



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
OCTOBER 21, 2024
6:00 PM**

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
 - A. Buckle Up Phone Down Day Proclamation 2024**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Oct 7, 2024 6:00 PM**
 - B. Board of Aldermen - Work Session - Oct 7, 2024 6:30 PM**
- 5. Agenda Items**
 - A. Council Bill 58: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AMENDING THE ADOPTED ECONOMIC DEVELOPMENT INCENTIVES POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI.**
 - B. Council Bill 59: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A TOW POLICY AGREEMENT WITH J'S SOUTHLAND TOW, MILLER TOW SERVICE, ALL PRO TOW AND SUCH OTHER TOW COMPANIES AS ARE WILLING TO MEET THE REQUIREMENTS OF THE AGREEMENT.**
 - C. Council Bill 50: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLE I UNDER CHAPTER 210—ANIMAL REGULATIONS OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.**

- D. **Council Bill 45: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, VACATING A RAILROAD SPUR RIGHT-OF-WAY COVERING PROPOSED LOT 5 OF ENTERPRISE BUSINESS PARK WITH RAILROAD SPUR SERVING UFP INDUSTRIES, INC. AND ESTABLISHING AN EFFECTIVE DATE.**
- E. **Council Bill 54: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A TOW LOT ON PROPERTY LOCATED AT 1505 CLEARWATER DRIVE IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**
- F. **Council Bill 55: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A TOW LOT ON PROPERTY LOCATED AT 402 CEDAR STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**
- G. **Council Bill 57: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING FROM RP-1 TO RP-2 FOR APPRXOMATELY 7-ACRES TO ALLOW FOR 24 DUPLEX LOTS AND A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPOSED CEDAR CREEK DEVELOPMENT CONTAINING 24 DUPLEX LOTS AND 195 SINGLE-FAMILY RESIDENTIAL LOTS ON PROPERTY LOCATED SOUTH OF PARKWOOD SOUTH AND NORTH OF 267TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**
- H. **PUBLIC HEARING: Annexation of Approximately 8 Acres of Adjacent Territory Owned by David A. & Lisa K. Warden**
- I. **Council Bill 60: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY ANNEXING APPROXIMATELY 8 ACRES OF ADJACENT TERRITORY OWNED BY DAVID A. & LISA K. WARDEN, LOCATED NORTH OF TWIN PINES COUNTRY CLUB AND WEST OF KRISSY BEND INTO THE CITY OF HARRISONVILLE, MISSOURI, ESTABLISHING THE ZONING AS C-2 (SERVICE BUSINESS DISTRICT) AND ESTABLISHING AN EFFECTIVE DATE.**
- 6. **Aldermen and Committee Reports**
- 7. **Report from the City Administrator**
 - A. **Municipal Court Report September 2024**
- 8. **Questions from the Media**
- 9. **Adjourn from Regular Session**

Posted on City Hall Bulletin Board this 18th day of October, 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: October 18, 2024
SUBJECT: Buckle Up Phone Down Day Proclamation

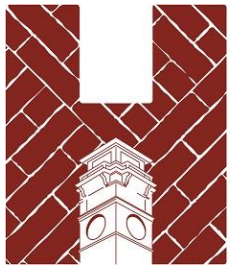
Type of Item: *Discussion*

A. Discussion Item (ID # 4999)

Buckle Up Phone Down Day Proclamation 2024

Attachments:

Buckle Up Phone Down Proclamation 2024 (DOCX)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

“BUCKLE UP, PHONE DOWN” October 30, 2024

WHEREAS, the Missouri Department of Transportation and the Missouri Coalition for Roadway Safety are challenging the community to buckle up and put your phone down; and

WHEREAS, the challenge is simple: when you get into any vehicle, buckle your safety belt and, if you are the driver, put your cell phone down; and

WHEREAS, over 64% of fatalities in 2023 Missouri traffic crashes were unbuckled; up 5% from 2022; and

WHEREAS, traffic crashes are the leading cause of death for people between the age of 15 and 20, with distracted driving being one of the primary causes; and

WHEREAS, by buckling up and putting your phone down, you will do your part to help make Missouri’s roads safer and save lives; and

WHEREAS, approximately 70% of drivers using cell phones in Missouri traffic crashes were 22 years of age or older; and

WHEREAS, it is time to join the movement and stand up and be counted. Take the challenge at www.modot.org/BuckleUpPhoneDown ARRIVE ALIVE!

NOW THEREFORE, I, Mike Zaring, Mayor of Harrisonville, Missouri do hereby proclaim, Friday, October 30, 2024, as: “Buckle Up, Phone Down” Day in Harrisonville, and encourage all citizens to take the “Buckle Up, Phone Down” Challenge and learn more about the risks associated with cell phone use and not buckling up while driving.



Mike Zaring, Mayor



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
OCTOBER 7, 2024
6:00 PM

1. Call to Order

The meeting was called to order at 6:01 PM by Board Member Bill Mills.

A. Pledge of Allegiance

Before addressing the items on the agenda, it was announced that Alderman Bill Mills will chair the meeting, since Mayor Zaring is attending remotely.

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	Remote	
Gary Davidson	Harrisonville	Board Member	Excused	
Kile Chaney	Harrisonville	Board Member	Excused	
Mike Zaring	Harrisonville	Mayor	Remote	

Others present: City Administrator Brad Ratliff, City Attorney Steve Mauer, Parks and Recreation Director Grant Purkey, Community Development Director Christina Stanton, Public Works Superintendent Matt Carver, Fire Chief Rusty Sullivan, Economic Development Director Jim Clarke, Police Chief Randy Moody, Director of Administrative Services Jeremy Smith, Police Lieutenant Darla Harris, Public Works Director Patty Hilderbrand, Municipal Court Judge Don Lograsso, Executive Secretary to the City Administrator Theresa West, Police Lieutenant Brian Kincaide, Fire Captain Mike Hiatt, Police Officer Dylon Gardella, Doug Stone of LewisRice, Tom Fritzlen Jr. of Armstrong Teasdale and City Clerk Daniel Barnett - recording.

2. Ceremonial Matters

A. Police Department Badge Pinning

Police Lieutenant Kincaide was joined at the front of the room by Officer Dylon Gardella.

Kincaide spoke about the department's excitement to have Gardella join the Harrisonville Police Department.

Gardella had his new badge pinned by his mother Kelly.

B. Swearing in of the Police Chief

New Police Chief Randy Moody and Municipal Judge Don Lograsso met at the front of the room.

Moody took the oath of office as administered by Judge Lograsso.

Moody spoke to the Board of Aldermen about his excitement for the new position, for the betterment of the department and for the success of the community.

While addressing the Board, Chief Moody announced that he would like to present a surprise award.

Chief Moody presented Lieutenant Darla Harris with the Chief's Commendation award for her leadership and sacrifice while serving the department as Interim Police Chief.

Chief Moody and City Administrator Ratliff each took turns speaking to Lt. Harris' dedication to the department and to the community and commended the leadership she bestowed upon the department during her time.

C. Michael Hiatt 15-Year Service Award

Aldermen Mills and Fire Chief Sullivan were joined at the front of the room by Fire Captain Mike Hiatt.

Sullivan thanked Hiatt for his 15 years of dedicated service to the Harrisonville community.

3. Public Participation

A. Agenda Request - Timothy Warren

Timothy Warren (1305 S Main Street) - Mr. Warren spoke to the Board about the parking restrictions on the east side of S Main Street.

Warren thanked the Board of Aldermen for allowing him to speak.

Warren spoke about the financial, physical and time burdens he feels have been placed on him due to the Board's decision to restrict parking on the east side of S Main Street.

Warren spoke about the safety concerns he feels now exist due to the installation of the signs on the east side of the street.

Warren provided pictures of both his street and other streets throughout the community where he feels contradict City staff's reasoning for restricting parking on the east side of S Main Street.

Warren said he is the only resident on his street who is negatively affected by the decision to restrict parking on the east side of the street.

Warren asked the Board to reconsider their decision to restrict parking on the east side of the road and to instead move the signs to the west side of the street.

Alderman Mills thanked Mr. Warren for sharing and informed him that City staff would contact him if a change was to be made.

4. Approval of Minutes

A. Board of Aldermen - Regular Meeting - Sep 3, 2024 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Larry Pfautsch, Board Member

SECONDER: Dave Doerhoff, Board Member
AYES: Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner
EXCUSED: Gary Davidson, Kile Chaney

B. Board of Aldermen - Work Session - Sep 3, 2024 6:30 PM

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Matt Turner, Board Member
SECONDER: Sandy Franklin, Board Member
AYES: Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner
EXCUSED: Gary Davidson, Kile Chaney

C. Closed Session Minutes - September 3, 2024

A motion to accept the minutes from the September 3, 2024, Closed Session was made by Alderman Doerhoff, with a second from Alderman Pfautsch. The motion carried with a unanimous 6-0 vote, as Aldermen Chaney and Davidson were excused.

5. Agenda Items

A. A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT THE RESULTS OF WATER RATE AND SEWER RATE STUDIES FROM 1898 & COMPANY, COMPLETED IN AUGUST OF 2024.

Staff report presented by Public Works Director Hilderbrand.

Hilderbrand spoke about the reasoning for the study and the capital improvement projects the City will need to complete in order to provide quality water and sewer services to the Harrisonville community.

Hilderbrand said City staff recommend approval of the water and sewer rate study.

Alderman Pfautsch said he appreciates that the changes would keep the City's water and sewer rates competitive throughout the Kansas City metropolitan area. Pfautsch asked City staff to review the rates each year to ensure the City remains competitive over the five-year tiered adjustment period.

Upon passage, Alderman Mills designated the resolution to be Resolution number 2024-25.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Larry Pfautsch, Board Member
SECONDER: Dave Doerhoff, Board Member
AYES: Mills, Franklin, Pfautsch, Turner, Doerhoff, Milner
EXCUSED: Gary Davidson, Kile Chaney

B. Code Amendment--Cruelty to Animals

Alderman Mills opened the public hearing at 6:30 p.m.

Staff report presented by Community Development Director Stanton.

Stanton reminded the Board of discussion held during the Work Session on August 5, and said the proposed code amendment seeks to add clarity to animal neglect and abuse by adding direct references to State Statutes.

Stanton said the proposed amendment also seeks to add regulations pertaining to animals left in an unattended vehicle without proper ventilation.

Stanton said City staff recommend approval of the proposed code amendment.

Alderman Pfautsch asked if the 70-degree requirement was removed.

Stanton said it was.

Alderman Mills closed the public hearing at 6:32 p.m.

C. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLE I UNDER CHAPTER 210—ANIMAL REGULATIONS OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

RESULT: SCHEDULED

Next: 10/21/2024 6:00 PM

D. Public Hearing - Vacation - Rail Road Spur ROW

Alderman Mills opened the public hearing at 6:33 p.m.

Staff report presented by Economic Development Director Clarke.

Clarke said City staff have initiated the vacation of right-of-way of the City owned railroad spur serving UFP Industries, Inc.

Clarke said the vacation of the right-of-way is a requirement of a title commitment for UFP Industries, Inc., the prospective purchaser of the City's railroad spur and associated property.

Clarke said the City Attorney has been informed by Church & Dwight's attorney, that a freight broker periodically uses the City's railroad spur to stack rail cars, when loading Church & Dwight product onto the rail cars. Clarke said Church & Dwight has expressed concern this periodic stacking of their rail cars during product loading, might no longer be allowed with the vacation of the railroad spur right-of-way.

Clarke said the Board of Aldermen has previously approved the sale of the railroad spur to UFP Industries, Inc., who has agreed to purchase the spur and associated property.

Clarke said City staff recommend the vacation of the railroad spur right-of-way.

Doug Stone of LewisRice law firm, shared concerns from Church & Dwight regarding the City's vacation of the railroad right-of-way.

Stone asked the City to pursue options outside of vacation of the property.

Stone said Church & Dwight would be willing to work with UFP to create a CID that owned the railroad spur, which would pay to maintain it.

Stone asked the City to withhold on the vacation for an additional 30 days before voting.

Tom Fritzlen Jr. of Armstrong Teasdale law firm, shared concerns from UFP regarding who would retain ownership of the property upon its vacation and encouraged the Board to continue their efforts to vacate and sell the property.

Alderman Mills closed the public hearing at 6:39 p.m.

E. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, VACATING A RAILROAD SPUR RIGHT-OF-WAY COVERING PROPOSED LOT 5 OF ENTERPRISE BUSINESS PARK WITH RAILROAD SPUR SERVING UFP INDUSTRIES, INC. AND ESTABLISHING AN EFFECTIVE DATE.

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

RESULT: SCHEDULED

Next: 10/21/2024 6:00 PM

F. PUBLIC HEARING: A Special Use Permit for an existing tow lot located at 1505 Clearwater Drive

Alderman Mills opened the public hearing at 6:39 p.m.

Staff report presented by Community Development Director Stanton.

Stanton said J's Southland Tow, is seeking approval of a Special Use Permit for the continued use of a tow lot located at 1505 Clearwater Drive.

Stanton said staff were unable to find that there was ever a Special Use Permit for the use of a tow lot for the location.

Stanton said a review of historical aerial images on Google Earth and building permit records indicates that the lot was first established as a tow lot in 2009.

Stanton said the property is currently zoned Light Industrial (M-1) District and that the use of an "Automobile salvage or wrecking yard or tow lot" is an allowed use in this District with an approved Special Use Permit.

Stanton said the existing screening material, which was replaced in 2020 from an earlier lower quality screening material, meets the required screening for this use and is eight-foot tall.

Stanton said City staff recommend approval of the requested Special Use Permit with the following conditions:

1. *The time limit associated with the Special Use Permit shall be 10 years, at which time a new Special Use Permit is required to continue operations.*
2. *Vehicles may remain on the lot for up to 90 days, unless under a police hold.*

Alderman Mills closed the public hearing at 6:42 p.m.

G. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A TOW LOT ON PROPERTY LOCATED AT 1505 CLEARWATER DRIVE IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

RESULT: SCHEDULED

Next: 10/21/2024 6:00 PM

Minutes Acceptance: Minutes of Oct 7, 2024 6:00 PM (Approval of Minutes)

H. PUBLIC HEARING: A Special Use Permit for a tow lot located at 402 Cedar Street

Alderman Mills opened the public hearing at 6:43 p.m.

Staff report presented by Community Development Director Stanton.

Stanton said Bill Shelton is seeking approval of the attached Special Use Permit for the use of a tow lot located at 402 Cedar Street.

Stanton said a Special Use Permit for use of this property was previously approved for GT Tow by Ordinance No. 3605 on September 19, 2022.

Stanton said staff have been unable to pin-point exactly how long this lot has existed as a tow lot though it appears that it may have been utilized for this use on and off since 2003.

Stanton said the property is currently zoned General Industrial (M-2) District and that the use of an "Automobile salvage or wrecking yard or tow lot" is an allowed use in this District with an approved Special Use Permit.

Staff said the applicant has requested an extension of an additional two-year period before having to install a sturdier, more opaque screening of vinyl fencing with stone pillars.

Stanton said the previously approved Special Use Permit (Ordinance No. 3605) stated the new fence was supposed to be completed within 18 months, thus the applicant is asking that that he be allowed 42 months to meet the condition.

Stanton said the Planning & Zoning Commission voted unanimously to recommend the proposed Special Use Permit to the Board of Aldermen.

Stanton said City staff recommend approval of the requested Special Use Permit with the following conditions:

- 1. The applicant shall make necessary repairs/replacement of screening materials as needed and add as appropriate at the entrance/exit gates.*
- 2. The applicant shall upgrade their screening to vinyl fencing with stone pillars within three and one-half (3 ½) years.*
- 3. The time limit associated with this Special Use Permit shall be 10 years, at which time a new Special Use Permit is required to continue operations.*
- 4. Vehicles may remain on the lot for up to 90 days, unless under a police hold.*
- 5. The height of the screening shall be increased to 8' when the new fence is installed so that the lot contents cannot be seen from the street*

Alderman Mills closed the public hearing at 6:47 p.m.

I. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A TOW LOT ON PROPERTY LOCATED AT 402 CEDAR STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

RESULT: SCHEDULED

Next: 10/21/2024 6:00 PM

Minutes Acceptance: Minutes of Oct 7, 2024 6:00 PM (Approval of Minutes)

J. PUBLIC HEARING: Preliminary Plat for Cedar Crossing, Lots 1-219 and Tracts A, B, and C

Alderman Mills opened the public hearing at 6:48 p.m.

Staff report presented by Community Development Director Stanton.

Stanton said Matt Schlicht, with Engineering Solutions, is seeking approval of the preliminary plat of Cedar Crossing, Lots 1 - 219 and Tracts A, B, and C.

Stanton spoke to the current zoning of the surrounding properties.

Stanton said the preliminary plat consisted of 219 lots and three tracts, with lots 90-113 intended to be developed with duplexes.

Stanton said the applicant is proposing to connect the north and south portions of the development with a street to be placed over the dam, as was planned by City staff.

Stanton said sidewalks are proposed for both sides off all streets.

Stanton said the Planning & Zoning Commission voted unanimously to recommend the proposed preliminary plat to the Board of Aldermen.

Stanton said City staff recommend approval of the requested preliminary plat with the following conditions:

- 1. Sidewalks shall have handicapped access at all intersections in accordance with Section 410.530.B and shall normally be separated from the edge of the street by a grassy strip twenty-four (24) inches wide.*
- 2. Sidewalks shall comply with the ADA requirements in place at the time of construction, and all non-paved right-of-way shall be either sodded or seeded.*
- 3. Builders on lots that abut the west side of the Glen Eagle Drive from the previously platted "Glen Eagle, Lots 213 thru 247" shall install sidewalks adjacent to Glen Eagle Drive to assure connectivity.*
- 4. Trails shall be provided that connect to the sidewalks and connect the proposed and existing open space areas including the Hite Park properties.*
- 5. Sewer and water mains shall be installed with ten (10) feet of separation and shall be located such that they are on different sides of the streets.*
- 6. Easements shall be provided as required by Section 410.400 of the City's Municipal Code.*
- 7. A Final Plat shall be submitted, reviewed, and approved prior to the issuance of any development related (building or infrastructure) permits.*

Matt Schlicht, with Engineering Solutions, thanked the Board for considering the Cedar Crossing development project.

Alderman Pfautsch asked who would provide utilities for the development.

Schlicht said the development will use the City's sanitary sewer, storm sewer and electric, the regional water district and then everything else would be provided by secondary utility providers.

Pfautsch asked if the utilities would be underground.

Schlicht said yes.

Pfautsch asked if there would be one builder for the project or individual builders.

Schlicht said he believes they will recruit a group of developers.

Mayor Zaring asked if the developer has worked in the Kansas City area before.

Schlicht said yes and spoke about a recent project in Lees Summit.

Alderman Mills closed the public hearing at 6:53 p.m.

K. A RESOLUTION OF THE CITY OF HARRISONVILLE APPROVING THE PRELIMINARY PLAT OF CEDAR CROSSING, LOTS 1 – 219 AND TRACTS A, B, AND C LOCATED SOUTH OF PARKWOOD SOUTH AND NORTH OF 267TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

Upon passage, Alderman Mills designated the resolution to be Resolution number 2024-26.

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

L. PUBLIC HEARING: Rezoning of approximately 7-acres and Preliminary Development Plan

Alderman Mills opened the public hearing at 6:54 p.m.

Staff report presented by Community Development Director Stanton.

Stanton said Matt Schlicht, with Engineering Solutions, is seeking approval of a rezoning of approximately 7-acres from RP-1 to RP-2 for 24 duplex lots and a preliminary development plan for the same as well as 195 single-family residential lots on property located south of the Parkwood South subdivision and north of 267th Street.

Stanton said the proposed preliminary development plan establishes development standards such as setbacks, lot area, quantity and quality of open spaces.

Stanton said the property is currently zoned RP-1 (Planned Single-Family Residential) District.

Stanton said the applicant is proposing to rezone approximately seven acres from RP-1 to RP-2 to allow for 24 duplex lots.

Stanton provided the Board with a comparison and contrast for the Cedar Crossing development and the Glen Eagle development.

Stanton said the Planning & Zoning Commission voted unanimously to recommend the proposed rezoning to the Board of Aldermen.

Stanton spoke about the cash-in-lieu of payments for park land within the development that had been previously approved by the Board of Aldermen.

Stanton said the City's 2040 Comprehensive Plan shows the property and surrounding area as Suburban Neighborhood, which allows for a mix of housing types with an emphasis on having "high interconnectivity of new and established neighborhoods".

Stanton said City staff recommend approval of the proposed Rezoning of approximately 7-acres from RP-1 to RP-2 and Preliminary Development Plan for the 24 duplex lots and 195 single-family residential lots with the following conditions:

- 1. Sidewalks shall have handicapped access at all intersections in accordance with Section 410.530.B and shall normally be separated from the edge of the street by a grassy strip twenty-four (24) inches wide.*
- 2. Sidewalks shall comply with the ADA requirements in place at the time of construction, and all non-paved right-of-way shall be either sodded or seeded.*
- 3. Builders on lots that abut the west side of the Glen Eagle Drive from the previously platted "Glen Eagle, Lots 213 thru 247" shall install sidewalks adjacent to Glen Eagle Drive to assure connectivity.*

4. Trails shall be provided that connect to the sidewalks and connect the proposed and existing open space areas including the Hite Park properties.
5. No tree shall be planted within the sight triangle of a street or drive intersection or within ten (10) feet of a fire hydrant.
6. Sewer and water mains shall be installed with ten (10) feet of separation and shall be located such that they are on different sides of the streets.
7. The developer and the City shall enter into a mutually agreed upon Development Agreement.
8. Easements shall be provided as required by Section 410.400 of the City's Municipal Code.
9. A Final Plat shall be submitted, reviewed, and approved prior to the issuance of any development related (building or infrastructure) permits.

Alderman Pfautsch asked if there are additional plans for ingress or egress for the development.

Matt Schlicht, with Engineering Solutions, said no.

Pfautsch asked if water pressure or supply would be an issue.

Schlicht said it should not be an issue.

Alderman Mills closed the public hearing at 7:07 p.m.

M. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING FROM RP-1 TO RP-2 FOR APPRXOMATELY 7-ACRES TO ALLOW FOR 24 DUPLEX LOTS AND A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPOSED CEDAR CREEK DEVELOPMENT CONTAINING 24 DUPLEX LOTS AND 195 SINGLE-FAMILY RESIDENTIAL LOTS ON PROPERTY LOCATED SOUTH OF PARKWOOD SOUTH AND NORTH OF 267TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

RESULT: SCHEDULED

Next: 10/21/2024 6:00 PM

6. Aldermen and Committee Reports

Alderman Doerhoff welcomed Police Chief Moody to Harrisonville and congratulated him for being named to the position.

Alderman Pfautsch also welcomed Chief Moody and said he knows he will do well. Pfautsch also wished the Kansas City Chiefs and Royals success in their games.

Alderwoman Franklin said she enjoyed the turnout for the recent Log Cabin Festival. Franklin said she enjoyed seeing the new Police Chief and his wife at the festival. Franklin also said she was happy to see the strong police presence at the festival. Franklin reminded all in attendance about a cornhole tournament fundraiser on October 19, for the Harrisonville Animal Shelter. Franklin said she was pleased to see how quickly the iFIL expansion project is coming along.

Minutes Acceptance: Minutes of Oct 7, 2024 6:00 PM (Approval of Minutes)

7. Report from the City Administrator

City Administrator Ratliff informed the Board that the Airport Runway 17 35 project is progressing ahead of schedule and hopes to be completed in the near future.

Ratliff announced that the Ash Street Bridge over Town Creek project has been advertised and will accept bids until October 22, 2024.

Ratliff also announced that the Beckerdite Storm Water Improvements project will bid on November 12, 2024, and the James Street to Blueberry Storm Water Improvements project will bid on October 29, 2024.

Ratliff said the contractor for the Street Asphalt Mill and Overlay project has completed all overlay locations and completed the project under the City's budget.

Ratliff spoke about the complaints that were made about the carnival company that was brought in for the Log Cabin Festival. Ratliff said the Chamber of Commerce is investigating each complaint.

A. Municipal Court Report August 2024

8. Questions from the Media

None.

9. Adjourn from Regular Session

A motion was made by Alderman Doerhoff to adjourn from the Regular Meeting. The motion was seconded by Alderwoman Franklin. The motion carried with a unanimous vote. The meeting adjourned at 7:14 p.m.

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

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Oct 7, 2024 6:00 PM (Approval of Minutes)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
OCTOBER 7, 2024
6:30 PM

1. Call to Order

The meeting was called to order at 7:26 PM by Board Member Bill Mills.

2. Present

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	Remote	
Gary Davidson	Harrisonville	Board Member	Excused	
Kile Chaney	Harrisonville	Board Member	Excused	
Mike Zaring	Harrisonville	Mayor	Remote	

Others present: City Administrator Brad Ratliff, Parks Director Grant Purkey, Public Works Director Patty Hilderbrand, Community Development Director Christina Stanton, Public Works Fire Chief Rusty Sullivan, Economic Development Director Jim Clarke, Police Chief Randy Moody, Finance Clerk Courtney Calkins (remote), Executive Secretary to the City Administrator Theresa West and City Clerk Daniel Barnett - recording.

3. Discussion Items

A. 2024 Budget Workshop

Director of Administrative Services Smith led an overview discussion regarding the planning process for the 2025 fiscal budget.

Smith provided a current outlook of City funds.

Smith said the General fund is currently positive.

Smith said the Fire/EMS fund is currently in a net negative position for the general fund starting at negative \$300,000.

Smith said currently there are \$2 million in requests for capital and personnel across all departments.

Smith emphasized a need to focus on maintaining existing infrastructure and services.

Smith said staff are planning for a modest pay increase for Police Department staff.

Smith said staff suggest a moderate adjustment of City pay ranges across all levels, but said increases would only be given for those needing to be brought up to new range minimums.

Smith said the adjustments would adversely affect the budgets in Fire, Police and Parks and Recreation the most.

Smith said that if the Board were to only partially fund the most needed items for staff and safety issues, there would be an additional \$450,000 born out of the general fund, pushing the net negative to \$750,000.

City Administrator Ratliff spoke about the continued need to relieve the strain placed on the General fund and about additional funding initiatives.

B. Lawrence Smith Memorial Airport Hangar Rental Analysis

Public Works Director Patty Hilderbrand led a discussion outlining options for new hangar rental rates at Lawrence Smith Memorial Airport.

Hilderbrand reviewed current airport hangar rental fees at LSMA.

Hilderbrand provided a comparison to similarly sized airports; and then also to non-similarly sized airports.

Hilderbrand shared what hangar rental fees would need to be for LSMA to be self-sustaining.

Hilderbrand spoke about the possibility of increasing rental fees over a tiered five-year period.

Alderman Doerhoff suggested using a tiered two-or-three-year structure instead of a five-year period.

Alderman Mills said he would like to see the airport operate self sustainably.

Doerhoff asked when staff would recommend the proposed increases take effect.

Hilderbrand suggested having the increases take effect on January 1, 2025.

A consensus of the Board was reached to phase in hangar rental fee increases at Lawrence Smith Memorial Airport over three years, beginning in 2025, until the airport is self-sustaining.

A motion was made by Alderman Doerhoff to adjourn from the Work Session. The motion was seconded by Alderwoman Franklin. The motion carried with a unanimous vote. The meeting adjourned at 8:18 p.m.

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

Work Session**Monday, October 7, 2024****6:30 PM**

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Oct 7, 2024 6:30 PM (Approval of Minutes)

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 17, 2024
SUBJECT: Resolution Amending Economic Development Incentives Policy

Type of Item: *Approval*

A. Action Item (ID # 4997)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AMENDING THE ADOPTED ECONOMIC DEVELOPMENT INCENTIVES POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI.

Attachments:

MinuteTraq - Staff Report - EEZ Application & Benefits Acceptance Ltr. - Add to E.D. Incentives Policy - 10-21-2024 (DOC)

EEZ - Tax Abatement - Application - 10-16-24 (DOCX)

Benefit Acceptance Letter - EEZ Tx. Abate Approved - Blank - 10-21-24 (DOC)

Econ. Dev. Incentives Policy - Harrisonville - Amended - EEZ Application & Benefits Acceptance Ltr. - 10-16-24 (DOCX)

E.D. Incentives Policy - Amended - Approved - Resolution No. 2022-08 - Executed - 3-21-22 (PDF)

EEZ Designation - Resolution No. 045-10 - Executed - 12-14-10 (PDF)

Amending Econ Dev policy 2024 (DOCX)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

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

5.A.a

To: Board of Aldermen
From: Jim Clarke, Economic Development Manager
Date: October 16, 2024
Re: Enhanced Enterprise Zone – Application & Benefits Acceptance Letter
(Include Documents in Economic Development Incentives Policy)

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Accept the Enhanced Enterprise Zone Application and Benefits Acceptance Letter and include these documents in the Economic Development Incentives Policy

Date of Application: October 21, 2024

PROPOSAL

Staff created an Enhanced Enterprise Zone Tax Abatement Application and Benefits Acceptance Letter. The purpose for creating these documents is to formalize the Enhanced Enterprise Zone Tax Abatement request and approval process. Also, to further document these Tax Abatement requests and approvals.

Consideration to accept, or modify, these documents and to include them in the Economic Development Incentives Policy.

PREVIOUS ACTIONS

The Harrisonville Enhanced Enterprise Zone (EEZ) was designated by the Missouri Department of Economic Development on February 3, 2011. This designation included the Enhanced Enterprise Zone boundaries.

The Board of Aldermen approved targeted/eligible industries, determined by approved North American Industry Classification System (NAICS) Codes and a Tiered Tax Abatement Incentive Schedule by Resolution No. 045-10.

The Board of Aldermen established a seven-member Enhanced Enterprise Zone (EEZ) Board, to comply with Statutory requirement.

The Board of Aldermen approved the Economic Development Incentives Policy by Resolution No. 2022 – 08.

KEY ISSUES

Formalizing the process for Enhanced Enterprise Zone Tax Abatement request and acceptance, assists staff with proposed project information collection, educates the applicant/s and enhances documentation and tracking of Tax Abatement requests and approvals.

STAFF COMMENTS AND SUGGESTIONS

Staff has no additional comments or suggestions.

STAFF RECOMMENDATION

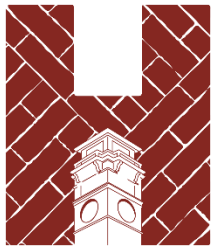
Staff recommends the acceptance of the Enhanced Enterprise Zone Real Property Tax Abatement Application and Benefits Acceptance Letter, with inclusion of these documents in the Economic Development Incentives Policy.

ATTACHMENTS

Resolution No. 045-10 – Designation of Harrisonville Enhanced Enterprise Zone
 Tiered Tax Abatement Schedule
 Targeted/Eligible Industries – Approved NAICS
 Enhanced Enterprise Zone (EEZ) Boundaries
 Resolution No. 2022-08 – Adoption of Economic Development Incentives Policy
 Enhanced Enterprise Zone Real Property Tax Abatement Application
 Enhanced Enterprise Zone Tax Abatement Benefits Acceptance Letter

STAFF CONTACT:

Jim Clarke
 Economic Development Manager



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

Enhanced Enterprise Zone

REAL PROPERTY TAX ABATEMENT APPLICATION

Application Information

Qualified Company – and DBA

Parent Company

Contact

Address:

Street address

Apt/Unit #

Phone:

Email:

City

State

Zip Code

Federal Tax ID
No. (FEIN)

MITS/
Missouri
ID No.

Primary NAICS
Code (primary
line of business)

Tax Year of
Company

☐ Calendar

☐ Other (Please describe)

Beginning: MM/DDDD

Ending: MM/DDDD

Company Structure

Fiduciary ☐ C-Corp ☐ S-Corp ☐ LLC ☐ Sole Proprietorship ☐ Partnership ☐ Non-Profit ☐ Other ☐ (Please Describe)

Primary Business Activity

Production ☐ Processing (Type: Food ☐ Chemical ☐ Pharmaceuticals ☐ Cosmetics ☐ Plastics ☐ Other) ☐ Assembly ☐
Painting/Coating ☐ Warehouse/Distribution ☐ Administrative ☐ Other ☐

Purpose for Project

Expansion ☐ Relocation ☐ Consolidation ☐ Access to Market/s ☐ Access to Suppliers ☐ Access to Raw Materials ☐
Access to Talent/Workforce ☐ Efficiencies ☐ Other ☐

Cause of Growth

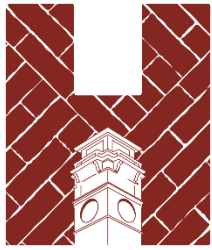
New Customer/s ☐ New Product/s ☐ New Market/s ☐ Merger/Acquisition ☐ Increased Product/s Demand ☐
New Technology/ies ☐ Other ☐

New Capital Investment	Year 1	Year 2	Year 3	Year 4	Year 5
Land Purchase					
Building Purchase					
New Building Construction					
Existing Building Improvements					
New Machinery & Equipment					

New Machinery & Equipment	Year 1	Year 2	Year 3	Year 4	Year 5
Equipment Type 1					
Equipment Type 2					
Equipment Type 3					
Equipment Type 4					
Equipment Type 5					

New Full-time Jobs	Year 1	Year 2	Year 3	Year 4	Year 5
Occupation Title 1	#	#	#	#	#
Occupation Title 2	#	#	#	#	#
Occupation Title 3	#	#	#	#	#
Occupation Title 4	#	#	#	#	#
Occupation Title 5	#	#	#	#	#
Occupation Title 6	#	#	#	#	#
Occupation Title 7	#	#	#	#	#
Occupation Title 8	#	#	#	#	#
Occupation Title 9	#	#	#	#	#
Occupation Title 10	#	#	#	#	#

Wages	Year 1	Year 2	Year 3	Year 4	Year 5
Starting Wage	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Average Wage	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Shift Differential	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Weekend Differential	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Maximum Wage	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

Are Full-time Employees offered Health Care Benefits?

Yes ☐ No ☐

Does employer pay at least 50% of employee's Health Insurance Premium?

Yes ☐ No ☐

Outdoor Storage? Hazardous? Yes ☐ No ☐

Yes ☐ No ☐

Sewer Discharge Pretreatment Needed?

Yes ☐ No ☐

Hazardous Chemicals On-Site?

Yes ☐ No ☐

If yes, type?

Special Fire Suppression Required?

Yes ☐ No ☐

If yes, explain?

Signature

I certify that my answers are true and complete to the best of my knowledge.

If this application leads to granting of Real Property Tax Abatement, I understand that any false or misleading information in my application may result in repeal of any Real Property Tax Abatement granted and the reimbursement (in full) of any Real Property Tax Abatement received.

Signature:

Date:



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

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

5.A.c

Contact
Title
Company
Address
City, State Zip Code

Date

Re: Enhanced Enterprise Zone (EEZ) Tax Abatement – Acceptance of Benefits Offered for proposed project at address, Harrisonville, Missouri.

Dear Mr./Miss:

Please accept this letter and the accompanying Resolution, as approval by the Board of Aldermen of an Enhanced Enterprise Zone (EEZ) Tax Abatement request for a proposed project (expansion – new construction) of a facility located at address, Harrisonville, Missouri.

Based on the following project assumptions provided by Company:

Approximately s.f. expansion – new construction
New Capital Investment: \$ (Real Property) - \$ (Personal Property) – Total \$
New Full-time Jobs – # (over # of years)
Starting Hourly Wage \$
Average Hourly Wage \$
Highest Hourly Wage \$
Company pays XX% of Employee's Health Insurance Premium

The following Enhanced Enterprise Zone (EEZ) Tax Abatement was Approved:

Year 1 – %
Year 2 – %
Year 3 – %
Year 4 – %
Year 5 – %
Years 6-10 – %

The Real Property Tax Abatement Term is 10 years.

NOTE: The Enhanced Enterprise Zone (EEZ) Tax Abatement is on Real Property only and does not apply to Personal Property. The Enhanced Enterprise Zone (EEZ) Tax Abatement applies only to New Investment and does not apply to existing Real Property.

Should the project assumptions not be met, the Enhanced Enterprise Zone Tax Abatement Rate may be modified, to reflect the correct Tax Abatement Rate, based on the actual project Capital Investment and New Full-time Jobs created.

Attachment: Benefit Acceptance Letter - EEZ Tx. Abate Approved - Blank - 10-21-24 (Resolution Amending Economic Development Incentives



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

5.A.c

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

Please notify the Economic Development Director when the capital investment has been achieved. Also, please notify the Economic Development Director once the new jobs have been filled. Notification of the new jobs filled, will need to occur for each of the # of years stated in the proposed project assumptions.

Please be informed, the City will assume the project assumptions have not been met, until official notification is received from a Company representative.

The City will communicate with the Cass County Assessor's and Collector's Offices accordingly.

Please sign this acknowledgement letter and return it to the Economic Development Director.

Sincerely,

Jim Clarke, CEcD
Economic Development Director
300 E. Pearl St.
Harrisonville, Mo. 64701
816-380-8973 Direct

Company Representative, Title

Date

Attachment: Benefit Acceptance Letter - EEZ Tx. Abate Approved - Blank - 10-21-24 (Resolution Amending Economic Development Incentives)



City of Harrisonville Economic Development Incentives Policy

**A policy governing the use of public funding assistance for
development and redevelopment in Harrisonville.**

Adopted by Resolution
No. 2024-??
October 21, 2024

City of Harrisonville Economic Development Policy

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Introduction and General Guidelines

Section 1. Purpose and Scope.

The purpose of this Economic Development Incentives Policy (the “**Policy**”) is to provide guidance to property owners, developers, site selection consultants and prospects in Harrisonville on the use of public economic incentive tools. This Policy is also designed to provide direction and an understanding of the City’s expectations regarding the process, standards and policies that will be applied by the City to the use of economic development tools. The economic development program goals of the City of Harrisonville include economic diversification, broadening of the property tax base, stimulation of private investment, enhancement and support of existing development, quality of materials and design, maintenance of environmental quality, creation and quality of employment opportunities and increased per capita income. Each project and request for public assistance will be evaluated on its individual merit and overall contribution to the City.

Section 2. Objectives.

The City is committed to the high quality, balanced growth and development of the community, to preserving the City's character & atmosphere and to revitalizing and redeveloping areas of the City. The City recognizes the importance of continued economic development to meet the needs of its residents, and its obligation to balance the demand for economic development with the judicious use of economic incentives, reserving the use of these incentives for projects that demonstrate significant public benefit. Accordingly, the City has established certain goals regarding the use of Funding Districts:

- A. To promote, stimulate and develop the general and economic welfare of the City.
- B. To provide and maintain an attractive community that creates a positive public image and encourages individuals, families and businesses to locate and invest in the community.
- C. To encourage the use of public economic incentives in those locations and situations that provide the maximum public benefit.
- D. To limit the use of public economic incentives for the shortest duration while still providing for the desired level of public financial assistance.

Fulfilling these goals can lead to a substantial public benefit, including the construction of public improvements, the creation of new jobs, the retention of existing quality jobs, the elimination of blight or conditions that could lead to blight, the increase of property values, the increase of tax revenues, and the promotion of economic stability throughout the City.

It is the policy of the City that any decision regarding the use of public economic incentives will be made in accordance with the guidelines, criteria, and procedures set forth in this Policy. Nothing in this Policy shall imply or suggest that the City is under any obligation to approve or support the use of a particular public economic incentive tool for any applicant. The City reserves the right to modify or waive, on a case-by-case basis, any of the procedures set forth in this Policy, provided that all of the applicable state statutory requirements are satisfied.

Section 3. Definitions.

Words and terms not defined elsewhere in this Policy shall have the following meanings:

“Applicable Law” means any statute, rule, regulation, ordinance or code applicable within the jurisdictional limits of the City.

“Applicant” means an individual or entity, or the authorized representative of such individual or entity, that submits an Application that requests the use of a public funding incentive.

“Application” means an initial request for public funding assistance through one or more of the forms of public assistance as discussed in this Policy.

“Credit Support” means pledge of the City’s full faith and credit in support of bonds or other forms of debt obligations issued by the City.

“Disruptive Technology/ies” means a technology innovation that significantly alters the way industries, businesses or consumers operate. It can alter entire industries and business models.

“Funding District” means a community improvement district, a transportation development district or a neighborhood improvement district.

Section 4. Application Process.

A. Applications. The Application shall include, at minimum, the following information:

1. All requirements of the applicable Missouri statutes governing the proposed economic incentive.
2. Description of the Project for which economic development assistance is requested.
3. Description of economic need for the public funding assistance including: (i) the facts and circumstances that create the need for public funding assistance; (ii) the amount and type of assistance desired; and (iii) a pro forma establishing that the project is not financially feasible and would not be constructed as proposed without the use of the requested public assistance (the “but for” test).
4. Evidence that the Applicant: (i) has the financial ability to complete and operate the proposed Project; (ii) is capable of providing adequate assurance (e.g. letter of credit, personal guaranty, performance bond, etc.) to the City for project completion, and (iii) has thoroughly explored alternative financing methods.

B. Initial Review of Applications.

1. Initial review of an Application will be conducted by City staff, including input from appropriate City departments. The Application may be forwarded to the City Attorney or Special Legal Counsel for review. The scope of the initial review is intended to determine whether the Application substantially meets the requirements of this Policy and generally is an appropriate request for economic development assistance.

2. If an initial application is deemed to meet the minimum requirements of this Policy and is generally an appropriate request for economic development assistance, then the next step is the entrance of the applicant into a Preliminary Funding Agreement in substantial compliance with the Form attached hereto as **Exhibit A** and provision of the required deposit. Full consideration of an Application will not commence until the Applicant enters into a Preliminary Funding Agreement.
3. In the event an Application does not substantially meet the requirements of this Policy or is not otherwise an appropriate request for economic development assistance as determined by City staff, the Application will be returned to the Applicant together with a written statement of the reasons the Application was deficient. Returned Applications may be resubmitted upon cure of the reasons for rejection. Resubmitted Applications shall not require an additional application fee.

C. Preliminary Funding Agreement.

1. The City does not have a source of funds for costs incurred for additional legal, financial and other consultants or for direct out-of-pocket expenses and other costs resulting from services rendered by or to the City to review, evaluate, process and consider Applications. An Applicant who desires assistance from the City, through the use of public incentives, shall demonstrate the financial ability to allow for the full and fair evaluation by the City of the proposal. In order for the City to fully consider and evaluate an Application, the City may require that, in lieu of an application fee, the Applicant shall deposit funds with the City pursuant to a Preliminary Funding Agreement between the City and the Applicant, using a form of agreement provided by the City substantially the same in form as shown in **Exhibit A**. The funds deposited, pursuant to a funding agreement, will be used by the City to pay for actual out-of-pocket expenses incurred to perform a full evaluation of the Application and engage consultants as needed for such evaluation.
2. The duties and obligations of the Applicant and the City to process an Application shall be set forth in a Preliminary Funding Agreement.
3. The Preliminary Funding Agreement shall require the Applicant to make an initial deposit of funds in the amount established by the City in such agreement. The Preliminary Funding Agreement shall also provide for additional funding to be deposited as necessary after drawdowns to ensure that the minimum cash balance available for each Project is equal to the initial deposit.

D. Full Review of Applications.

1. Upon receipt of an Application and the appropriate fees, or upon execution of a Preliminary Funding Agreement when required by the City, the City will review the request using the criteria set forth in this Policy and requirements set forth in applicable state statutes.
2. The City may require the Applicant to attend an application review conference. The purpose of an application review conference is to:
 - (a) Acquaint the Applicant with the procedural requirements of this Policy;
 - (b) Provide for an exchange of information regarding the Applicant's request;

- (c) Advise the Applicant of any public sources of information that may aid the Application and identify issues that create opportunities or pose significant restraints for the Application;
 - (d) Review the Application and provide the Applicant with opportunities to enrich the request in order to mitigate any undesirable consequences of the proposed Project;
 - (e) Review compatibility with current City planning; and
 - (f) Provide general assistance by City staff on the overall plan for the Application and the proposed Project.
3. City staff may prepare a written report to be submitted to the Board of Aldermen for consideration. The report shall contain, at a minimum, comments regarding each of the applicable criteria set forth in Section 5 and the specific statutory requirements applicable to the request.
 4. The Application shall proceed as set forth in applicable state statutes.

Section 5. General Guidelines for Considering Applications.

Most favorable consideration will be given to those projects that will: significantly assist the City in the elimination of blight and the conditions that may cause blight; provide financing for desirable public improvements; strengthen the employment and economic base of the City; increase property values; creating economic stability; upgrade older neighborhoods or areas; and facilitate economic self-sufficiency. The City may give consideration to the criteria stated below when considering any Application, to the extent each factor is relevant to the particular Application:

A. Project Costs.

1. Most favorable consideration will be given to those Applications that demonstrate the applicant is requesting the least amount of assistance from a Funding District in order to make the project financially feasible for the Applicant.
2. Most favorable consideration will be given to those Applications that propose the use of public assistance to fund public improvements rather than private improvements.
 - (a) The City may consider the cost of public improvements that serve the proposed development, and whether the Applicant is providing improvements that are already planned to be constructed by the City to serve existing deficiencies or new development, or whether such public improvements primarily serve the Applicant's proposed development.

B. Method of financing.

1. Most favorable consideration will be given to those projects for which the developer finances the initial project costs, rather than the City. The developer must provide evidence of the ability to secure private financing for the initial project costs.

2. The City may consider the level and nature of public financing, including the issuance of obligations by the City or another governmental entity at the direction of the City. Most favorable consideration will be given to those projects that do not require a City general obligation pledge or a pledge of revenues that would otherwise be received by the City to enhance the marketability of the debt obligations.
3. Most favorable consideration will be given to those projects that do not propose to use the City's full faith and credit to secure the issuance of public debt, but instead propose that debt is repaid only from project revenues.
4. The City will have the final decision on the method(s) of financing, and the selection of the underwriter, financial advisor and bond or note counsel.

C. Type of project and land uses.

1. The City may consider the level of public and private development for an Application. Most favorable consideration will be given to those Applications that propose to use public funding for the public components of a development project.
2. The City may consider whether the project proposes infill or new development. Most favorable consideration will be given to those Applications that propose infill development in blighted or other distressed areas.
3. When an application proposes the use of a Funding District in place of a Home Owners' Association, Property Owners' Association or Business Owners' Association, most favorable consideration will be given to those projects that propose minimal City implementation, oversight and administration for the Funding District.
4. The City may consider the types of land uses proposed for development (residential, commercial, industrial, governmental and institutional), and the need for such land uses in the proposed development. Most favorable consideration will be given to those projects that propose land uses that are compatible with the City's Future Land Use Plan, without need for amendment of the Future Land Use Plan.

D. Type of incentive requested.

The City may consider whether the proposed incentive tools are appropriate for the proposed type of development. The City may suggest the use of other incentive tools in lieu of those proposed in an Application. Additional information about specific economic incentive tools is set forth in this Policy.

E. Funding method proposed for the project.

1. Most favorable consideration will be given to those projects that do not reduce revenues that would otherwise be collected by the City or other governmental entities that have jurisdiction over the proposed project area.
2. The imposition of an extra sales tax in a proposed project has an incremental adverse effect on the ability to draw customers to the project, and this effect is difficult to measure. The Applicant maintains the burden to demonstrate that an additional sales tax will not have significant adverse effects on the project and on the sales tax revenues of the City.

3. Most favorable consideration will be given to Applications that propose initial financing by the Applicant.
4. Most favorable consideration will be given to Applications that request “pay as you go” reimbursement of initial development costs, rather than the issuance of public debt.

F. Ratio of requested assistance to total project costs.

1. Most favorable consideration will be given to those projects where all proposed public funding mechanisms are no more than 20% of the total project costs, including all public and private costs, all hard and soft costs, and all developer fees and contingencies.
2. Applicants may propose the use of incentives that deviate from this standard if the Applicant demonstrates that the proposed project provides substantial public benefits, assists the City to pay for deficient public improvements or services, or provides substantial and unique benefits to the City

G. Economic need.

1. Most favorable consideration will be given to Applications in which economic development assistance is sought in areas that exhibit great economic need.
2. Economic need may be demonstrated by:
 - (a) the presence of blight or conditions which may lead to blight;
 - (b) property identified by the City in need of special assistance;
 - (c) property which has not been subject to growth and development;
 - (d) property which has remained undeveloped despite the presence of surrounding development and adequate public facilities and services which serve the property;
 - (e) property where businesses are closed and the property has remained vacant for a significant period of time; and
 - (f) economic factors such as average household income, unemployment rates, and crime rates.

H. Administration of Funding Districts. Most favorable consideration will be given to Funding Districts where long-term administration will be undertaken by persons that are not affiliated with the Applicant or developer of the property.

I. Property acquisition and condemnation. Most favorable consideration will be given to those projects where the Applicant either owns the property or has an option to purchase the property, and where condemnation will not be needed for the project. Most favorable consideration will be given to projects where the landowner(s) dedicate land that is required for rights-of-way at no cost to the City or any Funding District created for the project.

J. Relocation of Existing City Businesses.

1. Most favorable consideration will be given to those projects that encourage the operation of new businesses in the City. Applicants are discouraged from requesting economic development assistance that would cause businesses which are already located within the City to relocate to the proposed development.
2. If the proposed Project involves the relocation of an existing business already in the City into the Project area, the Applicant should provide evidence that the business would otherwise leave the City without the requested public incentive.

K. Use of Tax Increment Financing.

1. In the event that a Funding District is proposed in connection with a tax increment financing plan, most favorable consideration will be given to those Applications that propose the use of a Funding District to:
 - (a) reduce the need for tax increment financing;
 - (b) shorten the duration of tax increment financing; and
 - (c) reduce the need for the City to issue or incur debt to finance project costs.
2. Other than a limited number of residential units which are creatively integrated into commercial or retail projects, TIF residential projects will not receive favorable consideration from the City.

Section 6. Eminent Domain.

The City does not encourage the use of eminent domain in conjunction with the use of public financing incentives. In extraordinary circumstances the City may approve the use of eminent domain in accordance with applicable law and only to the extent deemed necessary to make the approved project viable. In any case where eminent domain is proposed, the Applicant must prove and the Board of Aldermen must find that the Applicant has attempted, in good faith, to acquire the property privately. Although in some cases the expenses associated with the use of eminent domain qualifies as an eligible project cost under state law, the Applicant may be required to pay the costs associated with the condemnation proceedings, including court and litigation costs, attorney's fees and the final condemnation awards. Approval of the use of eminent domain will be at the City's discretion.

Tax Increment Financing

Section 7. TIF Process

- A. The City will use the following process for initial evaluation and consideration of any proposed TIF plan:
1. Pre-application meeting between Applicant and City staff.
 2. Negotiation and execution of a Preliminary Funding Agreement in accordance with the City's Policy governing Requests for Proposals.
 3. Submission of draft TIF Plan.
 4. City conducts initial review of TIF plan to determine compliance with the TIF Act and identify any issues. The City will provide a written response to the draft TIF plan.
 5. Revisions to the draft TIF plan as required by the City's initial written response. Applicant files revised plan.
 6. After initial issues that were identified by City staff have been addressed and after staff determines the TIF plan is complete and contains all of the required elements pursuant to the TIF Act, the City will issue initial notices to the taxing districts. Thereafter, the TIF plan will be processed in accordance with the TIF Act requirements. The City may refuse to issue the initial notices if the TIF plan is incomplete.
 7. The City will issue the notice regarding requests for proposals, in accordance with the City's Policy governing Requests for Proposals. This notice may be issued before, after, or simultaneously with the initial notice to the taxing districts.
 8. Any changes to the TIF plan which are prepared by the Developer shall be delivered to the City with sufficient time to review the proposed change(s) prior to the next scheduled meeting at which the plan will be considered. The City may continue the TIF Commission public hearing or the Board of Aldermen's consideration of the TIF Plan if City staff does not have sufficient time to review the proposed changes and provide a report to the TIF Commission or Board of Aldermen, as appropriate.
- B. TIF Commission consideration of a TIF Plan.
1. The TIF Commission may hold one or more study sessions to discuss the process for considering a TIF plan.
 2. At the public hearing, if the TIF plan has been prepared and proposed by a developer or landowner, the applicant will present the proposed plan, followed by comments and recommendations from City staff. The Commission will take public testimony, and the applicant will be allowed time for a response. All questions from the Commission to an applicant, City staff or the public shall be held during the public hearing.
 3. The TIF Commission recommendation may include any recommended additional changes, conditions or requirements that the Commission believes should be satisfied prior to

approval of the TIF plan or prior to implementation of the TIF plan or a particular project or phase of the TIF plan.

4. If the TIF Commission considers and votes on a resolution to recommend approval of the TIF plan but such resolution fails to receive a vote of approval, such action shall be deemed by the Board of Aldermen to be a recommendation against the TIF plan.

C. Board of Aldermen consideration of TIF Plan.

1. The Board of Aldermen may consider each TIF plan as a regular agenda item, and is not required to hold a public hearing regarding the TIF plan. The Board of Aldermen may, at its discretion, allow public comments regarding the TIF plan.
2. The Board of Aldermen may, at its discretion, hold one or more special meetings to consider the TIF plan.

- D. Independent studies may be obtained by the City through or at the request of City staff, the TIF Commission, or the Board of Aldermen. Such studies may include a blight study, a financial feasibility study, a market analysis, a traffic study, or any other type of professional evaluation of the TIF plan or any element of the TIF plan. The costs of any study shall be paid by the applicant in accordance with the terms of the funding agreement.

Section 8. Guidelines for Considering TIF Plans.

Most favorable consideration will be given to those plans that satisfy the general guidelines applicable to all applications as set forth in Section 5 of this Policy, and that satisfy the following additional guidelines:

- A. The total amount of subsidy from TIF revenues should be no more than 15% of the total project costs. The measurement of total project costs shall include all site preparation costs, building construction costs, hard costs, soft costs, developer fees, all professional fees of any type, and all project budget contingencies. Actual land costs incurred by the applicant will be considered as part of the total project costs. If land was purchased prior to preparation of the draft TIF plan, then the current market value as determined by an independent appraiser, approved by the City, may be considered as part of the total project costs.
- B. Any applicant that requests the issuance of bonds, notes or other indebtedness by the City must demonstrate that all annual revenues to repay the debt are at least 1.25 times the projected annual debt-service payments.
- C. The City will not provide a general fund annual appropriation pledge to enhance the sale of debt for the project except in extraordinary circumstances as demonstrated by the applicant.
- D. The TIF plan should provide for a retainage account to hold at least 15% of the TIF revenues until the project, including all private development, is substantially complete.
- E. TIF projects which create jobs with wages that exceed the community average will be favored.
- F. TIF plans that propose retail development should encourage the inflow of customers from outside the City and should not divert sales from or cannibalize existing retail in the City. If the TIF plan will cause or result in the relocation of one or more businesses already within the City, the Applicant must demonstrate that the business would leave or cease operations in the City without

such relocation, and the base year of the business (for the purpose of calculating economic activity taxes and payments in lieu of taxes) shall be the 12-month period prior to closing at its prior location. The TIF contract shall implement these requirements for relocated businesses.

- G. TIF plans that propose the redevelopment of existing residential neighborhoods and commercial and industrial areas will be favored. Projects to stabilize deteriorating or blighted residential neighborhoods and commercial and industrial areas will be favored.
- H. TIF plans that will be in effect for no more than 12 years will be favored.
- I. The developer should contribute not less than 15% of the total project costs from cash equity of the developer. Land costs or land value shall not be included in the calculation of developer's equity contribution unless the land will be purchased after the TIF plan is submitted to the City, or was purchased within one year prior to submitting the TIF plan to the City. Private loans obtained by developer will not be included in the calculation of developer's equity.
- J. The plan should provide for a mandatory declaration of surplus Payments In Lieu of Taxes (PILOTs) to the applicable taxing districts that impose real property taxes within the redevelopment area in the amount of 50% of all captured PILOTs. The declaration of mandatory surplus PILOTs shall be disbursed from the special allocation fund on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area, as set forth in Section 99.820.1(12), RSMo.
- K. A proposed TIF plan which does not meet the guidelines of this Policy may be viewed favorably by the City if the applicant clearly demonstrates that the project is of vital interest to the City and will significantly benefit the City through the elimination of blight, financing desirable public improvements, strengthening the employment and economic base of the City, increasing property values, reducing poverty, creating economic stability, upgrading and stabilizing older neighborhoods or developments, and facilitating economic self-sufficiency.

Section 9. TIF Contract.

- A. The ordinance that approves a TIF plan will include a requirement that a redevelopment contract must be executed by the selected developer within a designated time period, upon terms and conditions that are acceptable to the City.
- B. The initial draft of a TIF contract will be prepared by the City. An ordinance to approve a TIF contract will not be placed on a Board of Aldermen agenda until all outstanding contractual issues have been resolved to the satisfaction of City staff.
- C. The contract may contain a list of pre-approved or prohibited land uses or tenants.
- D. The TIF contract will provide that prevailing wages must be paid by the developer where required by law, and the developer will indemnify the City for failure to meet applicable prevailing wage laws.
- E. The TIF contract will provide for an order of priority in which reimbursable project costs and other eligible costs shall be paid from the special allocation fund, on an as-collected basis or to repay bonds that have been issued pursuant to the TIF plan.

- F. The TIF contract will provide for a City administrative fund to be funded by a portion of the TIF revenues, which will pay for costs incurred by the City, including financial, legal, traffic and other consultants and advisors to the City, to administer the TIF plan and enforce the contractual obligations of the developer and the developer's authorized successors, assignees and transferees in the redevelopment area. In addition to any other costs that are authorized to be funded from the administrative fund, the contract will authorize the City to withdraw 2% of the funds deposited in the special allocation fund through the first full calendar year, and 1% annually thereafter, to reimburse the City for costs incurred to manage the special allocation fund and provide for the collection and disbursement of TIF revenues. The TIF contract will also provide for reimbursement to the City from the special allocation fund for costs incurred by the City to conduct a 'Component Unit' audit of any special funding district that is established in furtherance of the TIF plan. Funding of the City administrative costs will be a higher priority than reimbursement of developer reimbursable project costs.
- G. Interest on certified developer reimbursable project costs shall accrue from the date of City approval and certification for payment. Interest shall not start to accrue when the developer incurs such expense, or when a request for reimbursement is submitted to the City.

Funding Districts

Section 10. Transportation Development Districts (TDD).

- A. The City may file, or join as a co-petitioner, a petition for formation of a TDD where public transportation improvements to be funded by the TDD have been designated for construction on the City's Capital Improvements Plan or where the Board of Aldermen decide that such improvements primarily benefit of the general public rather than a particular development.
- B. In order to obtain favorable support for the formation of any TDD in the City, the petitioners should appear at a Board of Aldermen meeting and make a presentation regarding the TDD prior to filing the petition. The Board of Aldermen may express its support for or opposition to a proposed TDD through the adoption of a resolution or motion.
- C. If the petitioners have not obtained the support of the Board of Aldermen prior to filing a TDD petition, then a copy of the petition shall be delivered to the Board of Aldermen after the City is served with the petition by the court and the Board of Aldermen will express its support for or opposition to the TDD by motion or resolution. A failure by petitioners to make a presentation to the Board of Aldermen as set forth in paragraph B of this section, prior to filing the petition in court, will be taken into account when the Board of Aldermen considers the City's response to the petition.
- D. If a TDD is proposed in coordination with approval of a TIF plan, the execution of a development agreement between the petitioners and the City, or in connection with any other package of public economic incentives, the Board of Aldermen's support for formation of the TDD may be expressed in the TIF plan, the development agreement or other document or approval provided by the Board of Aldermen in connection with the project. In this situation, a separate presentation to the Board of Aldermen regarding the TDD petition is not required, and City staff will file an answer with the court in support of the TDD formation.

Section 11. Community Improvement Districts (CID)

A. Nature of Application.

1. Residential projects. For those projects that are entirely or primarily residential development and that propose to use a CID in place of a Homeowners' Association, most favorable consideration will be given to Applications that meet the following guidelines:
 - (a) The developer will turn over full control of the CID to the residents when at least 80% of the lots in the CID have been sold to residents that will reside within the CID.
 - (b) The CID operates autonomously from the City, and the City is not required to manage or oversee CID operations.
 - (c) The CID provides contractual indemnification to the City for the acts and omissions of the CID.
 - (d) The CID is formed as a political subdivision of the state, rather than as a non-profit corporation.
 - (e) The CID provides for the perpetual maintenance and upkeep of all common property within the CID, and assumes obligations by contract to ensure that the City will not be required to undertake ownership or maintenance of common properties and open areas.
 - (f) The CID is used to pay for public improvements and services that serve the entire residential development.

- B. Commercial Project Size and Type. Most favorable consideration will be given to CIDs for commercial projects that are comprised of at least 40,000 square feet of new development or redevelopment.

- C. Timing of City Clerk's Review. Applicants should submit to the City a draft CID petition before formally filing the CID petition with the City Clerk, to provide the City an opportunity to review and comment on such petition. This allows the City to identify concerns and issues before a CID petition is formally filed with the City Clerk, in order to avoid delay when the CID petition is formally filed with the City Clerk. If a draft CID petition is not submitted to the City for review and comment, the City may take more time to review the petition to determine whether the petition substantially complies with the requirements of the CID Act.

- D. Type of CID. Most favorable consideration will be given to Applications seeking the establishment of a political subdivision CID rather than a nonprofit corporation CID. CIDs that will take the form of a non-profit corporation and which intend to impose special assessments will indemnify the City from all claims, and any resulting costs, damages and legal or other professional fees associated with the legality of the special assessments.

- E. CID Services. Except where the provision of services is the primary purpose of establishing the CID, most favorable consideration will be given to CID proposals where CID services are not funded until after all debt associated with public improvements has been repaid.

F. District Term. Except in the case of CIDs established as a substitute for a Homeowners Association, Property Owners Association or Business Owners' Association, most favorable consideration will be given to those CIDs that are limited to a term of twenty (20) years or less.

G. Financing of CIDs.

1. Where a CID is not proposed in connection with a TIF plan, any debt issuance in connection with a CID shall be issued by the CID unless otherwise requested by the City, and shall contain a disclosure that substantially complies with the following:

The bonds are special limited obligations of the District payable from all, part or any combination of the revenues of the CID District. The Bonds do not constitute an indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction. The Bonds are not general obligations of the CID District, nor any municipality, county, the City of Harrisonville, Missouri (the "City"), the State of Missouri or any other political subdivision thereof, and are not payable out of any funds or properties other than those specifically pledged as security therefor.

The City has not participated in the preparation of this Official Statement nor has it reviewed any of the information contained herein. The CID District is a separate political subdivision. The CID District has indemnified the City against any costs or damages of the City that may arise from the sale, offering and repayment of the Bonds or in connection with the completion of the CID improvements.

2. The City shall not provide an annual appropriation backing for CID debt unless 90% of the CID improvements are owned or to be owned by the City or the City determines that such improvements have a benefit to the City as a whole, and any benefit to a specific residential or commercial development is incidental to the benefit to the City as a whole.

H. Special Assessments. The City may approve a CID that will impose special assessments if the following requirements have been met:

1. Special Assessments will be imposed in an amount sufficient to pay the principal of and interest on any indebtedness proposed to be incurred by or on behalf of the CID. Assessments must be sized to provide debt service coverage of not less than 120% for debt service payments. The City may request an independent report to demonstrate the satisfaction of this requirement. What if the CID is using both sales tax and special assessments?
2. The value of the real property will be at least five times the value of the annual special assessment, depending on the status of lot sales and vertical construction. For example, if the special assessment for a parcel or lot is \$2,500 per year, the market value of the real property (without building improvements) must be at least \$12,500 to \$25,000. The market value shall be determined based upon the value established by the Cass County Assessor's office or a real estate appraisal acceptable to the City.

Section 12. Neighborhood Improvement Districts (NID).

- A. **Project Characteristics.** Most favorable consideration will be given to NID projects that satisfy the following conditions and requirements:
1. The NID improvements benefit an entire subdivision or other large area in which many properties benefit and are subject to the special assessments.
 2. All Applicants are obligated to dedicate all rights-of-way and easements that are necessary to complete the NID project without cost to the City.
 3. The Applicants demonstrate the financial capacity to complete the development (if new development is proposed), and the financial capacity to provide interim construction financing either personally or through a lending commitment.
 4. The Applicants demonstrate that they have no interest in an existing development that has delinquent special assessments or property taxes.
 5. The Applicants will pay for all costs associated with preparation of the plan and specifications for the improvements to be funded with the NID.
 6. The Applicants will indemnify the City, or provide another form of security that is acceptable to the City Attorney, for the non-payment of the special assessments which may be used prior to sale of the property through the lien.
 7. The NID is being used to pay for improvements that have already been identified for construction by the City.
- B. **Timing of City Ordinance.** For NIDs formed by petition, Applicants are highly encouraged to submit an application pursuant to this Policy before filing a petition to establish a NID with the City Clerk.
- C. **Interim Construction Financing.** Most favorable consideration will be provided for a NID that proposes initial construction financing through one of the following methods:
1. The Applicant provides a written commitment from a lending institution acceptable to the City, or other equivalent financing by the Applicant, which demonstrates the ability to provide financing for all construction costs. In this situation, the City may require execution of a Development Agreement between the City and Applicant which obligates the Applicant to fully financing the construction cost with the identified lending or funding source.
 2. The Applicant proposes financing through a conduit issuer. Debt issued by a conduit issuer shall not be a general obligation of the City and the financing agreement with the conduit issuer shall not include any City Credit Support. The City may covenant in a financing agreement to use the City's Credit Support to finance long-term bonds if and when the conditions on the use of such support as set forth below are satisfied.

D. Permanent Financing.

1. The City may issue bonds and extend the City's Credit Support when the NID improvements are owned or to be owned by the City or the City determines that such improvements have a benefit to the City as a whole, and any benefit to a specific residential or commercial development is incidental to the benefit to the City as a whole. The City may also use the City's Credit Support when the City has determined that all of the following requirements have been met:
 - (a) The NID improvements have been substantially completed and the final costs of the project have been determined as required by the NID Act.
 - (b) Special Assessments have been imposed pursuant to the NID Act in an amount sufficient to pay the principal of and interest on any indebtedness proposed to be incurred by or on behalf of the City. Assessments must be sized to provide debt service coverage of 120% for debt service payments for the first 10 years and 110% thereafter. The City may require a consultant report to demonstrate satisfaction of these requirements.
 - (c) The value of the real property is at least five times (depending on the status of lot sales and vertical construction) the value of the annual special assessment. For example, if the special assessment for a parcel or lot is \$2,500 per year, the market value of the real property (without building improvements) must be at least \$12,500. The market value shall be determined based upon the value established by the Cass County Assessor's office or a real estate appraisal acceptable to the City.
 - (d) Either (a) at least 50% of the parcels in the District have been sold to third parties unrelated to the developer who intend to construct improvements on the parcels and did not purchase the parcel with an intent to resell it or (b) vertical construction has commenced on at least 50% of the real estate. In lieu of the forgoing, the Developer may provide credit enhancement acceptable to the City to remain in effect until these milestones are achieved.
2. If the conditions are insufficient for the City to issue bonds and provide Credit Support, then the City may require debt to be issued by a conduit issuer. No Credit Support will be offered or committed to support these bonds. Bonds issued by a conduit issuer will be secured solely by the City's legal obligation to impose special assessments in accordance with the NID statute.

Section 13. City Oversight of Funding District Operations.

- A. Cooperation Agreements for CIDs and TDDs. The Applicant and any TDD or CID shall enter into an intergovernmental cooperative agreement with the City, which agreement shall, at a minimum, address the following rights, duties and obligations of the parties:
 1. district administration;
 2. imposition of the district funding mechanism;
 3. the method of collecting and accounting for the district revenues;

4. the issuance of debt for the projects (if applicable);
 5. the conditions under which the district will be terminated;
 6. City representation on the district board of directors;
 7. Approval of additional projects;
 8. Applicant's obligation to report the existence of the District and any applicable funding mechanism to tenants or grantees;
 9. Applicant's assistance in assuring timely reporting of sales information to the Missouri Department of Revenue, the District or the City, as applicable; and
 10. Any other matters which may be required by the City.
- B. Annual Budget Review. The cooperative agreement between the City and a TDD or CID shall provide for annual review and approval of the Funding District budget.
- C. City Representation on Funding District Board of Directors. Most favorable consideration will be given to a TDD or CID where the majority control of the board of directors rests with persons designated by the City, including City staff and elected or appointed City officials.
- D. Performance Measures.
1. The City may condition approval and implementation of any project on performance measures such as job creation. In such cases, the Applicant shall agree to the creation of performance measures, which if not satisfied will decrease the amount of economic development assistance provided by the City.
 2. Each Project shall be monitored on an annual basis to determine compliance with the agreed-upon performance measures.
- E. Extension of District Terms. With respect to new commercial development or redevelopment, most favorable consideration shall be given to a project in which the public funding sources are scheduled to expire within a defined time period and are not expected to be renewed at the end of the stated life of the public funding source.
- F. Abandonment of CIDs and TDDs. Most favorable consideration will be given to Applications that provide alternatives for City management or maintenance of TDD or CID projects in the event that control or management of the Funding District is abandoned.

Tax Abatement

Section 14. Enhanced Enterprise Zone (EEZ) (Real Property Tax Abatement)

A. Zone Designation and Expiration.

1. Zone Designation – Harrisonville Enhanced Enterprise Zone (EEZ) was designated by the Missouri Department of Economic Development (DED) on February 3, 2011.
2. Zone Expiration – The Harrisonville Enhanced Enterprise Zone will expire on February 3, 2036, following its 25 year life.

North American Industry Classification System (NAICS) – The North American Industry Classification System was developed as the standard for use by Federal statistical agencies in classifying business establishments for the collection, analysis, and publication of statistical data related to the business economy of the United States.

NAICS was developed under the auspices of the Office of Management and Budget (OMB), and adopted in 1997 to replace the old Standard Industrial Classification (SIC) system.

It was also developed in cooperation with the statistical agencies of Canada and Mexico to establish a 3-country standard that allows for a high level of comparability in business statistics among the three countries.

- B. Project Eligibility – Project eligibility is determined by eligible Targeted Industries, Minimum New Capital Investment and Minimum New Full-time Jobs created, as established by the Harrisonville Enhanced Enterprise Zone Tiered Incentive Schedule and the Missouri Works Program. Further project eligibility criteria, requires a participating company to pay at least 50% of an employee's health insurance premium.

1. Ineligible Businesses (by Statute Chapter 135.950 (9)(b)) – the following industry groups are Statutorily ineligible for participation in the Enhanced Enterprise Zone Program:

<u>NAICS Code</u> (Industry Group or Primary Sector)	<u>Industry</u>
7132	Gambling Establishments
44 and 45	Retail Trade
61	Educational Services
8131	Religious Organizations
92	Pubic Administration
722	Food and Drinking Places

2. Eligible Businesses – Eligible businesses are determined by the Targeted Industries recommended by the Harrisonville Enhanced Enterprise Zone Board and approved by the Board of Aldermen on December 14, 2010. The eligible Targeted Industries are identified by their industry associated NAICS (North American Industry Classification System) codes. The Harrisonville Enhanced Enterprise Zone Targeted Industries are in **Exhibit B**.

3. Minimum New Investment – Minimum new capital investment of \$100,000 is required.

4. Minimum New Full-time Jobs Created – Minimum 2 new full-time jobs must be created.

NOTE: To qualify for the minimum 50% Real Property Tax Abatement for 10 years, **both** the Minimum New Capital Investment of \$100,000 AND the Minimum 2 New Full-time Jobs must be met.

To receive the Additional Real Property Tax Abatement Increment Benefit, as reflected on the Tiered Tax Abatement Schedule in **Exhibit C**, the additional New Capital Investment OR the additional New Full-time Jobs created must be met. The Tax Abatement Term remains at 10 years.

5. Health Insurance Benefits – Eligible company must pay at least 50% of an employee's health insurance premium.
- C. Real Property Tax Abatement – The Real Property Tax Abatement percentage amount has been established in the adopted Tiered Property Tax Abatement Schedule. The Statutory Minimum Real Property Tax Abatement percentage is 50%, as set forth in Chapter 135.963. Only Real Property Tax Abatement is Statutorily allowed, Personal Property Tax Abatement is not allowed Statutorily with the Enhanced Enterprise Zone Program.
 - D. Targeted Industries – Eligible businesses' primary function and operation, must be classified within the adopted Targeted Industries listed in **Exhibit B**. The identified Targeted Industries were recommended by the Harrisonville Enhanced Enterprise Zone Board and approved by the Board of Aldermen.
 - E. Benefits/Incentives Reduction (Clawbacks) - The City may condition approval and implementation of any project on performance measures such as job creation. In such cases, the Applicant shall agree to the creation of performance measures, which if not satisfied, will decrease the amount of economic development assistance provided by the City. Each Project shall be monitored on an annual basis to determine compliance with the agreed-upon performance measures.
 - F. Enhanced Enterprise Zone Boundaries – Map **Exhibit D**
 - G. Enhanced Enterprise Zone Tax Abatement Application – Application **Exhibit F**
 - H. Enhanced Enterprise Zone Benefits Acceptance Letter- Letter **Exhibit G**

Section 15. Chapter 353 Tax Abatement.

- A. Tax Abatement under the Urban Redevelopment Corporations Law is only extended to real property that has been found to be a “blighted area” by the city. For purpose of 353 tax abatement the term “blighted area” is defined as:

That portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration, have become economic and social liabilities, and such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes.

- B. Maximum Tax Abatement. Most favorable consideration will be given to those projects that request tax abatement at the following maximum rates:

1. During the first ten-year abatement period –
 - (a) real property taxes resulting from 100% of the increased value of the land (exclusive of improvements) above the value of the land as established by the county assessor for the calendar year prior to the year that the redevelopment corporation acquires title to the real property for the proposed project, and
 - (b) real property taxes resulting from 100% of the value of all improvements on the real property that has been acquired by the redevelopment corporation for the project; and
2. During the next fifteen-year abatement period, real property taxes resulting from 50% of the total value of the land and improvements, as established by the county assessor, that has been acquired by the redevelopment corporation for the project.

Additional abatement during the second fifteen-year period may be considered by the City if the Applicant demonstrates significant economic need as described in Section 5 of this Policy.

- C. Redevelopment Contract. Urban Redevelopment Corporations have the power to operate one or more redevelopment projects; however, such projects must be pursuant to a development plan which has been authorized by the City after holding a public hearing on the development plan 353.060, RSMo. The Redevelopment Corporation shall enter into a redevelopment contract with the City after approval of the Redevelopment Plan that provides for the implementation of the Redevelopment Plan and the payment of Payments In Lieu of Taxes, if applicable. The contract shall be binding upon successors to the Redevelopment Corporation in the real property for which tax abatement is provided. The City may pre-approve a transfer of property from the Redevelopment Corporation to the primary developer, but transfer to any other person or entity shall be subject to approval by the City.
- D. Payments In Lieu of Taxes. The Redevelopment Contract shall provide for the Payment In Lieu of Taxes as specified in the Redevelopment Plan, or in accordance with the Tax Impact Statement provided to the taxing districts prior to approval of the Redevelopment Plan.

Chapter 100 Bond Financing

Section 16. Chapter 100 Tax Incentive.

- A. General guidelines. The City will consider the following factors when evaluating a proposal to approve a development plan and tax incentive pursuant to Chapter 100:
 - 1. Employment to be generated by the project and the acceptance of performance standards (clawbacks) to enforce employment generation;
 - 2. Financial feasibility of the project, the financial abilities of the applicant and the need for public assistance;
 - 3. The impact of the project on public improvements and services, and the impact on other taxing districts and the improvements and services that they provide;
 - 4. The revenues to be generated by the project for the City and other taxing districts;
 - 5. Conformance with the City's Comprehensive Plan and Future Land Use Plan;
 - 6. Economic impact of the project.
- B. The City will accept no credit risk when issuing bonds for a Chapter 100 project.
- C. Property owned by the City pursuant to a Chapter 100 project will be exempt from all real and personal property taxes.
- D. Most favorable consideration will be given to Chapter 100 projects that propose the location of new businesses and industries in the City, and which retain business that would otherwise leave the City.
- E. Tax incentives offered or granted through the use of Chapter 100 Bond Financing is solely at the Board of Aldermen's discretion.
- F. In all cases, the City will **require** the company to purchase the entire bond issue for their project (real and personal property). The Board of Aldermen reserve the right to make appropriate exceptions to this policy, in rare cases.
- G. The company will be **required** to make Payments in Lieu of Taxes (PILOTS), to the affected Taxing Jurisdictions, as agreed upon, as a percentage of the calculated tax liability, or as a set dollar amount, the Board of Aldermen's discretion.
- H. Failure to pay PILOTS, as agreed upon, will result in termination and voiding of the executed Lease Agreement, between the City and the company, further resulting in termination of any and all access and use of subject City owned property (real and personal property), for agreed upon operations.

- I. The Tax Incentive/s offered and granted through Chapter 100 Bond Financing will not exceed 75% or require less than a 25% Payments In Lieu Of Taxes (PILOTS). The Board of Aldermen reserves the right to consider an 80% Tax Incentive with a 20% Payments In Lieu Of Taxes in select, unique, high impact, exceptional quality projects. But in no circumstance shall the Tax Incentive ever exceed 80%, or the Payments In Lieu Of Taxes requirement be allowed below 20%.
- J. The Board of Aldermen does not favor combined use of Chapter 100 Bond Financing Tax Incentives, related to Personal Property, with the Data Center Sales Tax Exemption Program local level sales and use tax exemption.
- K. Chapter 100 Bond Financing Local Tax Incentives Policy and Guidelines are outlined below:

Real Property Tax Incentive through Chapter 100 Bond Financing may be considered by the Board of Aldermen for projects that meet the following criteria:

- 1. Minimum Total New Investment in Real Property of \$5 Million or
- 2. Minimum New Annual (or Average Annual) Payroll of \$10 Million or
- 3. Minimum New Full-time Jobs of 25 - at Harrisonville, Missouri, facility (within 2 years)
- 4. AND Average Wages will equal or exceed County Average Wages – provided by the Missouri Department of Economic Development (DED)
- 5. Existing Business – Minimum New Annual (or Average Annual) Payroll of \$5 Million or Minimum New Full-time Jobs of 10 employees – at Harrisonville, Missouri, facility (within 2 years)

Personal Property Tax Incentive through Chapter 100 Bond Financing may be considered by the Board of Aldermen for projects that meet the following criteria:

- 1. Minimum Total New Investment in Personal Property of \$5 Million or
- 2. Minimum New Annual (or Average Annual) Payroll of \$10 Million or
- 3. Minimum New Full-time Jobs of 25 - at Harrisonville, Missouri, facility (within 2 years)
- 4. AND Average Wages will equal or exceed County Average Wages – provided by the Missouri Department of Economic Development (DED)
- 5. Existing Business – Minimum New Annual (or Average Annual) Payroll of \$5 Million or Minimum New Full-time Jobs of 10 employees – at Harrisonville, Missouri, facility (within 2 years)

Standard Tax Incentive

Up to 50% Tax Incentive for up to ten (10) years for projects that meet the above established thresholds.

Enhanced/Discretionary Tax Incentive

- 1) New/Retained Full-time Jobs with Average Wages Paying 150% or more of County Average Wage as published by the Missouri Department of Economic Development (DED) – may receive additional Tax Incentive of 5% per 10% incremental increase in Average Wage above 150% of County Average Wage – not to exceed an additional 25% Tax Incentive benefit.

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- 2) New/Retained Full-time Jobs with Average Wages Paying 200% or more of County Average Wage as published by the Missouri Department of Economic Development (DED) – may receive up to 25% additional Tax Incentive - at the Board of Aldermen's discretion.
- 3) New Annual (or Average Annual) Payroll exceeding the Minimum of \$10 Million - may receive an additional Tax Incentive of 5% for every \$1,000,000 increment above \$10 Million – not to exceed an additional 25% additional Tax Incentive benefit.
- 4) Projects with primary operations, or significant component, of Science and Technology or Research and Development – may receive additional Tax Incentive of up to 25% - at the Board of Aldermen's discretion. NOTE: City staff will verify project eligibility using the North American Industry Classification System (NAICS) Code.
- 5) New/Retained Full-time Jobs exceeding the Minimum thresholds identified above (25 Jobs New Business – 10 Jobs Existing Business) – may receive additional Tax Incentive of 5% for every 25 New Full-time Jobs for New Business and 5% for every 5 New Full-time Jobs for Existing Business – not to exceed additional 25% Tax Incentive.
- 6) New Capital Investment exceeding the Minimum threshold of \$5,000,000 (in either Real Property or Personal Property) – may receive additional Tax Incentive of 5% for every \$5,000,000 increment in New Capital Investment – not to exceed an additional 25%.
- 7) If a new facility is LEED Certified (or an existing facility is renovated to become LEED Certified), or the facility achieves an established rating level, from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program (e.g. Silver rating or higher) – may receive an additional Tax Incentive of up to 15% - at the Board of Aldermen's discretion.
- 8) Companies engaged in Advanced Manufacturing may receive favorable consideration by the Board of Aldermen for a Tax Incentive up to 80%, with a Payment in Lieu of Taxes (PILOTS) of 20%. Advanced Manufacturing may include (not all inclusive) Additive Manufacturing (sometimes referred to as 3D Printing); advanced materials, composites, and alloys; robotics and automation; welding and machining with lasers; nanotechnology, among others.
- 9) Established, industry leaders, or proven emerging growth companies, engaged in Disruptive Technologies, may receive favorable consideration by the Board of Aldermen for a Tax Incentive up to 80% with a Payment in Lieu of Taxes (PILOTS) of 20%. Disruptive Technologies may include (not all inclusive) Artificial Intelligence (AI) and Machine Learning; Blockchain technology; Virtual and Augmented Reality (VR/AR); 3D Printing; Robotics; Cyber Security; Drone Technology; GPS & Navigational Systems.

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Data Center Sales Tax Exemption Program

Section 17. Data Center Sales Tax Exemption.

A. Eligibility thresholds:

Existing facility expansion: 5 New Full-time Jobs

Average Wages at or exceed 150% of County Average Wages
 AND \$5 Million Dollars Minimum New Investment

New facility: 10 New Full-time Jobs

Average Wages at or exceed 150% of County Average Wages
 AND \$25 Million Dollars Minimum New Investment

- B. An exemption of 100% of state and local sales and use taxes.
- C. The Board of Aldermen may consider use of this incentive program for eligible and appropriate projects and may participate and partner with the State of Missouri on a project with this program.
- D. The Board of Aldermen will not favorably consider use of this incentive program in combination with the Chapter 100 Bond Financing Personal Property Tax incentive benefits, with few exceptions.
- E. Refer to the Missouri Department of Economic Development program flier on this program for program specifics.

Other Public Funding Incentives

Section 18. Infrastructure Agreement.

- A. An infrastructure agreement, also commonly known as sales tax rebate or reimbursement agreement, provides for the payment of City sales tax revenues generated by a new development to a developer as reimbursement for the construction of public improvements. The City may enter into an infrastructure agreement when the applicant proposes a development that requires the construction of public improvements that are planned to be constructed by the City or that have a significant benefit to the general public, and the developer demonstrates substantial need for the reimbursement to make the project financially feasible.
- B. The City will not pursue reimbursement from other taxing jurisdictions in the consideration and negotiation of an infrastructure agreement, but the developer may pursue all available options with other funding districts.

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Historic Preservation Tax Credit

Section 19. Historic Preservation Tax Credit.

Eligible Applicants

Any taxpayer is eligible to participate in this program.

Program Benefits/Eligible Uses

The program provides state tax credits equal to 25% of eligible costs and expenses of the rehabilitation of approved historic structures. This tax credit can be applied to:

- Ch. 143 – Income tax, excluding withholding tax
- Ch. 148 –
- Bank Tax
- Insurance Premium Tax
- Other Financial Institution Tax

This credit's special attributes:

- Carry back 3 years
- Carry forward 10 years
- Sellable or transferable

Application/Approval Procedure

An application is submitted to the Missouri Department of Economic Development (DED), which will then be submitted to the State Historic Preservation Office to determine the eligibility of the property and proposed rehabilitation, based on the standards of the U.S. Department of the Interior.

Preliminary applications subject to the cap will be scored and considered by DED in accordance with section 253.559.3(1), RSMo and accepted in two (2) cycles for each state fiscal year.

Projects receiving less than \$275,000 in credits may be accepted at any time.

Special Program Requirements

An eligible property must be:

- listed individually on the National Register of Historic Places;
- certified by the Missouri Department of Natural Resources as contributing to the historical significance of a certified historic district listed on the National Register; or
- of a local historic district that has been certified by the U.S. Department of the Interior.

The costs and expenses associated with the rehabilitation must exceed 50% of the total basis of the property (acquisition cost).

New Markets Tax Credit

Section 20. New Markets Tax Credit

New Markets Tax Credit (NMTC) Program is a Federal Program.

The New Markets Tax Credit Program is jointly administered by the CDFI Fund and the Internal Revenue Service (IRS).

Investments made through the New Markets Tax Credit Program must comply with regulations outlined in Section 45D of the Internal Revenue Code.

New Markets Tax Credits provide a Credit against Federal Income Taxes for investors that make Qualified Equity Investments (QEIs) in certified financial intermediaries called “Community Development Entities (CDEs).”

New Market Tax Credits are awarded to Community Development Entities, not to individuals or businesses.

Community Development Entities (CDEs), in turn, use the proceeds of these Qualified Equity Investments (QEIs) to make Qualified Low-Income Community Investments (QLICIs), such as business loans, in Low-Income Communities.

The New Markets Tax Credit is taken over a 7-year period. The Tax Credit rate is:

5% of the original investment amount in each of the first three years; and
6% of the original investment amount in each of the final four years.

Total Tax Credit equals 39% of the original amount invested in the Community Development Entities.

Tax Credit Amount - Year 1	Year 2	Year 3	Year 4	Year 5	Year6	Year 7	TOTAL
5%	5%	5%	6%	6%	6%	6%	39%

Activities Ineligible for New Markets Tax Credit Investment

Residential rental property - Buildings or structures that derive 80% or more of their gross rental income from renting dwelling units.

Certain types of businesses:

Golf Courses	Massage Parlors	
Racetracks	Hot Tub Facilities	
Gambling Facilities	Suntan Facilities	
Certain Farming Businesses	Liquor Stores	Country Clubs

Refer to IRS regulations for additional details.

Eligible Projects for New Markets Tax Credit Investment
(to provide eligible project categories – not all inclusive)

Office	Grocery Store
Hotel	Retail/Office
Renewable energy	Health care
Industrial	Manufacturing
Libraires	
Mixed use (80%/20% Housing Requirement)	
Entertainment/Theater/Museums	
Non-profit organizations-community centers	

Benefits of New Markets Tax Credit Program
(for the business and the project)

New Markets Tax Credit financing can fill a gap in project's capital stack.

Can be debt or equity investments.

NMTCs can be used to create jobs, encourage expansion, and attract and retain businesses in low-income areas.

Used by for-profit and non-profit organizations.

Flexible financing terms may include: Below market interest rates; Longer than standard Interest-Only period; Higher than standard loan to value ratio; Longer than standard amortization period.

Refer to Exhibit E for New Markets Tax Credit Eligibility Area Map

Exhibit A**Preliminary Funding Agreement**

This **PRELIMINARY FUNDING AGREEMENT** ("Agreement") is entered into this _____ day of _____, 20__, between the **CITY OF HARRISONVILLE, MISSOURI** a Missouri municipal corporation (the "City"), _____, a _____ corporation, or its assigns (the "Applicant").

RECITALS

WHEREAS, the City is a fourth-class city with its principal office located at 300 E. Pearl Street, Harrisonville, Missouri, 64701, and exercising governmental functions and powers pursuant to the Constitution and the Revised Statutes of the State of Missouri; and

WHEREAS, the Applicant is a _____ corporation with its principal office located at _____, and is authorized to conduct business in the State of Missouri; and

WHEREAS, the City has been requested by the Applicant to consider an application for tax increment financing in accordance with Sections 99.800 to 99.865 of the Revised Statutes of Missouri (the "TIF Act"), which may also include a petition to establish a community improvement district in accordance with the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the "CID Act") and property tax incentives under Chapter 100, Article VI, Section 27(b) of the Missouri Constitution and Sections 100.010 to 100.200 of the Revised Statutes of Missouri (the "Chapter 100") (collectively the "Development Incentives Applications") within the City; and

WHEREAS, the City may be requested to provide such other services and assistance as may be required to implement and administer the Development Incentives Applications through its consideration by the City's governing body ("Board of Aldermen"); and

WHEREAS, the City does not have a source of funds to finance costs incurred by it, in the form of additional legal, financial, planning, transportation and engineering, and other consultants, or for direct out-of-pocket expenses and other costs resulting from services rendered to the Applicant to review, evaluate, process and consider the Development Incentives Applications; and

WHEREAS, in order for the City to fully consider and evaluate the Development Incentives Application, the City has requested Applicant to deposit funds with the City to be used by the City to pay for the City's actual out-of-pocket expenses necessary to perform a full evaluation of the Development Incentives Applications and engage consultants as needed for such evaluation.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Services to be Performed by the City.** The City shall:
 - A. Consult with the Applicant on the preparation and consideration of the Development Incentives Applications in accordance with the provisions of the TIF Act, CID Act, Chapter 100 and other applicable laws, give all notices, make all publications and hold hearings as required by the TIF Act, the CID Act, Chapter 100 and all other applicable laws.
 - B. Provide necessary staff, legal, financial, appraisal and planning assistance to prepare and present the Development Incentives Applications to the Board of Aldermen and to prepare and present required ordinances to the Board of Aldermen;
 - C. In the event that the Board of Aldermen approves all or any portion of the Development Incentives Applications, provide the necessary staff and legal, financial, appraisal and planning assistance to prepare and negotiate a definitive agreement between the Applicant and the City for implementation of the Development Incentives Applications or appropriate portion thereof;
 - D. In the event that a definitive agreement between the Applicant and the City for implementation of the Development Incentives Applications or an appropriate portion thereof is entered into, provide the necessary staff, legal, financial, appraisal and planning assistance to administer such agreement(s) and implement the Development Incentives Applications.
2. **Initial Deposit.** On or before _____, the Applicant shall deposit Twenty Thousand Dollars (\$20,000) (the "Deposit") with the City Clerk. The City shall disburse the Deposit as set forth in **Section 5** and shall bill the Applicant pursuant to **Section 3** to re-establish the Deposit so that there is a minimum cash balance of Twenty Thousand Dollars (\$20,000) available, from which additional disbursements may be made as required.
3. **Additional Funding.**
 - A. The City shall submit an itemized statement for actual out-of-pocket expenses necessary to perform its obligations hereunder or for any additional obligations or expenditures incurred by the City. Such statements shall be submitted on a regular periodic basis, but no more often than monthly. The Applicant shall pay the City the amounts set forth on such statements (the "Additional Funds") within thirty (30) days of receipt thereof. If such funds are not so received, the unpaid balance shall be subject to a penalty of two percent (2%) per annum, and City shall be relieved of any and all obligations hereunder until paid or may terminate this Agreement pursuant to **Section 7**. Notwithstanding the foregoing, the Applicant shall ensure that on the dates upon which the Board of Aldermen takes up the Development Incentives Applications for consideration, the Deposit shall be replenished to the amount of the minimum cash balance establishes in **Section 2**. Failure to replenish the Deposit as described shall be grounds for continuing the consideration of the Development Incentives Application.

- B. The City and the Applicant agree that the Applicant shall reimburse the City for its actual out-of-pocket expenses necessary to perform the City's obligations hereunder, using the following consultants: _____, for legal counsel; _____, for financial advisor; and _____, for bond counsel. The City shall advise the Applicant in writing if it intends to utilize the services of any other consultant to perform its obligations under the terms of this Agreement. Such written notice shall include the name of the consultant, the service to be performed and an estimate of the cost expected. If the Applicant, in writing, within five (5) business days from receipt of the City's notice, objects to either the consultant named or the service to be performed, the City and Applicant shall negotiate in good faith to resolve the Applicant's objections. If the City and Applicant cannot agree on the consultant to be used or the service to be performed, the City shall have no obligation to perform that service under the terms of this Agreement and the Applicant shall have no obligation to pay for such service under the terms of this Agreement.
- C. The Deposit and all Additional Funds shall be treated as funds that may be reimbursed from TIF or CID revenues as permitted by law; provided, that the Development Incentives Applications or appropriate portion thereof is approved and the Applicant and the City enter into a definitive agreement for implementation of the Development Incentives Applications or appropriate portion thereof.
4. **Operative Date.** The operative date of this Preliminary Funding Agreement shall relate back to _____, which is the date upon which the parties held their first meeting including the City's consultants to discuss the substantive issues related to this development application.
5. **Disbursement of Funds.** The City shall disburse the Deposit and Additional Funds for reimbursement of costs to the City on or before the thirtieth (30th) day of each month, and for consulting fees and the payment of all out-of-pocket expenses incurred by the City in connection with the performance of its obligations under this Agreement as payment for such expenses become due. The City shall send to the Applicant a copy of the record for each disbursement made to the Applicant pursuant to the Agreement.
6. **Development Incentives Applications Administration.** In addition to the services set forth in **Section 1**, the City may be required to provide services from time to time for the continuing administration of the Development Incentives Applications, if approved by the City. Upon appropriate itemization, the City shall be reimbursed by the Applicant for actual meeting expenses and other expenses that are reasonable or incidental to the general operations of the City with respect to administration of the Development Incentives Applications and any development that results from the Development Incentives Applications. The provisions of this section shall apply until such time as the City and the Applicant agree to and execute a definitive agreement for implementation of the following plans: TIF, CID and Chapter 100 approved in connection with the Development Incentives Applications.
7. **Termination of this Agreement.**
- A. In the event the Applicant fails to perform any of its obligations herein, the City may terminate this Agreement, and any other agreement between the parties, at its sole discretion if the Applicant fails to cure the default within ten (10) days after written notice to the Applicant of the default.

Termination by the City shall also terminate any duties and obligations of the City with respect to the Agreement, including, but not limited to, the City's processing of the Applicant's Development Incentives Applications. Upon such termination, the City shall retain the Deposit Additional Funds, if any, necessary to reimburse the City for all expenses incurred under this Agreement to the date of termination and any monies due and owing to the City pursuant to any other agreement, and any remaining balance shall be returned to the Applicant.

- B. The parties hereto acknowledge that the Applicant may determine to abandon the Development Incentives Applications or appropriate portion thereof. Upon written notice of abandonment by the Applicant, this Agreement shall terminate and the City may terminate any other agreement between the parties and shall retain the Deposit and Additional Funds, if any, necessary to reimburse the City for all expenses incurred under this Agreement to the date of termination and any monies due and owing to the City pursuant to any other agreement.
- C. Upon termination of this Agreement, in the event the Deposit and Additional Funds are insufficient to reimburse the City for the outstanding expenses of the City payable hereunder, the Applicant shall reimburse the City as set forth in **Section 3**. After termination of this Agreement, any amounts remaining from the Deposit and the Additional Funds after all amounts have either been paid as directed by, or reimbursed to, the City shall be returned to the Applicant.
- D. This Agreement may be terminated by mutual agreement of the City and the Applicant through provisions in a definitive agreement for implementation of the Development Incentives Applications to be executed concurrently or immediately after the Development Incentives Applications are approved, e.g., a Tax Increment Financing Redevelopment Agreement.
- 8. **Notice**. Any notice, approval, request or consent required by or asked to be given under this Agreement shall be deemed to be given if in writing and mailed by United States mail, postage prepaid, or delivered by hand, and addressed as follows:

To the City:

Daniel Barnett
City Clerk
City of Harrisonville
300 E. Pearl St.
Harrisonville, Missouri 64701

With a copy to:

To the Applicant:

With a copy to:

Each party may specify that notice be addressed to any other person or address by giving to the other party ten (10) days prior written notice thereof.

9. **City Requirements and Prior Approval.** The Applicant agrees to comply with all applicable laws and City ordinances, including, but not limited to, the City's zoning ordinances, subdivision regulations and all planning or infrastructure requirements related to the development of Applicant's property. The parties agree that execution of this Agreement in no way constitutes a waiver of any requirements of applicable City ordinances or policies with which the Applicant must comply and does not in any way constitute prior approval of any future proposal for development, including the Development Incentives Application. The parties understand that the City may not lawfully contract away its police powers and that approval of the Development Incentives Applications and any zoning, subdivision and similar development application cannot be contractually guaranteed. This Agreement does not alter or diminish the City's ability to exercise its legislative discretion to consider the Development Incentives Applications in accordance with the TIF Act, CID Act, Chapter 100 and all applicable laws and any other applications with respect to development of Applicant's property.
10. **Modification.** The terms, conditions and provisions of this Agreement can be neither modified nor eliminated except in writing and by mutual agreement between the City and the Applicant.
11. **Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Missouri.
12. **No Third Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the City and Applicant. No other person or entity shall have or acquire any right or action based upon any provisions of this Agreement.
13. **Entire Agreement.** This Agreement constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof and supersedes and replaces any and all prior oral agreements or written agreements, arrangements and understandings related thereto.
14. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

[Remainder of Page Intentionally Left Blank. Signature Pages Immediately Follow]

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The parties hereto have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

CITY OF HARRISONVILLE, MISSOURI

By: _____
Judy Bowman, Mayor

(SEAL)

ATTEST:

Daniel Barnett, City Clerk

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

BE IT REMEMBERED, that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Judy Bowman, the Mayor of the City of Harrisonville, Missouri, a City duly incorporated and existing under and by virtue of the laws of the State of Missouri, who is personally known to me to be the same person who executed, as such official, the within instrument on behalf of and with the authority of said City, and such person duly acknowledged the execution of the same to be the act and deed of said City.

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

NOTARY PUBLIC

My Commission Expires:

[SEAL]

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_____, a
 _____ corporation

By: _____
 Name: _____
 Title: _____

STATE OF _____)
) ss.
 COUNTY OF _____)

BE IT REMEMBERED, that on this _____ day of _____, 20__, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, the _____, a _____ corporation, who is personally known to me to be the same person who executed the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of said company.

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

 NOTARY PUBLIC

My Commission Expires:

[SEAL]

Exhibit B

Targeted Industries (Eligible) **for Enhanced Enterprise Zone Real Property Tax Abatement**

As recommended by the Harrisonville Enhanced Enterprise Zone Board
and approved by the Board of Aldermen on December 14, 2020

- 22111 Electric Power Generation
- 31-33 Manufacturing
- 42 Wholesale Trade
- 48-49 Transportation and Warehousing
- 51112 Periodical Publishing
- 51113 Book Publishing
- 51114 Other Publishers
- 5112 Software Publishing
- 51211 Motion Picture and Video Production
- 51212 Motion Picture and Video Production
- 51219 Postproduction Services and Other Motion Picture & Video Industry
- 5122 Sound Recording Industries
- 515 Broadcasting (except internet)
- 518 Data Processing, Hosting and Related Services
- 5413 Architectural, Engineering and Related Services
- 5414 Specialized Design Services
- 5415 Computer Systems Design and Related Services
- 5416 Management, Scientific and Technical Consulting Services
- 5417 Scientific Research and Development Services
- 5419 Other Professional, Scientific and Technical Services
- 55 Management of Companies and Enterprises
- 562 Waste Management and Remediation Services
- 6222 Psychiatric and Substance Abuse Hospitals
- 6223 Specialty Hospitals (except psychiatric and substance abuse)
- 71111 Theater Companies and Dinner Theaters
- 71119 Other Performing Arts Companies
- 7112 Spectator Sports
- 712 Museums, Historical Sites and Similar Institutions
- 71311 Amusement and Theme Parks

NOTE: All gambling (7132), retail establishments (44-45), educational services (61), religious organizations (8131), public administration (92) and eating and drinking establishments (722) are not eligible, by Statute.

Exhibit C

Enhanced Enterprise Zone
Tiered Real Property Tax Abatement Schedule

HARRISONVILLE	
ENHANCED ENTERPRISE ZONE	
TIERED INCENTIVE SCHEDULE	
BASE QUALIFICATION REQUIREMENTS	ABATEMENT LEVEL / TERM
Minimum Requirements - As verified by Missouri DED: 2 New FT employees AND \$100,000 (minimum) capital investment	50% abatement / 10 years
Note: Upon qualification for minimum abatement, additional abatement is calculated according to additional FT Employees and/or additional Capital Investment.	
ADDITIONAL ABATEMENT INCREMENT BENEFITS	
Additional New Jobs Created Exceeding Minimum	
5+ NEW FT employees	5% additional abatement/10 Years
10+ NEW FT employees	7% additional abatement/10 years
15+ NEW FT employees	10% additional abatement/10 years
25+ NEW FT employees	15% additional abatement/10 years
50+ NEW FT employees	20% additional abatement/10 years
100+ NEW FT employees	25% additional abatement/10 years
250+ NEW FT employees	30% additional abatement/10 years
Additional Capital Investment Exceeding Minimum	
Capital investment exceeding \$5 million	5% additional abatement/10 years
Capital investment exceeding \$10 million	10% additional abatement/10 years
Capital investment exceeding \$25 million	15% additional abatement/10 years
Capital investment exceeding \$50 million	20% additional abatement/10 years
Capital investment exceeding \$75 million	30% additional abatement/10 years

Exhibit E
New Markets Tax Credit Eligibility Area Map
 (Source: CDFI Fund – April 2022)

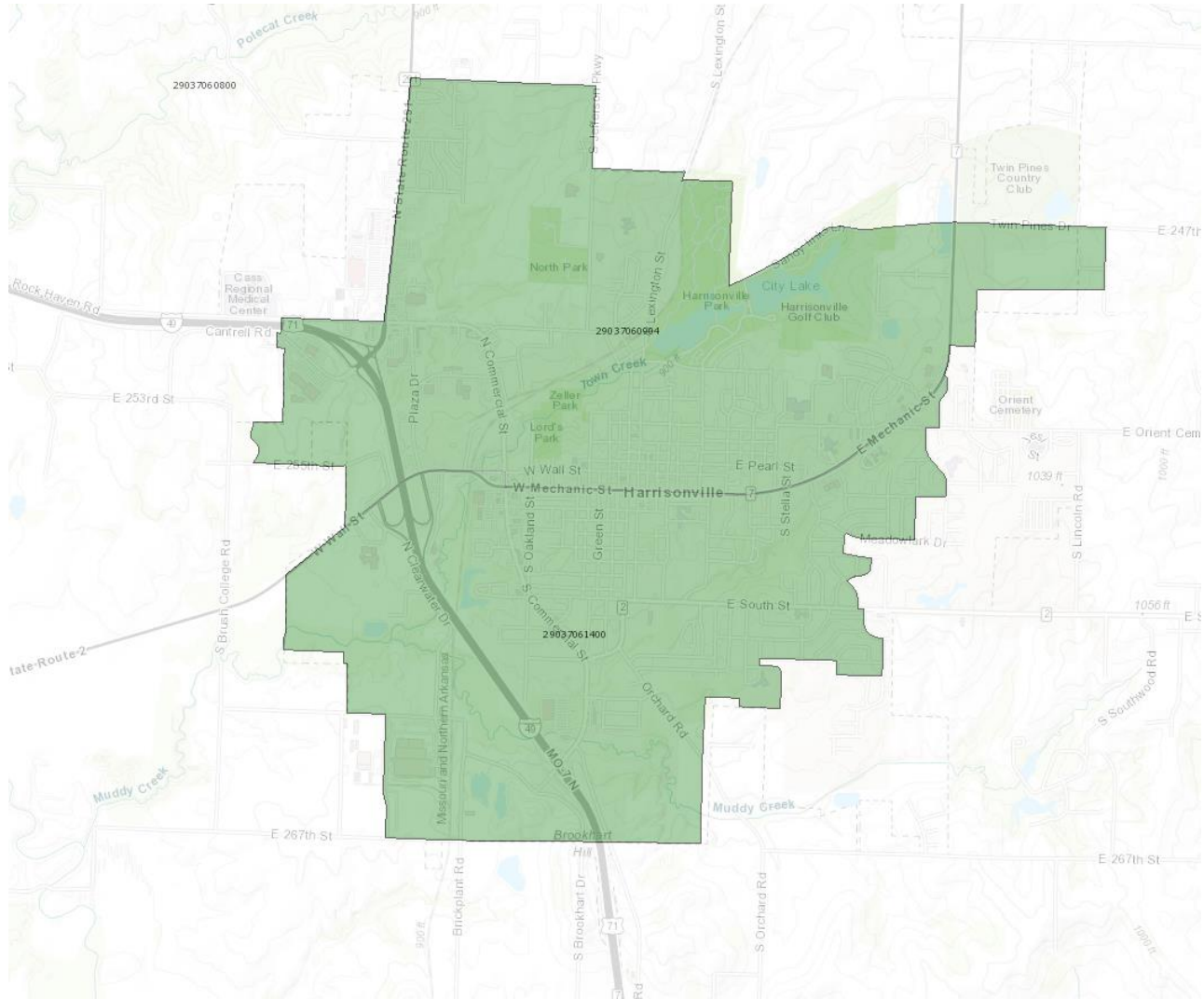


Exhibit F
Enhanced Enterprise Zone Tax Abatement Application



Enhanced Enterprise Zone

REAL PROPERTY TAX ABATEMENT APPLICATION

Application information

Qualified Company – and DBA

Parent

Contact

Address:

Street address

Apt/Unit #

Phone:

Email:

City

State

Zip Code

Federal Tax
ID No. (FEIN)

MITS/
Missou
ri ID
No.

Primary NAICS
Code (primary
line of
business)

Tax Year of
Company

☐ Calendar
Ending: MM/DDDD

☐ Other (Please describe) Beginning: MM/DDDD

Company Structure

Fiduciary ☐ C-Corp ☐ S-Corp ☐ LLC ☐ Sole Proprietorship ☐ Partnership ☐ Non-Profit ☐ Other ☐ (Please Describe)

Primary Business Activity

Production ☐ Processing (Type: Food ☐ Chemical ☐ Pharmaceuticals ☐ Cosmetics ☐ Plastics ☐ Other) ☐ Assembly ☐ Painting/Coating ☐ Warehouse/Distribution ☐ Administrative ☐ Other ☐

Purpose for Project

Expansion ☐ Relocation ☐ Consolidation ☐ Access to Market/s ☐ Access to Suppliers ☐ Access to Raw Materials ☐ Access to Talent/Workforce ☐ Efficiencies ☐ Other ☐

Cause of Growth

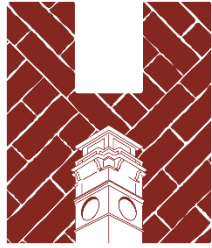
New Customer/s ☐ New Product/s ☐ New Market/s ☐ Merger/Acquisition ☐ Increased Product/s Demand ☐ New Technology/ies ☐ Other ☐

New Capital Investment	Year 1	Year 2	Year 3	Year 4	Year 5
Land Purchase					
Building Purchase					
New Building Construction					
Existing Building Improvements					
New Machinery & Equipment					

New Machinery & Equipment	Year 1	Year 2	Year 3	Year 4	Year 5
Equipment Type 1					
Equipment Type 2					
Equipment Type 3					
Equipment Type 4					
Equipment Type 5					

New Full-time Jobs	Year 1	Year 2	Year 3	Year 4	Year 5
Occupation Title 1	#	#	#	#	#
Occupation Title 2	#	#	#	#	#
Occupation Title 3	#	#	#	#	#
Occupation Title 4	#	#	#	#	#
Occupation Title 5	#	#	#	#	#
Occupation Title 6	#	#	#	#	#
Occupation Title 7	#	#	#	#	#
Occupation Title 8	#	#	#	#	#
Occupation Title 9	#	#	#	#	#
Occupation Title 10	#	#	#	#	#

Wages	Year 1	Year 2	Year 3	Year 4	Year 5
Starting Wage	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Average Wage	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Shift Differential	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Weekend Differential	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs
Maximum Wage	# New Jobs	# New Jobs	# New Jobs	# New Jobs	# New Jobs



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

Are Full-time Employees offered
Health Care Benefits?

Yes ☐ No ☐

Does employer pay at least 50% of
employee's Health Insurance
Premium?

Yes ☐ No ☐

Outdoor Storage? Hazardous? Yes ☐
No ☐

Yes ☐ No ☐

Sewer Discharge Pretreatment
Needed?

Yes ☐ No ☐

Hazardous Chemicals On-Site?

Yes ☐ No ☐

If yes, type?

Special Fire Suppression Required?

Yes ☐ No ☐

If yes,
explain?

Signature

I certify that my answers are true and complete to the best of my knowledge.

If this application leads to granting of Real Property Tax Abatement, I understand that any false or misleading information in my application may result in repeal of any Real Property Tax Abatement granted and the reimbursement (in full) of any Real Property Tax Abatement received.

Signature: _____

Date: _____

Exhibit G
Enhanced Enterprise Zone Benefits Acceptance Letter



Contact
 Title
 Company
 Address
 City, State Zip Code

Date

Re: Enhanced Enterprise Zone (EEZ) Tax Abatement – Acceptance of Benefits Offered for proposed project at address, Harrisonville, Missouri.

Dear Mr./Miss:

Please accept this letter and the accompanying Resolution, as approval by the Board of Aldermen of an Enhanced Enterprise Zone (EEZ) Tax Abatement request for a proposed project (expansion – new construction) of a facility located at address, Harrisonville, Missouri.

Based on the following project assumptions provided by Company:

Approximately s.f. expansion – new construction
 New Capital Investment: \$ (Real Property) - \$ (Personal Property) – Total \$
 New Full-time Jobs – # (over # of years)
 Starting Hourly Wage \$
 Average Hourly Wage \$
 Highest Hourly Wage \$
 Company pays XX% of Employee's Health Insurance Premium

The following Enhanced Enterprise Zone (EEZ) Tax Abatement was Approved:

Year 1 – %
 Year 2 – %
 Year 3 – %



Year 4 – %
 Year 5 – %
 Years 6-10 – %

The Real Property Tax Abatement Term is 10 years.

NOTE: The Enhanced Enterprise Zone (EEZ) Tax Abatement is on Real Property only and does not apply to Personal Property. The Enhanced Enterprise Zone (EEZ) Tax Abatement applies only to New Investment and does not apply to existing Real Property.

Should the project assumptions not be met, the Enhanced Enterprise Zone Tax Abatement Rate may be modified, to reflect the correct Tax Abatement Rate, based on the actual project Capital Investment and New Full-time Jobs created.

Please notify the Economic Development Director when the capital investment has been achieved. Also, please notify the Economic Development Director once the new jobs have been filled. Notification of the new jobs filled, will need to occur for each of the # of years stated in the proposed project assumptions.

Please be informed, the City will assume the project assumptions have not been met, until official notification is received from a Company representative.

The City will communicate with the Cass County Assessor's and Collector's Offices accordingly.

Please sign this acknowledgement letter and return it to the Economic Development Director.

Sincerely,

Jim Clarke, CECD
 Economic Development Director
 300 E. Pearl St.
 Harrisonville, Mo. 64701
 816-380-8973 Direct

Company Representative, Title

Date

Council Bill No. 2022-17**Resolution No. 2022-08**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE AMENDING THE ADOPTED ECONOMIC DEVELOPMENT
INCENTIVES POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI.**

WHEREAS, the City of Harrisonville ("City") believes that quality economic development will aid in attracting and retaining business investment that will benefit the entire community; and

WHEREAS, the City of Harrisonville desires to increase the non-residential tax base to preserve and enhance the City's fiscal capacity to provide the public infrastructure and services necessary to support economic development; and

WHEREAS, the economic development program goals of the City of Harrisonville include economic diversification, broadening of the property tax base, stimulation of private investment, enhancement and support of existing development, quality of materials and design, maintenance of environmental quality, creation of and quality of employment opportunities, and increased per capita income; and

WHEREAS, the City of Harrisonville desires to support, encourage and attract high impact projects, quality employers and new technologies and innovations to the community, favorable consideration for incentives requests will be afforded to companies that engage in Disruptive Technologies or Advanced Manufacturing.

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

SECTION 1: General Considerations

- A. Each location is unique and requires that every proposal be evaluated on its individual merit and overall contribution to the City.
- B. Care will be exercised in the use of economic incentives to thoroughly evaluate each project to ensure that the benefits which will accrue from the approval of the agreement are appropriate for the cost which will result, and that they are equitable to the City as a whole.
- C. All developments are subject to the development review process which includes: staff review of plan submittals, Planning and Zoning Commission review, Board of Aldermen review and other Boards as required by the City Code.

SECTION 2: Investment Criteria – New Business

The City will take into account potential increased revenue to the City from sources associated with benefits of a particular business or overall development. In addition, the City will consider factors such as character of the development, the social and economic needs of the community and whether the business has been identified as a target industry by the City.

SECTION 3: Investment Criteria – Expanding Existing Business

The City will take into account potential increased revenue to the City from sources associated with benefits of a particular business or overall development. In addition, the City will consider factors such as character of the development, the social and economic needs of the community and whether the business has been identified as a target industry by the City.

SECTION 4: Other Considerations

The investment criteria may be either increased or decreased based upon the following considerations:

- A. The potential for incremental growth, revenue and other economic impact.
- B. The possibility of future expansion of real and/or personal property investment.
- C. Desired or unique niche in marketplace consistent with City Goals, the Comprehensive Plan, or other desired amenities as set forth by the City.
- D. Employment impact. In evaluating the employment potential of a given enterprise, the following shall be taken into consideration:
 - 1) Number of additional new full-time employees
 - 2) Skill and education levels
 - 3) Range of salary and compensation
 - 4) Potential for executive relocation
 - 5) Amount of Total Payroll
- E. Potential of outside financial assistance.
- F. Enhancement of City's image and reputation.
- G. Increased sales taxes and/or other revenues.
- H. Whether the project produces value-added products or services.
- I. Impact on schools and other public entities. The City strongly encourages the

incorporation of

Payment in Lieu of Taxes (PILOTS) for developments that add new students to the school population when structuring an economic development incentive agreement that impacts school district revenues.

J. Retention of existing business is a goal of the City and should be taken into consideration.

SECTION 5: Performance Agreement

Any incentive granted pursuant to this Resolution shall be accompanied by a Performance Agreement between the applicant and/or lessee and the City, which is subject to annual review and determination by the Board of Aldermen that the conditions qualifying the business for the exemption continue to exist. The City shall review information provided by the company, lessee, county, or State to determine compliance with the Agreement. If the Board of Aldermen finds that the business or project is not in compliance, then the tax exemption may be modified pursuant to the Performance Agreement, or eliminated, as the Board of Aldermen deems appropriate. The County Assessor shall be notified of such action.

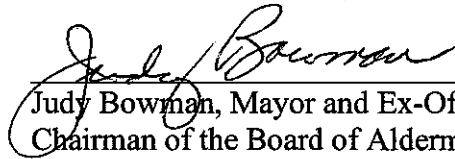
SECTION 6: Incentive Review Process

The City incentive review process has been established to ensure timely responses and well defined procedures. The process is as follow:

- A. A prospect should contact the Harrisonville Director of Economic Development and provide sufficient information to allow the City to make an informed decision regarding incentives.
- B. The City Administrator and Director of Economic Development shall discuss the project details to determine their applicability to this policy.
- C. The City Administrator shall determine the appropriate time of briefing the Board of Aldermen (or other applicable Commission, Board or other governmental entity) of prospects seeking incentives.
- D. Once it is determined to proceed with a request for incentives, incentive terms are prepared and presented to the Board of Aldermen (or other applicable Commission or Board) for review, discussion and potential approval.

SECTION 7: That this Resolution and the associated Economic Development Incentives Policy shall become effective immediately upon its passage and approval.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI, THIS 4TH DAY OF APRIL 2022.

VOTE TAKEN AS FOLLOWS:**AYES:** Davidson, Doerhoff, Franklin, Mills, Milner, Reece, Turner, Zaring**NAYS:****RECUSED:****ABSENT:**

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

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of March, 2022.

COUNCIL BILL NO. 086**RESOLUTION NO. 045-10****A RESOLUTION OF THE CITY OF HARRISONVILLE, MISSOURI, SUPPORTING AN APPLICATION FOR AN ENHANCED ENTERPRISE ZONE AND ESTABLISHING REAL PROPERTY TAX ABATEMENT RATE FOR THE HARRISONVILLE ENHANCED ENTERPRISE ZONE.**

WHEREAS, the Board of Aldermen of the City of Harrisonville established the Harrisonville Enhanced Enterprise Zone Board; and

WHEREAS, the Department of Economic Development of the State of Missouri has confirmed that the City of Harrisonville and Cass County's proposed Enhanced Enterprise Zone meets guidelines for designation as an Enhanced Enterprise Zone, as set forth in RSMo. 135.950; and

WHEREAS, Sections, 135.950 to 135.973, RSMo, provides a means and an opportunity for the City of Harrisonville and Cass County to cooperate with the State of Missouri to relieve economic distress and attract new jobs to our area; and

WHEREAS, a public hearing was held on December 14, 2010, regarding the proposed Enhanced Enterprise Zone; and

WHEREAS, it is in the interest of the City of Harrisonville and Cass County, that efforts be made to encourage economic development within and around the City of Harrisonville and that these economic development efforts are compatible with the City and County Comprehensive Plans; and

WHEREAS, the Board of Aldermen of the City of Harrisonville supports this type of incentive to encourage businesses to locate and expand in and around the City of Harrisonville.

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

SECTION 1. The City of Harrisonville supports and endorses an application for an Enhanced Enterprise Zone, as outlined in the map attached as *Exhibit A*.

SECTION 2. That eligible facility shall include those companies which operate in Missouri under the following North American Industrial Classification Codes (NAICS). The primary clusters include:

22111	Electric Power Generation
31-33	Manufacturing
42	Wholesale Trade
48-49	Transportation and Warehousing
51112	Periodical Publishing
51113	Book Publishing
51114	Directory and Mailing List Publishers
51119	Other Publishers
5112	Software Publishing
51211	Motion Picture and Video Production
51212	Motion Picture and Video Distribution
51219	Postproduction Services and Other Motion Picture & Video Industry
5122	Sound Recording Industries
515	Broadcasting (except internet)
518	Data Processing, Hosting and Related Services
5413	Architectural, Engineering, and related services
5414	Specialized Design Services
5415	Computer Systems Design and Related Services
5416	Management, Scientific and Technical Consulting Services
5417	Scientific Research and Development Services
5419	Other Professional, Scientific, and Technical Services
55	Management of Companies and Enterprises
562	Waste Management and Remediation Services
6222	Psychiatric and Substance Abuse Hospitals
6223	Specialty Hospitals (except psychiatric and substance abuse)
71111	Theater Companies and Dinner Theaters
71119	Other Performing Arts Companies
7112	Spectator Sports
712	Museums, Historical Sites, and Similar Institutions
71311	Amusement and Theme Parks

NOTE: All gambling (7132), retail establishments (44-45), educational services (61), religious organizations (8131), public administration (92), and eating and drinking establishments (722) are not eligible.

SECTION 3. The City of Harrisonville Enhanced Enterprise Zone is a discretionary program. Eligible facilities which meet the criteria of the program and are offered the property tax abatement incentive (an "Approved Facility") will receive a minimum of 50% abatement of property taxes for improvements made to the real property for a period of 10 years from assessment of improvements. Failure of an Approved Facility to maintain the minimum criteria of the program throughout the abatement period may result in a reduction of the percentage of tax abatement and a requirement that such Approved Facility repay a portion of the property taxes which were abated under the program for any period in which the minimum criteria were not in place.

SECTION 4. That the Board of Aldermen supports and endorses the recommendation of the Enhanced Enterprise Zone Board of Directors regarding the Benefit Level Options as noted on *Exhibit B* where additional property tax may be available to eligible facilities.

SECTION 5. Those eligible companies are required to file an application requesting abatement with the designated Administrator of the Enhanced Enterprise Zone and with the Cass County Assessor prior to the end of the tax year in which the improvement was made in order to receive the abatement benefit.

SECTION 6. That the City Administrator or designee of the City of Harrisonville shall be designated Administrator of the Enhanced Enterprise Zone.

SECTION 7. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. That the City of Harrisonville be, and hereby is, authorized to execute the required application documents.

SECTION 9. That this resolution shall be in full force and effect from and after its passage and approval.

Voice vote taken as follows:

Ayes: Aldermen Stull, Mollenhour, Hammonds and Licht
 Nays: Aldermen Young and Dickerson
 Absent: Aldermen Reece and Coburn
 Abstain: None

PASSED AND APPROVED ON THIS 14TH DAY OF DECEMBER 2010, BY THE BOARD OF ALDERMEN AND MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI THIS 14TH DAY OF DECEMBER 2010.



Kevin W. Wood, Mayor and Ex-Officio
 Chairman of the Board of Aldermen

ATTEST:


 Debbie Grant, City Clerk

APPROVED by the Mayor this 14th day of December 2010.

Exhibit B

HARRISONVILLE	
ENHANCED ENTERPRISE ZONE	
TIERED INCENTIVE SCHEDULE	
BASE QUALIFICATION REQUIREMENTS	
ABATEMENT LEVEL / TERM	
Minimum Requirements - As verified by Missouri DED: 2 New FT employees AND \$100,000 (minimum) capital investment	50% abatement / 10 years
Note: Upon qualification for minimum abatement, additional abatement is calculated according to additional FT Employees and/or additional Capital Investment.	
ADDITIONAL ABATEMENT INCREMENT BENEFITS	
Additional New Jobs Created Exceeding Minimum	
5+ NEW FT employees	5% additional abatement/10 years
10+ NEW FT employees	7% additional abatement/10 years
15+ NEW FT employees	10% additional abatement/10 years
25+ NEW FT employees	15% additional abatement/10 years
50+ NEW FT employees	20% additional abatement/10 years
100+ NEW FT employees	25% additional abatement/10 years
250+ NEW FT employees	30% additional abatement/10 years
Additional Capital Investment Exceeding Minimum	
Capital investment exceeding \$5 million	5% additional abatement/10 years
Capital investment exceeding \$10 million	10% additional abatement/10 years
Capital investment exceeding \$25 million	15% additional abatement/10 years
Capital investment exceeding \$50 million	20% additional abatement/10 years
Capital investment exceeding \$75 million	30% additional abatement/10 years

Council Bill No. 2024

Resolution No. 2024

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE AMENDING THE ADOPTED ECONOMIC DEVELOPMENT
INCENTIVES POLICY FOR THE CITY OF HARRISONVILLE, MISSOURI.**

WHEREAS, the City of Harrisonville (“City”) believes that quality economic development will aid in attracting and retaining business investment that will benefit the entire community; and

WHEREAS, the City of Harrisonville desires to increase the non-residential tax base to preserve and enhance the City’s fiscal capacity to provide the public infrastructure and services necessary to support economic development; and

WHEREAS, the economic development program goals of the City of Harrisonville include economic diversification, broadening of the property tax base, stimulation of private investment, enhancement and support of existing development, quality of materials and design, maintenance of environmental quality, creation of and quality of employment opportunities, and increased per capita income; and

WHEREAS, the City of Harrisonville desires to support, encourage and attract high impact projects, quality employers and new technologies and innovations to the community, favorable consideration for incentives requests will be afforded to companies that engage in Disruptive Technologies or Advanced Manufacturing.

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

Section 1: That the City Administrator of the City of Harrisonville is hereby authorized and directed to sign and enact the amended Economic Development Incentives Policy.

Section 2: That this resolution and the amended Economic Development Incentives Policy shall become effective immediately upon its passage and approval.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI, THIS 21ST DAY OF OCTOBER 2024.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

RECUSED:

ABSENT:

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

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of October, 2024.

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 16, 2024
SUBJECT: Resolution Updating Police Tow Contract

Type of Item: *Approval*

B. Action Item (ID # 4996)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A TOW POLICY AGREEMENT WITH J'S SOUTHLAND TOW, MILLER TOW SERVICE, ALL PRO TOW AND SUCH OTHER TOW COMPANIES AS ARE WILLING TO MEET THE REQUIREMENTS OF THE AGREEMENT.

Attachments:

Staff report Tow Contract (DOC)
Updated Miller Tow Agreement 2024 (DOCX)
Tow Agreement Application 2022 (PDF)
Non-Preference Tow Agreement 2024 (DOCX)



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

5.B.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: Darla D. Harris, Director
Date: October 21st, 2024

Re: Tow Agreement

GENERAL INFORMATION

Applicant: Miller Tow Service/ J's Southland Tow/ All Pro Tow

Requested Actions: Approval of Tow Agreement

Date of Application: NA

PROPOSAL

Approval of Tow Agreement

PREVIOUS ACTIONS

From 2002 through 2010 the City governed non-preference and police ordered tows through a contract with either Miller Tow or Johnson Tow. In 2011 the City adopted a Tow Policy Agreement which included a tow rotation for all companies that met the agreement requirements and had signed the agreement. There is a current tow policy agreement with Miller Tow and J' Southland Tow but there is one new tow company, All Pro Tow, wanting to be added to the agreement.

Also due to the new RMS/CAD system (Central Square), not being set up to dispatch tows on a weekly rotation the new contract will dispatch non-preference tows on a single tow rotation.

KEY ISSUES

No key issues noted by staff.

STAFF COMMENTS AND SUGGESTIONS

Miller Tow and J's Southland Tow participated during the prior tow agreement period. A copy of the proposed Tow Policy Agreement is attached for your review.

We are proposing to add All Pro Tow to the tow policy agreement. All Pro Tow and J's Southland are awaiting special use permit approval. Once approved and All Pro Tow obtains their business license All Pro Tow will be added into the non-preference tow on a single tow rotation versus a weekly rotation for the agreement period.

Attachment: Staff report Tow Contract (Resolution Updating Police Tow Contract)

STAFF RECOMMENDATION

Staff recommend approval for this agreement and tow agreements with J's Southland Tow, Miller Tow and All Pro Tow once all required permits, licenses and other governmental approvals are submitted, to include the special use permit approval and business license.

ATTACHMENTS

Proposed Tow Policy Agreement

Non-Preference Tow Agreement 2021

STAFF CONTACT:

Darla D. Harris
dharris@harrisonville.com
816-380-8932

CITY OF HARRISONVILLE, MISSOURI AGREEMENT FOR TOW SERVICES

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THIS AGREEMENT is effective the ____ day of _____, 2024 (the “**Effective Date**”), between the **City of Harrisonville, Missouri**, a municipal corporation of the State of Missouri, (hereinafter “**City**”) acting through its duly authorized City Administrator, and Miller Tow (hereinafter collectively referred to as “**Contractor**”) described in the **Addendums**.

NOW, THEREFORE, in consideration of the compensation to be paid to the **Contractor** and of the mutual agreements herein contained, the parties to these presents have agreed and hereby agree, the **City** for itself, and its successors, and the **Contractor** for itself, himself, or themselves, its, his or their successors, assigns, executors and administrators, as follows:

1. Definitions:

1.1. “Police-Ordered Tow”

- is defined as being those tows, as ordered by the Harrisonville Police Department for:

- 1.1.1. Vehicles involved in traffic crashes;
- 1.1.2. Abandoned vehicles on roadways;
- 1.1.3. Disabled vehicles;
- 1.1.4. Abandoned or unclaimed vehicles on private property;
- 1.1.5. Vehicles seized or impounded as evidence;
- 1.1.6. Recovered stolen vehicles;
- 1.1.7. Vehicles involved in crimes;
- 1.1.8. Vehicles relocated during a City emergency; and
- 1.1.9. Other vehicles as requested by the Police Department.

1.2. “Storage Fee”

- is defined as being a fee charged for the storage of a vehicle on the approved lot of the **Contractor** per each calendar day. For the purposes of administration, the first day’s storage will be assessed at 12:01 A.M. of the day following the tow and at 12:01 A.M. on each day thereafter and the storage lot shall be open between the hours of 8:00 A.M. to 5:00 P.M. Monday through Friday and 9:00 A.M. to 12:00 Noon on Saturday. If any vehicles towed at the direction of the Police Department remain in **Contractor’s** storage facility at the end of the term of this Agreement the **Contractor** shall transport the vehicles to a location to be designated by the Police Department at the sole cost and expense of **Contractor**.

1.3. “Evidence Storage Fee”

- is defined as being a fee charged for the storage of a vehicle, which has been seized for evidence, on the approved lot of the **Contractor** per each 30 days. For the purposes of

administration, the first month's storage will be assessed at 12:01 A.M. of the day following the tow and continued for thirty (30) calendar days.

1.4. "Tow Charge"

- shall include any charge for preparation and towing of a vehicle including, but not limited to: unlocking door, freeing the steering column, disconnecting the driveline, winching onto truck, dollying and mileage charges. In the event of an error by the Police Department in towing a vehicle, or when other extenuating circumstances exist, as determined by the Police Department, **Contractor** will cancel all charges to the vehicle owner at the request of the Police Department.

2. Basic Services and Performance Standard.

2.1. Agreement and Services.

The **Contractor** listed above agrees at its sole cost and expense, provide, perform, and complete, in the manner specified and described, and upon the terms and conditions set forth, in this **Agreement** and **City's** written notification of acceptance in the form included in this bound set of documents, all of the following, all of which is herein referred to as the "**Services**":

2.1.1. Labor, Equipment, Materials, and Supplies.

Provide, perform, and complete, in the manner specified and described in this **Agreement**, all necessary work, labor, services, transportation, mileage, equipment, materials, supplies, information, data, and other means and items necessary for police-directed towing services in and around Harrisonville, Missouri ("**Services Site**");

2.1.2. Permits.

Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary in connection with the **Services**;

2.1.3. Quality.

Provide, perform, and complete all of the foregoing in a proper and workmanlike manner, consistent with the highest standards of professional towing practices, in full compliance with, and as required by or pursuant, to this **Agreement**, and with the greatest economy, efficiency, and expedition consistent therewith, with only new, undamaged, and first quality equipment, materials, and supplies.

2.2. Performance Standards.

If this **Agreement** is accepted, **Contractor** proposes and agrees that all **Services** shall be fully provided, performed, and completed in accordance with the specifications herein or outlined in and attached to this **Agreement**.

2.3. Responsibility for Damage or Loss.

If this **Agreement** is accepted, **Contractor** proposes, and agrees that **Contractor** shall be responsible and liable for, and shall promptly and without charge to **City** repair or replace, damage done to, and any loss or injury suffered by, **City**, the **Services**, the **Services Site**, or other property or persons as a result of the **Services**. **Contractor** also proposes, and agrees that it shall indemnify, defend, and hold harmless the **City** from any and all claims for damages arising under the **Services** performed by **Contractor** under this **Agreement**.

3. Price for Services.

The **Contractor** agrees to take in full payment for all **Services** and other matters set forth under this **Agreement**, including overhead and profit; taxes, contributions, and premiums; and compensation to any subcontractors and suppliers, the compensation set forth in the maximum fee schedule (“**Fee Schedule**”) below:

3.1. Schedule of Prices.

For providing, performing, and completing each of these items of **Service** the following amounts per item:

Fee Schedule

Service	Price	Period
Tows (not involving an accident)	\$150.00	per tow
Tows (involving an accident)	\$210.00	per tow
Service Call Fee (Jump Start Disabled Vehicle)	\$75.00	per call
Allowable Response Time	15/20	minutes
Heavy Duty Towing (Over 40,000 pounds)	*SCR	per tow
Daily Storage (No storage fee may be charged until after 12:01 A.M.)	\$50.00	per day
Response Time to Tow Lot	15	minutes
After Hours Release Fee	\$50.00	per tow

The **Contractor** agrees to provide the services set forth herein at the rates provided in the **Fee Schedule**. No other fees or charges are allowed. If any vehicle towed pursuant to this policy remains in the Contractor’s storage facility beyond the term of the agreement, the **Contractor** shall not increase the Daily Storage Fee amount beyond the amount listed in this Section.

3.2. **Basis For Determining Prices.**

It is expressly understood and agreed that:

3.2.1. All prices stated in the **Fee Schedule** are firm and shall not be subject to escalation or change;

3.2.2. The **City** is not subject to state or local sales, use, and excise taxes, that no such taxes are included in the **Fee Schedule**, and that all claim or right to claim any additional compensation by reason of the payment of any such tax is hereby waived and released;

3.2.3. All other applicable federal, state, and local taxes of every kind and nature applicable to the **Services** are included in the **Fee Schedule** and;

3.3. **Time of Payment.**

It is expressly understood and agreed that all payments shall be made by the owner of the vehicle that has been towed or for which service has been called, and shall be paid at the time of release of the vehicle. Under no circumstances shall the **City** be liable for, or responsible to make

or collect, any charge or payment to or on behalf of **Contractor**. **Contractor** shall accept cash, certified checks, and bankcards under generally accepted business guidelines as payment for work by individuals who have had their vehicles towed and/or stored by **Contractor**.

4. Acceptance and Term of Agreement.

If this agreement is accepted, **Contractor** agrees that **Contractor** shall commence the Services immediately following **City's** signed acceptance of this **Agreement**, if after _____, provided **Contractor** has furnished to **City** all insurance certificates and policies of insurance specified in this agreement. The terms of this agreement shall commence at 12:01 A.M. _____, and expire at 11:59 P.M. _____, unless terminated for cause or with 30 days written notice from either the tow service or the **City**. One month prior to renewal of this agreement, _____, the **Fee Schedule** within this **Agreement** may be requested for review by the **Contractor**. The acceptance of said requests shall be determined in the sole discretion of the **City**.

5. Termination of Agreement.

5.1. Termination for Cause.

The failure of the **Contractor** to properly perform any of the **Services** under this **Agreement** shall be cause for the immediate termination of the **Contractor** without 30 day written notice. If an employee of the **Contractor** is charged with a criminal offense (other than a minor traffic offense) the **Agreement** is subject to review and termination by the **City**.

5.2. Contractor's Right to Terminate.

Contractor shall have the right to terminate this **Agreement** at any time upon 60 day written notice to the **City**. Termination of this **Agreement** by **Contractor** shall not relieve **Contractor** of any liability to the **City** existing as of the date of such termination or accruing at any time as the result of, or related to, any act or failure to act on the part of **Contractor** prior to such termination.

5.3. Termination for Convenience.

The **City** shall have the right to terminate this **Agreement** at any time, for its convenience, upon 15 day written notice to the **Contractor**. The **City** may terminate the **Agreement** pursuant to this Section for any reason, or no reason.

5.4 Remedies.

Upon the occurrence of any of the circumstances of default and for so long as the same shall continue to exist, **City** may hold and/or declare **Contractor** in breach of this **Agreement** by giving written notice thereof: whereupon, **City** shall have any and all rights of recovery which may be available through procedures at law or in equity.

6. Tow Form Confirmation Receipt.

The **Contractor** shall provide the **City** Police Department an email address (Miller Tow busybeesalvage@yahoo.com attention to Christina) for the **City** Police Department to submit a completed tow form. The **Contractor** must confirm receipt of the completed tow form within 24 hours. Failure to submit the tow form confirmation receipt shall result in the immediate removal of the **Contractor** from the rotation. Once the delinquent report has been properly submitted the

Contractor will be reinstated to the rotation. Any tows missed due to being removed from the rotation will not be made up.

7. Monthly Report.

The **Contractor** shall provide the **City** Police Department a monthly report which includes a copy of the customer invoice for each vehicle towed under this agreement and the release and/or disposition of each vehicle towed by the **Contractor**. Failure to submit the monthly report by the 10th of each month shall result in the immediate removal of the **Contractor** from the rotation. Once the delinquent report has been properly submitted the **Contractor** will be reinstated to the rotation. Any tows missed due to being removed from the rotation will not be made up.

8. Services Rendered Only Upon Notice.

Services under this **Agreement** shall be rendered only upon the request of the Police Department. **Contractor**, upon notification by the Police Department, shall send the requested number and type of tow trucks to the designated location. At the direction of the police officer in charge at the scene, the **Contractor** shall remove the vehicle(s) from the scene directly to the **Contractor's** storage facility, for the price specified in this policy.

Contractor shall alternate service as provided below:

The designated tow service (Miller Tow, J's Southland or All Pro Tow) shall provide all non-preference tows requested by the Police Department. Miller Tow, J's Southland and All Pro Tow shall rotate non-preference tow request. If the tow requested involves multiple vehicles the tow company whose rotation it is shall provide all required services, unless said tow company request assistance. If said tow company request assistance it does not change the rotation order requested by the Police Department for non-preference tows. If the non-preference tow company is cancelled prior to or upon arrival by no fault of the non-preference tow company that non-preference tow company will maintain their spot in the rotation.

If the scheduled **Contractor** fails to answer a call from a **City** communications officer, the communications officer will attempt to contact **Contractor** again. If the **Contractor** fails to answer both calls from the communications officer, the officer shall call the **Contractor** not scheduled to provide services the non-preference tow request.

Should **Contractor** fail to answer a **City** communications officer's calls or decline to take a tow more than three (3) times in a thirty (30) day period, the **City** shall have the right to suspend or terminate the offending **Contractor** from the rotation schedule, above.

9. Dispatch.

The **City** agrees to dispatch the **Contractor** on a rotation to the site of any police-ordered tow during the term of this Agreement. However, it is expressly understood by the parties hereto that if the Police Department is unable to contact the **Contractor** during their rotation, at the number specified within this agreement, within one call and four rings, or is otherwise unable to obtain a response to the scene from **Contractor** within a reasonable period of time, another tow

operator may be contacted by the Police Department for removal of the subject vehicle(s) and such shall be deemed the **Contractor's** turn in the rotation. Determination of whether **Contractor** or any other tow services may respond "within a reasonable period of time" shall be at the sole discretion of the requesting officer, based on the facts and circumstances of the requested tow.

10. Licensing and Background Information.

All of the **Contractor's** drivers and operators shall have and maintain all required federal and Missouri driver's licenses. Verification of proper licenses for each driver and operator shall be filed annually with the **City** and a list of such drivers and operators and their respective licenses shall be kept by the **Contractor** in its office and subject to a reasonable review and inspection from time to time by the **City**.

11. Specific Service Requirements.

Contractor shall be responsible the following Specific Service Requirements in the performance of its duties under the **Agreement**, and failure of **Contractor** to abide any of the terms and conditions of the Tow Service Agreement or perform any of the **Services** specified herein shall be cause for immediate termination of the **Contractor**.

11.1 Police Department – First Priority.

The **Contractor** shall consider calls from the Police Department as having first priority over requests for tow service from other parties. **Contractor** shall maintain the equipment and labor force needed to supply the services on a full twenty-four hour per day basis every day of the year.

11.2 Removal of Personal Property.

Contractor shall allow owners of police-directed towed vehicles one (1) opportunity during normal business hours to remove personal property from their vehicles (with the exception of "hold" vehicles) at no additional charge to the vehicle owner. Vehicle owners shall also be allowed to remove the license plates from their vehicles. No property is to be removed from seized or evidence tows without prior verbal authorization of a Police Department official.

11.3 Tow Regulations of City.

The **Contractor** shall obtain a copy of ordinances of the City of Harrisonville regulating towed vehicles.

11.4 Accident Debris.

After each tow, **Contractor** shall clean and remove all accident and vehicle debris, including, without limitation, shattered glass, oil, and radiator fluids, from the area of the tow. The **Contractor** shall not be responsible for collection or removal of any cargo spilled from any vehicle except only if the **Contractor** caused such spill while providing the Services. **Contractor** shall not be responsible for cleaning or handling of any hazardous material. **Contractor** shall report to the City immediately the presence of any hazardous material. The removal of debris and the collection or removal of cargo spilled by **Contractor** shall be considered an integral part of any Services and no additional labor charge shall be assessed for such removal or for materials used in the removal process.

11.5 Public Safety Access to Storage Lot.

The **Contractor** shall provide 24-hour access to the storage lot for the purpose of evidence processing for the Harrisonville Police Department.

11.6 Towing Service Information Sheet.

The **Contractor** shall provide a Towing Service Information Sheet to all customers which includes: Contractor's name, address, tow lot address, phone number, hours of operation, price list of services and designation of a private or police tow. If the owner/operator is unavailable, the information sheet will be provided to the Harrisonville Police Officer requesting the tow.

11.7 Release of Vehicles.

The **Contractor** shall not release a vehicle of a Police Ordered Tow without verbal permission of the Harrisonville Police Department.

11.8 Safety Equipment.

The **Contractor** shall insure that all vehicles are equipped with fire extinguishers, safety chains (minimum 3/8" chain), yellow oscillating or flashing light bars, broom bucket and shovel, oil absorbent material, and auxiliary taillight hook-ups on every tow truck utilized for towing vehicles.

11.9 Response Time.

During normal business hours (8:00 A.M.—5:00 P.M.) Monday through Friday, **Contractor** shall arrive at the scene of a requested tow with the requested and required equipment within fifteen (15) minutes after the request for the tow has been made. On weekends and after normal business hours, **Contractor** shall arrive at the scene of the tow within twenty (20) minutes after the request for the tow has been made. **Contractor** shall provide its personnel with the necessary communications equipment to fulfill the required response times. **Contractor** shall maintain the equipment and labor force needed to supply the Services on a full twenty-four hour per day basis every day of the year. Failure to respond within the designated response times listed could cause immediate termination of the **Contractor**.

11.10 Storage Lot.

The **Contractor** shall own or lease a storage lot within two (2) miles of the City limits of Harrisonville, Missouri which shall be utilized by **Contractor** for every tow required hereunder, unless another location is designated by the owner/operator of the vehicle and approved by the requesting officer. The storage lot must be completely enclosed by an opaque chain link fence at least six feet high, sufficiently secured to protect against the intrusion of unauthorized persons and provide a minimum storage capacity for twenty-five (25) vehicles. Such fencing shall be completely opaque, with any open areas in the fencing (such as gates) positioned away from residential structures. Such fencing shall not allow the view of any vehicles or materials inside the fenced enclosure from off the premises. The storage lot operated by the **Contractor** shall be open between the hours of 8 A.M. to 5 P.M. Monday through Friday, and 9 A.M. to 12 Noon on Saturday for an owner to retrieve a vehicle towed to the lot.

12. Insurance.

The **Contractor** shall maintain in full force and effect throughout the period of this

Agreement general liability insurance covering bodily injury liability and property damage in an amount not less than \$1,000,000 per occurrence and \$2,000,000 aggregate. A certificate of such policy or policies of insurance shall be furnished to the **City** prior to the execution of the **Agreement** with the **Contractor** and the **City** shall be named as an additional insured on all said policies. The **City** shall receive at least thirty (30) days written notice prior to the cancellation of any insurance. Contractor shall also provide a reasonable bond, if the City determines a bond is necessary to protect the City or the owner of any towed vehicle.

13. Contractor's Is an Independent Contractor.

It is understood and agreed that the intention of the parties is that **Contractor** is an independent contractor. Furthermore, this **Agreement** does not cause **Contractor** to be an employee, agent, or partner of **City** for any reason whatsoever. **Contractor** also hereby agrees that he/she/it is solely responsible for their acts and the acts of **Contractor's Agents** while **Contractor** is engaged in the performance of services under this **Agreement**.

14. Hold Harmless.

The **Contractor** shall protect and hold harmless the City of Harrisonville, its Mayor and Board, all elected officials, staff, employees, and representatives from any and all claims, for any loss, damage or injuries sustained by any person or property which may arise out of the towing of a vehicle and/or involving the contents of a towed vehicle. In addition, the **Contractor** shall protect and hold harmless the City of Harrisonville from any and all claims for any loss, damage, or injuries sustained by any person or entity arising out of the terms of this **Agreement**, including without limitation, all expenses incurred and attorney fees, court costs, and expenses related to any litigation.

15. Equal Employment/Affirmative Action/Non-Discrimination.

In the event of a breach of any of the non-discrimination or equal opportunity covenants, the **City** shall have the right to terminate this **Agreement**.

15.1 Equal Employment Opportunity.

The **Contractor** will not, on the grounds of race, creed, color, sex or national origin, discriminate or permit discrimination against any person or group of persons in any manner.

15.2 Non-Discrimination.

Contractor, for itself, its successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree, that no person, on the grounds of race, color, sex or national origin, shall be excluded from participation or denied the benefits of, or be otherwise subjected to discrimination in the performance by **Contractor** of this **Agreement**. **Contractor** further agrees to furnish all services required by this **Agreement** on a fair, equal and not unjustly discriminatory basis to all users thereof.

The parties hereto understand and agree that the **City** may, from time to time, be required by the United States Government, the State of Missouri or its agencies to adopt additional or amended provisions, including discrimination provisions, concerning the performance of this

Agreement and **Contractor** agrees that it does adopt such requirements as a part of this **Agreement**.

16. Notices.

All notices to be given to either party under this lease shall be given by personal delivery or, except as herein otherwise expressly provided, shall be in writing and shall be sent by certified mail, return receipt requested, to the proper business address of both parties. The effective date of service of any such notice shall be the date such notice is deposited with the United States Postal Service as first class mail to **Contractor** or to the **City**.

16.1 City:

Notice to **City** shall be properly addressed to:

City of Harrisonville
Attn: Chief Randal Moody
P.O. Box 367
205 N. Lexington Street
Harrisonville, MO 64701,

or such other address as **City** may designate in writing to **Contractor**.

16.2 Contractor:

Notice to **Contractor** shall be properly addressed to:

Miller Tow
_____ (address)
_____, (city, state, zip)
_____ (telephone number)

or such other address as **Contractor** may designate in writing to **City**.

17. Authority to Sign.

Contractor and **City** each represent and warrant to the other that the person or entity signing this **Contract** on behalf of such party is duly authorized to execute and deliver this **Contract** and to legally bind the party on whose behalf this **Contract** is signed to all of the terms, covenants and conditions contained herein. **Contractor** shall remain during the **Contract** term in good standing under the Laws of the State in which it was organized and affirms **Contractor** is duly qualified to do business in the State of Missouri.

18. Miscellaneous.

18.1 Taxes.

Contractor shall pay all applicable federal, state, and local taxes.

18.2 Assignment and Modification.

Contractor shall not assign, transfer, exchange or encumber this **Agreement**, or any part thereof, without the express written consent of the **City**. This **Agreement** and the attachments hereto shall not be modified or amended in any way, except if done in writing, and signed by both the **City** and the **Contractor**.

18.3 Cooperate to Accomplish Purpose:

The parties hereto shall cooperate to accomplish the intended purpose of this **Agreement**, including but not limited to, the signing and endorsement of any document or writing of any type whatsoever necessary to accomplish the intended purpose of this **Agreement**.

18.4 Compliance with Laws.

Contractor shall comply with all municipal, township, county, state and federal laws, rules and regulations which pertain to the **Agreement**, and save harmless the **City** for or on account of all charges or damages for non-observance thereof.

18.5 Business License.

The **Contractor** shall have and maintain during the term of the **Agreement** a business license from the City of Harrisonville.

18.6 Contractor's Bankruptcy.

If **Contractor** shall be adjudged bankrupt or file any proceedings under any bankruptcy law or become insolvent; then **City**, or **City's** authorized agent, may, at their option, immediately terminate this **Contract**. Notwithstanding such **Contract** termination by **City**, **Contractor** shall nevertheless remain liable to **City** for the terms and conditions of this **Contract**. This **Contract** shall not, nor shall any interest therein, be assignable as to the interest of the **Contractor** by operation of the law, nor included as an asset in **Contractor's** bankrupt estate.

18.7 Headings; Construction.

The headings that have been used throughout this **Contract** have been inserted for convenience of reference only and do not constitute matter to be construed in interpreting this **Contract**. Words of any gender used in this **Contract** shall be held and construed to include any other gender and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise. The words "herein," "hereof," "hereunder" and other similar compounds of the word "here" when used in this **Contract** shall refer to the entire **Contract** and not to any particular provision or section. If the last day of any time period stated herein shall fall on a Saturday, Sunday or legal holiday, then the duration of such time period shall be extended so that it shall end at 5:00 p.m. on the next succeeding day which is not a Saturday, Sunday or legal holiday.

18.8 Attorney's Fees.

Should it become necessary for the **City** to employ an attorney or any form of local law enforcement to enforce any of the conditions herein, **Contractor** agrees to pay all expenses so incurred, including all reasonable attorney fees, court costs, and enforcement expenses related to litigation.

18.9 Invalidity or Severability.

If any one or more of the provisions of this **Agreement**, or the applicability of any such provision to a specific situation, shall be held invalid or unenforceable, such provision shall be modified to the minimum extent necessary to make it or its application valid and enforceable, and the validity and enforceability of all other provisions of this **Agreement** and all other applications of any such provision shall not be affected thereby.

18.10 Waiver.

No waiver of any default by **Contractor** hereunder shall be implied for any omission by **City** to take any action on account of such default if such default persists or is repeated. One or more waivers of any covenant, term or condition of this **Agreement** by **City** shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.

18.11 Governing Law.

The **Agreement** shall be governed by and construed under the Laws of the State of Missouri.

18.12 Binding Effect.

The covenants, obligations and conditions contained herein shall be binding on and inure to the benefit of the heirs, legal representatives, and assigns of the parties hereto. Every reference in this **Agreement** to a party shall also be deemed to be a reference to the authorized officers, employees, agents, and representatives of such party.

18.13 Time of Essence

Time shall be of the essence in the performance of each and every covenant by **Contractor** pursuant to the terms of this **Agreement**. Except where stated otherwise, references in this agreement to days shall be construed to refer to calendar days.

18.14 Entire Agreement

This **Agreement** contains the entire agreement between the parties. All promises, representation, understandings, agreements, and prior agreements are merged herein and superseded hereby. No amendment or modification of this **Agreement** shall be valid or binding unless reduced to writing and signed by the parties hereto.

18.15 Counterparts.

To facilitate execution, this **Agreement** may be executed in as many counterparts as may be convenient or required. It shall not be necessary that the signature or acknowledgement of, or on behalf of, each party, or that the signature of all persons required to bind any party, or the acknowledgment of such party, appear on each counterpart. All counterparts shall collectively constitute a single instrument.

19. Agreement Contingent on Addendums.

Each party to this **Agreement** hereby agrees that the approval and engagement of each **Contractor** to provide the **Services** described herein for the **City** shall be contingent upon the proper execution and completion of the **Acceptance Addendum "A"**, and the **Contractor Information Addendum "B"** (the "**Addendums**"), in which each said **Contractor** agrees to be

bound by the terms of this **Agreement** and the terms of the **Addendums**. The **Addendums** shall be attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, The Parties have executed this **Agreement** in multiple counterparts, on the date and year below the party’s name, each of which shall be considered and construed an original.

City of Harrisonville,
a Missouri municipal corporation

Contractor: Miller Tow, an individual,
and resident of the State of Missouri

By: Brad Ratliff, City Administrator

By: _____

Date: _____

Date: _____

Attest City Clerk:

Title: _____

Attachment: Updated Miller Tow Agreement 2024 (Resolution Updating Police Tow Contract)



TOW PERMIT APPLICATION

Harrisonville Police Department
205 N Lexington – PO Box 367
Harrisonville, MO 64701
816-380-8940



(Please Print)	
TOW COMPANY INFORMATION	
Company Name	Date
Address	City, State, Zip
Mailing Address If Different From Above	
Primary Phone Number	Alternate Phone Number
OPERATOR INFORMATION	
Operator's Name	
Date Of Birth	Phone Number
Address	City, State, Zip
Driver License & State of Issuance	Other Applicable Permits/Licenses
All operators participating in the tow rotation for your company must provide a copy of the operator's valid driver license, a completed application, and criminal history check.	
Criminal Convictions: <i>Criminal conviction(s) may impact your ability to participate in the tow rotation.</i>	
APPLICANT CERTIFICATION	
Before a Tow Permit is granted, I agree to provide the City of Harrisonville a background check, including criminal history.	
This may be obtained from the Missouri State Highway Patrol at www.mshp.dps.mo.gov/ , click on the link Criminal Record Check and navigate to The Missouri Automated Criminal History Site (MACHS). Please bring a copy of your criminal history with the completed application.	
Applicant Signature	Date
ADMINISTRATIVE USE ONLY	
Date Received	Application #
Reviewer's Signature	Date
Circle One Approved Denied	Reason for Denial

Council Bill No. 2024**Resolution No. 2024**

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A TOW POLICY AGREEMENT WITH J'S SOUTHLAND TOW, MILLER TOW SERVICE, ALL PRO TOW AND SUCH OTHER TOW COMPANIES AS ARE WILLING TO MEET THE REQUIREMENTS OF THE AGREEMENT.

WHEREAS, the City of Harrisonville has determined that J's Southland Tow, Miller Tow Service and All Pro Tow are competent to perform service for the City of Harrisonville; and

WHEREAS, J's Southland Tow, Miller Tow Service and All Pro Tow agree to perform services for the City of Harrisonville.

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

Section 1: That the City Administrator of the City of Harrisonville is hereby authorized and directed to sign the attached tow agreement with J's Southland Tow, Miller Tow Service and All Pro Tow for non-preferential tow service when summoned by the Harrisonville Police Department.

Section 2: That the City Administrator is hereby authorized and directed to sign agreements with other tow companies who agree to meet the requirements of the agreement.

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

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI ON THIS 21ST DAY OF OCTOBER 2024.

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

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

Attachment: Non-Preference Tow Agreement 2024 (Resolution Updating Police Tow Contract)

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 21st day of October 2024.

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: September 19, 2024
SUBJECT: Ordinance - Cruelty to Animals

Type of Item: *Approval*

C. Action Item (ID # 4973)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLE I UNDER CHAPTER 210—ANIMAL REGULATIONS OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

History:

10/07/24 Board of Aldermen SCHEDULED

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

Attachments:

Ordinance - Amending Article I Under Chapter 210 - Animal Regulations (DOCX)

Council Bill No. _____

Ordinance No. _____

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE, MISSOURI AMENDING ARTICLE I UNDER CHAPTER 210—
ANIMAL REGULATIONS OF THE HARRISONVILLE MUNICIPAL CODE AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Harrisonville desires to amend municipal code regulations under Title II – Public Health, Safety and Welfare; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on August 19, 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 210.070 is hereby amended by adding the following:

“B. Any person who confines an animal in an unattended, vehicle where the outside temperature is 70° Fahrenheit or greater, and the interior of the vehicle is not provided with conditioned air to maintain an internal temperature of 80° Fahrenheit or less, shall be guilty of a Class C misdemeanor.

1. Unless the animal suffers great bodily injury, a first conviction for violation of this section is punishable by a class C misdemeanor. If the animal suffers great bodily injury, a violation of this section is punishable by a class B misdemeanor. Any subsequent violation of this section, regardless of injury to the animal, is also punishable by a class A Misdemeanor unless causing death to the animal then is a class E felony.
2. This section does not prevent a peace officer, firefighter, humane officer, animal control officer, or other emergency responder from removing an animal from a motor vehicle if the animal's safety appears to be in immediate danger from heat, cold, lack of adequate ventilation, lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal. A prominent written notice shall be left on the vehicle advising that the animal has been removed and impounded in accordance with this Section. The animal shall be provided immediate veterinary care. The animal owner or custodian shall be responsible for all expenses incurred during the removal of the animal or its subsequent treatment and impoundment.”

Section 2: That this Ordinance shall be in effect immediately upon its passage and approval.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 19TH DAY OF AUGUST, 2024,
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 3RD DAY OF
SEPTEMBER, 2024, AND PASSED BY THE BOARD OF ALDERMEN THIS 3RD DAY OF
SEPTEMBER, 2024.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 3rd day of September 2024.

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: September 19, 2024
SUBJECT: Ordinance Rail Spur ROW Vacation

Type of Item: *Approval*

D. Action Item (ID # 4974)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, VACATING A RAILROAD SPUR RIGHT-OF-WAY COVERING PROPOSED LOT 5 OF ENTERPRISE BUSINESS PARK WITH RAILROAD SPUR SERVING UFP INDUSTRIES, INC. AND ESTABLISHING AN EFFECTIVE DATE.

History:

10/07/24 Board of Aldermen SCHEDULED

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

Attachments:

Ordinance - Railroad Spur - ROW Vacation - 10-7-24 (PDF)

Council Bill No. _____

Ordinance No. _____

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE,
MISSOURI, VACATING A RAILROAD SPUR RIGHT-OF-WAY
COVERING PROPOSED LOT 5 OF ENTERPRISE BUSINESS PARK
WITH RAILROAD SPUR SERVING UFP INDUSTRIES, INC.
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Harrisonville staff submitted an application (Appl. #VAC-24-002) to vacate a railroad spur right-of-way covering the proposed Lot 5 of Enterprise Business Park; and

WHEREAS, in accordance with the provisions of Chapter 88 RSMo., and Section 515.020 of the Code of Ordinances of the City of Harrisonville, Missouri, thirty (30) days' notice of said application for vacation has been provided in three (3) of the most prominent and public places in the district, twenty (20) days' notice has been given by certified mail to all persons whose land the portion of the railroad spur right-of-way to be vacated touches, and notice has been given to the Chairman of the Planning & Zoning Commission; and

WHEREAS, the City received one objection from a property owner whose land touches the railroad spur right-of-way to be vacated; and

WHEREAS, the Board of Aldermen, after careful and due deliberation, find that vacating the railroad spur right-of-way is in the best interest of the City of Harrisonville and its residents, and that the vacated property be deeded to UFP Industries, Inc.

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

Section 1: The Board of Aldermen of Harrisonville, Missouri, hereby declares it necessary, reasonable, proper, and in the best interest of the City of Harrisonville and its residents to discontinue as right-of-way and forever vacate the railroad spur right-of-way covering the proposed Lot 5 of Enterprise Business Park as described herein.

Legal Description:

ALL THAT PART OF THE NOW VACATED RAILROAD SPUR RIGHT-OF-WAY, "ENTERPRISE BUSINESS PARK", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, FILED IN PLAT BOOK 14 AT PAGE 57 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER AND PART OF THE EAST HALF OF THE SOUTHWEST QUARTER BOTH IN SECTION 5, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 5, AFORESAID, RUN THENCE NORTH 89°24'00" WEST ALONG THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER, 1325.51 FEET TO THE SOUTHWEST CORNER OF SAID "ENTERPRISE BUSINESS PARK" AND BEING THE SOUTHWEST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 00°13'48" WEST ALONG THE WEST LINE OF LOT 3, "ENTERPRISE BUSINESS

PARK" AND AN EXTENSION THEREOF, 1109.43 FEET (MEASURED) (1109.62 FEET PLAT) TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 89°31'26" EAST (MEASURED) (SOUTH 89°32'02" EAST PLAT) ALONG THE NORTH LINE OF SAID LOT 3 AND AN EXTENSION THEREOF, 971.50 FEET (MEASURED) (971.65 FEET PLAT) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF PRECISION DRIVE, AS NOW LOCATED, AND BEING THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE NORTH 00°27'48" EAST (MEASURED) (NORTH 00°27'58" EAST PLAT) ALONG SAID EAST RIGHT-OF-WAY LINE, 105.48 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 1529 AT PAGE 149 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI; THENCE SOUTH 89°32'02" EAST ALONG THE SOUTH LINE OF SAID TRACT, 1379.52 FEET (MEASURED) (1379.39 FEET PLAT) TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE MISSOURI & NORTHERN ARKANSAS RAILROAD RIGHT-OF-WAY, AS NOW LOCATED; THENCE SOUTH 00°52'19" EAST (MEASURED) (SOUTH 00°51'44" EAST PLAT) ALONG SAID WEST RIGHT-OF-WAY LINE, 798.95 FEET (MEASURED) (799.03 FEET PLAT) TO AN EASTERLY CORNER OF LOT 4, "ENTERPRISE BUSINESS PARK"; THENCE NORTH 06°36'34" WEST (MEASURED) (NORTH 06°35'14" WEST PLAT) ALONG AN EASTERLY LINE OF SAID LOT 4, 220.49 FEET (MEASURED) (220.62 FEET PLAT) TO AN EASTERLY CORNER OF SAID LOT 4; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY SIDE OF LOT 4 ON A CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF NORTH 06°31'28" WEST, A RADIUS OF 523.69 FEET, AN ARC LENGTH OF 758.81 FEET (CALCULATED) (758.15 FEET PLAT), AND A CHORD BEARING OF NORTH 48°02'04" WEST (CALCULATED) (NORTH 48°03'37" WEST PLAT) TO A NORTHERLY CORNER OF SAID LOT 4; THENCE NORTH 89°32'37" WEST (MEASURED) (NORTH 89°32'02" WEST PLAT) ALONG A NORTHERLY LINE OF SAID LOT 4, 258.33 FEET TO A NORTHERLY CORNER OF SAID LOT 4; THENCE SOUTH 84°07'13" WEST (MEASURED) (SOUTH 84°08'56" WEST PLAT), 589.60 FEET (MEASURED) (589.52 FEET PLAT) TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF PRECISION DRIVE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT, WITH AN INITIAL TANGENT BEARING OF NORTH 09°16'45" WEST, A RADIUS OF 471.00 FEET, AN ARC LENGTH OF 80.09 FEET (CALCULATED) (80.25 FEET PLAT), AND A CHORD BEARING OF NORTH 04°24'28" WEST TO THE TRUE POINT OF BEGINNING. CONTAINS 5.79 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.

Section 2: 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 3: Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 4: Effective Date. That ordinances 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 7th DAY OF OCTOBER 2024. READ FOR THE SECOND TIME BY TITLE ONLY ON THE 7th DAY OF OCTOBER 2024.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 7th day of October 2024.

Attachment: Ordinance - Railroad Spur - ROW Vacation - 10-7-24 (Ordinance Rail Spur ROW Vacation)

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 4, 2024
SUBJECT: SUP Tow Lot 1505 Clearwater

Type of Item: *Approval*

E. Action Item (ID # 4985)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A TOW LOT ON PROPERTY LOCATED AT 1505 CLEARWATER DRIVE IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

History:

10/07/24 Board of Aldermen SCHEDULED

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

Attachments:

SUP Existing Tow Lot 1505 Clearwater (DOC)

Council Bill No.**Ordinance No.**

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A
TOW LOT ON PROPERTY LOCATED AT 1505 CLEARWATER DRIVE IN THE CITY
OF HARRISONVILLE, CASS COUNTY, MISSOURI.**

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Jeremy Brown, d.b.a. J's Southland Tow, seeking approval of a Special Use Permit for the use of a tow lot on approximately 1.5-acre of land located at 1505 Clearwater Drive in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, a legal notice announcing a public hearing to be held on the requested Special Use Permit application on September 19, 2024, before the Planning & Zoning Commission and on October 7, 2024, before the Board of Aldermen of the City of Harrisonville, Missouri was published in the August 29, 2024, edition of the *Tribune and Times* newspaper; and

WHEREAS, the Special Use Permit was considered by the Planning and Zoning Commission on September 19, 2024, and, with a vote of 5-0, recommended that the Board of Aldermen approve the requested Special Use Permit with the two (2) conditions 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 Special Use Permit is in the best interest of the City of Harrisonville and its residents.

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

Section 1: The Board of Aldermen of Harrisonville, Missouri, hereby approves a Special Use Permit for the use of a tow lot on approximately 1.5-acre of land located at 1505 Clearwater Drive in the City of Harrisonville, Cass County, Missouri, with the following two (2) conditions of approval:

- 1) The time limit associated with this Special Use Permit shall be 10 years, at which time a new Special Use Permit is required to continue operations.
- 2) Vehicles may remain on the lot of up to 90 days, unless under a police hold.

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

LEGAL DESCRIPTION:

PART OF THE WEST HALF OF LOT 2 OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44, RANGE 31 IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: FROM THE SOUTHEAST CORNER OF LOT 2 OF THE NORTHEAST QUARTER OF SECTION 5, AFORESAID, RUN THENCE NORTH

Attachment: SUP Existing Tow Lot 1505 Clearwater (SUP Tow Lot 1505 Clearwater)

87 DEGREES 55 MINUTES 50 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2; 1640.46 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE MISSOURI PACIFIC RAILROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; CONTINUING THENCE NORTH 87 DEGREES 55 MINUTES 50 SECONDS WEST, 237.39 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ANACONDA ROAD; THENCE NORTH 02 DEGREES 20 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE, 13.85 FEET; THENCE FOLLOWING SAID EASTERLY RIGHT OF WAY LINE ON A CURVE HAVING A RADIUS OF 313.74 FEET, A DISTANCE OF 286.38 FEET AND A CHORD BEARING OF NORTH 28 DEGREES 29 MINUTES 00 SECONDS EAST; THENCE FOLLOWING SAID EASTERLY RIGHT OF WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 340.00 FEET, A DISTANCE OF 243.27 FEET AND A CHORD BEARING OF NORTH 34 DEGREES 08 MINUTES 26 SECONDS EAST; THENCE FOLLOWING THE WESTERLY RIGHT OF WAY LINE OF THE MISSOURI PACIFIC RAILROAD ON A CURVE TO THE LEFT HAVING A RADIUS OF 5779.58 FEET, A DISTANCE OF 438.30 FEET AND A CHORD BEARING OF SOUTH 03 DEGREES 41 MINUTES 03 SECONDS WEST; THENCE SOUTH 01 DEGREES 30 MINUTES 43 SECONDS WEST; ALONG SAID WESTERLY RIGHT OF WAY LINE, 25.29 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 1.5-ACRES.

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

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

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

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 7TH OF OCTOBER 2024 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 21ST DAY OF OCTOBER 2024 AND PASSED BY THE BOARD OF ALDERMEN THIS 21ST DAY OF OCTOBER 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 21st day of October 2024

Attachment I: Zoning Map

Attachment: SUP Existing Tow Lot 1505 Clearwater (SUP Tow Lot 1505 Clearwater)

Zoning Map



Attachment: SUP Existing Tow Lot 1505 Clearwater (SUP Tow Lot 1505 Clearwater)

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 4, 2024
SUBJECT: Ordinance SUP Tow Lot 402 Cedar

Type of Item: *Approval*

F. Action Item (ID # 4984)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A TOW LOT ON PROPERTY LOCATED AT 402 CEDAR STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

History:

10/07/24 Board of Aldermen SCHEDULED

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

Attachments:

SUP Existing Tow Lot 402 Cedar (DOC)

Council Bill No.**Ordinance No.**

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE APPROVING A SPECIAL USE PERMIT FOR THE USE OF A
TOW LOT ON PROPERTY LOCATED AT 402 CEDAR STREET IN THE CITY OF
HARRISONVILLE, CASS COUNTY, MISSOURI.**

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Bill Shelton, in support of leasee All Pro Tow, seeking approval of a Special Use Permit for the use of a tow lot on approximately 0.55-acre of land located at 402 Cedar Street in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, a legal notice announcing a public hearing to be held on the requested Special Use Permit application on September 19, 2024, before the Planning & Zoning Commission and on October 7, 2024, before the Board of Aldermen of the City of Harrisonville, Missouri was published in the August 29, 2024, edition of the *Tribune and Times* newspaper; and

WHEREAS, the Special Use Permit was considered by the Planning and Zoning Commission on September 19, 2024, and, with a vote of 5-0, recommended that the Board of Aldermen approve the requested Special Use Permit with the five (5) conditions 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 Special Use Permit is in the best interest of the City of Harrisonville and its residents.

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

Section 1: The Board of Aldermen of Harrisonville, Missouri, hereby approves a Special Use Permit for the use of a tow lot on approximately 0.59-acre of land located at 402 Cedar Street in the City of Harrisonville, Cass County, Missouri, with the following five (5) conditions of approval:

- 1) The applicant shall make necessary repairs/replacement of screening materials as needed and add as appropriate at the entrance/exit gates.
- 2) The applicant shall upgrade their screening to vinyl fencing with stone pillars within three and one-half (3 ½) years.
- 3) The time limit associated with this Special Use Permit shall be 10 years, at which time a new Special Use Permit is required to continue operations.
- 4) Vehicles may remain on the lot of up to 90 days, unless under a police hold.
- 5) The height of the screening shall be increased to 8' when the new fence is installed so that the lot contents cannot be seen from the street.

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

LEGAL DESCRIPTION:

BEGINNIG AT THE NORTHEAST CORNER OF BLOCK 4, “DUTRO’S ADDITION”, AND RUNNING THENCE SOUTH 57 DEGREES 02 MINUTES WEST, ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE DISCONTINUED MKT RAILWAY, 264.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 4; THENCE NORTH 32 DEGREES 58 MINUTES WEST, PERPENDICULAR TO SAID DISCONTINUED RAILWAY RIGHT-OF-WAY LINE, 1100.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID DISCONTINUED RAILWAY; THENCE NORTH 57 DEGREES 02 MINUTES EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DISCONTINUED RAILWAY, 242.12 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INDEPENDENCE STREET, AS PRESENTLY LOCATED; THENCE FOLLOWING THE WESTERLY RIGHT-OF-WAY LINE OF INDEPENDENCE STREET ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 239.46 FEET AND A CHORD BEARING OF SOUTH 45 DEGREES 18 MINUTES 37 SECONDS EAST, AN ARC DISTANCE OF 103.17 FEET TO THE POINT OF BEGINNING. CONTAINING 0.59 ACRES, MORE OR LESS.

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 7TH OF OCTOBER 2024 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 21ST DAY OF OCTOBER 2024 AND PASSED BY THE BOARD OF ALDERMEN THIS 21ST DAY OF OCTOBER 2024.

AYES:

NAYS:

AWAY:

ABSENT:

ABSTAIN:

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

ATTEST:

Daniel Barnett, City Clerk

Attachment: SUP Existing Tow Lot 402 Cedar (Ordinance SUP Tow Lot 402 Cedar)

WITNESS my hand and seal this 21ST day of October 2024

Attachment I: Zoning Map

Zoning Map



Attachment: SUP Existing Tow Lot 402 Cedar (Ordinance SUP Tow Lot 402 Cedar)

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 4, 2024
SUBJECT: Ordinance Cedar Crossing Rezoning

Type of Item: *Approval*

G. Action Item (ID # 4993)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING FROM RP-1 TO RP-2 FOR APPRXOMATELY 7-ACRES TO ALLOW FOR 24 DUPLEX LOTS AND A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPOSED CEDAR CREEK DEVELOPMENT CONTAINING 24 DUPLEX LOTS AND 195 SINGLE-FAMILY RESIDENTIAL LOTS ON PROPERTY LOCATED SOUTH OF PARKWOOD SOUTH AND NORTH OF 267TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

History:

10/07/24 Board of Aldermen SCHEDULED

City Attorney Mauer read the ordinance for the first time.

Alderman Mills said the second reading of the ordinance would take place on October 21, 2024.

Attachments:

Rezoning south of Parkwood South and north of 267 (DOC)

Council Bill No.

Ordinance No.

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A REZONING FROM RP-1 TO RP-2 FOR APPRXOMATELY 7-ACRES TO ALLOW FOR 24 DUPLEX LOTS AND A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPOSED CEDAR CREEK DEVELOPMENT CONTAINING 24 DUPLEX LOTS AND 195 SINGLE-FAMILY RESIDENTIAL LOTS ON PROPERTY LOCATED SOUTH OF PARKWOOD SOUTH AND NORTH OF 267TH STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Matt Schlicht, with Engineering Solutions, LLC, seeking approval of a Rezoning and Preliminary Development Plan for twenty-four (24) duplex lots and 195 single-family residential lots on approximately 96.56-acres of land located south of *Parkwood South* and north of 267th Street in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, a legal notice announcing a public hearing to be held on the requested Rezoning and Preliminary Development Plan application on August 15, 2024, before the Planning & Zoning Commission and on August 19, 2024, before the Board of Aldermen of the City of Harrisonville, Missouri was published in the July 25, 2024, edition of the *Tribune and Times* newspaper; and

WHEREAS, the Rezoning and Preliminary Development Plan was continued to a date certain of September 19, 2024, from the Planning & Zoning Commission and continued to a date certain of October 7, 2024, from the Board of Aldermen; and

WHEREAS, the Rezoning and Preliminary Development Plan was considered by the Planning and Zoning Commission on September 19, 2024, and, with a vote of 5-0, recommended that the Board of Aldermen approve the requested Rezoning and Preliminary Development Plan with the eight (8) conditions 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 Rezoning and 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 Rezoning from RP-1 to RP-2 for approximately 7-acres, and a Preliminary Development Plan for the proposed Cedar Crossing consisting of approximately 96.56-acres of land located south of Parkwood South and north of 267th Street in the City of Harrisonville, Cass County, Missouri, with the following eight (8) conditions of approval:

- 1) Sidewalks shall have handicapped access at all intersections in accordance with Section 410.530.B and shall normally be separated from the edge of the street by a grassy strip twenty-four (24) inches wide. Sidewalks shall comply with the

- ADA requirements in place at the time of construction, and all non—paved right-of-way shall be either sodded or seeded.
- 2) Builders on lots that abut the west side of the Glen Eagle Drive from the previously platted “Glen Eagle, Lots 213 thru 247” shall install sidewalks adjacent to Glen Eagle Drive to assure connectivity.
 - 3) Trails shall be provided that connect to the sidewalks and connect the proposed and existing open space areas including the Hite Park properties.
 - 4) No tree shall be planted within the sight triangle of a street or drive intersection or within ten (10) feet of a fire hydrant.
 - 5) Sewer and water mains shall be installed with ten (10) feet of separation and shall be located such that they are on different sides of the streets.
 - 6) The developer and the City shall enter into a mutually agreed upon Development Agreement.
 - 7) Easements shall be provided as required by Section 410.400 of the City’s Municipal Code.
 - 8) A Final Plat shall be submitted, reviewed, and approved prior to the issuance of any development related (building or infrastructure) permits.

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

LEGAL DESCRIPTION:

A tract of land being part of the Southeast Quarter and the Southwest Quarter of Section 3, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Southeast Quarter; Thence South 01° 35' 48" W, a distance of 557.74 feet; thence North 89° 58' 58" West, a distance of 369.14 feet; thence North 43° 21' 44" West, a distance of 120.33 feet; thence North 88° 38' 11" West, a distance of 30.97 feet; thence North 01° 35' 54 E, a distance of 114.90 feet; thence North 30° 42' 21" West, a distance of 50.14 feet; thence North 01° 40' 17" East, a distance of 159.56 feet; thence North 30° 32' 26" West, a distance of 59.34 feet; thence North 87° 57' 21" West, a distance of 520.00 feet; thence North 02° 02' 39" East, a distance of 115.00 feet; thence South 87° 57' 21" East, a distance of 1065.47 feet, returning to the Point of Beginning.

Section 3: The Preliminary Development Plan comprises the following real estate in the City of Harrisonville, Cass County, Missouri, described as follows:

LEGAL DESCRIPTION:

A tract of land being part of the Southeast Quarter and the Southwest Quarter of Section 3, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Southeast Quarter; Thence South 01°35'48" West, along the East line of the Northwest Quarter of said Southeast Quarter, 665.84 feet; Thence North 88°30'54" West, 773.61 feet; Thence South 86°53'58" West, 622.80 feet; Thence South 80°58'37" West, 311.03 feet; Thence South 52°11'41" West, 265.32 feet; Thence South 62°06'57" West, 389.72 feet; Thence South 67°48'15" West, 438.24 feet to the Southwest corner of the Northeast Quarter of said Southwest Quarter; Thence North 01°40'40" East, along the West line of the Northeast Quarter of said Southwest Quarter, 744.36 feet to the

Southwest corner of GLEN EAGLE, Lots 1 thru 31, a subdivision in said Harrisonville, Cass County, Missouri; Thence along the Southerly and Easterly lines of said GLEN EAGLE, the following ten courses: Thence South 88°50'00" East, 163.66 feet; Thence North 01°10'00" East, 30.00 feet; Thence South 88°50'00" East, 299.42 feet to the Southeast corner of Lot 25, said GLEN EAGLE; Thence North 01°10'00" East, 160.00 feet; Thence North 88°50'00" West, 11.55 feet; Thence North 01°10'00" East, 110.00 feet to the Northeast corner of Lot 24, said GLEN EAGLE; Thence South 88°50'00" East, 270.00 feet to the Southeast corner of Lot 10, said GLEN EAGLE; Thence North 01°10'00" East, 110.00 feet; Thence South 88°50'00" East, 13.61 feet; Thence North 01°10'00" East, 163.59 feet to the Northeast corner of said GLEN EAGLE, said point also being on the North line of said Southwest Quarter; Thence South 88°21'39" East, along said North line, 590.31 feet to the Northwest corner of said Southeast Quarter; Thence South 87°57'20" East, along the North line of said Southeast Quarter, 1323.15 feet to the Point of Beginning. Contains 1,885,016 square feet or 43.27 acres more or less.

AND

A tract of land being part of the Southeast Quarter and the Southwest Quarter of Section 3, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Southeast Quarter; Thence South 01°35'48" West, along the East line of the Northwest Quarter of said Southeast Quarter, 665.84 feet to the Point of Beginning; Thence South 01°35'48" West, continuing along said East line and the East line of the Southwest Quarter of said Southeast Quarter, 818.26 feet to the Northeast corner of GLEN EAGLE, Lots 213 thru 247, a subdivision in said Harrisonville, Cass County, Missouri; Thence along the North line of said GLEN EAGLE, the following three courses: Thence South 68°08'00" West, 407.68 feet; Thence South 74°05'00" West, 319.04 feet; Thence South 62°29'00" West, 60.00 feet; Thence South 82°13'01" West, 309.38 feet; Thence North 02°23'42" East, 268.99 feet; Thence North 87°05'39" West, 764.65 feet; Thence North 22°30'03" West, 208.32 feet; Thence North 58°22'50" West, 418.85 feet; Thence North 62°06'57" East, 389.72 feet; Thence North 52°11'41" East, 265.32 feet; Thence North 80°58'37" East, 311.03 feet; Thence North 86°53'58" East, 622.80 feet; Thence South 88°30'54" East, 773.61 feet to the Point of Beginning. Contains 1,784,948 square feet or 40.98 acres more or less.

AND

A tract of land being part of the Southeast Quarter and the Southwest Quarter of Section 3, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter; Thence North 01°44'23" East, along the West line of said Southwest Quarter, 829.94 feet to the Point of Beginning; Thence North 01°44'23" East, along said West line, 497.97 feet to the Northwest corner of the Southwest Quarter of said Southwest Quarter; Thence South 88°24'37" East, along the North line of the Southwest Quarter of said Southwest Quarter, 1320.46 feet to the Northeast corner of the Southwest Quarter of said Southwest Quarter; Thence North 67°48'15" East, 438.24 feet; Thence South 58°22'50" East, 418.85 feet; Thence South 22°30'03" East, 208.32 feet; Thence South 87°05'39" East, 764.65 feet; Thence South 02°23'42" West, 268.99 feet; Thence North 82°13'01" East, 309.38 feet to the Northwest corner of GLEN EAGLE, Lots 213 thru 247, a subdivision in said Harrisonville, Cass County, Missouri; Thence along the West line of said GLEN EAGLE, the following nine courses: Thence South 27°31'00" East, 210.69 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 1143.38 feet, and an arc length of 186.50 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 15.00 feet, and an arc length of 24.19 feet; Thence South 06°54'22" East, 50.18 feet; Thence North 82°45'22" East, 10.50 feet; Thence on a curve to the right, tangent to the last described

course, having a radius of 15.00 feet, and an arc length of 21.84 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 1143.07 feet, and an arc length of 117.11 feet; Thence South 08°03'38" East, 3.86 feet; Thence North 88°50'00" West, 127.81 feet; Thence North 88°27'47" West, 697.52 feet to the East line of said Southwest Quarter; Thence North 01°38'35" East, along said East line, 496.75 feet; Thence North 88°31'09" West, 573.20 feet; Thence North 00°26'06" West, 26.21 feet; Thence South 83°41'41" West, 754.56 feet to the East line of the Southwest Quarter of said Southwest Quarter; Thence North 01°40'28" East, along said East line, 95.38 feet; Thence North 88°27'03" West, 1321.01 feet to the Point of Beginning. Contains 1,757,134 square feet or 40.34 acres more or less.

EXCEPT

A tract of land being part of the Southeast Quarter and the Southwest Quarter of Section 3, Township 44 North, Range 31 West, in the City of Harisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Southeast Quarter; thence South 01° 35' 48" West, along the East line of the Northwest Quarter of said Southeast Quarter, 557.74 feet to the Point of Beginning; thence South 01° 35' 48" West, continuing along said East line, 378.63 feet; thence South 58° 55' 04" West, 165.89 feet; thence South 89° 45' 04" West, 821.69 feet; thence South 63° 03' 14" West, 215.31 feet; thence South 45° 59' 51" West, 399.38 feet; thence North 57° 38' 36" West, 643.01 feet; thence North 18° 01' 57" West, 218.35 feet; thence North 03° 26' 19" West, 215.34 feet; thence North 57° 59' 44" East, 648.78 feet; thence South 70° 29' 52" West, 69.54 feet; thence South 06° 45' 18" West, 308.95 feet; thence South 89° 54' 53" East, 411.51 feet; thence North 13° 04' 49" East, 160.14 feet; thence South 89° 54' 53" East, 114.44 feet; thence South 66° 37' 18" East, 56.64 feet; thence South 89° 54' 53" East, 141.29 feet; thence South 51° 38' 32" East, a distance of 119.66 feet; thence South 89° 54' 53" East, 51.38 feet; thence North 51° 44' 47" East, 148.90 feet; thence South 89° 54' 53" East, a distance of 31.89 feet; thence South 43° 16' 47" East, 120.33 feet; thence South 89° 54' 53" East, 365.82 feet to the Point of Beginning. Contains 1,219,737 square feet or 28.00 acres more or less.

Section 4: 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 5: Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 6: 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 7TH OF OCTOBER 2024 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 21ST DAY OF OCTOBER 2024 AND PASSED BY THE BOARD OF ALDERMEN THIS 21ST DAY OF OCTOBER 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 21ST day of October 2024

Attachment I: Zoning Map

Attachment: Rezoning south of Parkwood South and north of 267 (Ordinance Cedar Crossing Rezoning)

Zoning Map



Attachment: Rezoning south of Parkwood South and north of 267 (Ordinance Cedar Crossing Rezoning)

STAFF REPORT

TO: Board of Aldermen
FROM: Christina Stanton,
DATE: October 18, 2024
SUBJECT: Warden Annexation

Type of Item: *Public Hearing*

H. Action Item (ID # 4998)

Warden Annexation

Attachments:

Annexation Staff Rpt- Warden (PDF)

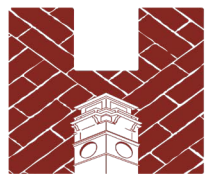
Petition for Annexation (PDF)

Legal Description (PDF)

REAL_1757_36_WD (PDF)

Zoning Map (PDF)

Aerial Map (PDF)



To: Board of Aldermen

From: Christina Stanton, AICP, Community Development Director

Date: October 21, 2024

Re: Annexation – Warden 8-Acre Property Located North of Twin Pines Country Club and West of Krissy Bend

GENERAL INFORMATION

Applicant: David A. and Lisa K. Warden, 24001 E. State Route EE

Requested Actions: Voluntary Annexation

Date of Application: September 30, 2024

PROPOSAL

Property owners David and Lisa Warden have voluntarily requested the property under their ownership located north of Twin Pines Country Club and west of Krissy Bend be annexed into the corporate city limits of the City of Harrisonville. The eight-acre property is bordered by other properties within the corporate boundaries of the City of Harrisonville to the south and east. The property is currently vacant undeveloped agricultural land. Staff is recommending that the property be zoned Agriculture (A) District since it is undeveloped and over the minimum lot size for the Agriculture District.

The surrounding properties are currently zoned as follows:

North: Unincorporated county land—Single-Family Residential/Agricultural
East: Single-Family Residential (R-1) District—Katy Trails Subdivision
South: Agriculture (A) District – Twin Pines Golf Course
West: Unincorporated county lands—Single-Family Residential/Agricultural

PREVIOUS ACTIONS

- February 20, 2001—The Board of Aldermen approved an extension of the City limits by annexing territory owned by Cass Recreation Park, Inc. d.b.a. Twin Pines Country Club, by Ordinance #2689.
- February 20, 2001—The Board of Aldermen approved an extension of the City limits by annexing territory owned by Interra Investment Group, Inc. (current day Katy Trails) by Ordinance #2690.
- January 6, 2002—The Board of Aldermen approved the Final Plat of Katy Trails, Lots 1 – 66 by Ordinance #2802.
- March 7, 2003—The Final Plat of Katy Trails, Lots 1 – 66 was recorded with the Cass County Recorder of Deeds' Office.
- September 19, 2022—The Board of Aldermen approved Ord. #3603, which allows for proper zoning to be established at the time of annexation.

KEY ISSUES

- The property is bordered by other properties within the City's corporate limits to the south and east.
- The property is currently vacant, undeveloped agricultural land.
- The property is approximately 8-acres in size.
- The minimum lot size for the Agriculture (A) District is 5-acres.

STAFF COMMENTS AND SUGGESTIONS

Staff recommends approval of the requested voluntary annexation and recommends the property to be zoned Agriculture (A) District.

STAFF RECOMMENDATION

Staff recommends approval of the requested voluntary annexation and recommends the property to be zoned Agriculture (A) District.

ATTACHMENTS

1. Petition for Annexation
2. Legal Description
3. Warranty Deed
4. Zoning Map
5. Aerial Map

**THE CITY OF
HARRISONVILLE**
WHERE TRADITION MEETS INNOVATION
PETITION FOR ANNEXATION

We, the undersigned David A. Warden and Lisa K. Warder
hereinafter referred to as the Petitioners, for our petition to the Board of Aldermen
Of the City of Harrisonville, Missouri state and allege as follows:

1. That we the owners of all fee interests of record in the real estate in Cass County, Missouri, described as follows, to wit:

(Attach additional page(s) if necessary.)

2. That the said real estate is not now a part of any incorporated municipality.
3. That the said real estate is contiguous to the existing corporate limits of the City of Harrisonville, Missouri.
4. That we request that the said real estate be annexed to, and be included within the corporate limits of, the City of Harrisonville, Missouri, as authorized by the provisions of Section 71.012 and 71.014, RSMo.
5. That we request the Board of Aldermen of the City of Harrisonville to cause the required notice to be published and to conduct the public hearing (if required by law) and include the above described real estate.

Dated this 30th day of September, 2024

Attachment: Petition for Annexation (Warden Annexation)

/s/ David Warden
Name

/s/ Lisa K. Warden
Name

/s/ _____
Name

STATE OF MISSOURI)
) SS
COUNTY OF CASS)

On this 30th day of September, 2024 before me personally appeared

David and Lisa Warden
to be known to be the person(s) described in and who executed the foregoing instrument,
and acknowledged that they executed the same as their free act and deed.

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

My term expires: July 4th 2027

LAUREN PAIGE LORIMOR
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES JULY 4, 2027
CASS COUNTY
COMMISSION #23562363

/s/ Lauren Paige Lorimor
Notary Public

Attachment: Petition for Annexation (Warden Annexation)

Year Account
2023 60-00 1758000

123023

021766

5.H.b

REAL ESTATE

CASS COUNTY TAX RECEIPT

COLLECTOR of REVENUE, CHRIS MOLENDORP

2725 Cantrell Rd

Harrisonville, Missouri 64701-4004

TELEPHONE: (816)380-8377 FAX: (816)380-8375

www.casscountycollector.com

Office Hours 8am to 4:30pm Mon through Fri, except Holidays

WARDEN, DAVID A & LISA K
24001 E STATE ROUTE EE
HARRISONVILLE, MO 64701

Description	Rate	Amount
R-9 H-VILLE	5.4772	9.8
FIRE 3-CEN CASS	.6589	1.1
AMB 3-CENT CASS	.5105	.9
STATE	.0300	.0
CASS CO RD&BRDG	.2033	.3
CASS CO LIBRARY	.2240	.4
HOSPITAL MAINT	.1181	.2
SHELTER WKSHOP	.0432	.0
TAX AMOUNT	7.2652	13.0
Date Paid 12/30/23		
TOTAL PAID		13.08

To calculate amount (Assessed Value/100 x Rate = Tax Amount)

Property Description

Map Number: 8-07-35-000-000-001.000

Site Address: S STATE ROUTE 7
HARRISONVILLE, MO 64701

Sec: 35 Twp: 45 Rng: 31 Book/Page1757/36 Acreage: 8.00

Legal Description:
W380 NE NE LY N OF RR

Assessed Values

Agricultural 180
TOTAL ASSESSED: 180

Visit our website at www.casscountycollector.com

Please retain this receipt for your records.

Attachment: Petition for Annexation (Warden Annexation)

Legal Description:

All that part of the Northeast Quarter of the Northeast Quarter of Section 35, Township 45, Range 31, lying North of the abandoned MKT Railroad centerline, except all that part of Katy Trail, a subdivision of land as previously platted and recorded in Plat Book 18 at Page 1, in the office of the Recorder of Deeds, Cass County, Missouri, located in said quarter quarter section, and further except those tracts of land located in the City limits of Harrisonville, Cass County, Missouri. More particularly identified as parcel #08-07-35-000-000-001.000.

Subject to easements, restrictions, reservations and covenants of record, if any.

Missouri Warranty Deed

This Indenture, Made on the 4th day of March A.D., 1999
by and between JESSE OSCAR WARDEN and EMMA A. WARDEN, his wife

of the County of Cass, State of Missouri part ies of the first part, and
DAVID A. WARDEN and LISA K. WARDEN, his wife
of the County of Cass, State of Missouri part ies of the second part,

(Mailing address of said first named grantee is 24001 East State Route EE,
Harrisonville, MO 64701).

WITNESSETH: THAT THE SAID PART IES OF THE FIRST PART, in consideration of the
sum of ONE DOLLARS, LOVE AND AFFECTION-----DOLLARS,
to them paid by said parties of the second part (the receipt of which is hereby acknowledged, do
by these presents, Grant, Bargain, and Sell, Convey and Confirm unto the said parties of the second
part, their heirs and assigns, the following described lots, tracts or parcels of land
lying, being and situate in the County of Cass and State of Missouri, to-wit:

All of our undivided one half interest in and to:

The Southeast Quarter of the Southeast Quarter of Section 26,
except the West 150 feet of the North 300 feet thereof, and
further except that part included in the right of way for Route
"EE"; and That part of the Northeast Quarter of the Northeast
Quarter of Section 35, North of the centerline of the right of
way of Missouri-Kansas and Texas Railroad, all in Township 45,
Range 31.

Subject to easements, restrictions and reservations of record.

STATE OF MISSOURI
COUNTY OF CASS
CERTIFIED INSTRUMENT RECEIVED
99 MAR -4 A 10:37.0
0001757 PAGE 000036
SANDRA GREGORY, RECORDER
DEPUTY

8.00
13.00
21.00

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appur-
tenances and immunities thereto belonging or in any wise appertaining unto the said part ies of the
second part and unto their heirs and assigns forever; the said First Parties
hereby covenanting that they are
lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have
good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered
by them or those under whom they claim; and that they will
warrant and defend the title to the said premises unto the said part ies of the second part and unto
their heirs and assigns forever, against the lawful claims and demands of all persons
whomsoever

IN WITNESS WHEREOF, The said part ies of the first part have hereunto set their
hand s and seal s the day and year above written.

Mike Melsker, Recorder of Deeds (SEAL)



Jesse Oscar Warden (SEAL)

Emma A. Warden (SEAL)

(SEAL)

MISSOURI ACKNOWLEDGEMENT — UNMARRIED PERSON

Unofficial Copy

STATE OF _____)
COUNTY OF _____) ss. On this _____ day of _____
before me, _____, a Notary Public, personally appeared

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that _____
executed the same as _____ free act and deed. And the said _____
further declare _____ to be single and unmarried.

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

My term expires _____, _____ Notary Public in and for said County and State

MISSOURI ACKNOWLEDGEMENT — HUSBAND AND WIFE

STATE OF Missouri)
COUNTY OF Cass) ss. On this 4th day of March, 1999
before me, the undersigned, a Notary Public, personally appeared

Jesse Oscar Warden and Emma A. Warden
his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged
that they executed the same as their free act and deed.

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

My term expires _____
JEANNE L. TRUJILLO
Notary Public - Notary Seal
STATE OF MISSOURI
Cass County
My Comm. Expires June 18, 2001
Jeanne L. Trujillo
Notary Public in and for said County and State

Warranty Deed	FROM	TO	Filed for record this _____ day of _____, A.D., at _____ o'clock _____ minutes _____ M. Recorded in Book _____ at Page _____	Recorder.	Deputy.
				By _____	Recorder's Fee, \$ _____

STATE OF _____)
COUNTY OF _____) ss. IN THE RECORDER'S OFFICE

I, _____, Recorder of said County, do hereby certify that the within
instrument of writing was, at _____ o'clock and _____ minutes _____ M., on the _____ day of _____
A.D., _____, duly filed for record in my office, and is recorded in the records of this office, in book _____ at page _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at
this _____ day of _____, A.D.,
Mike Medsker, Recorder of Deeds

Cass County, Missouri
Recorder.

Attachment: REAL_1757_36_WD (Warden Annexation)

Zoning Map



Attachment: Zoning Map (Warden Annexation)

MARC/local jurisdictions, State of Missouri, Maxar, Microsoft

Aerial Map



Attachment: Aerial Map (Warden Annexation)

MARC/local jurisdictions, State of Missouri, Maxar

STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 18, 2024
SUBJECT: Ordinance Warden Annexation

Type of Item: *Approval*

I. Action Item (ID # 5000)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY ANNEXING APPROXIMATELY 8 ACRES OF ADJACENT TERRITORY OWNED BY DAVID A. & LISA K. WARDEN, LOCATED NORTH OF TWIN PINES GOLF COURSE AND WEST OF KRISSY BEND INTO THE CITY OF HARRISONVILLE, MISSOURI, ESTABLISHING THE ZONING AS AGRICULTURE (A) DISTRICT AND ESTABLISHING AN EFFECTIVE DATE.

Attachments:

Warden Annexation Ordinance (DOCX)

Council Bill No. _____

Ordinance No. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY ANNEXING APPROXIMATELY 8 ACRES OF ADJACENT TERRITORY OWNED BY DAVID A. & LISA K. WARDEN, LOCATED NORTH OF TWIN PINES GOLF COURSE AND WEST OF KRISSY BEND INTO THE CITY OF HARRISONVILLE, MISSOURI, ESTABLISHING THE ZONING AS AGRICULTURE (A) DISTRICT AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, a legal notice announcing a public hearing to be held on the petition for annexation on October 21, 2024, before the Board of Aldermen of the City of Harrisonville, Missouri was published in the October 10, 2024, edition of the *Tribune and Times* newspaper; and

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

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

WHEREAS, the zoning of the property is being established as Agriculture (A) District; and

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

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on October 21, 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, CASS COUNTY, MISSOURI, AS FOLLOWS:

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

Attachment: Warden Annexation Ordinance (Ordinance Warden Annexation)

Legal Description:

All that part of the Northeast Quarter of the Northeast Quarter of Section 35, Township 45, Range 31, lying North of the abandoned MKT Railroad centerline, except all that part of Katy Trail, a subdivision of land as previously platted and recorded in Plat Book 18 at Page 1, in the office of the Recorder of Deeds, Cass County, Missouri, located in said quarter quarter section, and further except those tracts of land located in the City limits of Harrisonville, Cass County, Missouri. More particularly identified as parcel #08-07-35-000-000-001.000.

Subject to easements, restrictions, reservations and covenants of record, if any.

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

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

Section 4: That this Ordinance shall be in effect immediately upon its passage and approval.

Read for the first time by title only on the 21st day of October 2024. Read for the second time by title only on the 4th day of November 2024.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

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

Attachment I: Zoning Map

Attachment: Warden Annexation Ordinance (Ordinance Warden Annexation)

Zoning Map



STAFF REPORT

TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: October 16, 2024
SUBJECT: Municipal Court Report September 2024

Type of Item: *Discussion*

A. Discussion Item (ID # 4994)

Municipal Court Report September 2024

Attachments:

September 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 **September 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
Don Lograsso
Municipal Court Judge

10/2/24
Date

Presented and reviewed as required by Court Operating Rule 4.29.

[Signature]
City Clerk

10-4-2024
Date

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

Notary

RECEIVED
OCT 04 2024
CITY OF HARRISONVILLE

Attachment: September 2024 Municipal Court Report (Municipal Court Report September 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: Sep 1, 2024 - Sep 30, 2024	
Mailing Address: 300 E PEARL STREET, HARRISONVILLE, MO 64701					
Physical Address: 300 E PEARL STREET, HARRISONVILLE, MO 64701			County: Cass County		Circuit: 17
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		42	676	591	
B. Cases (citations/informations) filed		3	86	35	
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	2	3	
3. court/bench trial - NOT GUILTY		0	3	0	
4. plea of GUILTY in court		0	21	30	
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	14	0	
6. dismissed by court		0	0	1	
7. <i>nolle prosequi</i>		0	3	10	
8. certified for jury trial (not heard in Municipal Division)		0	0	0	
9. TOTAL CASE DISPOSITIONS		0	43	44	
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		45	719	582	
E. Trial de Novo and/or appeal applications filed		0	0	0	
<u>III. WARRANT INFORMATION</u> (pre- & post-disposition)		<u>IV. PARKING TICKETS</u>			
1. # Issued during reporting period	44	1. # Issued during period		0	
2. # Served/withdrawn during reporting period	48	☐ Court staff does not process parking tickets			
3. # Outstanding at end of reporting period	1,135				

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

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: Harrisonville Municipal	Reporting Period: Sep 1, 2024 - Sep 30, 2024
--------------------------	---------------------------------------	--

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	\$3,192.09	Court Automation	\$398.36
Clerk Fee - Excess Revenue	\$374.73	Overpayments Detail Code	\$6.68
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$14.44	Total Other Disbursements	\$405.04
Bond forfeitures (paid to city) - Excess Revenue	\$100.00	Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$11,378.36
Total Excess Revenue	\$3,681.26	Bond Refunds	\$852.00
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)		Total Disbursements	\$12,230.36
Fines - Other	\$5,637.50		
Clerk Fee - Other	\$364.76		
Judicial Education Fund (JEF) ☒ Court does not retain funds for JEF	\$0.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$70.91		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$499.14		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$11.47		
Law Enforcement Training (LET) Fund surcharge	\$114.00		
Domestic Violence Shelter surcharge	\$112.00		
Inmate Prisoner Detainee Security Fund surcharge	\$113.28		
Restitution	\$0.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$369.00		
Total Other Revenue	\$7,292.06		

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