal Emergency Management Agency (FEMA) approves its 90-percent share, demolitions will be allowed to proceed.

Alderman Chaney asked about the possibility of staggering the closing dates, to allow the same contractor to be able to bid on each project.

Upon passage, Mayor Zaring designated the resolution to be Resolution number 2024-02.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Davidson, Board Member
SECONDER:	Matt Turner, Board Member
AYES:	Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner, Davidson, Chaney

B. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING SCHEDULE II OF TITLE III OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE

City Attorney Felzien read the ordinance for the second time.

Staff report presented by Public Works Director Hilderbrand.

Hilderbrand said the no parking regulations on Chestnut Street would match the rest of the block.

Alderman Turner asked if staff had received any push back from residents.

Hilderbrand said staff have not received any negative feedback from residents.

Upon passage, Mayor Zaring designated the Ordinance to be Ordinance number 3682.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Mills, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner, Davidson, Chaney

C. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AMENDING THE OPERATING BUDGET FOR THE CITY OF HARRISONVILLE, MISSOURI, FOR THE FISCAL YEAR JANUARY 1, 2024 THROUGH DECEMBER 31, 2024, AND ESTABLISHING AN EFFECTIVE DATE.

Staff report presented by Director of Administrative Services Smith.

Smith highlighted budgetary amendments for utilities at the Community Center, to accept grant funds for the Police Department, to continue paying overtime for officers working traffic enforcement in work zones through an agreement with the Missouri Department of Transportation, purchasing a replacement dump bed for the Streets Department dump truck and to reallocate unspent funds from 2023 projects that are being rolled over into 2024.

Upon passage, Mayor Zaring designated the Ordinance to be Ordinance number 3683.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dave Doerhoff, Board Member
SECONDER:	Gary Davidson, Board Member
AYES:	Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner, Davidson, Chaney

D. Appl. PREDEV-23-002--PRELIM. DEVEL. PLAN for iFIL Expansion on property located at 1801 W. Vine St.

Mayor Zaring opened the public hearing at 6:44 p.m.

Staff report presented by Community Development Director Stanton.

Stanton informed the Board that Schlagel and Associates, is seeking approval, on behalf of the Donaldson Company, Inc. who is the owner of the property and iFIL USA, for a preliminary development plan for an expansion of the existing iFIL facility on property located at 1801 W Vine Street.

Stanton said the project includes a 34,800 square foot addition for the production facility, with a new ingress/egress from Plaza Drive, 36 additional parking spaces and the required landscaping.

Stanton said the proposed expansion and continued use of the facility are appropriate for the Light Industrial (M-1) District.

Stanton said the project would increase the building's footprint from 35,575 to 70,375 square feet.

Stanton discussed the dimensional standards and stated that minor adjustments to the entry of the expansion and the turn-around for the trucks have reduced the lot coverage to meet the Code requirement.

Stanton discussed parking requirements. Then stated that the maximum number of employees per shift with a 150% "shift change-over overlap" is 60, which would be the most employees onsite at any given time and based on this data there are an adequate number of parking spaces.

Stanton said staff recommend approval of the proposed Preliminary Development Plan for the proposed 34,800 square foot expansion to the existing facility.

Jeff Schlagel of Schlagel and Associates said the hope is to begin construction during the spring of 2024.

Alderman Chaney asked how long construction is scheduled to last.

Schlagel said construction is expected to last between nine to 12 months.

Mayor Zaring closed the public hearing at 6:50 p.m.

E. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR IFIL EXPANSION ON PROPERTY LOCATED AT 1801 W. VINE STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

City Attorney Felzien read the ordinance for the first time only.

Mayor Zaring informed the Board that the second reading of the ordinance will take place at the February 20, meeting.

RESULT: SCHEDULED

Next: 2/20/2024 6:00 PM

F. City Administrator's 2024 State of the City Address

City Administrator Ratliff said 2023 was a very busy year but was a year that laid the foundation for a very productive 2024.

Ratliff spoke to the value of knowledge and the ability it can provide to assist elected officials in answering questions from residents and those in the community.

Ratliff presented a slideshow to the Board of Aldermen, providing an in-depth look at all aspects of the City. Ratliff reviewed the 2023 tax levy's, provided by the Cass County Collector's Office, to include levy's set forth in City's located within Cass County, the breakdown of the City of Harrisonville Tax Levy on a market value home of \$177,470, and where resident tax dollars go. Ratliff discussed the breakdown of City-wide funds, general, and enterprise funds and the percentages of salaries and debt that come from each of those funds. Ratliff spoke about budget improvements made in 2023 and how they will impact future City budgets. Ratliff then discussed the ten-year outlook of outstanding debt and expenditures by type.

Ratliff commended the Board for their courage and willingness to pursue hard conversations and decisions that will continue to move Harrisonville forward as a place that people want to live and work in.

Ratliff then went over each department and their statistics for the 2023 fiscal year. Ratliff also spoke about specific achievements and challenges seen by each department over the past year.

Ratliff discussed the accomplishments of various departments and some of the goals that have been set for the 2023-2024 fiscal years. Ratliff outlined the statistics, as seen in the City's SeeClickFix program, for issues and complaints within the community.

Ratliff spoke about a large number of items completed by both the Board of Aldermen and City staff, and provided updates regarding projects that are either ongoing or will be starting in the near future.

Ratliff spoke to the amount of grant dollars the City was able to pull in during the 2023 Fiscal Year, totaling \$50,842,644. Ratliff added that the City's contribution to these funds will only be \$3,081,038.

Mayor Zaring thanked Mr. Ratliff for his time and effort in putting his presentation together and thanked him for providing them with information that will better equip them to serve the Harrisonville community.

6. Aldermen and Committee Reports

Alderwoman Franklin spoke about upcoming community events, including the Love the Harrisonville Square's Scotch and Chocolate fundraiser and Bright Futures Harrisonville's Bowls for Bright Futures fundraiser. Franklin provided an update to the ongoing upgrades at the indoor pool at the community center. Franklin also provided an update regarding the installation of the new Kiwanis playground at City Park.

Alderman Davidson said he would like to have a discussion at a future Work Session regarding the hangar rental fees.

Alderman Mills commended those who work at the Shepherd Staff Food Pantry and said he greatly appreciated the work they put in to serve the Harrisonville community.

Alderman Turner said he enjoyed participating in the Cass Career Center's recent Cornhole Tournament. Turner announced that the tournament was won by City Employee Casey Hofer. Turner also wished the local Culver's store luck as they compete in the company-wide finals in Florida.

Alderman Pfautsch provided an update from the Harrisonville Square Redevelopment Corporation, saying the organization is finalizing its process and hopes to be able to soon take steps to launch the program to the public.

Alderman Doerhoff wished the Chiefs luck in the Super Bowl.

Alderwoman Milner congratulated the firefighter and police officer who were pinned and thanked them for their service to the Harrisonville community. Milner also shared additional details about the upcoming Bowls for Bright Futures event.

7. Report from the City Administrator

City Administrator Ratliff reminded the Board that the second February meeting will be held on Tuesday, February 20, instead of February 19, due to the Presidents Day holiday.

8. Questions from the Media

None.

9. Adjourn to Executive Session

Mayor Zaring commended the firefighters and police officer who were pinned and promoted for their hard work and dedication to the City of Harrisonville and to the community as a whole.

At 7:43 p.m., the Board of Aldermen voted to go into Closed Session pursuant to City Code to discuss the Leasing, purchase or sale of real estate, and to discuss Litigation. A motion was made by Alderman Mills and seconded by Alderman Doerhoff. In attendance and voting to go into Closed Session were Aldermen Chaney, Davidson, Doerhoff, Franklin, Mills, Milner, Pfautsch, Turner and Mayor Mike Zaring. Mayor Zaring then convened the meeting in Closed Session.

10. Adjourn From Regular Session

Upon returning to the Regular Meeting, a motion was made by Alderman Mills to adjourn from the Regular Meeting. The motion was seconded by Alderman Doerhoff. The motion carried with a unanimous vote. The meeting adjourned at 8:48 p.m.

Regular Meeting**Monday, February 5, 2024****6:00 PM**

Mike Zaring, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Feb 5, 2024 6:00 PM (Approval of Minutes)

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 15, 2024
SUBJECT: Resolution 2024 STEP Grant

Type of Item: *Approval*

A. Action Item (ID # 4764)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO SHOW THE SUPPORT OF THE BOARD OF ALDERMEN FOR AN APPLICATION OF GRANT FUNDS FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAY SAFETY STEP (SPECIAL TRAFFIC ENFORCEMENT PROGRAM) PROGRAM; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID APPLICATIONS FOR GRANT FUNDS

Attachments:

STEP Grant Staff Report 2024 (DOC)
City Authorization Form STEP Grant (DOC)
2024 STEP Grant authorization (DOCX)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

5.A.a

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

To: Board of Aldermen

From: Darin L. Chance, Lieutenant

Date: February 13, 2024

Re: STEP Grants 2023

GENERAL INFORMATION

Applicant: Harrisonville Police Department

Requested Actions: Support for STEP Grant participation.

Date of Application: February 13, 2024

PROPOSAL

We are applying for STEP (Special Traffic Enforcement Program) grants and seek your continued support of this program. MoDOT requires the Board of Aldermen's signatures of support before approving grant requests.

PREVIOUS ACTIONS

The City of Harrisonville has participated in this Missouri Department of Transportation Division of Highway Safety STEP program since 2001. This program provides reimbursement funding for officers' overtime enforcement efforts, explicitly allowing for an officer(s) to target high-traffic crash areas with enforcement.

We did not participate in the grants for a few years due to the pandemic and staffing issues. However, we were able to resume participation in 2023-2024. We want to participate again in 2024-2025.

KEY ISSUES

This year, we have requested \$15,000.00 in total assistance. This request includes \$7,500.00 for DWI Enforcement and \$7,500.00 for Hazardous Moving Violations (Speeding). There is no city match required for any of these grants.

STAFF COMMENTS AND SUGGESTIONS

If approved, these grants will be reimbursed to the city monthly. Again, this year, we need your signature of support on the application authorization forms (attached) showing your support of these enforcement efforts.

Attachment: STEP Grant Staff Report 2024 (Resolution 2024 STEP Grant)

STAFF RECOMMENDATION

The Harrisonville Police Department appreciates your continued support and consideration of these grants.

ATTACHMENTS

STAFF CONTACT:

Darin L. Chance, Lieutenant
dchance@harrisonville.com

B. Action Item (ID # 4434)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO SHOW THE SUPPORT OF THE BOARD OF ALDERMEN FOR AN APPLICATION OF GRANT FUNDS FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAY SAFETY STEP (SPECIAL TRAFFIC ENFORCEMENT PROGRAM) PROGRAM, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID APPLICATIONS FOR GRANT FUNDS

Attachments: STEP Grant Authorization Form (DOCX)

Attachment: STEP Grant Staff Report 2024 (Resolution 2024 STEP Grant)



Highway Safety and Traffic Division
P.O. Box 270
Jefferson City, MO 65102
1-800-800-2358 or 573-751-4161

CITY COUNCIL AUTHORIZATION

On _____, 20__ the Council of _____
_____ held a meeting and discussed the City's participation
in Missouri's Highway Safety Program.

It is agreed by the Council that the City of _____
will participate in Missouri's Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the
financial assistance available under the Missouri Highway Safety Program for
Traffic Enforcement and report back to the Council his/her recommendations.
When funding through the Highway Safety Division is no longer available, the
local government entity agrees to make a dedicated attempt to continue support
for this traffic safety effort.

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Mayor

Attachment: City Authorization Form STEP Grant (Resolution 2024 STEP Grant)

Council Bill No.

Resolution No.

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO SHOW THE SUPPORT OF THE BOARD OF ALDERMEN FOR AN APPLICATION OF GRANT FUNDS FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAY SAFETY STEP (SPECIAL TRAFFIC ENFORCEMENT PROGRAM) PROGRAM; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID APPLICATIONS FOR GRANT FUNDS

WHEREAS, the City of Harrisonville is an expanding city in the growing county of Cass; and

WHEREAS, the Harrisonville Board of Aldermen deems it necessary to improve public safety to serve its citizens.

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

Section 1. Those applications made under the Special Traffic Enforcement Program Grant of the Missouri Department of Transportation for a grant to assist in overtime for DWI Enforcement and overtime for Hazardous Moving Violation Enforcement for a total cost of \$15,000.

Section 2. That the Mayor and Board of Aldermen support said application grant proposals.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI ON THIS 20TH DAY OF FEBRUARY 2024.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

EXCUSED:

Mike Zaring, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 20th day of February 2024.

Attachment: 2024 STEP Grant authorization (Resolution 2024 STEP Grant)

STAFF REPORT

TO: Board of Aldermen
FROM: Christina Stanton,
DATE: January 11, 2024
SUBJECT: Appl. #PREDEV-23-002--PRELIM. DEVEL. PLAN for iFIL Expansion on property located at 1801 W. Vine St.

Type of Item: *Approval*

B. Discussion Item (ID # 4738)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR iFIL EXPANSION ON PROPERTY LOCATED AT 1801 W. VINE STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

History:

01/18/24 Planning & Zoning Commission RECOMMENDED

Jeff Skidmore, P.E., with Schlagel and Associates, spoke to the Commission. He first thanked Christina and her staff for all of their hard work over the past year. He did say that the main condition of shaving off 2000 square feet of impervious coverage is something they are working on. He also said that they have an employee amenity area that is approximately 1000 square feet and that would probably be the first thing they would have to cut.

Kevin Wood said that he would hate for the employees to lose that area and asked Director Stanton if a non impervious block system or paver stone would work for that area. Director Stanton said that something like that is not clarified in the regulations. She asked Vice Chair Chiodini if he had any knowledge on them. He did explain a couple of options like what Chairman Wood had described and said that would be a good option for the development. Mr. Skidmore said that is something they could consider.

With nothing further, Chris Chiodini made a motion to recommend approval to the Board of Aldermen of the Preliminary Development Plan as presented. Brian Pulliam seconded. The motion passed unanimously.

Chairman Wood told the applicants that he had toured the facility and encouraged the other Commission members to do the same after the expansion. He said that what is done at the facility is fascinating. Jason Rohe said that he appreciated the suggestion and they would definitely consider it.

02/05/24 Board of Aldermen SCHEDULED

City Attorney Felzien read the ordinance for the first time only.

Mayor Zaring informed the Board that the second reading of the ordinance will take place at the February 20, meeting.

Attachments:

iFIL Expansion Ordinance 2024 (DOC)

Council Bill No.**Ordinance No.**

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR iFIL
EXPANSION ON PROPERTY LOCATED AT 1801 W. VINE STREET IN THE CITY
OF HARRISONVILLE, CASS COUNTY, MISSOURI.**

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Jeffrey Skidmore, P.E., Schlagel and Associates, seeking approval of a Preliminary Development Plan for an expansion of the existing iFIL production facility of 34,800 square feet with associated site improvements including 36 additional parking spaces and a new ingress/egress from Plaza Drive on approximately 4.29 acres of land located at 1801 W. Vine Street in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, a legal notice announcing a public hearing to be held on the requested Preliminary Development Plan application on January 18, 2024, before the Planning & Zoning Commission and on February 5, 2024, before the Board of Aldermen of the City of Harrisonville, Missouri was published in the December 28, 2023, edition of the *Tribune and Times* newspaper; and

WHEREAS, the Preliminary Development Plan was considered by the Planning and Zoning Commission on January 18, 2024, and, with a vote of 7-0, recommended that the Board of Aldermen approve the requested Preliminary Development Plan with the condition of approval in staff's report; 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 the approval of the Preliminary Development Plan 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 Preliminary Development Plan of approximately 4.29 acres of land located at 1801 W. Vine Street in the City of Harrisonville, Cass County, Missouri.

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

LEGAL DESCRIPTION:

A PART OF THE SOUTH HALF OF LOT 6 OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44, RANGE 31, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE EAST, 79.33 FEET; THENCE NORTH 0 DEGREES 13 MINUTES WEST, 241.81 FEET; THENCE NORTH 27 DEGREES 40 MINUTES EAST, 195.58 FEET; THENCE NORTH 55 DEGREES 33 MINUTES EAST,

322.50 FEET; THENCE FOLLOWING A CURVE TO THE RIGHT HAVING A RADIUS OF 209.10 FEET, AND A CHORD BEARING OF NORTH 64 DEGREES 33 MINUTES, 41 SECONDS EAST, A DISTANCE OF 65.78 FEET; THENCE SOUTH 625.60 FEET; THENCE WEST 415.00 FEET TO THE POINT OF BEGINNING.

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 5TH OF FEBRUARY 2024 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 20TH DAY OF FEBRUARY 2024 AND PASSED BY THE BOARD OF ALDERMEN THIS 20TH DAY OF FEBRUARY 2024.

AYES:

NAYS:

AWAY:

ABSENT:

ABSTAIN:

Mike Zaring, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 20TH day of February 2024

Attachment I: Zoning Map

Zoning Map



STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 16, 2024
SUBJECT: PUBLIC HEARING: Various Code Changes

Type of Item: *Public Hearing*

C. Discussion Item (ID # 4767)

PUBLIC HEARING: Various Code Changes

STAFF REPORT

TO: Board of Aldermen
FROM: Christina Stanton,
DATE: February 16, 2024
SUBJECT: Code Amendments

Type of Item: *Public Hearing*

D. Action Item (ID # 4766)

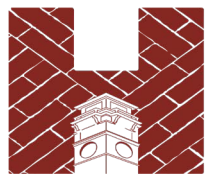
AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405-ZONING REGULATIONS, CHAPTER 435-SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410-SUBDIVISION REGULATIONS, CHAPTER 515-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530-RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

Attachments:

Various Code Changes 2-20-24 BOA(PDF)

Misc Code Amendments (February 2024) (PDF)

Ordinance-February Code Amendments (DOCX)



To: Board of Aldermen
From: Christina Stanton, AICP, Community Development Director
Date: February 20, 2024
Re: Code Amendments

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Consideration of Proposed Code Amendments

Date of Application: N/A

PROPOSAL

The Code Amendments proposed are broken into five (5) categories:

- (1) Correcting “building” to “lot” coverage to eliminate inconsistencies and confusion between the district specific sections of the Code and Appendix B: Dimensional Standards Table;
- (2) Adding definitions for impervious surface and lot coverage, and amending the building coverage definition to provide greater clarity;
- (3) Updating “Director of Code Enforcement” and “Codes Enforcement Director” and references to “Code Enforcement” to “Building Official” or “Director of Community Development” as appropriate;
- (4) Clarifications regarding required signature blocks for final plats; and
- (5) Correcting references from “Building Official” to “Public Works Superintendent” regarding right-of-way permits and removing “the Superintendent” from sewer installation policies and procedures that would be under the purview of the Building Official as part of a building permit.

PREVIOUS ACTIONS

- February 15, 2024—The Planning and Zoning Commission recommended, by voice-vote 6-0, to recommend approval to the Board of Aldermen of the proposed Code Amendments.
- December 4, 2023—The Board of Aldermen approved Ordinance #3677, which corrected the percentage of lot coverage for Districts R-3 and R-4 and corrected references within the Code for those specific districts from “building” to “lot” coverage.
- May 1, 2023—The Board of Aldermen approved Ordinance #3650, which removed specific fee, fine, and penalty amounts within various sections of Code.
- March 20, 2023—The Board of Aldermen approved Ordinance #3638, which amended various sections of Code pertaining to subdivisions.
- February 21, 2023—The Board of Aldermen approved Ordinance #3628, which made corrections to Section 405.205 (the R-4 District) and 405.305 (the CBD-2 District).
- February 21, 2023—The Board of Aldermen approved Ordinance #3627, which adopted the Dimensional Standards Table and established lot coverage percentages that aligned with the runoff coefficient identified by the APWA. The percentages were corrected under the individual

zoning districts to align with the “Lot Coverage” percentages in the Dimensional Standards Table. However, the individual zoning districts still stated “building coverage”.

- September 20, 2021—The Board of Aldermen approved Ordinance #3568, which amended Section 515.100 and 530.030 pertaining to work and permits for work done within the right-of-way.
- August 16, 2021—The Board of Aldermen approved Ordinance #3561, which amended sections of Code pertaining to maintaining residential septic systems.
- January 7, 2019—The Board of Aldermen approved Ordinance #3456, which repealed Chapter 435—Sign Regulations of the Code of Ordinances and enacted a new Chapter 435—Sign Regulations.
- November 16, 2015—The Board of Aldermen approved Ordinance #3341, which established the Near Downtown Single-Family Neighborhood (R-1B) and Near Downtown Two-Family Neighborhood (R-2B) Districts and regulations pertaining to said Districts.
- October 19, 2009—The Board of Aldermen approved Ordinance #3107, which amended various sections of Chapter 405 by adding the definition for “building coverage” and adding the original requirements for building coverage under each specific residential zoning district.
- February 21, 2006—The Board of Aldermen approved Ordinance #2958, which repealed Chapter 30, Article II, Excavations, Sections 30-21 through 30-32, and enacted Chapter 36—Rights-of-Way Management. This established procedures and requirements relating to construction of facilities in, along, across, under and over public rights-of-way.
- April 15, 2002—The Board of Aldermen approved Ordinance #2766, which repealed Ordinance #1831 and Ordinance #2587 in their entirety and adopted new Subdivision Regulations.
- January 15, 2001—The Board of Aldermen approved Ordinance #2692, which amended Chapters 11—Electricity, 35—Utilities, 16—Health & Sanitation and amended the Uniform Plumbing Code.
- May 13, 1991—The Board of Aldermen approved Zoning Ordinance #1825, which established most of our current zoning districts.
- January 5, 1983—The Board of Aldermen approved Ordinance #1344, which amended Chapter 30—Streets, Sidewalks, and Public Places to add several sections requiring all property owners to maintain their sidewalks in a safe and convenient condition.

KEY ISSUES

- Correcting inconsistencies
- Adding definitions to provide greater clarity
- Correcting references within the Code to the appropriate person or department
- Providing additional clarification regarding signature blocks for final plats

ATTACHMENTS

Staff Commentary and Mark-ups



THE CITY OF HARRISONVILLE

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Existing Municipal Code in black.

Removals in red.

Additions in green.

Highlights = Discussion.

CS commentary in blue.

Staff Commentary

The following code amendments cover various items:

- 1) Correcting “building” to “lot” coverage to eliminate inconsistencies and confusion between the district specific sections and Appendix B: Dimensional Standards Table, which was created and adjusted to match the average percent impervious areas as established in the APWA Runoff Coefficients—This was supposed to be part of a previous amendment (Ordinance #3627), but apparently was missed. This corrects that oversight.
- 2) Definitions. Adding definitions for impervious surface and lot coverage, and amending the building coverage definition to provide greater clarity.
- 3) Updating “Director of Code Enforcement” and “Codes Enforcement Director” and references to “Code Enforcement” to “Building Official” or “Director of Community Development” as appropriate.
- 4) Clarifications regarding required signature blocks for final plats.
- 5) Correcting references from “Building Official” to “Public Works Superintendent” regarding right-of-way permits and removing “the Superintendent” from sewer installation policies and procedures that would be under the purview of the Building Official as part of a building permit.

- 1) Section 405.140.A.7: The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.147.C.8: **Building Lot Coverage**. The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.170.A.7: The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.177.C.7: **Building Lot Coverage**. The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.225.A.5: The **building** **lot** coverage shall not exceed eighty-five percent (85%).

Section 405.255.A.5: The **building** **lot** coverage shall not exceed eighty-five percent (85%).

Section 405.285.A.5: The **building** **lot** coverage shall not exceed ninety-five percent (95%).

Section 405.305.A.5: The **building** **lot** coverage shall not exceed ninety-five percent (95%).

Section 405.325.A.5: The **building** **lot** coverage shall not exceed eighty-five percent (85%).

Section 405.495.A.5: The **building** **lot** coverage shall not exceed sixty percent (60%).

Section 405.515.A.5: The **building** **lot** coverage shall not exceed eighty percent (80%).



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2) Section 405.030:

BUILDING COVERAGE

The amount of land covered or permitted to be covered by buildings or structures. Building coverage is generally measured as a ratio or a percent of a lot. Porches and decks shall be considered as part of a building or structure.

Exception: Swimming pools shall be computed as one-half (½) their area toward the maximum building coverage.

IMPERVIOUS SURFACE

A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

LOT COVERAGE

The total ground area covered by all buildings, roofed or covered spaces, paved surfaces, walkways and driveways and any other site improvements or structures contributing to run-off greater than would occur on the site in its natural state.

- 3) Section 405.050.C.1: Repairs. Ordinary repairs may be made to a non-conforming building or structure. Ordinary repairs shall be determined by the **Director of Code Enforcement Building Official** and shall include, among other things, the replacement of storage tanks where the safety of operation of the installation requires such replacement.

Section 405.095: The location and boundaries of the districts established by this Chapter are set forth on the "Zoning District Map" which is hereby made a part of this Chapter. The said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this Chapter as though fully set forth and described herein. The said map shall be filed with the office of the City Clerk and copies thereof in the office of the Director of **Code Enforcement Community Development** and shall be open to public reference at all times during which those offices are open.

Section 405.420: The Board of Aldermen shall within forty-five (45) days after receiving the recommendation of the Planning and Zoning Commission concerning the nominated landmark or historic district either accept or reject the recommendation of the Planning and Zoning Commission. If the Board wishes to designate a landmark or district, it shall do so by ordinance. The Board of Aldermen shall hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in the Harrisonville Zoning Ordinance. Any resolution or ordinance shall be accompanied by a written statement explaining the reasons for the action by the Board of Aldermen. The City Clerk shall provide written notification of the action of the Board of Aldermen by regular mail to the nominator and the owners of record of the nominated landmark or of all property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the Board of Aldermen and shall be sent within seven (7) days of the Board of Aldermen action. A copy of each designation ordinance shall be sent to the Historic Preservation Commission, the Planning and Zoning Commission and the **Community Development Codes Enforcement Department** of the City of Harrisonville. A determination by the Board of Aldermen shall be a final and administrative decision as that term is defined in Chapter 536, RSMo.



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Section 405.435: No application for a building or demolition permit affecting the exterior or architectural appearance of a designated landmark or property within a designated historical district shall be granted by the City until approved by the Preservation Commission. An applicant may request a meeting with the Preservation Commission before or during the review of the application. Application for review of construction, demolition or removal not requiring a building permit for which a certificate of appropriateness is required shall be made on a form prepared by the **Community Development Codes Enforcement** Department of the City of Harrisonville and available at the office of the **Community Development Codes Enforcement** Department of the City of Harrisonville. Applicants may be required to submit plans, drawings, elevations, specifications and other information as may be requested by the Preservation Commission. The Preservation Commission shall consider the completed application at its next regular meeting. The Preservation Commission may call a specific meeting to review routine application for certificate of appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant.

Section 405.440: Whenever the Historic Preservation Commission has a reason to believe an action for which a certificate of appropriateness is required has been initiated or is about to be initiated, it shall make every reasonable effort to contact the owners, occupants, contractors or subcontractors and inform them of the application for certificate of appropriateness process. If the Historic Preservation Commission determines that a stop work order is necessary to halt an action that requires a certificate of appropriateness, it shall deliver or send a copy of the stop work order by certified mail return receipt requested to the owners, occupants, contractors and subcontractors and notify them of the certificate of appropriateness process. A copy of the proper application form shall be included in the notice. A copy of the stop work order shall be sent to the **Building Official Codes Enforcement Director** of the City of Harrisonville, who shall be responsible for monitoring said situation and citing those in violation of this Article.

Section 405.445.A: The Historic Preservation Commission shall review the application for a building or demolition permit or for a certificate of appropriateness and issue or deny the certificate of appropriateness within no more than forty-five (45) days of receipt of the application. Determination will be based on the standards and guidelines set forth in this Article. Written notice of the approval or denial of the application for a certificate of appropriateness shall be provided the applicant and the **Community Development Codes Enforcement** Department of the City of Harrisonville within seven (7) days following the determination and shall be accompanied by a certificate of appropriateness in case of approval.

Section 405.465.D: Public Safety Exclusion. None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Codes Enforcement **Department Division or Building Official** of the City of Harrisonville and where the proposed measures have been declared necessary by such **department or departments Division** to correct the said condition; provided however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section. In the event any structure or other feature shall be



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damaged by fire or other calamity or by an act of God or by public enemy to such an extent that, in the opinion of the aforesaid **department Division**, it cannot reasonably be repaired or restored, it may be removed in conformity with normal permit procedures and applicable laws.

Section 405.565.E.3.(a): All parking areas and drives, except as specifically provided for in this Subsection 3(a), shall be ready for use upon occupying a building and shall be surfaced with a minimum of two (2) inches of hot-mix asphaltic concrete on a minimum four (4) inch compacted stone base or Portland cement concrete paving of equal strength (the "Hard Surface Requirement"). All such drives and off-street areas used by vehicles, except those serving single- and two-family dwellings, shall have curbs. The **Director of Codes Administration Building Official** may grant an extension by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials. Exceptions to the Hard Surface Requirement are specified in Subsections 3(a)(1), (2), (3), and (4), below. None of these exceptions herein shall relieve the owner, occupant or developer from the requirements of the Americans with Disabilities Act regulations, including hard surfaced parking areas for those with disabilities.

Section 435.130.A.1: Conformance To Building And Electrical Codes. In order to provide for the safety of the public all Signs shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Signs with electricity and per the City Code as to require a building or electrical permit shall obtain one from the **Director of Codes Building Official** prior to installation or placement.

Section 435.140.A.1: Permit Required. In addition to the Sign permit required by this Chapter, a building permit shall be obtained from the **Director of Codes Building Official** 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.

Section 435.140.A.9.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 Community Development**; 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 435.155.A.3: If the owner of the Sign disputes the determination that the Sign is abandoned, they may first appeal to the Director of **Codes Community Development** for reconsideration. If the Director of Codes denies the appeal, then the Sign owner may appeal to the City Administrator.

Section 435.155.B.3: Should any Sign become structurally unstable or in danger of falling or otherwise unsafe in the opinion of the **Director of Codes Building Official**, the owner or person or firm maintaining the Sign shall, upon written notice from the City, forthwith in the case of immediate danger and in any case within ten (10) days, remove such Sign or secure it in a manner approved by the City. Any Sign not removed or secured within ten (10) days from the written notice may be removed by the City and all costs ("Removal



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Costs") charged to the owner, agent, or person having beneficial interest of the building or Premises upon which the Sign was located, or in the Sign itself.

4) Section 410.290.E.15.c: The acknowledgment of a notary in the following form:

State of _____

County of _____

Be it remembered that on this _____ day of _____, 20____, before me, a notary public in and for said County and State, came _____, **to me, personally** known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL) Notary Public

My Commission Expires: _____

Section 410.290.E.15.e: The approval of the plat and acceptance of easements and rights-of-way by the Board of Aldermen in the following form:

This plat of _____ including easements and rights-of-way accepted by the Board of Aldermen has been submitted to and approved by the Harrisonville Board of Aldermen by Ordinance No. _____, duly passed and approved by the Mayor of Harrisonville, Missouri, on the _____ day of _____, 20____.

(SEAL)

Mayor

ATTEST:

City Clerk

City Engineer

Community Development Director

Section 410.290.E.15.f: A blank space for noting entry on the transfer record in the following form:

Entered on transfer record this _____ day of _____, 20____.

Deputy County Recorder of Deeds

Signature blocks for the following certificates, with the corresponding name typed, printed or stamped beneath the signature:

- 1) Signatures of the owner(s) and notary public;**
- 2) Certification by a registered land surveyor that the survey was executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys;**
- 3) Certificate of approval to be signed and dated by Mayor, City Clerk, Planning Commission Chair, Director of Public Works, and Director of Community Development.**

5) Section 515.100 Construction or Repair By Property Owner.

A. The Director of Public Works or the **Building Official **Public Works Superintendent** is hereby authorized to issue right-of-way work permits, upon request, to owners of private**

Attachment: Misc Code Amendments (February 2024) (Code Amendments)



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property, their representatives or contractors to grade, construct, repair or reconstruct pavements, curbs, gutters, driveways from curb to property line, sidewalks, sewers, street lighting systems and appurtenances, at their own expense, in the public streets or alleys adjacent to or running through their property when the same are, in his/her judgment, reasonably necessary. No person shall begin any such improvement until such permit shall have been issued.

1. **Plan, Specifications.** Prior to issuance of the permit, plans shall be prepared by such owners and submitted to the Director of Public Works or the **Building Official Public Works Superintendent** for his/her approval. Such plans shall indicate thereon the location, extent and character of the work proposed to be done with an estimate of the amount of the various materials, installation and services to be incorporated in the work. The plans shall have such cross sections, profiles and such other information as necessary for the Director of Public Works or the **Building Official Public Works Superintendent** to determine that the plan conforms with the specifications of the City. The plans shall conform and the work shall be done according to the standard specifications of the City for public work of like character.

All such work shall be done under the direction and supervision and to the satisfaction of the Director of Public Works or the **Building Official Public Works Superintendent**. Acceptance of the completed facility by the Director of Public Works or the **Building Official Public Works Superintendent** shall be made only after proper evidence that all bills for labor, materials and equipment have been paid.

2. **Performance And Maintenance Bonds.** The Director of Public Works or the **Building Official Public Works Superintendent** shall require the permittee to furnish an **original** surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work; except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the **Building Official Public Works Superintendent** within a time limit specified on said right-of-way work permit. The bond shall also guarantee maintenance of the work performed for two (2) years.

a. For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance of said work, and maintenance of said work for a period of two (2) years.

b. The minimum amount for any bond, or deposit placed in escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation.

3. **Indemnification Of City During Construction.**

The applicant shall be required to furnish the City evidence of general liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) per project to insure and protect the City from all damage that may arise from such disturbance prior to acceptance by the City after backfilling.

The City of Harrisonville shall have no duty to pay damages unless the defenses of sovereign and governmental immunity are inapplicable. Nothing in this Section shall reflect an intent by the City of Harrisonville to waive any defenses of sovereign and governmental immunity.

4. **Penalties.** Any person, whether owner, representative, contractor, subcontractor or foreman, who shall grade, construct, repair, reconstruct or alter any public street, pavement, curb, gutter, driveway, sidewalk or sewer within any public way or any



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public sewer adjacent to or running through any private property within a public right-of-way without first securing a permit therefor issued by the Director of Public Works or the **Building Official Public Works Superintendent**, shall be deemed guilty of a violation of this Section and upon conviction thereof shall be fined as established in the City's Comprehensive Schedule of Fees.

5. Right-of-way work permits applicable to this Chapter shall have a fee collected, based on the dollar valuation of the work to be constructed or repaired as established in the City's Comprehensive Schedule of Fees, except where authorization for the construction or repair of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit.

6. Required ROW permit inspections shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent** and shall be listed on ROW permits issued.

Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent**, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.

Section 530.030.A.4: It is the intention of the City that disruption of the public rights-of-way should be minimized. Upon receipt of an application for a permit, the City shall do the following:

- a. Evaluate the degree of disturbance necessary to perform the facilities work. If the applicant can show to the Director of Public Works or the **Building Official Public Works Superintendent**, reasonable satisfaction that the facilities work involves any of the following:
 - (1) No significant disruption or disturbance to the public rights-of-way, or
 - (2) Is time sensitive maintenance;
 then the City shall grant the permit in accordance with departmental policies and procedures provided that if the permit is not issued within ten (10) business days, the applicant may appeal as provided in Subsection (A)(8); and
- b. For circumstances where the City determines that there will be significant excavation of the public rights-of-way and no exemption under Subsection (A)(4)(a) or any other provision of this Section applies, the City may, consistent with Subsection (A)(3), direct the permit holders performing the facilities work in the same area to consult on how they may schedule and coordinate their work to accomplish the goal of this Section.

Section 530.030.A.9.a: Performance And Maintenance Bonds. The Director of Public Works or the **Building Official Public Works Superintendent** shall require the permittee to furnish a surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work, except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance has been granted by their inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the **Building Official Public Works Superintendent** within a time limit specified on said special permit. The bond shall also guarantee maintenance of the work performed for two (2) years. The City may consider a lump sum biennial bond for multiple projects performed by utility companies or their contractors, the cost of which shall be determined by the number of projects and estimated total valuation of work. For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance and maintenance of said work for a period of two (2) years. The minimum amount for any bond, or deposit placed in



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escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation is.

Section 530.030.A.10: Required ROW permit inspections shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent** and shall be listed on ROW permits issued. Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent**, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.

Section 700.600.B: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by **the Superintendent or the Building Official**. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by **the Superintendent or the Building Official**. A permit and inspection fee, as specified in Chapter 525 of the Code of Ordinances, shall be paid to the City at the time the application is filed.

Section 700.600.C: A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of **the Superintendent or the Building Official** or their authorized agent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify **the Superintendent**, the Building Official, or the City Building **Department Division** when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice.

Section 700.600.E: No permit shall be issued for the installation, alteration or repair of any private sewage disposal system or part thereof on any lot for which a connection with a public sewer is available. A public sewer shall be considered available when within four hundred (400) feet of a property line.

Exception 1.

Existing residential single-family and duplex dwelling units private sewerage disposal system properties, both conventional lateral soil absorption and professionally engineered systems, in which the lot has a property line greater than one hundred (100) feet from a City public sewer, may apply for a permit to repair, modify, or replace components of these systems provided all other requirements of this Article, including State and local regulations are complied with. Minor repairs not normally requiring a permit may be approved at the discretion of the **Superintendent or Building Official**, regardless of distance to City public sewer.

Section 700.600.G: No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by **the Superintendent or the Building Official**.

Attachment: Misc Code Amendments (February 2024) (Code Amendments)

Council Bill No. _____

Ordinance No. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405—ZONING REGULATIONS, CHAPTER 435—SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410—SUBDIVISION REGULATIONS, CHAPTER 515—STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530—RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Harrisonville desires to amend various municipal code regulations under Titles IV – Land Use, V—Building and Construction, and VII—Utilities; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on February 15, 2024, to review and make a recommendation. After said public hearing, the Planning & Zoning Commission voted 6-0 to recommend approval to the Board of Aldermen; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on February 20, 2024, and rendered a decision to approve as the Board believes that it is in the best interest for the citizens of Harrisonville.

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

Section 1: Section 405.030 is hereby amended by removing “Exception: Swimming pools shall be computed as one-half (1/2) their area toward the maximum building coverage.”

Section 2: Section 405.030 is hereby amended to add the following definitions:

“IMPERVIOUS SURFACE

A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

LOT COVERAGE

The total ground area covered by all buildings, roofed or covered spaces, paved surfaces, walkways and driveways and any other site improvements or structures contributing to run-off greater than would occur on the site in its natural state.”

Section 3: Section 405.140.A.7 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 4: Section 405.147.C.8 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 5: Section 405.170.A.7 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 6: Section 405.177.C.7 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 7: Section 405.225.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty-five percent (85%).”

Section 8: Section 405.255.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty-five percent (85%).”

Section 9: Section 405.285.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed ninety-five percent (95%).”

Section 10: Section 405.305.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed ninety-five percent (95%).”

Section 11: Section 405.325.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty-five percent (85%).”

Section 12: Section 405.495.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed sixty percent (60%).”

Section 13: Section 405.515.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty percent (80%).”

Section 14: Section 405.050.C.1 is hereby amended to read as follows: “Repairs. Ordinary repairs may be made to a non-conforming building or structure. Ordinary repairs shall be determined by the Building Official and shall include, among other things, the replacement of storage tanks where the safety of operation of the installation requires such replacement.”

Section 15: Section 405.095 is hereby amend to read as follows: “The location and boundaries of the districts established by this Chapter are set forth on the "Zoning District Map" which is hereby made a part of this Chapter. The said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this Chapter as though fully set forth and described herein. The said map shall be filed with the office of the City Clerk and copies thereof in the office of the Director of Community Development and shall be open to public reference at all times during which those offices are open.”

Section 16: Section 405.420 is hereby amended to read as follows: “The Board of Aldermen shall within forty-five (45) days after receiving the recommendation of the Planning and Zoning Commission concerning the nominated landmark or historic district either accept or reject the recommendation of the Planning and Zoning Commission. If the Board wishes to designate a landmark or district, it shall do so by ordinance. The Board of Aldermen shall hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in the Harrisonville Zoning Ordinance. Any resolution or ordinance shall be accompanied by a written statement explaining the reasons for the action by the Board of Aldermen. The City Clerk shall provide written notification of the action of the Board of Aldermen by regular mail to the nominator and the owners of record of the nominated landmark or of all property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the Board of Aldermen and shall be sent within seven (7) days of the Board of Aldermen action. A copy of each designation ordinance shall be sent to the Historic Preservation Commission, the Planning and Zoning Commission and the Community Development Department of the City of Harrisonville. A determination by the Board of Aldermen shall be a final and administrative decision as that term is defined in Chapter 536, RSMo.”

Section 17: Section 405.435 is hereby amended to read as follows: “No application for a building or demolition permit affecting the exterior or architectural appearance of a designated landmark or property within a designated historical district shall be granted by the City until approved by the Preservation Commission. An applicant may request a meeting with the Preservation Commission before or during the review of the application. Application for review of construction, demolition or removal not requiring a building permit for which a certificate of appropriateness is required shall be made on a form prepared by the Community Development Department of the City of Harrisonville and available at the office of the Community Development Department of the City of Harrisonville. Applicants may be required to submit plans, drawings, elevations, specifications and other information as may be requested by the Preservation Commission. The Preservation Commission shall consider the completed application at its next regular meeting. The Preservation Commission may call a specific meeting to review routine application for certificate of appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant.”

Section 18: Section 405.440 is hereby amended to read as follows: “Whenever the Historic Preservation Commission has a reason to believe an action for which a certificate of appropriateness is required has been initiated or is about to be initiated, it shall make every reasonable effort to contact the owners, occupants, contractors or subcontractors and inform them of the application for certificate of appropriateness process. If the Historic Preservation Commission determines that a stop work order is necessary to halt an action that requires a certificate of appropriateness, it shall deliver or send a copy of the stop work order by certified mail return receipt requested to the owners, occupants, contractors and subcontractors and notify them of the certificate of appropriateness process. A copy of the proper application form shall be included in the notice. A copy of the stop work order shall be sent to the Building Official of the

City of Harrisonville, who shall be responsible for monitoring said situation and citing those in violation of this Article.”

Section 19: Section 405.445.A is hereby amended to read as follows: “The Historic Preservation Commission shall review the application for a building or demolition permit or for a certificate of appropriateness and issue or deny the certificate of appropriateness within no more than forty-five (45) days of receipt of the application. Determination will be based on the standards and guidelines set forth in this Article. Written notice of the approval or denial of the application for a certificate of appropriateness shall be provided the applicant and the Community Development Department of the City of Harrisonville within seven (7) days following the determination and shall be accompanied by a certificate of appropriateness in case of approval.”

Section 20: Section 405.465.D is hereby amended to read as follows: “Public Safety Exclusion. None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Codes Enforcement Division or Building Official of the City of Harrisonville and where the proposed measures have been declared necessary by such Division to correct the said condition; provided however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section. In the event any structure or other feature shall be damaged by fire or other calamity or by an act of God or by public enemy to such an extent that, in the opinion of the aforesaid Division, it cannot reasonably be repaired or restored, it may be removed in conformity with normal permit procedures and applicable laws.”

Section 21: Section 405.565.E.3(a) is hereby amended to read as follows: “All parking areas and drives, except as specifically provided for in this Subsection 3(a), shall be ready for use upon occupying a building and shall be surfaced with a minimum of two (2) inches of hot-mix asphaltic concrete on a minimum four (4) inch compacted stone base or Portland cement concrete paving of equal strength (the "Hard Surface Requirement"). All such drives and off-street areas used by vehicles, except those serving single- and two-family dwellings, shall have curbs. The Building Official may grant an extension by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials. Exceptions to the Hard Surface Requirement are specified in Subsections 3(a)(1), (2), (3), and (4), below. None of these exceptions herein shall relieve the owner, occupant or developer from the requirements of the Americans with Disabilities Act regulations, including hard surfaced parking areas for those with disabilities.”

Section 22: Section 435.130.A.1 is hereby amended to read as follows: “Conformance To Building And Electrical Codes. In order to provide for the safety of the public all Signs shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Signs with electricity and per the City Code as to require a building or electrical permit shall obtain one from the Building Official prior to installation or placement.”

Section 23: Section 435.140.A.1 is hereby amended to read as follows: “Permit Required. In addition to the Sign permit required by this Chapter, a building permit shall be obtained from the Building Official 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.”

Section 24: Section 435.140.A.9.d is hereby amended to read as follows: “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 Community Development; 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 25: Section 435.155.A.3 is hereby amended to read as follows: “If the owner of the Sign disputes the determination that the Sign is abandoned, they may first appeal to the Director of Community Development for reconsideration. If the Director of Codes denies the appeal, then the Sign owner may appeal to the City Administrator.”

Section 26: Section 435.155.B.3 is hereby amended to read as follows: “Should any Sign become structurally unstable or in danger of falling or otherwise unsafe in the opinion of the Building Official, the owner or person or firm maintaining the Sign shall, upon written notice from the City, forthwith in the case of immediate danger and in any case within ten (10) days, remove such Sign or secure it in a manner approved by the City. Any Sign not removed or secured within ten (10) days from the written notice may be removed by the City and all costs ("Removal Costs") charged to the owner, agent, or person having beneficial interest of the building or Premises upon which the Sign was located, or in the Sign itself.”

Section 27: Section 410.290.E.15.c is hereby amended to read as follows: “The acknowledgment of a notary in the following form:

State of

County of

Be it remembered that on this ____ day of _____, 20____, before me, a notary public in and for said County and State, came _____, known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written

(SEAL) Notary Public

My Commission Expires:”

Section 28: Section 410.290.E.15.e is hereby amended to read as follows: “The approval of the plat and acceptance of easements and rights-of-way by the Board of Aldermen in the following form:

This plat of _____ including easements and rights-of-way accepted by the Board of Aldermen has been submitted to and approved by the Harrisonville Board of Aldermen by Ordinance No. _____, duly passed and approved by

the Mayor of Harrisonville, Missouri, on the ____ day of _____, 20____.

(SEAL)

Mayor

ATTEST:

City Clerk”

Section 29: Section 410.290.E.15.f is hereby amended to read as follows: “Signature blocks for the following certificates, with the corresponding name typed, printed or stamped beneath the signature:

- 1) Signatures of the owner(s) and notary public;
- 2) Certification by a registered land surveyor that the survey was executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys;
- 3) Certificate of approval to be signed and dated by Mayor, City Clerk, Planning Commission Chair, Director of Public Works, and Director of Community Development.”

Section 30: Section 515.100 is hereby amended to read as follows: “Construction or Repair By Property Owner.

A. The Director of Public Works or the Building Official Public Works Superintendent is hereby authorized to issue right-of-way work permits, upon request, to owners of private property, their representatives or contractors to grade, construct, repair or reconstruct pavements, curbs, gutters, driveways from curb to property line, sidewalks, sewers, street lighting systems and appurtenances, at their own expense, in the public streets or alleys adjacent to or running through their property when the same are, in his/her judgment, reasonably necessary. No person shall begin any such improvement until such permit shall have been issued.

1. Plan, Specifications. Prior to issuance of the permit, plans shall be prepared by such owners and submitted to the Director of Public Works or the Public Works Superintendent for his/her approval. Such plans shall indicate thereon the location, extent and character of the work proposed to be done with an estimate of the amount of the various materials, installation and services to be incorporated in the work. The plans shall have such cross sections, profiles and such other information as necessary for the Director of Public Works or the Public Works Superintendent to determine that the plan conforms with the specifications of the City. The plans shall conform and the work shall be done according to the standard specifications of the City for public work of like character.

All such work shall be done under the direction and supervision and to the satisfaction of the Director of Public Works or the Public Works Superintendent. Acceptance of the completed facility by the Director of Public Works or the Public Works Superintendent shall be made only after proper evidence that all bills for labor, materials and equipment have been paid.

2. Performance And Maintenance Bonds. The Director of Public Works or the Public Works Superintendent shall require the permittee to furnish an original surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work; except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their

inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the Public Works Superintendent within a time limit specified on said right-of-way work permit. The bond shall also guarantee maintenance of the work performed for two (2) years.

a. For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance of said work, and maintenance of said work for a period of two (2) years.

b. The minimum amount for any bond, or deposit placed in escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation.

3. Indemnification Of City During Construction.

The applicant shall be required to furnish the City evidence of general liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) per project to insure and protect the City from all damage that may arise from such disturbance prior to acceptance by the City after backfilling.

The City of Harrisonville shall have no duty to pay damages unless the defenses of sovereign and governmental immunity are inapplicable. Nothing in this Section shall reflect an intent by the City of Harrisonville to waive any defenses of sovereign and governmental immunity.

4. Penalties. Any person, whether owner, representative, contractor, subcontractor or foreman, who shall grade, construct, repair, reconstruct or alter any public street, pavement, curb, gutter, driveway, sidewalk or sewer within any public way or any public sewer adjacent to or running through any private property within a public right-of-way without first securing a permit therefor issued by the Director of Public Works or the Public Works Superintendent, shall be deemed guilty of a violation of this Section and upon conviction thereof shall be fined as established in the City's Comprehensive Schedule of Fees.

5. Right-of-way work permits applicable to this Chapter shall have a fee collected, based on the dollar valuation of the work to be constructed or repaired as established in the City's Comprehensive Schedule of Fees, except where authorization for the construction or repair of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit.

6. Required ROW permit inspections shall be as determined by the Director of Public Works or the Public Works Superintendent and shall be listed on ROW permits issued.

Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the Public Works Superintendent, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.”

Section 31: Section 530.030.A.4 is hereby amended to read as follows: “It is the intention of the City that disruption of the public rights-of-way should be minimized. Upon receipt of an application for a permit, the City shall do the following:

- a. Evaluate the degree of disturbance necessary to perform the facilities work. If the applicant can show to the Director of Public Works or the Public

Works Superintendent, reasonable satisfaction that the facilities work involves any of the following:

- (1) No significant disruption or disturbance to the public rights-of-way, or
- (2) Is time sensitive maintenance;

then the City shall grant the permit in accordance with departmental policies and procedures provided that if the permit is not issued within ten (10) business days, the applicant may appeal as provided in Subsection (A)(8); and

- b. For circumstances where the City determines that there will be significant excavation of the public rights-of-way and no exemption under Subsection (A)(4)(a) or any other provision of this Section applies, the City may, consistent with Subsection (A)(3), direct the permit holders performing the facilities work in the same area to consult on how they may schedule and coordinate their work to accomplish the goal of this Section.”

Section 32: Section 530.030.A.9.a is hereby amended to read as follows: “Performance And Maintenance Bonds. The Director of Public Works or the Public Works Superintendent shall require the permittee to furnish a surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work, except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the Public Works Superintendent within a time limit specified on said special permit. The bond shall also guarantee maintenance of the work performed for two (2) years. The City may consider a lump sum biennial bond for multiple projects performed by utility companies or their contractors, the cost of which shall be determined by the number of projects and estimated total valuation of work.

For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance and maintenance of said work for a period of two (2) years. The minimum amount for any bond, or deposit placed in escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation is.”

Section 33: Section 530.030.A.10 is hereby amended to read as follows: “Required ROW permit inspections shall be as determined by the Director of Public Works or the Public Works Superintendent and shall be listed on ROW permits issued. Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the Public Works Superintendent, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.”

Section 34: Section 700.600.B is hereby amended to read as follows: “Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Building Official. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Building Official. A permit and inspection fee, as specified in Chapter 525 of the Code of Ordinances, shall be paid to the City at the time the application is filed.”

Section 35: Section 700.600.C is hereby amended to read as follows: “A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Building Official or their authorized agent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Building Official, or the City Building Division when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice.’

Section 36: Section 700.600.E is hereby amended to read as follows: “No permit shall be issued for the installation, alteration or repair of any private sewage disposal system or part thereof on any lot for which a connection with a public sewer is available. A public sewer shall be considered available when within four hundred (400) feet of a property line.

Exception 1.

Existing residential single-family and duplex dwelling units private sewerage disposal system properties, both conventional lateral soil absorption and professionally engineered systems, in which the lot has a property line greater than one hundred (100) feet from a City public sewer, may apply for a permit to repair, modify, or replace components of these systems provided all other requirements of this Article, including State and local regulations are complied with. Minor repairs not normally requiring a permit may be approved at the discretion of the Building Official, regardless of distance to City public sewer.”

Section 37: Section 700.600.G is hereby amended to read as follows: “No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Building Official.”

Section 38: That this Ordinance shall be in effect immediately upon its passage and approval.

Read for the first time by title only on the 20th day of February 2024. Read for the second time by title only on the 4th day of March 2024.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 4th day of March 2024.

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 12, 2024
SUBJECT: Municipal Court Report January 2024

Type of Item: *Discussion*

A. Discussion Item (ID # 4758)

Municipal Court Report January 2024

Attachments:

January 2024 Municipal Court Report (PDF)

IN THE MUNICIPAL COURT OF HARRISONVILLE, MISSOURI
CASS COUNTY

I certify that the attached is a report on all cases heard or tried before the Judge of the Circuit Court of Cass County Missouri, Municipal Division at Harrisonville during the month of **January 2024** and that the information and statements contained in said report are true and correct according to my best information, knowledge and belief.


Don Lograsso
Municipal Court Judge

2/7/24
Date

Presented and reviewed as required by Court Operating Rule 4.29.


City Clerk

2-12-24
Date

Subscribed and sworn to before me this _____ day of _____, 2024.

Notary

RECEIVED
FEB 12 2024
CITY OF HARRISONVILLE

Attachment: January 2024 Municipal Court Report (Municipal Court Report January 2024)

MUNICIPAL DIVISION SUMMARY REPORTING FORM

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

<u>I. COURT INFORMATION</u>		Municipality: Harrisonville Municipal		Reporting Period: Jan 1, 2024 - Jan 31, 2024	
Mailing Address: 300 E PEARL STREET, HARRISONVILLE, MO 64701					
Physical Address: 300 E PEARL STREET, HARRISONVILLE, MO 64701				County: Cass County	
Telephone Number: (816)3808903		Fax Number:			
Prepared by: MICHELLE SHAFFER		E-mail Address: michelle.shaffer@courts.mo.gov			
Municipal Judge: Don Lograsso					
<u>II. MONTHLY CASELOAD INFORMATION</u>					
		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance	
A. Cases (citations/informations) pending at start of month		39	592	531	
B. Cases (citations/informations) filed		2	131	66	
C. Cases (citations/informations) disposed					
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0	
2. court/bench trial - GUILTY		0	0	0	
3. court/bench trial - NOT GUILTY		0	1	0	
4. plea of GUILTY in court		2	18	11	
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	15	1	
6. dismissed by court		0	0	1	
7. <i>nolle prosequi</i>		0	1	2	
8. certified for jury trial (not heard in Municipal Division)		0	0	0	
9. TOTAL CASE DISPOSITIONS		2	35	15	
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		39	688	582	
E. Trial de Novo and/or appeal applications filed		0	0	0	
<u>III. WARRANT INFORMATION (pre- & post-disposition)</u>		<u>IV. PARKING TICKETS</u>			
1. # Issued during reporting period	55	1. # Issued during period		0	
2. # Served/withdrawn during reporting period	34	☐ Court staff does not process parking tickets			
3. # Outstanding at end of reporting period	1,163				

Attachment: January 2024 Municipal Court Report (Municipal Court Report January 2024)

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: Harrisonville Municipal	Reporting Period: Jan 1, 2024 - Jan 31, 2024
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V. DISBURSEMENTS

Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)		Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Fines - Excess Revenue	\$2,092.50	Court Automation	\$245.13
Clerk Fee - Excess Revenue	\$230.50	Law Enf Arrest-Local	\$432.50
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$7.03	Overpayment	\$150.00
Bond forfeitures (paid to city) - Excess Revenue	\$0.00	Overpayments Detail Code	(\$316.50)
Total Excess Revenue	\$2,330.03	Total Other Disbursements	\$511.13
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)		Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$6,329.50
		Bond Refunds	\$84.00
		Total Disbursements	\$6,413.50
Fines - Other	\$2,292.00		
Clerk Fee - Other	\$192.22		
Judicial Education Fund (JEF) ☒ Court does not retain funds for JEF	\$0.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$35.02		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$249.68		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$5.92		
Law Enforcement Training (LET) Fund surcharge	\$74.00		
Domestic Violence Shelter surcharge	\$74.00		
Inmate Prisoner Detainee Security Fund surcharge	\$74.00		
Restitution	\$100.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$200.00		
Total Other Revenue	\$3,296.84		

Attachment: January 2024 Municipal Court Report (Municipal Court Report January 2024)