



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
AUGUST 19, 2019
7:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Pledge of Allegiance**
- 3. Ceremonial Matters**
 - A. 2019 Harrisonville Homecoming Week**
 - B. Traction Proclamation**
- 4. Public Participation**
- 5. Approval of Minutes**
 - A. Board of Aldermen - Work Session - Aug 5, 2019 5:30 PM**
 - B. Board of Aldermen - Regular Meeting - Aug 5, 2019 7:00 PM**
- 6. Agenda Items**
 - A. Harrisonville High School Homecoming Parade 2019**
 - B. Log Cabin Festival Event Permit**
 - C. 2019 Non-Preference Tow Agreement**
 - D. Council Bill 53: A Resolution of the Board of Aldermen of the City of Harrisonville, Missouri, to authorize the city administrator to execute a Purchase Agreement for fourteen (14) sets of personal protective equipment (turn out bunker gear, and equipment) from Ed Feld Fire, Inc in the amount of \$25,821.60, and establishing an effective date.**
 - E. Tax Rate Hearing**

- F. Council Bill 54: Tax Levy Ordinance An Ordinance Levying A Tax For The Current Expense Of The City Of Harrisonville, Missouri, Upon Real Property And All Tangible Personal Property Of Whatsoever Nature And Character Subject To Taxation By The City Of Harrisonville For Such Purposes; Also, Levying A Special Tax Upon The Afore Described Properties For Public Parks; For A Total Tax Levy Of \$.6425.**
 - G. Council Bill 55: AN ORDINANCE OF THE CITY OF HARRISONVILLE, MISSOURI, AMENDING TITLE VI: BUSINESS AND OCCUPATIONS OF THE HARRISONVILLE CITY CODE OF ORDINANCES TO INCLUDE CHAPTER 670 REGULATING MEDICAL MARIJUANA FACILITIES.**
 - H. Chapter 430 Public Hearing**
 - I. Council Bill 56: AN ORDINANCE OF THE BOARD OF ALDERMEN OF HARRISONVILLE, MISSOURI REPEALING CHAPTER 430 OF THE CITY CODE AND ENACTING IN LIEU THEREOF AN AMENDED CHAPTER 430 URBAN REDEVELOPMENT REGULATIONS OF THE CITY OF HARRISONVILLE, MISSOURI AND ESTABLISHING AN EFFECTIVE DATE.**
- 7. Aldermen and Committee Reports**
 - 8. Report from the City Administrator**
 - A. July Municipal Court Report**
 - 9. Questions from the Media**
 - 10. Adjourn From Regular Session**

Posted on City Hall Bulletin Board this 14th day of August, 2019

Randall K. Jones, City Clerk

The Board of Aldermen meeting is an open meeting but is not a meeting of the public. There is a place on the agenda for comments of citizens under PUBLIC PARTICIPATION. Our rule is that comments by any individual or group shall not exceed (4) minutes. The Board of Aldermen request that concerns be initially addressed at the appropriate action level before coming to the Board of Alderman



PROCLAMATION

BLUE & WHITE DAY
SEPTEMBER 13, 2019



WHEREAS, The City of Harrisonville, the Mayor, Board of Aldermen, and the residents of this community wish to formally recognize the students and school faculty of our great City for displaying pride in themselves and their school, and demonstrating the MIGHTY WILDCAT SPIRIT by participating in HARRISONVILLE SPIRIT WEEK; and

WHEREAS, Wildcat spirit is built on the pride and involvement not only by the students and teachers, but by the entire community, including parents, business leaders, elected officials, public service personnel and senior citizens; and

WHEREAS, The City of Harrisonville would like to join with the school faculty and student body in thanking everyone for attending this City-Wide Pep Rally to celebrate Homecoming 2019 and for displaying WILDCAT PRIDE.

NOW, THEREFORE, on behalf of the Board of Aldermen of the City of Harrisonville I, Mayor Judy Bowman, do hereby proclaim Friday, September 13, 2019, as **BLUE & WHITE DAY** in the City of Harrisonville, and urge all citizens to show their support by wearing blue and white during this day to honor our schools and community.

Judy Bowman, Mayor

PROCLAMATION

Whereas, TRACTION – *Teens taking action to prevent traffic crashes*, is a statewide program, sponsored by the Missouri Department of Transportation Traffic and Highway Safety Division and Cape Girardeau Safe Communities; and

Whereas, the goal of TRACTION is to empower youth to take an active role in traffic safety prevention by providing motivation, leadership training and skill development to challenge students to explore knowledge, attitudes, and behaviors related to traffic safety issues; and

Whereas, through their involvement in TRACTION, Harrisonville High School team members have strengthened their individual determination and have created and implemented specific action plans to address traffic safety issues within their school and community,

THEREFORE, I Judy Bowman, Mayor of the City of Harrisonville, Missouri, do hereby proclaim August 19, 2019, as

TRACTION DAY

in Missouri to recognize **Harrisonville High School** TRACTION team for their outstanding contribution through active involvement in traffic safety prevention efforts to save lives and prevent injuries in their school and community.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed in the City of Harrisonville, Missouri this 19th day of August, 2019.

Judy Bowman, Mayor



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
AUGUST 5, 2019
5:30 PM

1. Call to Order

The meeting was called to order at 5:30 PM by Mayor Judy Bowman

2. Present

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

Others in attendance were: City Administrator Happy Welch, Public Works Director Eric Patterson, Finance Director Marcella McCoy, IT Director Jeremy Smith and City Clerk Randall Jones, Recording.

3. Discussion Items

A. 2904 Twin Pines-Wilson

Mr. Wilson was not present. City Administrator Welch to reach out to him and reschedule when he can attend.

RESULT: POSTPONED

Next: 9/16/2019 5:30 PM

B. IT Review with Board

Minutes Acceptance: Minutes of Aug 5, 2019 5:30 PM (Approval of Minutes)

IT Director Jeremy Smith gave a presentation to the Mayor and Board of Aldermen regarding the City's current IT infrastructure, programs that the City is utilizing, risks that are involved and future planning for the City. Mayor Bowman asked if a better training resource was available for the employees. Jeremy Smith responded that what we offer is good but probably need more hands-on group instruction. Mayor Bowman asked what he needed from the Board of Aldermen. Jeremy replied that he would be more vocal in requesting updates and upgrades to the IT Department. Alderman Davidson asked if there was a five-year plan and suggested that we possibly hold a work session to concentrate on items needed to upgrade and become compliant.

C. Budget Questionnaire

City Administrator Happy Welch presented the budget questionnaire and capital items that the Board would like to see worked into budget are: Police Department - shower rooms; Public Works Department - UV sewer upgrades, stormwater improvements and to accumulate monies for the airport runways resurfacing; Parks & Recreation - the Master Plan in 2022 when the Community Building will be paid off; City Hall - front facade needs repairs and long-term plan to replace city hall; Finance/Municipal Court/IT - Incode 10 upgrades; Community Development - Economic Development Director need to budget for higher amount; HES - none. Also discussed was the possible need for rate increases but will wait until after rate study is presented. Possibilities for employee benefits would be to consider a 2.5% cost of living raise across the board, Alderman Davidson would like to see Martin Luther King Jr's Birthday be observed, Alderman Miller would like to add an extra personal day to all full-time employees. The City is currently reviewing insurance brokers to assist with employee health insurance.

Alderman Milner made a motion to to close the work session. There was a second by Alderman Miller. Motion carried. Meeting adjourned at 6:51 p.m.

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

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Aug 5, 2019 5:30 PM (Approval of Minutes)



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
AUGUST 5, 2019
7:00 PM

1. Call to Order

The meeting was called to order at 7:00 PM by Mayor Judy Bowman

A. Pledge of Allegiance

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

Others present were: City Attorney Steve Mauer, City Administrator Happy Welch, Public Works Director Eric Patterson, It Director Jeremy Smith, Finance Director Marcella McCoy, City Planner Roger Kroh, Police Chief John Hofer, HES Director Eric Myler, Parks & Recreation Director Chris Deal and City Clerk Randall Jones, Recording.

2. Ceremonial Matters

A. Service Awards for Merrifield and Quezada

Mayor Bowman presented a certificate of appreciation to Roberto Quezada II for ten years of service with the City of Harrisonville.

3. Public Participation

John Foster, 2619 Duncan Circle, handed out an arial view of the square/downtown area. He proposed that the City might widen the streets for better access to the square with the possibility of trading some lots with the Historical Society.

Steve Tiedman, 1710 Ann Avenue and Chad Burlingame, 1901 Twin Oaks Drive addressed the Mayor and Board to thank them and the City for all the assistance given to help bring the Moving Wall to Harrisonville. Mayor Bowman in turn, also thanked them and the American Legion for their efforts to make it all happen.

Rick DeLuca, 236 S. Raintree Drive, Lee's Summit, MO, addressed the Mayor and Board to state that when he was employed by the City of Harrisonville, that neither he nor his staff ever told anyone that they did not have to take Timber Drive all the way to the property line. He then commended Mr. Foster for thinking of transportation needs in the city.

4. Approval of Minutes

A. Board of Aldermen - Work Session - Jul 15, 2019 5:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Marcia Milner, Board Member
SECONDER:	Dave Doerhoff, Board Member
AYES:	Bockelman, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson
ABSENT:	Matt Turner

B. Board of Aldermen - Regular Meeting - Jul 15, 2019 7:00 PM

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

5. Agenda Items

A. SEPTEMBER 2, 2019 MEETING - RESCHEDULE

After discussion, it was decided to cancel the September 2nd meeting unless something needs attention and then will schedule meeting for September 3rd.

B. A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH ZONES FOR THE PURCHASE OF 18 PERSONAL COMPUTERS AND 1 LAP TOP COMPUTER IN THE AMOUNT OF \$21,577.44, AND ESTABLISHING AN EFFECTIVE DATE.

Staff report presented by IT Director Jeremy Smith. Upon passage, Mayor Bowman designated it to be Resolution #033.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gary Davidson, Board Member
SECONDER:	Clint Miller, Board Member

AYES: Bockelman, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson
ABSENT: Matt Turner

- C. A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH KC WEB, INC., TO PROVIDE INTERNET SERVICES TO THE CITY AND ALLOW KC WEB TO UTILIZE THE CITY'S INFRASTRUCTURE TO PROVIDE SERVICE, AND ESTABLISHING AN EFFECTIVE DATE.**

Staff report presented by IT Director Jeremy Smith. Upon passage, Mayor Bowman designated it to be Resolution #034.

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

- D. Sign Regulations Public Hearing**

Mayor Bowman opened public hearing. No citizen input. Hearing was closed.

- E. AN ORDINANCE AMENDING SECTION 435.125 OF THE CITY CODE ESTABLISHING THE SIZE RESTRICTIONS OF SPECIAL SIGNS**

First reading for Council Bill #050. Motion by Alderman Milner to suspend ruling and move Council Bill #50 to second reading with a second by Alderman Doerhoff. Roll call vote: Alderman Bockelman aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner absent. Having been read by title only twice, Roll call vote taken: Alderman Bockelman aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner absent. Mayor Bowman designated it to be Ordinance #3471.

RESULT: ADOPTED [UNANIMOUS]
AYES: Bockelman, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson
ABSENT: Matt Turner

- F. Brian Renner Public Hearing Rezoning/Final Plat 1600 Mechanic**

Staff report presented by City Planner Roger Kroh. He requested that the public hearing be moved to the September 16, 2019 meeting. Motion made by Alderman Davidson with a second by Alderman Miller to continue to September 16, 2019. Motion carried.

- G. Special Use Permit Hearing - Holesman**

Staff report presented by City Planner Roger Kroh. Gale Holesman, 116 Grandview Road, Kansas City, MO and his partner Mike Clagett, addressed the Mayor and Board stating their reasons for wanting to open the transfer station in Harrisonville.

H. AN ORDINANCE OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, GRANTING A 10-YEAR SPECIAL USE PERMIT TO GALE T. HOLESMAN, JR. AND AMERICAN WASTE SYSTEMS TO OPERATE A SOLID WASTE TRANSFER STATION AT 2901 BRICKPLANT ROAD.

First reading for Council Bill #051. Motion by Alderman Milner to amend the ordinance to add the last 8 items that were left of packet copy and move Council Bill #51 to second reading with a second by Alderman Miller. Roll call vote: Alderman Bockelman aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner absent. Having been read by title only twice, Roll call vote taken: Alderman Bockelman aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner absent. Mayor Bowman designated it to be Ordinance #3472.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Marcia Milner, Board Member
SECONDER:	Clint Miller, Board Member
AYES:	Bockelman, Doerhoff, Milner, Reece, Miller, Dickerson, Davidson
ABSENT:	Matt Turner

I. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, REPEALING A SECTION OF CHAPTER 205 EMERGENCY SERVICES; FIRE CODE; FIREWORKS AND CHAPTER 215; OFFENSES CONCERNING PROPERTY TO ALLOW OPEN BURNING FOR YARD AND VEGETATIVE WASTE IN THE CITY OF HARRISONVILLE, MISSOURI, AND ESTABLISHING AN EFFECTIVE DATE.

Staff report presented by City Administrator Happy Welch. First reading for Council Bill #052. Motion by Alderman Davidson to suspend ruling and move Council Bill #052 to second reading with a second by Alderman Doerhoff. Roll call vote: Alderman Bockelman aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner absent. Having been read by title only twice, Roll call vote taken: Alderman Bockelman aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller aye, Alderman Dickerson aye, Alderman Davidson aye, Alderman Turner absent. Mayor Bowman designated it to be Ordinance #3473.

J. 3273 : Request to Postpone Timber Drive Extension Variance

City Attorney Mauer stated he had been in contact with Richard Walters, counsel for the developer. He shared with the Board that Mr. Walters stated that the developer wishes to work with the City and agreed that the matter needs to be addressed due to the project being audited by the state and federal government. Mr. Walters also stated the rent on the project cannot be raised and is not a concern for the residents. A motion was made by Alderman Davidson to postpone the Timber Drive Ordinance 2nd reading until their attorney could meet with the City. A second was made by Alderman Doerhoff. Motion carried with all ayes.

6. Aldermen and Committee Reports

Alderman Milner reminded everyone that with school soon starting back up to be watchful for children crossing streets.

Alderman Davidson agreed with Alderman Milner's statement. He said he had heard good things about the Harrisonville Police Department during a recent robbery.

7. Report from the City Administrator

Presented in packet.

A. City Admin Rpt 8-5-19

8. Questions from the Media

None.

9. Adjourn to Executive Session pursuant to RsMO 610.021 (3) Hiring, firing, discipline, promotion employee

A motion was made by Alderman Milner to enter into Executive Session pursuant to RsMO 610.021 (3) Hiring, firing, discipline, promotion of employee. A second was made by Alderman Doerhoff. Roll call vote: Alderman Bockelman nay, Alderman Doerhoff aye, Alderman Milner aye, Alderman Reece aye, Alderman Miller nay, Alderman Dickerson nay, Alderman Davidson aye, Alderman Turner absent. Motion carried.

10. Adjourn From Regular Session

A motion was made by Alderman Milner with a second by Alderman Davidson to adjourn. Motion carried. Meeting adjourned at 8:29 p.m.

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

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Aug 5, 2019 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: August 13, 2019
SUBJECT: Harrisonville High School Homecoming Parade 2019

Type of Item: *Approval*

Issue: The Harrisonville High School Student Council (Advisor Emily Terwilliger) has requested to have the annual Homecoming Parade on September 13, 2019 from 1:30 pm to 3:00 pm. The parade entries will stage in the park again this year and the requested route is right on Ash out of City Park, left on Independence Street, left on Pearl Street, left on Bradley Street and back to City Park (see attached map).

This event occurs during normal city business hours so we will attempt to utilize staff from other city departments as well as school district for traffic control rather than pay off-duty police officers overtime. The VIPs will also be contacted to check their availability to assist as well. Therefore, there should be limited costs for city services associated with this event.

Background: This event has occurred for many years and on a few occasions in the past we have had issues with the participants following the parade rules (attached). The past few years these issues have been very minimal as the school administration has worked diligently to address these issues. The applicant has been provided the rules and regulations sheet (attached) and has agreed to adhere to these rules. The school will submit the required insurance to the City Clerk's Office should this event be approved.

Recommendation: It is staff's recommendation that this event be approved as long as and all noted rules and regulations are adhered to and that all state laws and local ordinances are followed. The Police Department has also agreed to assist with getting students across Mechanic Street/Hwy 7 in a safe manner both before and after the parade.

A. Action Item (ID # 3320)

Harrisonville High School Homecoming Parade 2019

Attachments:

HHS HC Parade Event Permit 2019 (PDF)

Parade Rules 01-01-2018 (PDF)

SPECIAL EVENTS APPLICATION

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

1. Organization: **Harrisonville High School Student Council**
2. Name of Applicant: **Caitlyn Costner-Parade Chair/Emily Terwilliger-Student Council Sponsor**
 Address: **1504 E. Elm Harrisonville, MO 64701**
 Phone: **(816) 380-3273 x.6850** Cell: **(816) 738-6186 (Terwilliger Cell)**
3. Purpose of Event: **2019 Homecoming Parade**
4. Proposed date(s) and time(s) of Event: **September 13, 2019 at ~~12:30pm~~ 1:30pm**
5. Location(s) where event will be held: **See attached map**
6. Anticipated crowd size: **3000 people total**
7. City services requested: (Please check all that apply) **Provide detailed letter for these requests.**
☒ Electricity ☒ Police Protection ☒ Traffic Control ☒ Ambulance Standby
☒ Cones ☒ Barricades ☐ Street or parking lot clean up
8. Any additional information: **This event is our annual Homecoming parade.**
Wildcats from around our town will line the streets
to celebrate another great homecoming for our HHS
Wildcats!

APPROVED this _____ day of _____, 20____.

Chief of Police

City Clerk

2019 Homecoming Parade Rationale

Staging in the park

- This provides us ample space to line up parade entries without too much congestion.
- The park also has restrooms and water fountains for participants

Route

- This route provides us the ability to use the pool parking lot for drop off and parking without inhibiting the flow of the parade.
- We can also line up emergency responders who are participating in the parade along Ash St. This allows them easy entry and exit in case of emergencies.
- This route takes us around the square, which is the tradition for this parade. Judges will be staged on the north side of the square.
- The end of the parade is at Ash St. and Bradley. This provides two exit routes for floats as they exit the parade.

Resources Requested

- There are several intersections along the parade route for which we are asking HPD assistance. These intersections are known to be high traffic, changes in the parade route, or otherwise determined to be overwhelming for HHS staff alone.
- We ask that HPD evaluate the provided route and offer assistance in other areas where they feel their presence could be helpful during the parade.
- We are asking for the following prior to the parade:
 - HPD communication with residents regarding the parade route and possible inconveniences to our residents
 - HPD collaboration with our parade committee regarding unexpected needs/questions that may arise during final stage planning
- We are also asking for the following resources during the parade at each intersection:
 - Traffic cones
 - Safety vests for staff
 - Personnel (only at those indicated on the map)

Thank you

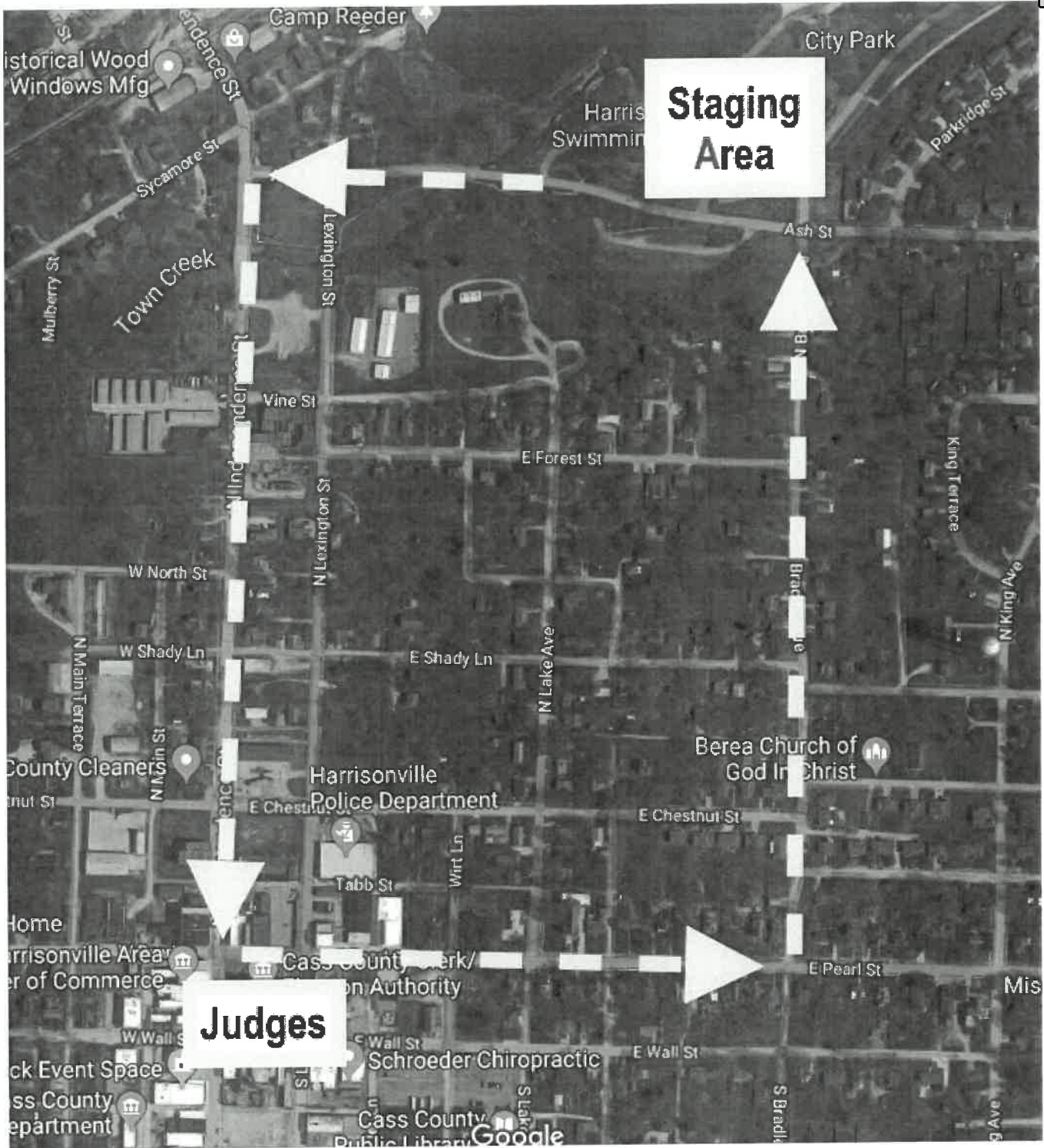
Thank you to our Harrisonville Police Department for your continued support and assistance each year. This event, though stressful in planning and implementation, is one of the most exciting events for our students, staff, and community each school year. We enjoy working with our local law enforcement and having the opportunity to make this an annual celebration of our Wildcat Family. We could not do this without you!

Sincerely,

Harrisonville Student Council



Attachment: HHS HC Parade Event Permit 2019 (Harrisonville High School Homecoming Parade 2019)



Attachment: HHS HC Parade Event Permit 2019 (Harrisonville High School Homecoming Parade 2019)

Staff,

As you know, the parade is Friday 9/13/19 at 1:30 pm; we release at 12:05 pm. This sheet describes your responsibilities during the parade. If you have any questions about your supervision duties or where your area is located, please check with Mrs. Terwilliger.

1. Please help clear the building of all students as soon as possible.
2. Move you and your vehicle to the designated area below. Use your car as a barricade at that intersection. Police should have barricades there also. Please do NOT leave your area until the parade is over. You will need to be on your "corner" by 1:30 pm.
3. Please watch our kids to make sure they are on their best behavior.
4. Help monitor behavior on the floats as well. There is to be NO candy thrown, only handed out. Students are NOT allowed to get off of the float once the parade starts.
5. Thanks for your help!

1. Ash St. and East Park Entrance-Dam Entrance (start of the parade) - HPD ASSISTANCE
2. Ash St. and Lexington St.
3. Ash St. and Independence St. (parade turns south) - HPD ASSISTANCE
4. Independence St. and Vine St.
5. Independence St. and Shady Ln
6. Independence St. and Chestnut St.
7. Independence St. and Pearl St. (parade turns east) - HPD ASSISTANCE
8. Pearl St. and Lexington St. -HPD ASSISTANCE
9. Pearl St. and Marler St.
10. Pearl St. and Wirt St.
11. Pearl St. and Lake St.
12. Pearl St. and alleyway
13. Pearl St. and Bradley St. (parade turns north) - HPD ASSISTANCE
14. Bradley St. and Walnut St.
15. Bradley St. and Chestnut St.
16. Bradley St. and Pine St.
17. Bradley St. and Elm St. -HPD ASSISTANCE
18. Bradley St. and Shady St.
19. Bradley St. and Forest St.
20. Bradley St. and Ash St. (end of the parade) - HPD ASSISTANCE



Harrisonville Parade Rules & Regulations



6.A.b

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

Attachment: Parade Rules 01-01-2018 (Harrisonville High School Homecoming Parade 2019)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: July 31, 2019
SUBJECT: Log Cabin Festival Event Permit

Type of Item: *Approval*

Type of Item: *Action Item*

Issue: The Harrisonville Chamber of Commerce has requested an event permit for the 2019 Log Cabin Festival scheduled for October 4th and October 5th, 2019 for the historic Harrisonville square and areas surrounding.

Background: If approved, this will be the 10th year for the event. The Chamber of Commerce has several requests of the City for this event which are listed below along with associated costs and explanations:

- 1) **Parade** - Parade - Saturday parade (October 5th) starting at 11am. Line-up at 9am and staging at the Harrisonville High School, with the parade commencing down Price St. to east on Pearl Street then turning North at Independence St., ending at the vacant lot just North of Vine St. Restrict parking along the Parade route. Both vehicle entries and horse entries would be included in addition to pedestrian entries.

City Response - The estimated cost to accommodate this request is \$1,300.00. The usage of the HPD VIPS program to assist with this request will very helpful with keeping the costs down for this request. Usage of the High School property will need to be secured by the applicant and all animal droppings associated with the parade will be the applicant's responsibility for cleanup. All City of Harrisonville parade rules and regulations must be followed.

- 2) **Band** - Two Bands are contracted to play on the square Friday & Saturday evening (October 4th & October 5th) until 11:00pm inside the reunion garden which is requested to be moved to the parking lot (old hotel) at Lexington and Pearl. [Property owner has residents with a garage now located in the area previously used on Wall St.]

City Response - The initial application for 2019 had the applicant requesting to relocate the beer garden to Pearl Street, the City requested the beer garden move to the hotel parking lot for better traffic flow. The cost to provide electricity for this request is included in Request #7.

- 3) **Reunion Garden** - Event liquor license via Chamber of Commerce application and approval from the city council authorizing beer sales in the parking lot (old hotel) at Lexington and Pearl, Friday (October 4th) from 5pm to 11pm, and Saturday (October 5th) from 12pm to 11pm. This is a brand-new location for 2019.

City Response - To accommodate this request the applicant will need to obtain proper licensing from the State of Missouri to serve the alcohol. The applicant has requested use of the old hotel/parking lot for the location of the beer garden tent. The applicant has agreed to fence off the area and limit access by having only one main entry/exit point. Two off-duty Harrisonville police officers will be assigned specifically to the entertainment beer garden tent while live music is being played. The Chamber has agreed to hire off-duty Harrisonville Police Officers at a rate of \$35.00 per hour to provide security as requested for the patrons of the beer garden tent. Therefore, there is no cost for City services for this request and this request.

- 4) **Stage and bleachers** - Stage and bleachers on the North side of the square to be placed on the bricks, facing the stage, set up Thursday or Friday morning and break-down at the conclusion of festival.

City Response - The Public Works Department, Parks Department, and the Street Department will set these items as requested and will remove these items either Sunday or Monday morning after the conclusion of the festival. The estimated cost to provide these services in 2019 is \$825.00

- 5) **Trash pickup** - Assistance from the city with trash pickup for the entire area including a 40 yard roll off container.

City Response - The City has provided this assistance each year of the festival and estimated cost to provide trash clean-up is \$2,550.00. The 40-yd. roll off dumpster has been provided as a donation from the local trash provider in the past. The roll-off container is estimated to cost \$450.00 for the event if not donated.

City employees will not enter the beer garden to assist with trash. To assist City personnel with trash clean-up a gator type vehicle is needed and the Chamber of Commerce will need to provide such a vehicle again this year. This requested item saw a significant increase in 2019 as Mr. Welch asked the staff to work additional hours on Friday night.

- 6) **Police services-** Assistance from the city with police services and fire protection services. They will keep watch during the event including the carnival area. Additional security will be employed by the Chamber of Commerce pursuant to the Harrisonville Police Chief's recommendations regarding the beer sales perimeter.

City Response -The estimated cost to provide this service is \$2,675.00. Off-duty officers will be assigned to the event area, excluding the Beer Garden, to provide Public Safety Security for patron attending the event. Officers working the festival will be on overtime and will provide foot patrol for the event area. Off duty police officers will also provide overnight security for the event area on Friday evening, not to include the beer garden tent.

Emergency Services protection will be provided as needed but not staged in the area.

- 7) **Public Works** - Assistance from the city with setup for the handwashing station, bleachers, Pearl St. stage, roadblocks, tables and chairs, trash pickup and electric power centers. The info booth will NOT be used this year.

City Response - The City's electric department will aid with electric hook-up to both the square area as well as the new beer garden tent location. The public works department will set-up the hand washing station on Friday morning. The Chamber will need to arrange the delivery of the hand washing station to the square. The cost of providing these services last year was \$1,275.00.

- 8) **Security** - Security will be provided by the Chamber of Commerce for the beer garden perimeter to check identification and maintain order from 4pm-11pm Friday and 11am-midnight Saturday night. Additional security will also be contracted for overnight security of event location.

City Response - All security for the beer garden tent will be the responsibility of Chamber of Commerce. In year's past the chamber has hired off-duty Harrisonville Police Officers (2) while to provide security while the bands are playing in the beer garden tent and overnight security has been hired from the Freeman Police Department. Harrisonville's off-duty police rate is currently \$35.00 per hour. There is no cost to the City for this request.

- 9) **Event Area Map** - The layout of the event is expanding in 2019 to include activities closing Wirt St. from Wall St. to Pearl Street (next to American Legion). Wirt St. between Wall and Pearl will be a new location for craft booths and demonstrations next to the Farmer's Market which will be locating on the grassy area along Wall St. below the public garden area.

City Response - The City has worked with the applicant regarding the expansion from last year's event. The event area is described as the Harrisonville historic square area to include Wall Street from Main Street to Lake Street, Independence Street from Pearl Street to Johnson Drive, Lexington Street from Pearl Street to Johnson Drive, Wirt St. from Pearl St. to Mechanic St., the hotel parking lot, the four parking lots off Wall Street near the Cass County Library and the public parking lot behind the Chamber office that sits between Pearl and Wall Street. Any and all requests to change to alter the event area needs to be submitted to the City no later than September 1, 2019 to give staff adequate time to obtain Board of Alderman approval. Approval for usage of the other requested areas needs to come from the respective property owners. There is no cost associated with this request.

- 10) **Timeline for Event** - Traffic on the square closing from 5pm Thursday October 3rd through 12pm Sunday October 6th.

City Response - The closing of the square early for set-up is not a concern of city staff. (See the attached map of Chamber requested street closures.) Please keep in mind any of the businesses that may be affected by this closure.

- 11) **Parking restriction** - No parking on Wall St. between Main and S. Lake Street, from Thursday at 5pm through Sunday 8am. Secure lot for vendor parking north of the square (Hon Heating and Cooling Parking lot).

City Response - The parking on Wall Street from Main Street to Lexington Street will be closed about 5:00 pm on Thursday October 3, 2019. The remainder of the requested area, Lexington Street to Lake Ave. will be shut down to vehicular traffic at 12:00 pm Friday October 4, 2019 as the applicant's submitted shows. The availability to uses the requested vendor parking at Hon Heating and Cooling parking lot will need to be secured by the applicant as this is private property. Once secured it will be the responsibility of the applicant to provide the necessary lot closure equipment for this lot, the City Street Department is concerned with running short on barricades with the expanded layout for 2019. There are no costs associated with this request.

- 12) **Carnival** - A carnival in the city parking lots between Marler & Lake just off Wall

St. The lots will need to close Monday, September 30th, to accommodate the carnival company coming to town from a previous event. “We will be contracting with Jones and Company. This is a brand-new carnival company. We had called two other Chamber of Commerce’s and we were given rave reviews about this carnival.” The entire lots will be utilized by the carnival for their set up needs including water and electricity. They will start setting up Tuesday October 1st in the entire parking lots leaving Wirt St. open until noon Thursday, October 3rd. Marler to remain open with a section cordoned off for parking for the Wall St. businesses.

City Response - The cost associated with this request is included in #7. The public works staff will provide metered water from the nearby hydrant for the carnival company and its animals. The carnival agrees to cease operations promptly at midnight each evening. The city will shut down the requested parking lots on Sunday September 30th however Wirt Street will remain open to vehicular traffic until noon on Thursday October 3rd. Again, this year part of the NW parking lot will be closed later in the week to allow parking for local businesses.

For the past several years I have used police line tape in the area around one of the neighboring businesses to discourage juveniles’ access to the area. This business has incurred significant damage in the past during the festival.

- 13) **Table & Chairs** - Just like last year the Chamber needs tables and chairs delivered to the Reunion Garden (Pearl St.) on Friday October 4th.

City Response - For several years the Parks Dept. has provided tables and chairs from the North Park Activity Center for use in the beer garden tent. Again, this year the Parks Dept. will deliver, set-up, tear down and remove all tables and chairs from the beer garden tent. The estimated cost associated with this request is \$255.00

- 14) **Community Gardens Block** - The use of the grassy block for a petting zoo and the Farmers Market. New location for 2019.

City Response - This request occurs on private property so the applicant will need to secure approval from the property owner.

- 15) **New Event Item** - A Car Smash next to Birdies on their parking lot.

City Response - This request occurs on private property so the applicant will need to secure approval from the property owner.

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

As stated earlier, any changes or modifications to these requests or any additional requests need to be forwarded to the City no later than September 1, 2019 to ensure staff has adequate time to take the matter to the Board of Alderman if needed. Requests received after September 1, 2019 may be denied without Board of Alderman review.

<u>Request</u>	<u>Estimated</u>	
<u>Cost</u>		
#	to City	
1	\$1,300.00	
2	\$0.00	
3	\$0.00	
4	\$825.00	
5	\$2,550.00	does not include dumpster
6	\$2,675.00	
7	\$1,275.00	
8	\$0.00	
9	\$0.00	
10	\$0.00	
11	\$0.00	
12	\$0.00	
13	\$255.00	
14	\$0.00	
15	<u>\$0.00</u>	
Total	\$8,880.00	

Attachments:

Chamber Application

Event Layout Map

Porta-Potty Map

Parade Rules

B. Action Item (ID # 3296)

Log Cabin Festival Event Permit

Attachments:

Application for City Amended (DOCX)

Road Closures Amended (PDF)

Port-A-Pottie-Map-2019 (PPTX)

Parade Rules 01-01-2018 (PDF)

Log Cabin Festival 2019

1. Parade – Saturday parade (October 5th) starting at 11am. Line-up at 9am and staging at the Harrisonville High School, with the parade commencing down Price St. to east on Pearl Street then turning North at Independence St., ending at the vacant lot just North of Vine St. Restrict parking along the Parade route. Both vehicle entries and horse entries would be included in addition to pedestrian entries.
2. Band – Two Bands are contracted to play on the square Friday & Saturday evening (October 4th & October 5th) until 11:00pm inside the **reunion** garden which is requested to be moved **to parking lot (old hotel) at Lexington and Pearl**. [Property owner has residents with a garage now located in the area previously used on Wall St.]
3. Reunion Garden – Event liquor license via Chamber of Commerce application and approval from the city council authorizing beer sales **in the parking lot (old hotel) at Lexington and Pearl**, Friday (October 4th) from 5pm to 11pm, and Saturday (October 5th) from 12pm to 11pm. **This is a brand new location for 2019.**
4. Stage and bleachers – Stage and bleachers on the North side of the square to be placed on the bricks, facing the stage, set up Thursday or Friday morning and break-down at the conclusion of festival.
5. Trash pickup – Assistance from the city with trash pickup for the entire area including a 40 yard roll off container.
6. Police services– Assistance from the city with police services and fire protection services. They will keep watch during the event including the carnival area. Additional security will be employed by the Chamber of Commerce pursuant to the Harrisonville Police Chief's recommendations regarding the beer sales perimeter.
7. Public Works – Assistance from the city with setup for the handwashing station, bleachers, Pearl St. stage, road blocks, tables and chairs, trash pickup and electric power centers. The info booth will NOT be used this year.
8. Security – Security will be provided by the Chamber of Commerce for the beer garden perimeter to check identification and maintain order from 4pm-11pm Friday and 11am-midnight Saturday night. Additional security will also be contracted for overnight security of event location.
9. Event Area Map – **The layout of the event is expanding in 2019** to include activities closing Wirt St. from Wall St. to Pearl Street (next to American Legion). Wirt St. between Wall and Pearl will be a new location for craft booths and demonstrations next to the Farmer's Market which will be locating on the grassy area along Wall St. below the public garden area.
10. Timeline for Event – Traffic on the square closing from 5pm Thursday October 3rd through 12pm Sunday October 6th.
11. Parking restriction – No parking on Wall St. between Main and S. Lake Street, from Thursday at 5pm through Sunday 8am. Secure lot for vendor parking north of the square (**Hon Heating and Cooling Parking lot**).
12. Carnival – A carnival in the city parking lots between Marler & Lake just off of Wall St. The lots will need to close Monday, September 30th, to accommodate the carnival company coming to town from a previous event. We will be contracting with Jones and Company. **This is a brand new carnival company.** We had called two other Chamber of Commerce's and we were given rave reviews about this carnival. The entire lots will be utilized by the carnival for their set up needs including water and electricity. They will start setting up Tuesday October 1st in the entire parking lots leaving Wirt St. open until noon Thursday, October 3rd. Marler to remain open with a section cordoned off for parking for the Wall St. businesses.

13. Table & Chairs – Just like last year the Chamber needs tables and chairs delivered to the Reunion Garden (Pearl St.) on Friday October 4th.

14. Community Gardens block – The use of the grassy block for a petting zoo and the Farmers Market. **New location for 2019.**

15, New event item: A Car Smash next to Birdies on their parking lot.

Main St



- 2- Handwash
- A 3 - ADA Restroom
- 9 - Restroom

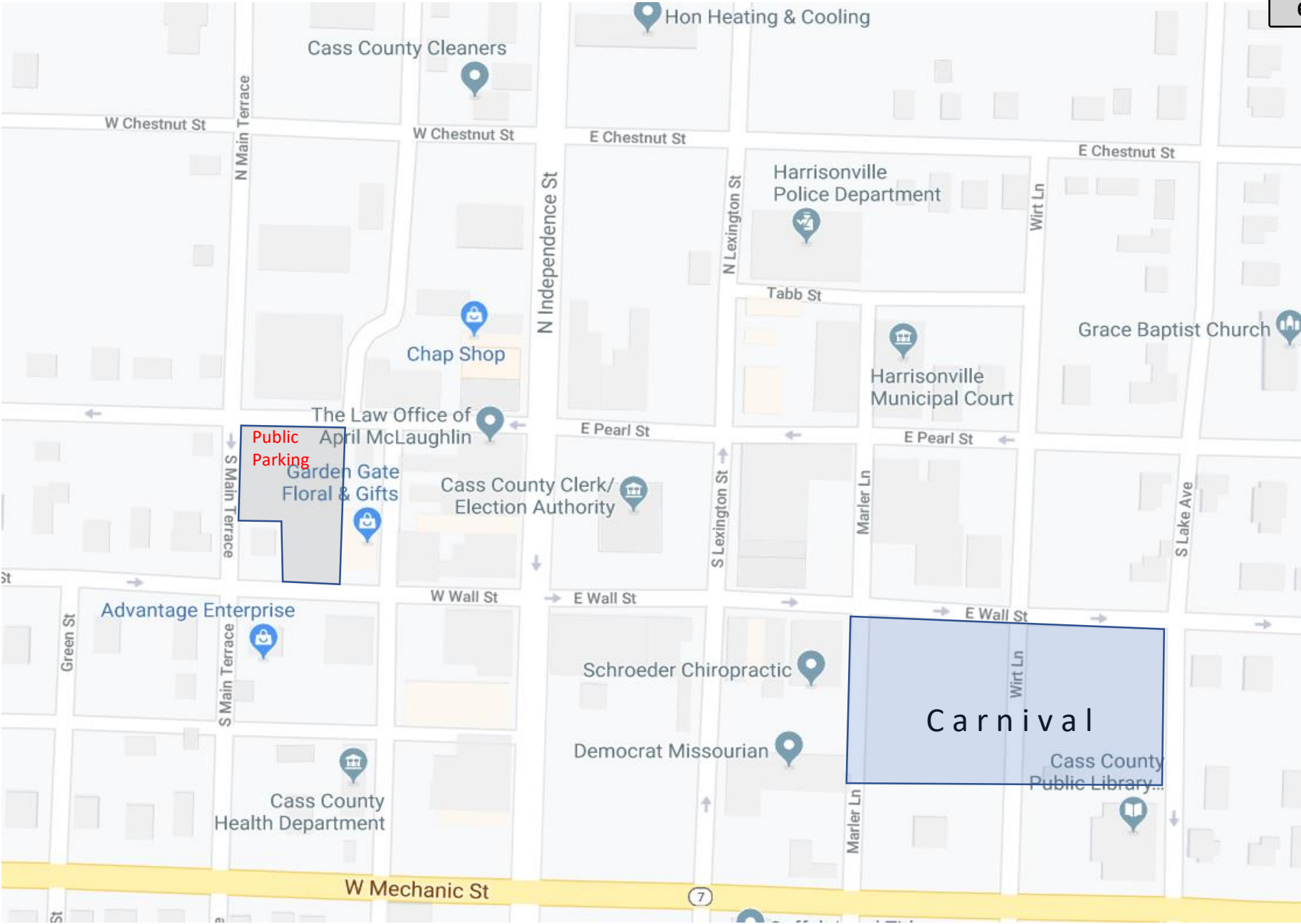


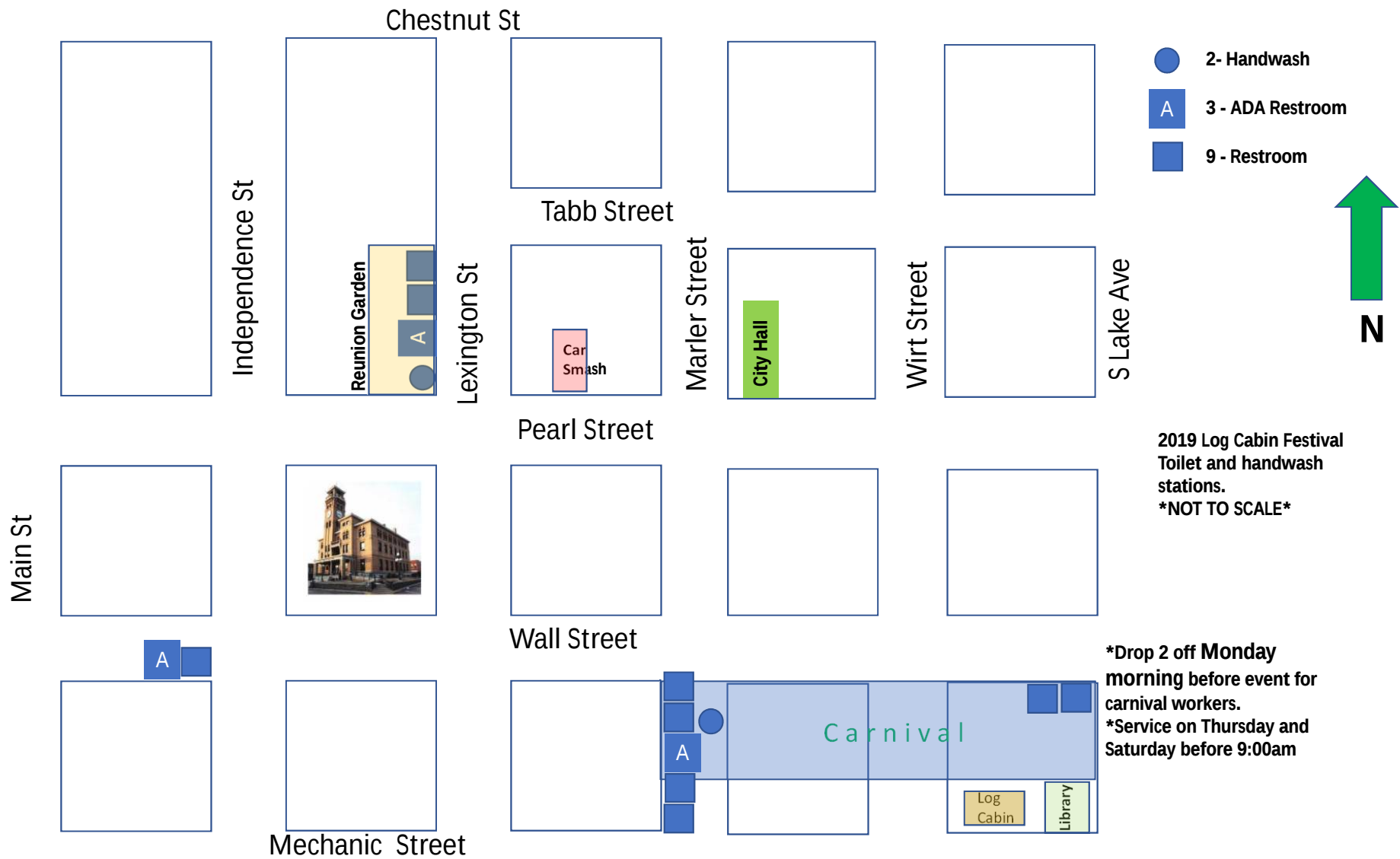
Closing Sunday 3:00 pm (before event)

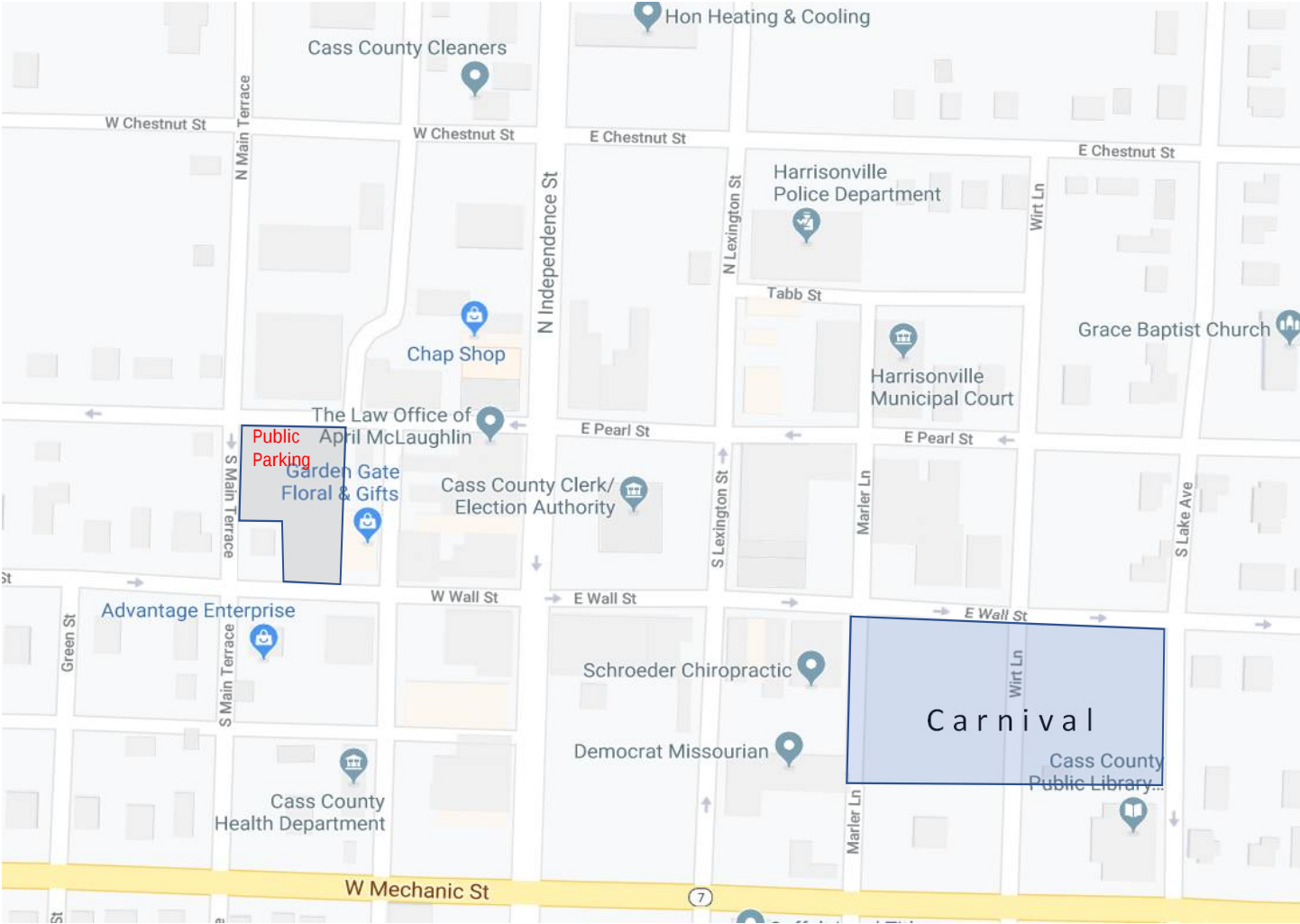
Closing Thursday 5:00 pm

Closing Friday 12:00 pm

Attachment: Road Closures Amended (Log Cabin Festival Event Permit)









Harrisonville Parade Rules & Regulations



6.B.d

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

Attachment: Parade Rules 01-01-2018 (Log Cabin Festival Event Permit)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: August 13, 2019
SUBJECT: 2019 Non-Preference Tow Agreement

Type of Item: *Agreement*

Issue: The City of Harrisonville bi-annual tow agreement expired earlier this year.

Background: 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 had signed the agreement. The previous tow policy agreement ended earlier this year and produced the normal amount of concerns from City staff. Some of the concerns noted were complaints from a tow company about getting their share of the calls and the tow company not responding within the allotted time per the agreement. Most of these concerns have improved but are still occasionally noticed.

A copy of the 2019 Tow Policy Agreement is attached for your review. We are proposing changes to the tow policy agreement fees for the agreement period. These changes are consistent with the current rates under the Cass County's tow agreement.

Miller Tow and Johnson's Tow participated during the previous agreement period and both companies have forwarded a signed copy of the 2019 tow policy agreement to participate as well.

Recommendation: Staff recommends approval for this agreement and the signed agreements with Johnson's Tow and Miller Tow.

C. Action Item (ID # 3315)

2019 Non-Preference Tow Agreement

Attachments:

Tow Agreement 2019 (DOCX)

ACCEPTANCE Addendum A to Tow Agreement (DOCX)

CONTRACTOR Addendum B to Tow Agreement (DOCX)

CITY OF HARRISONVILLE, MISSOURI AGREEMENT FOR TOW SERVICES

Table of Contents

1. Definitions:	3
1.1. “Police-Ordered Tow”	3
1.2. “Storage Fee”	3
1.3. “Evidence Storage Fee”	3
1.4. “Tow Charge”	4
2. Basic Services and Performance Standard.....	4
2.1. Agreement and Services.....	4
2.1.1. Labor, Equipment, Materials, and Supplies.....	4
2.1.2. Permits.	4
2.1.3. Quality.....	4
2.2. Performance Standards.....	4
2.3. Responsibility for Damage or Loss.	4
3. Price for Services.	5
3.1. Schedule of Prices.....	5
3.2. Basis For Determining Prices.....	5
3.3. Time of Payment.	5
4. Acceptance and Term of Agreement.	6
5. Termination of Agreement.....	6
5.1. Termination for Cause.....	6
5.2. Contractor’s Right To Terminate.	6
5.3. Remedies.	6
6. Monthly Report.....	6
7. Services Rendered Only Upon Notice.	7
8. Dispatch.	7
9. Licensing and Background Information.	7
10. Specific Service Requirements.	7
10.1. Police Department – First Priority.....	7
10.2. Removal of Personal Property.....	7
10.3. Tow Regulations of City.....	8
10.4. Accident Debris.	8

10.5.	Public Safety Access to Storage Lot.....	8
10.6.	Towing Service Information Sheet.....	8
10.7.	Release of Vehicles.	8
10.8.	Safety Equipment.	8
10.9.	Response Time.	8
10.10.	Storage Lot.	9
11.	Insurance.....	9
12.	Contractor's Is an Independent Contractor.....	9
13.	Hold Harmless.	9
14.	Equal Employment/Affirmative Action/Non-Discrimination.	9
14.1.	Equal Employment Opportunity.....	10
14.2.	Non-Discrimination.	10
15.	Notices.	10
15.1.	City:	10
15.2.	Contractor:	10
16.	Authority to Sign.....	11
17.	Miscellaneous.	11
17.1.	Taxes.....	11
17.2.	Assignment and Modification.	11
17.3.	Cooperate to Accomplish Purpose:	11
17.4.	Compliance with Laws.	11
17.5.	Business License.....	11
17.6.	Contractor's Bankruptcy.....	11
17.7.	Headings; Construction.	11
17.8.	Attorney's Fees.....	12
17.9.	Invalidity or Severability.	12
17.10.	Waiver.	12
17.11.	Governing Law.	12
17.12.	Binding Effect.....	12
17.13.	Time of Essence.....	12
17.14.	Entire Agreement	12
17.15.	Counterparts.....	12
18.	Agreement Contingent on Addendums.....	13

THIS AGREEMENT is effective the ____ day of _____, 2019 (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 the Tow Company (hereinafter “**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**.

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)	\$90.00	per tow
Tows (involving an accident)	\$150.00	per tow
Service Call Fee (Jump Start Disabled Vehicle)	\$40.00	per call
Allowable Response Time	15/20	minutes
Heavy Duty Towing (Over 40,000 pounds)	N/A	per tow
Daily Storage (No storage fee may be charged until after 12:01 A.M.)	\$30.00	per day
Response Time to Tow Lot	15	minutes
After Hours Release Fee	\$30.00	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 A.

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 June 15, 2019, 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. July 15, 2019, and expire at 11:59 P.M. May 31, 2021, 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, May 1, 2021, 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 convicted of a traffic related crime (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 30 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. 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. 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.

7. 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.

8. 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.

9. 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**.

10. 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**.

10.1. 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.

10.2. 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.

10.3. Tow Regulations of City.

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

10.4. 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.

10.5. 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.

10.6. 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.

10.7. Release of Vehicles.

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

10.8. 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 tail light hook-ups on every tow truck utilized for towing vehicles.

10.9. 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 (See Section 22).

10.10. Storage Lot.

The **Contractor** shall own or lease a storage lot within two (2) mile 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.

11. 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.

12. 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**.

13. Hold Harmless.

The **Contractor** shall protect and hold harmless the City of Harrisonville, its Mayor and Board, all elected officials, staff, employees, and representatives to the extent allowed by law 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.

14. 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**.

14.1. 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.

14.2. Non-Discrimination.

Contractor, for itself, its successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree, that (1) 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**.

15. 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**.

15.1. City:

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

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

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

15.2. Contractor:

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

_____, (name)
_____, (address)
_____, (city, state, zip)

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

Attachment: Tow Agreement 2019 (2019 Non-Preference Tow Agreement)

16. 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.

17. Miscellaneous.

17.1. Taxes.

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

17.2. 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**.

17.3. 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**.

17.4. 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.

17.5. Business License.

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

17.6. 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.

17.7. 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.

17.8. 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.

17.9. 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.

17.10. 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.

17.11. Governing Law.

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

17.12. 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.

17.13. 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.

17.14. 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.

17.15. 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.

18. 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: _____, an
individual, and resident of the State of
Missouri

By: Happy Welch, City Administrator

By: _____

Date: _____

Date: _____

Attest City Clerk:

Attest:

By: Randall Jones

By: _____

Title: _____

Date: _____

Date: _____

Attachment: Tow Agreement 2019 (2019 Non-Preference Tow Agreement)

**CITY OF HARRISONVILLE
AGREEMENT FOR TOW SERVICES**

ACCEPTANCE ADDENDUM "A"

This **Acceptance Addendum "A"**, is made part of a certain **Agreement for Tow Services** with an **Effective Date** of _____, 2019 ("**Agreement**"), for the purpose of providing towing and storage services to the City of Harrisonville, Missouri ("**City**") at the **City's** request.

This **Acceptance Addendum "A"**, together with said **Agreement** and the **Addendums**, is effective and entered into this _____ day of _____, 2019, by and between the **City** acting through its duly authorized City Administrator, and the **Contractor** _____, an _____ (individual or company, state which, and if company what type and state where registered) of _____ (address) _____, (City) Missouri _____ (zip). The **City** and **Contractor** hereby agree to the terms and conditions of said **Agreement** and the **Addendums**, the provisions contained herein, and that the **Addendums** shall be attached to the **Agreement** and incorporated by reference.

The **Agreement** and the **Addendums** constitute the entire and only agreement between the **City** and **Contractor** relating to the **Services** and the compensation therefore and supersedes and merges any prior, contemporaneous or subsequent discussions, agreements, or understandings, whether written or oral, and shall prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acknowledgement, invoice, or other standard form used by the parties in the performance of the **Agreement**, unless the **Agreement** is validly amended in a formal written amendment to the **Agreement**, and signed by both parties.

IN WITNESS WHEREOF, The parties have executed this **Acceptance Addendum "A"** 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: _____, an
individual, and resident of the State of
Missouri

By: Happy Welch, City Administrator

By: _____

Date: _____

Date: _____

Attest City Clerk:

Attest:

By: Randall Jones

By: _____

Title: _____

Date: _____

Date: _____

Attachment: ACCEPTANCE Addendum A to Tow Agreement (2019 Non-Preference Tow Agreement)

**CITY OF HARRISONVILLE
AGREEMENT FOR TOW SERVICES**

CONTRACTOR INFORMATION ADDENDUM "B"

This **Contractor Information Addendum "B"**, is made part of a certain **Agreement for Tow Services** with an **Effective Date** of _____, 2019 ("**Agreement**"), for the purpose of providing towing and storage services to the City of Harrisonville, Missouri ("**City**") at the **City's** request. The **City** and **Contractor** hereby agree to the terms and conditions of said **Agreement** and the **Addendums**, the provisions contained herein, and that the **Addendums** shall be attached to the **Agreement** and incorporated by reference.

In order for a **Contractor** to provide services for any **Police-directed tow** the **Agreement** and the **Addendums** need to be signed and filed with the Chief of Police prior to any services being rendered.

1. Contractor Information (also known as Tow Company)

(**Contractor** shall complete all of the following items prior to execution and submission of this **Addendum "B"** to the **City** and update within 30 days of any changes during the agreement period. False or inaccurate information will be cause to terminate the **Agreement** immediately.)

Contractor's Name: _____

D/B/A (if different): _____

Contractor's Business Address: _____

Contractor's Business Telephone
Number: _____

Contractor's Facsimile Telephone
Number: _____

Contractor's Email: _____

2. Contractor's Company Type:

- | | | |
|--------------------------|--|-------|
| ☐ | Corporation, State: | _____ |
| ☐ | Limited Liability Company (LLC),
State: | _____ |
| ☐ | Partnership, State: | _____ |
| ☐ | Joint Venture: | _____ |
| ☐ | Individual Proprietor: | _____ |

Attachment: CONTRACTOR Addendum B to Tow Agreement (2019 Non-Preference Tow Agreement)

**CITY OF HARRISONVILLE
AGREEMENT FOR TOW SERVICES**

CONTRACTOR INFORMATION ADDENDUM "B"

If a Corporation, Limited Liability Company, or Partnership, list all Officers, Members, or Partners, respectively, and all persons who own ten percent or more of the Bidder:

Name	Date of Birth	Title	Address

3. Tow Truck Operators.

Contractor shall provide the **City** with the following information for each tow truck operator, driver and person engaged in the performance of the **Services** employed on the effective date of the policy; or each operator, driver and person engaged in the performance of the **Services** hired during the term of the policy within ten days after the date of hire:

- 3.1. Name;
- 3.2. Address;
- 3.3. Date of birth; and
- 3.4. Driver's license number, state of issuance, date of expiration, licensed classifications, and license restrictions.

4. Background.

4.1. Has the applicant contractor, business, or member of the business ever had a wrecker or towing business license or contract revoked, suspended or cancelled?

_____ Yes _____ No If yes, explain in full detail on a separate sheet of paper and attach.

4.2. Does the business currently hold a license or have a contract with any other municipality for towing or wrecker service, including any of the Services described in this Contract?

_____ Yes _____ No If yes, explain in full detail on a separate sheet of paper and attach.

Attachment: CONTRACTOR Addendum B to Tow Agreement (2019 Non-Preference Tow Agreement)

**CITY OF HARRISONVILLE
AGREEMENT FOR TOW SERVICES**

CONTRACTOR INFORMATION ADDENDUM "B"

5. Effective Starting.

The **Agreement** with this **Contractor** shall be in effect starting at 12:01 A.M. _____, 201____. The **City** may modify or terminate this agreement with 30 days written notice to all participating contractors.

IN WITNESS WHEREOF, The parties have executed this **Contractor Information Addendum "B"** 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: _____, an
_____ of the State of Missouri

By: Happy Welch, City Administrator

By: _____

Date: _____

Date: _____

Attachment: CONTRACTOR Addendum B to Tow Agreement (2019 Non-Preference Tow Agreement)



STAFF REPORT

TO: Board of Aldermen
FROM: Eric Myler, Fire Chief
DATE: August 6, 2019
SUBJECT: FIREFIGHTER PERSONNEL PROTECTION EQUIPMENT

Type of Item: *Approval*

Staff Report: Staff went out for quotes on purchase of turn out coats, turn out pants, gloves, and carbon hoods for at least 14 staff members. With several different vendors out there with a variety of different kinds of turn out gear. Every different set of gear has a different type of design, stitch, thermal protection rating, moisture protection layer. I developed a specification of what I was looking for in all these categories (see attached).

I sent out quotes on July 17th, 2019 to Ed Feld Fire, Inc, Danko Fire Equipment, and Leo Ellebracht Co and gave them to August 8th, 2019 to submit a quote. So far all I have is a quote from Feld Fire in the total amount of \$25,821.60 this includes 14 turn out coats, 14 turn out pants, 14 pairs of gloves, and 14 carbon protection hoods.

The original amount of \$35,000.00 was budgeted in the 2019 Budget, which this would make it considerably under budget to purchase.

I am requesting we purchase all the personnel protection equipment from Ed Feld Fire, Inc out of Carroll, IA in the amount of \$25,821.60.

Council Bill No. 53

Resolution No.

A Resolution of the Board of Aldermen of the City of Harrisonville, Missouri, to authorize the city administrator to execute a Purchase Agreement for fourteen (14) sets of personal protective equipment (turn out bunker gear, and equipment) from Ed Feld Fire, Inc in the amount of \$25,821.60, and establishing an effective date.

WHEREAS, the Fire Department budgeted for new personal protective equipment to be used for Firefighting and Rescue activities;

WHEREAS, bid specifications were sent out via email, to reputable vendors in firefighting equipment which is needed to purchase said equipment;

WHEREAS, the equipment will be used by the Fire Department to do a variety of firefighting jobs as required by City ordinance and in duties for the City;

WHEREAS, the City has determined that Ed Feld Fire, Inc. has the proper equipment;

WHEREAS, Ed Feld Fire, Inc. agrees to sell the equipment listed to the City for a total purchase price of \$25,821.60, which staff believes said price is fair and reasonable;

WHEREAS, staff recommends that the Board of Aldermen ("Board") approve the purchase of fourteen (14) sets of personal protection equipment (turn out coats, pants, gloves, and carbon hoods);

WHEREAS, the Board accepts the recommendation of staff with respect to the purchase and finds it to be in the best interest of the City and its residents to purchase new personal protection equipment for its firefighters;

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

Section 1: That the City Administrator of the City of Harrisonville, Missouri, is hereby authorized and directed on behalf of the Board of Aldermen to enter into an agreement with Ed Feld Fire, Inc. of Carroll, IA for the purchase of fourteen (14) sets of firefighter turn-out gear and equipment as required by the National Fire Protection Association (NFPA) for Harrisonville Emergency Services for a total purchase price of \$25,821.60

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

PASSED AND RESOLVED by the Board of Aldermen and APPROVED by the mayor of the City of Harrisonville, Missouri this 19th day of August, 2019.

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

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this 19th day of August, 2019



Harrisonville Emergency Services
903 S. Commercial
Harrisonville, MO 64701
816-380-8925

6.D.a

Date: 7-17-2019
To: PPE Dealers
From: Eric Myler, Fire Chief
Re: Request for Quote of Personal Protection Equipment

Below are the specifications required to place your quote: **FELD FIRE EQUIPMENT CO.**

THERMAL LINER AND MOISTURE BARRIER CONSTRUCTION

Thermal liner and moisture barrier shall be bound together with a 1.5 " FR Neoprene coated binding that is 2 needle lock stitched to support and retain shape. Each liner shall have a 7" x 10" liner pocket constructed of thermal liner material. An additional layer of thermal liner material shall be used to increase thermal insulation in the upper back, front, and shoulder area of the liner system. The thermal layer shall drape over the top of each shoulder extending from the collar to the sleeve/shoulder seam, down the front approximately 5 inches and from the juncture of the collar down the back to a depth of approximately 7 ½ inches. The upper back, front and shoulder thermal enhancement layers shall be sandwiched between the thermal liner and moisture barrier layers of the liner system and shall be stitched to the thermal liner layer only.

COMPLY X EXCEPTION _____

THERMAL PROTECTIVE PERFORMANCE

The assembled garment (outer shell, moisture barrier, and thermal liner) shall exhibit a TPP (Thermal Protective Performance) rating of not less than 35.

COMPLY X EXCEPTION _____

TOTAL HEAT LOSS

The assembled garment (outer shell, moisture barrier, and thermal liner) shall exhibit a THL (Total Heat Loss) rating of not less than 205.

COMPLY X EXCEPTION _____

Attachment: 2019 Gear Specifications (FIREFIGHTER PERSONNEL PROTECTION EQUIPMENT)



Harrisonville Emergency Services
903 S. Commercial
Harrisonville, MO 64701
816-380-8925

6.D.a

OUTER SHELL

Shall have PIONEER material, gold in color, compliant with NFPA 1971

COMPLY X EXCEPTION

MOISTURE BARRIERS

Shall have be woven Nomex laminated to an ePTFE Membrane, Stedair 4000 Thermal Barrier with a neo binding Inspection Port.

COMPLY X EXCEPTION

THERMAL BARRIER

Shall be CALDURA SL2i material

COMPLY X EXCEPTION

COAT CONSTRUCTION

Coat shall be a minimum of 32 inches in length with Tabless collar design. Outer shell shall be gold in color with hook and loop/zipper closure with a double stitch hook and loop closure/pocket. All major seams shall be triple-stitched.

COMPLY X EXCEPTION

REFLECTIVE TRIM

Shall have a 3M Scotchlite Lime Yellow Triple Trim Application Style: New York Style with Double Row Stitching.

COMPLY X EXCEPTION

COAT WRISTLETS

Shall have Nomex Black Thumb Thru with self material reinforcement

COMPLY X EXCEPTION

Attachment: 2019 Gear Specifications (FIREFIGHTER PERSONNEL PROTECTION EQUIPMENT)



Harrisonville Emergency Services
 903 S. Commercial
 Harrisonville, MO 64701
 816-380-8925

POCKETS

Shall have 2 bellow handwarmer(thermal) pockets and 1 - Radio Pocket with T-Flap Neoprene Lined on left chest.

COMPLY X EXCEPTION _____

ACCESSORIES AND DECORATION

Shall have 1 microphone tab above radio pocket, shall have a Velcro closure. Shall also have 1 flashlight Snap/Strap on right chest of coat.

COMPLY X EXCEPTION _____

LETTERING

Shall have 2 inch 3M Lime/Yellow Solid lettering on back of coat above chest trim stating "HARRISONVILLE"

COMPLY X EXCEPTION _____

DRAG RESCUE DEVICE

Drag Rescue Device (DRD): A Firefighter Drag Rescue Device shall be installed in each jacket. The ends of a minimum of 1.5 inch wide Kevlar strap will be sewn together to form a continuous loop. The strap will be installed in the jacket between the liner system and outer shell such that when properly installed will loop around each arm. The strap shall be accessed through a portal between the shoulders on the upper back where it shall be secured in place by a hook and loop fastener strap. The access port shall be covered by a outside flap with a reflective patch or trim for conspicuity.

COMPLY X EXCEPTION _____

SEALED MOISTURE BARRIER SEAMS

All moisture barrier seams shall be sealed with a minimum 7/8 inch wide sealed tape. One side of the tape shall be coated with a heat activated glue adhesive.

COMPLY X EXCEPTION _____



Harrisonville Emergency Services
903 S. Commercial
Harrisonville, MO 64701
816-380-8925

6.D.a

TROUSER CONSTRUCTION

Trouser shall have four separate panels, two in front and two in back. Side seams and inseams shall be 3-needle felled locked construction. The 2.5 inch wide, inner waist facing shall be lined with moisture barrier material and have eight snaps spaced evenly around facing.

The semi-high back panel shall be stitched to the rear of the trouser at the waist area when worn with a 32" coat. The semi-high back panel shall extend not less than 2 ½ " above the waist. The semi-high back panel shall measure approximately 8" across the top and approximately 20.5" across the bottom (graded) where it is stitched to the waist. The semi-high back shell shall be of 3 layer construction consisting of outer shell, moisture barrier and thermal liner materials.

Trousers shall incorporate a crotch gusset with corresponding liner gusset.

The outer shell shall be constructed using stitch types 301, 401 and 515. The thermal liner and moisture barrier shall be constructed with stitch types 301, 515. Major A seams shall be felled locked construction and triple row stitching.

Sizes of trousers shall be available in 2" waist size increments and 1" inseam increments with no minimum or maximum size restriction.

COMPLY X EXCEPTION

Trousers shall have an angled cuff with semi-high back without belt within compliance of NFPA 1971. Outer shell should be gold in color.

COMPLY X EXCEPTION

THERMAL LINER AND MOISTURE BARRIER CONSTRUCTION

Thermal liner and moisture barrier shall be bound together with a 1.5" FR Neoprene coated binding that is 2 needle lock stitched to support and retain shape. The knee area shall have an additional layer of moisture barrier and thermal liner material sewn to the thermal liner.

COMPLY X EXCEPTION

Moisture barrier will be Caldura SL2i with 2F Thermal Barrier with a liner style with neo-binding inspection port.

Attachment: 2019 Gear Specifications (FIREFIGHTER PERSONNEL PROTECTION EQUIPMENT)



Harrisonville Emergency Services
903 S. Commercial
Harrisonville, MO 64701
816-380-8925

COMPLY X EXCEPTION _____

Closure system will consist of a snap hook and Dee hook & loop with double stitch hook and loop (closure pocket)

COMPLY X EXCEPTION _____

Reflective trim shall be 3M Scotchlite Lime/Yellow Triple Trim Application Style: NFPA Basic with double row stitching

COMPLY X EXCEPTION _____

Cuff shall be Poly Coated Kevlar Black and knee padding shall be Poly Coated Kevlar Black padded reinforced knee.

COMPLY X EXCEPTION _____

Trousers shall have 2 bellows pockets one on each side of leg

COMPLY X EXCEPTION _____

Trouser shall have suspender loops

COMPLY X EXCEPTION _____

Trousers shall include H-Back suspenders with quick adjust buckles and shoulder padding for added comfort. Features 2" wide non-elastic, webbing with 4-point elastic attachment.

COMPLY X EXCEPTION _____

GLOVES

Gloves must have the following:

- One piece back shell made of ultra flexible 100 % FR Para Aramid knit fleece
- Nomex/Kevlar thermal liner on back of hand for superior thermal protection, modacrylic on palm of hand for superior comfort and dexterity.
- 100 % waterproof, viral/chemical penetration resistance and blood borne pathogen protection.
- Five separate curved form fitting forchettes for maximum finger dexterity.



Harrisonville Emergency Services
 903 S. Commercial
 Harrisonville, MO 64701
 816-380-8925

- Exclusive adhesive ensuring liner/barrier is fully bonded to which liner cannot be pulled out.
- Consisting of cowhide suede leather that stays soft when wet with low water absorption.
- Wristlet should be 4 inches in length black nomex with a leather pull patch and hang-up loop.
- Available in all sizes.

COMPLY X EXCEPTION

CARBON HOODS

Hoods shall consist of a 40% P84, 55% Lenzing, 5 % Kevlar Rib Knit, VPR-P84, and available in white, gold, or black. All hoods should be certified to meet or exceed current edition of NFPA 1971 Standard.

COMPLY X EXCEPTION

Quote

Date: July 26, 2019
Quote #: Chief Myler
Customer ID: 1190700

To: Chief Eric Myler
Harrisonville Fire Department
903 S. Commercial St.
Harrisonville, MO 64701
816-380-8952

Ship to: SAME

Salesperson	Job	Shipping Method	Shipping Terms	Delivery Date	Payment Term Due Date
G. Pottberg		Best Way	Carroll, IA		Net 30 Days

[illegible]

Make all checks payable to Ed M. Feld Equipment Co., Inc.
Thank you for your business!

113 N. Griffith Rd., Carroll, IA 51401 800.568.2403 712.792.6658 sales@feldfire.com

Attachment: Ed Feld Fire Inc Gear Quote (FIREFIGHTER PERSONNEL PROTECTION EQUIPMENT)



WE'VE GOT YOU COVERED

Quote

Date: July 26, 2019

Quote #: Chief Myler

Customer ID: 1190700

To: Chief Eric Myler
Harrisonville Fire Department
903 S. Commercial St.
Harrisonville, MO 64701
816-380-8952

Ship to: SAME

Salesperson	Job	Shipping Method	Shipping Terms	Delivery Date	Payment Term Due Date
G. Pollberg		Best Way	Carroll, IA		Net 30 Days

[illegible]

Make all checks payable to Ed M. Feld Equipment Co., Inc.

Thank you for your business!

113 N. Griffith Rd., Carroll, IA 51401 800.568.2403 712.792.6658 sales@feldfire.com

Attachment: Ed Feld Fire Inc Gear Quote (FIREFIGHTER PERSONNEL PROTECTION EQUIPMENT)



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: August 9, 2019
SUBJECT: Tax Rate Hearing

Type of Item: *Public Hearing*

E. Discussion Item (ID # 3313)

Tax Rate Hearing

Attachments:

Tax Levy Hearing 2019 (PDF)

NOTICE OF PUBLIC HEARING

A public hearing will be held at 7:00 p.m., August 19, 2019 at Harrisonville City Hall, 300 E. Pearl Street, Harrisonville, Missouri, at which time citizens may be heard on the property tax rates proposed to be set by the City of Harrisonville, a political subdivision.

Assessed Valuation (By Categories)	Tax Year 2018	Tax Year 2019	Change
Real Estate	\$109,758,062	\$118,040,319	\$8,282,257
Personal Property	<u>\$25,463,272</u>	<u>\$29,079,287</u>	<u>\$3,616,015</u>
Total Assessed Value	\$135,221,334	\$147,119,606	\$11,898,272

Assessed Value of New Construction & Improvements related to Real Estate	\$2,998,067	\$727,154
Change in Real Estate Values Due to Reassessment	(\$2,998,067)	\$7,555,103
Change in Personal Property Value	\$0	\$3,616,015

The following Tax Rates are Proposed:

Fund	2018 Tax Rate Per \$100	Proposed 2019 Tax Rate Per \$100	Proposed Tax Revenues
General	\$0.5430	\$0.5240	\$748,149
Park	\$0.1228	\$0.1185	\$169,190
Total	\$0.6658	\$0.6425	\$917,339

	<u>General Fund</u>	<u>Park Fund</u>	<u>Total</u>
Increase (Decrease) in tax revenue as a result of new construction and improvements, if proposed tax rate is adopted:	\$ 3,810	\$ 862	\$ 4,672

Increase (Decrease) in tax revenue as a result of real estate reassessment if proposed tax rate is adopted:	\$ 18,735	\$ 4,233	\$ 22,968
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Increase (Decrease) in tax revenue as a result of changes in Personal Property Values if proposed tax rate is adopted:	\$14,110	\$3,190	\$17,300
Grand Total	\$ 36,655	\$ 8,285	\$ 44,940

BOARD OF ALDERMEN
CITY OF HARRISONVILLE
Randall K Jones, City Clerk



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 31, 2019
SUBJECT: Tax Levy Ordinance

Type of Item: *Approval*

Council Bill No. 54

Ordinance No.

Tax Levy Ordinance An Ordinance Levying A Tax For The Current Expense Of The City Of Harrisonville, Missouri, Upon Real Property And All Tangible Personal Property Of Whatsoever Nature And Character Subject To Taxation By The City Of Harrisonville For Such Purposes; Also, Levying A Special Tax Upon The Afore Described Properties For Public Parks; For A Total Tax Levy Of \$.6425.

WHEREAS, State statute sets forth a process to fix the City ad valorem property tax rates no later than September 1 each year;

WHEREAS, That the City held a public hearing as required by RSMO 67.110.1;

WHEREAS, That the new calculated tax rates will generate substantially the same revenues as 2018;

WHEREAS, That the County Clerk submitted the approved form to the Missouri State Auditor's Office that calculated the new rates for the General Fund at \$0.5240, and for the Park Fund at \$0.1185;

WHEREAS, That there will be a slight increase in City revenue primarily due to reassessments along with some new real estate construction;

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

Section 1: That there is hereby levied for the year 2019 a tax upon each \$100.00 of the assessed valuation of all real property and all tangible personal property of whatsoever nature and character subject to taxation by the City of Harrisonville, Missouri, at the following rates for the following purposes, to-wit:

- (a) For paying the current expense of the City of Harrisonville, Missouri, for said year, a rate of \$0.5240
- (b) For the establishment and maintenance of public parks in the City of Harrisonville, Missouri, for said year, a rate of \$0.1185

Section 2: That following the effective date of the passage of this ordinance, the tax levied so established shall be extended upon the assessment books of the City and collected as provided by law.

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

Vote taken as follows:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Read one time by title only on August 19, 2019, and read for the second time by title only on August 19, 2019 and passed by the Board of Aldermen of the City of Harrisonville, Missouri, this 19th day of August 2019.

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

ATTEST:

Randall K Jones, City Clerk

APPROVED by the Mayor this 19th day of August 2019



MEMO TO: Mayor, Board of Aldermen and City Administrator

FROM: Marcella McCoy, Finance Director

DATE: 8/19/2019

SUBJECT: 2019 Property Tax Levy
Fiscal Year 2020

BACKGROUND

As part of Fiscal Year 2020 Budget development, the property tax levy is set as outlined in RSMO 67.110.1. The assessed values are received from the County and submitted to the State Auditor for review. The proposed tax levy is calculated based on the assessed values provided and is set to maintain revenue at what is called revenue neutral. This means the City does not receive a significant amount more in revenue from year to year.

The proposed levy calculated and reviewed by the State Auditor is \$0.5240 for General fund and \$0.1185 for Parks. The proposed tax levy is lower than the 2018 levy and is projected to generate an additional \$36,655 for General Fund and \$8,285 for Parks. Additional revenue is projected due to changes in assessed values due to reassessment completed by the County. Both Real Estate and Personal Property values increased.

DISCUSSION

The State Statute outlines the requirement for each political subdivision to fix its ad valorem property tax rates no later than September first for entry in the tax books. The Statute goes on to state that the budget officer presents the assessed valuation by category of real, personal and other tangible property as entered in the tax book for the fiscal year for which the tax to be levied along with the amount of revenue required to be provided from the property tax set forth in annual budget adopted.

The City is required to hold a public hearing on the proposed rates as outlined in RSMO 67.110.1. The tax rates shall be calculated to produce substantially the same revenue as required in the annual budget adopted. Basically, this means that the City cannot set a levy that will generate substantially more revenue than projected from the year before. So even though the levy itself becomes a higher or lower number, the amount of tax remains basically the same. I say basically,

because, if someone purchases new personal property or new real estate, then the tax will be higher because the assessed value is higher. Reassessment years may also result in a higher tax even when the levy is reduced.

The tax rates proposed are based on the assessed values provided by the County. The County Clerk sends a form called "Pro Forma – State Auditor's Review of Data Submitted". This document has been completed by the Missouri State Auditor to calculate the proposed tax levy for General Fund and Parks. I have included the documents received. The calculated levy is recommended at \$0.5240 for General and \$0.1185 for Park. The Maximum prior year adjusted revenue is calculated at \$734,252 for General Fund and \$166,052 for Parks. Total revenue permitted in current year is \$748,203 for General Fund and \$169,207 for Parks.

The assessed values received from the County reflect an increase in Real Estate values primarily from reassessment. New construction and improvements are included in the increase in Real Estate values as well. Personal Property assessments increase \$3,616,015 from 2018. The total revenue projected to be received for Fiscal Year 2019 is \$36,655 more for the General Fund and \$8,285 for Parks. The increase in revenue is mainly due to the reassessment along with some new construction for Real Estate. There is also an increase in the personal property revenue as well.

ACTION REQUIRED/RECOMMENDATION

Recommendation is to set the tax levy for Fiscal Year 2020 as proposed and outlined in the documents provided. I respectfully request the Board consider the ordinance on first reading to comply with State Statute to set the levy prior to September 1. This action will allow the City to provide the documents to the County for certification in a timely manner to also comply with the State Statute requirement by September 1st.

NOTICE OF AGGREGATE ASSESSED VALUATION

(2ND REPORT AFTER B.O.E. 7-22-2019)

As required by Section 137.245.3, I, Jeff Fletcher, County Clerk of Cass County, State of Missouri, do hereby certify that the following is the Aggregate Assessed Valuation of the

CITY OF HARRISONVILLE

a political subdivision in Cass County, for the year 2019 as shown on the assessment lists on JULY, 23 2019. Included are state and local railroad and utility valuations as reported by the State Tax Commission and the Cass County Assessor for your political subdivision.

Real Estate, Residential -	\$ 74,391,540
Real Estate, Agricultural -	155,110
Real Estate, Commercial -	42,722,290
Real Estate, Local Utilities -	84,764
Real Estate, State Utilities -	<u>686,615</u>
TOTAL REAL ESTATE -	\$ 118,040,319
Personal Property -	\$ 28,799,666
Personal Property, Local Utilities -	106,585
Personal Property, State Utilities -	<u>173,036</u>
TOTAL PERSONAL Property -	\$ 29,079,287
TOTAL ASSESSED VALUE -	\$ 147,119,606

This information is transmitted to assist you in complying with Section 67.110, RSMo, which requires that notice be given and public hearings held before tax rates are set. The above figures include state and locally assessed railroad and utility valuations that have been prepared by the County Clerk's Office.

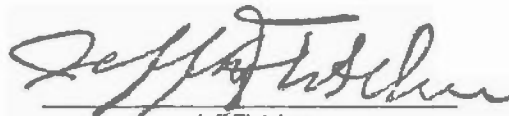
New Construction and Improvements

The following data has been provided by the County Assessor's Office:

Related to Real Estate -	\$ 727,154
Increase In Personal Property-	<u>3,616,015</u>
TOTAL -	\$ 4,343,169

In witness whereof, I have hereunto set my hand and affixed the seal of the County Commission of Cass County at my office in Harrisonville this 26th day of July, 2019




 Jeff Fletcher
 Cass County Clerk



NICOLE GALLOWAY, CPA
Missouri State Auditor

MEMORANDUM

July 31, 2019

TO: 09-019-0010 City of Harrisonville
RE: Setting of 2019 Property Tax Rates

The following are the tax rate computational forms that have been reviewed. Please follow the steps below to complete the process of setting your 2019 Property Tax Rate(s).

1. **Lines G - BB on the Summary Page should be completed** to show the actual tax rate(s) to levy.
2. Please **sign and date the Summary Page**.
3. Please **submit the finalized tax rate forms ready for certification to the County Clerk of each county** that your political subdivision resides in. The County Clerk must also sign the Summary Page and indicate the proposed tax rate to be entered on the tax books before submitting rate(s) to the State Auditor's Office for final review and certification.

If the attached calculation differs from the questionnaire submitted for review, please review the following line items for the reason(s) for the difference.

- **Form A, Line 2b - New Construction & Improvements - Personal Property**

Section 137.073.4, RSMo, states that the aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property.

- **Form A, Line 5 - Prior Year Assessed Valuation**

If the 2019 questionnaire has a different amount on Form A, Line 5 than was previously submitted, we had to revise the 2018 calculation for this change. The revised 2018 tax rate ceiling is listed on the 2019 Summary Page, Line A. Your primary County Clerk should forward a copy of the revised 2018 calculation; please keep this form for your files.

- **(SCHOOL DISTRICTS ONLY) Form A, Line 14**

We revised the information the school district submitted on Line 14 to the amount computed by the Department of Elementary and Secondary Education (DESE).

If you have any questions about the enclosed forms, please contact the local government section at (573-751-4213.)

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)



PROFORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

6.F.b

(2019)

Summary Page

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville

09-019-0010

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political
Subdivision Use
in Calculating
its Tax Rate

1. **Prior year tax rate ceiling** as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)

0.543

2. **Current year rate computed** pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18)

0.524

3. **Amount of rate increase authorized by voters for current year** if same purpose, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 15)

4. **Rate to compare to maximum authorized levy to determine tax rate ceiling** (Line B if no election, otherwise Line C)

0.524

5. **Maximum authorized levy the most recent voter approved rate**

1.000

6. **Current year tax rate ceiling maximum legal rate to comply with Missouri laws** Political subdivisions tax rate (Lower of Line D or E)

0.524

7. **Less required sales tax reduction** taken from tax rate ceiling (Line F), if applicable

8. **Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies)** taken from tax rate ceiling (Line F)

9. **Less voluntary reduction by political subdivision** taken from the tax rate ceiling (Line F)

WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.

Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.

Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)

A. **Rate to be levied for debt service**, if applicable (Form C, Line 10)

B. **Additional special purpose rate authorized by voters** after the prior year tax rates were set, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 15 if a different purpose)

Certification

I, the undersigned, _____ (Office) of _____ (Political Subdivision)

levying a rate in _____ (County(ies)) do hereby certify that the data set forth above and on the

accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date)	(Signature)	(Print Name)	(Telephone)
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Proposed rate to be entered on tax books by county clerk

based on certification from the political subdivision: Lines

J

AA

BB

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

(Date)	(County Clerk's Signature)	(County)	(Telephone)
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PROFORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

6.F.b

(2019)

Form A

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville

09-019-0010

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2019) Current year assessed valuation

Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a)	118,040,319	+	(b)	29,079,287	=	147,119,606
	(Real Estate)			(Personal Property)		(Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor

2(b) - increase in personal property, use the formula listed under Line 2(b)

(a)	727,154	+	(b)	3,616,015	=	4,343,169
	(Real Estate)			Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b) If Line 2b is negative, enter zero		(Total)

3. Assessed value of newly added territory obtained from the county clerk or county assessor

(a)	0	+	(b)	0	=	0
	(Real Estate)			(Personal Property)		(Total)

4. Adjusted current year assessed valuation (Line 1 total - Line 2 total - Line 3 total)

142,776,437

5. (2018) Prior year assessed valuation

Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a)	109,758,062	+	(b)	25,463,272	=	135,221,334
	(Real Estate)			(Personal Property)		(Total)

6. Assessed value of newly separated territory obtained from the county clerk or county assessor

(a)	0	+	(b)	0	=	0
	(Real Estate)			(Personal Property)		(Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year obtained from the county clerk or county assessor

(a)	0	+	(b)	0	=	0
	(Real Estate)			(Personal Property)		(Total)

8. Adjusted prior year assessed valuation (Line 5 total - Line 6 total - Line 7 total)

135,221,334

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)



PROFORMA- STATE AUDITOR'S REVIEW OF DATA SUBMITTED

6.F.b

(2019)

Form A

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville

09-019-0010

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political
Subdivision Use in
Calculating its Tax
Rate

9. Percentage increase in adjusted valuation of existing property in the current year over the prior year's assessed valuation

(Line 4 - Line 8 / Line 8 x 100)

5.5872%

10. Increase in Consumer Price Index (CPI)
certified by the State Tax Commission

1.9000%

11. Adjusted prior year assessed valuation
(Line 8)

135,221,33

12. (2018) Tax rate ceiling from prior year

(Summary Page, Line A)

0.543

13. Maximum prior year adjusted revenue
from property that existed in both years (Line 11 x Line 12 / 100)

734,25

14. Permitted reassessment revenue growth

The percentage entered on Line 14 should be the lower of the actual growth (Line 9), the CPI (Line 10) or 5%. A negative figure on Line 9 is treated as a 0 for Line 14 purposes. Do not enter less than 0 or more than 5%.

1.9000%

15. Additional revenue permitted
(Line 13 x Line 14)

13,94

16. Total revenue permitted in current year*
from property that existed in both years (Line 13 + Line 15)

748,20

17. Adjusted current year assessed valuation (Line 4)

142,776,43

18. Maximum tax rate permitted by Article X, Section 22, and Section 137.073, RSMo
(Line 16 / Line 17 x 100)

Round a fraction to the nearest one/one hundredth of a cent.

Enter this rate on the Summary Page, Line B

0.524

* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)



PROFORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

6.F.b

(2019)

Summary Page

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville

09-019-0010

Parks & Recreation

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)

0.122

Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18)

0.118

Amount of rate increase authorized by voters for current year if same purpose, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 15)

Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C)

0.118

Maximum authorized levy the most recent voter approved rate

0.200

Current year tax rate ceiling maximum legal rate to comply with Missouri laws Political subdivisions tax rate (Lower of Line D or E)

0.118

Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable

Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)

Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F)

WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.

Plus allowable recoupment rate added to tax rate ceiling (Line F) if applicable, attach Form G or H.

Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)

A. Rate to be levied for debt service, if applicable (Form C, Line 10)

B. Additional special purpose rate authorized by voters after the prior year tax rates were set, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 15 if a different purpose)

Certification

I, the undersigned, _____ (Office) of _____ (Political Subdivision) levying a rate in _____ (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

(Date)	(Signature)	(Print Name)	(Telephone)
--------	-------------	--------------	-------------

Proposed rate to be entered on tax books by county clerk

based on certification from the political subdivision: Lines

J

AA

BB

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

(Date)	(County Clerk's Signature)	(County)	(Telephone)
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PROFORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

6.F.b

(2019)

Form A

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville 09-019-0010 Parks & Recreation
 Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2019) Current year assessed valuation

Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a)	118,040,319	+	(b)	29,079,287	=	147,119,606
	(Real Estate)			(Personal Property)		(Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor

2(b) - increase in personal property, use the formula listed under Line 2(b)

(a)	727,154	+	(b)	3,616,015	=	4,343,169
	(Real Estate)			Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b) If Line 2b is negative, enter zero		(Total)

3. Assessed value of newly added territory

obtained from the county clerk or county assessor

(a)	0	+	(b)	0	=	0
	(Real Estate)			(Personal Property)		(Total)

4. Adjusted current year assessed valuation

(Line 1 total - Line 2 total - Line 3 total)

142,776,437

5. (2018) Prior year assessed valuation

Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a)	109,758,062	+	(b)	25,463,272	=	135,221,334
	(Real Estate)			(Personal Property)		(Total)

6. Assessed value of newly separated territory

obtained from the county clerk or county assessor

(a)	0	+	(b)	0	=	0
	(Real Estate)			(Personal Property)		(Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year

obtained from the county clerk or county assessor

(a)	0	+	(b)	0	=	0
	(Real Estate)			(Personal Property)		(Total)

8. Adjusted prior year assessed valuation

(Line 5 total - Line 6 total - Line 7 total)

135,221,334

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)



PRO FORMA- STATE AUDITOR'S REVIEW OF DATA SUBMITTED

6.F.b

(2019)

Form A

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville

09-019-0010

Parks & Recreation

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form **MUST** be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political
Subdivision Use in
Calculating its Tax
Rate

9. **Percentage increase in adjusted valuation** of existing property in the current year over the prior year's assessed valuation

(Line 4 - Line 8 / Line 8 x 100)

5.5872%

10. **Increase in Consumer Price Index (CPI)**

certified by the State Tax Commission

1.9000%

11. **Adjusted prior year assessed valuation**

(Line 8)

135,221,33

12. **(2018) Tax rate ceiling from prior year**

(Summary Page, Line A)

0.122

13. **Maximum prior year adjusted revenue**

from property that existed in both years (Line 11 x Line 12 / 100)

166,05

14. **Permitted reassessment revenue growth**

The percentage entered on Line 14 should be the lower of the actual growth (Line 9), the CPI (Line 10) or 5%. A negative figure on Line 9 is treated as a 0 for Line 14 purposes. Do not enter less than 0 or more than 5%.

1.9000%

15. **Additional revenue permitted**

(Line 13 x Line 14)

3,15

16. **Total revenue permitted in current year ***

from property that existed in both years (Line 13 + Line 15)

169,20

17. **Adjusted current year assessed valuation** (Line 4)

142,776,43

18. **Maximum tax rate permitted by Article X, Section 22, and Section 137.073, RSMo**

(Line 16/Line 17 x 100)

Round a fraction to the nearest one/one hundredth of a cent.

Enter this rate on the Summary Page, Line B

0.118

* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)

**PROFORMA- STATE AUDITOR'S REVIEW OF DATA SUBMITTED**7/3 **6.F.b**
(2019)**Informational Data****For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property**

City of Harrisonville	09-019-0010	General Revenue
Name of Political Subdivision	Political Subdivision Code	Purpose of Levy

This page shows the information that would have been on the line items for the Summary Page, Form A, and/or Form B had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

- ep 1 The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate
- ep 2 Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.

Based on Prior
Year Tax Rate
Ceiling as if No
Voluntary
Reductions
were Taken

Informational Summary Page

A. Prior year tax rate ceiling (Prior year Informational Summary Page, Line F)	0.5531
B. Current year rate computed (Informational Form A, Line 18 below)	0.5338
C. Amount of increase authorized by voters for current year (Informational Form B, Line 15 below)	
D. Rate to compare to maximum authorized levy (Line B if no election, otherwise Line C)	0.5338
E. Maximum authorized levy most recent voter approved rate	1.0000
F. Tax rate ceiling if no voluntary reductions were taken in a prior even numbered year (Lower of Line D or E)	0.5338

Informational Form A

9. Percentage increase in adjusted valuation (Form A, Line 4 - Line 8 / Line 8 x 100)	5.5872%
10. Increase in Consumer Price Index (CPI) certified by the State Tax Commission	1.9000%
11. Adjusted prior year assessed valuation (Form A, Line 8)	135,221,334
2. (2018) Tax rate ceiling from prior year (Informational Summary Page, Line A from above)	0.5531
3. Maximum prior year adjusted revenue from property that existed in both years (Line 11 x Line 2 / 100)	747,909
4. Permitted reassessment revenue growth The percentage entered on Line 14 should be the lower of the actual growth (Line 9), the CPI (Line 10), or 5%. A negative figure on Line 9 is treated as a 0 for Line 14 purposes. Do not enter less than 0, nor more than 5%.	1.9000%
5. Additional reassessment revenue permitted (Line 13 x Line 14)	14,210
6. Total revenue permitted in current year from property that existed in both years (Line 13 + Line 15)	762,119
7. Adjusted current year assessed valuation (Form A, Line 4)	142,776,437
8. Maximum tax rate permitted by Article X, Section 22, and Section 137.073, RSMo, if no voluntary reduction was taken (Line 16 / Line 17 x 100)	0.5338

Informational Form B

6. Prior year tax rate ceiling to apply voter approved increase to (Informational Summary Page, Line A if increase to an existing rate, otherwise 0)	
7. Voter approved increased tax rate to adjust (If an "increase of/by" ballot, Form B, Line 5a + Line 6, if an "increase to" ballot, Form B, Line 5b)	
8. Adjusted prior year assessed valuation (Form A, Line 8)	
9. Maximum prior year adjusted revenue from property that existed in both years (Line 7 x Line 8 / 100)	
10. Consumer Price Index (CPI) certified by the State Tax Commission	
11. Permitted revenue growth for CPI (Line 9 x Line 10)	
2. Total revenue allowed from the additional voter approved increase from property that existed in both years (Line 9 + Line 11)	
3. Adjusted current year assessed valuation (Form A, Line 4)	
4. Adjusted voter approved increased tax rate (Line 12 / Line 13 x 100)	
5. Amount of rate increase authorized by voters for the current year (If Line 7 > Line 14, then Line 7, otherwise, Line 14)	

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)



PROFORMA-STATE AUDITOR'S REVIEW OF DATA SUBMITTED

7/3 6.F.b

(2019)

Informational Data

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Harrisonville

09-019-0010

Parks & Recreation

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

This page shows the information that would have been on the line items for the Summary Page, Form A, and/or Form B had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

Based on Prior
Year Tax Rate
Ceiling as if No
Voluntary
Reductions
were Taken

- ep 1 The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.
- ep 2 Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.

Informational Summary Page

A. Prior year tax rate ceiling (Prior year Informational Summary Page, Line F)	0.1250
B. Current year rate computed (Informational Form A, Line 18 below)	0.1206
C. Amount of increase authorized by voters for current year (Informational Form B, Line 15 below)	
D. Rate to compare to maximum authorized levy (Line B if no election, otherwise Line C)	0.1206
E. Maximum authorized levy most recent voter approved rate	0.2000
F. Tax rate ceiling if no voluntary reductions were taken in a prior even numbered year (Lower of Line D or E)	0.1206

Informational Form A

9. Percentage increase in adjusted valuation (Form A, Line 4 - Line 8 / Line 8 x 100)	5.5872%
10. Increase in Consumer Price Index (CPI) certified by the State Tax Commission	1.9000%
11. Adjusted prior year assessed valuation (Form A, Line 8)	135,221,334
12. (2018) Tax rate ceiling from prior year (Informational Summary Page, Line A from above)	0.1250
13. Maximum prior year adjusted revenue from property that existed in both years (Line 11 x Line 12 / 100)	169,027
14. Permitted reassessment revenue growth The percentage entered on Line 14 should be the lower of the actual growth (Line 9), the CPI (Line 10), or 5%. A negative figure on Line 9 is treated as a 0 for Line 14 purposes. Do not enter less than 0, nor more than 5%.	1.9000%
15. Additional reassessment revenue permitted (Line 13 x Line 14)	3,212
16. Total revenue permitted in current year from property that existed in both years (Line 13 + Line 15)	172,239
17. Adjusted current year assessed valuation (Form A, Line 4)	142,776,437
18. Maximum tax rate permitted by Article X, Section 22, and Section 137.073, RSMo, if no voluntary reduction was taken (Line 16 / Line 17 x 100)	0.1206

Informational Form B

6. Prior year tax rate ceiling to apply voter approved increase to (Informational Summary Page, Line A if increase to an existing rate, otherwise 0)	
7. Voter approved increased tax rate to adjust (If an "increase of/by" ballot, Form B, Line 5a + Line 6, if an "increase to" ballot, Form B, Line 5b)	
8. Adjusted prior year assessed valuation (Form A, Line 8)	
9. Maximum prior year adjusted revenue from property that existed in both years (Line 7 x Line 8 / 100)	
10. Consumer Price Index (CPI) certified by the State Tax Commission	
11. Permitted revenue growth for CPI (Line 9 x Line 10)	
12. Total revenue allowed from the additional voter approved increase from property that existed in both years (Line 9 + Line 11)	
13. Adjusted current year assessed valuation (Form A, Line 4)	
14. Adjusted voter approved increased tax rate (Line 12 / Line 13 x 100)	
15. Amount of rate increase authorized by voters for the current year (If Line 7 > Line 14, then Line 7, otherwise, Line 14)	

Attachment: Assessed Valuation and Auditor Pro Forma calculation of levy (Tax Levy Ordinance)



TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: July 29, 2019
SUBJECT: MMJ Business

Type of Item: *Approval*

Issue:

Allowing Medical Marijuana businesses in the city and requiring the licensing of such facilities as well as home growers being required to register with the police department.

Background:

We changed the zoning code allowing Medical Marijuana uses in selected zones. Now we need to amend the ordinances to allow Medical Marijuana businesses to purchase business licenses so they can operate.

Recommendation:

Approve adding in a new Chapter requiring medical marijuana business uses to be licensed.

Council Bill No. 55**Ordinance No.**

**AN ORDINANCE OF THE CITY OF HARRISONVILLE, MISSOURI,
AMENDING TITLE VI: BUSINESS AND OCCUPATIONS OF THE
HARRISONVILLE CITY CODE OF ORDINANCES TO INCLUDE CHAPTER
670 REGULATING MEDICAL MARIJUANA FACILITIES.**

WHEREAS, the voters of the State of Missouri approved an amendment to Article XVI of the State Constitution establishing a Right to Access Medical Marijuana and allowing for the limited legal production, distribution, sale, and purchase of marijuana for medical use; and

WHEREAS, the City desires to protect public health, welfare and safety by establishing reasonable regulations on Medical Marijuana related businesses.

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

Section 1. Chapter 670: Regulation on Medical Marijuana, is hereby established in the City of Harrisonville Code of Ordinances as follows:

CHAPTER 670: REGULATION ON MEDICAL MARIJUANA

SECTION 670.010: APPLICABILITY

- A. The regulations contained in this chapter apply to all property and medical marijuana uses located within the corporate limits of the City of Harrisonville.
- B. All medical marijuana related uses shall be located in accordance with the requirements of the City of Harrisonville Zoning Regulations Code.

SECTION 670.020: DEFINITIONS

All terms used in this chapter shall be as defined by Section 100.030 of the Harrisonville City Code or Section 1 of Article XVI of the State of Missouri Constitution.

SECTION 670.030: PURPOSE

The purpose of this Chapter is to regulate the placement and licensing of facilities for the cultivation, manufacturing, storage, transfer, testing and distribution of marijuana and marijuana-infused products, to the extent permitted by the Missouri Constitution, applicable statutes enacted by the Missouri General Assembly, and regulations promulgated by the Missouri Department of Health and Senior Services, and to protect the health, safety and welfare of the residents, businesses and property owners in the City.

SECTION 670.040: GENERAL PROVISIONS

No building shall be constructed, altered, or used for a Medical Marijuana Facility without complying with Title V of the Code of Ordinances of the City of Harrisonville, Missouri and the following regulations:

A. Compliance with State Regulations

All medical marijuana facilities must maintain compliance with all applicable rules adopted by the State of Missouri.

B. Definitions

Definitions contained in 19-CSR 30-95.10 are hereby adopted as the applicable definitions for this Section.

C. Public Consumption.

1. No marijuana may be smoked, ingested, or otherwise consumed on or within the premises of any medical marijuana facility, nor shall the licensee permit such consumption.
2. Public consumption of marijuana is prohibited.
3. "Public place" means any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses. However, for purposes of designating a non-public place within a public place, the owner or entity with control of any such property may, but is not required to, provide one or more enclosed, private spaces where one qualifying patient and, if required by the owner or entity with control of any such property, a representative of such owner or entity, may congregate for the qualifying patient to consume medical marijuana. The qualifying patient may be accompanied by the family of the qualifying patient, the qualifying patient's primary

caregiver, and/or the qualifying patient's physician. The owner or entity with control of any such property may provide such a space by individual request or designate such a space for ongoing use and may limit use of medical marijuana in that space to uses that do not produce smoke. Any such permission shall be given in writing and provided to the qualifying patient or publicly posted prior to a qualifying patient's use of medical marijuana in that space.

D. Combination of Alcohol Sales and Medical Marijuana Sales

The sale or consumption of alcohol within a medical marijuana facility is prohibited.

E. Combination of Facilities

Medical marijuana facilities that propose having more than one type of facility on the same property or within the same building shall follow the regulations for the more restricted facility.

F. Hours of Operation

All medical marijuana facilities shall be closed to the public, no persons not employed by the medical marijuana facility shall be on the premises, and no delivery to or from the medical marijuana facility, between the hours of 10:00 P.M. and 8:00 A.M.

G. Licenses

1. No marijuana or marijuana-infused products shall be acquired, certified, delivered, processed, sold, stored, tested or transported within the City, except by persons or entities licensed for such purposes by the Missouri Department of Health and Senior Services.
2. The applicable medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
3. No medical marijuana facility shall be operated within the City without a valid license issued by the Missouri Department of Health and Senior Services.
4. All medical marijuana facilities shall be licensed in accordance with Chapter 605 of the Harrisonville City Code.
5. A Harrisonville Business License shall be displayed in an open and conspicuous place on the premises.
6. If a medical marijuana facility loses its Missouri license to sell medical marijuana, the facility shall immediately halt all sales of medical marijuana unless and until licensure is reobtained. The City reserves the right to close a medical marijuana facility to the public if said facility loses its Missouri license to sell medical marijuana.

H. Ventilation Required

All medical marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the facility. No odors shall be detectable by a person with a normal sense of smell outside of the boundary of the tenant space or property on which the facility is located.

I. Multi-Tenant Buildings

1. No odors shall be detectable by a person with a normal sense of smell outside of the boundary of the dispensary, testing, cultivating, or infusing unit in a multi-tenant building.
2. No marijuana may be smoked, ingested, or otherwise consumed in any hallway or common area of a multi-tenant building.

J. Location Restrictions

1. Medical marijuana facilities shall comply with the location restrictions identified in Chapter 405 Zoning Regulations.
2. Each medical marijuana facility shall be operated from a permanent and fixed location. No medical marijuana facility shall be permitted to operate from a moveable, mobile, or transitory location.

K. Transportation and Possession

No person shall possess marijuana within the City, except:

1. A Qualified Patient for the patient's own personal use, in an amount no larger than the law allows; or
2. A Caretaker of a Qualified Patient, or patients, but only when transporting the medical marijuana to a Qualified Patient or when accompanying a Qualified Patient or patients; or
3. An owner or employee of a medical marijuana facility within the enclosed building licensed as such, or when delivering directly to a Qualified Patient's or Caretaker's residence or another medical marijuana facility.

A company that specializes in transporting medical marijuana shall be in compliance with all rules and regulations and shall obtain the requisite licensure set forth by the Missouri Department of Health and Missouri Department of Transportation.

L. Disposal of Medical Marijuana

No person shall dispose of marijuana or marijuana-infused products in an unsecured waste receptacle not in possession and control of the Licensee and designed to prohibit unauthorized access. All marijuana disposed of by a medical marijuana dispensary or facility shall be rendered unusable so that it may not be ingested by a human or animal.

M. Display of Products

No marijuana, marijuana-infused product, or marijuana paraphernalia shall be displayed as to be visible through glass, windows, or doors by a person of normal visual acuity standing outside of the facility.

N. Access Restrictions

1. No person under the age of eighteen (18) shall be allowed in any portion of a medical marijuana cultivation facility, infused products manufacturing facility, or a testing facility.
2. The entrance to a medical marijuana facility shall be clearly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the premises.
3. No person under the age of eighteen (18) shall be allowed in any portion of a medical marijuana dispensary facility, except that a qualifying patient who is under the age of eighteen (18) may enter if accompanied by a parent or legal guardian.

O. Signage

1. Signage associated with a medical marijuana facility shall comply with the requirements contained in Chapter 435: Sign Regulations.
2. Facilities shall not use signage or advertising with the word “marijuana” or “cannabis” or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word “medical” in type and font that is at least as readily discernible as all other words, phrases or symbols.

P. Permits required to be Shown

Upon demand of a law enforcement officer, a person in the possession of marijuana shall provide the officer with their qualified patient or primary caregiver identification card. Failure to provide the identification card upon demand is a violation of this Chapter.

Q. Home Cultivation License

1. All cultivation activities occurring in residences or on residential property shall be conducted in accordance with 19 CSR 30-95.030.

2. No extraction or infused products manufacturing activities shall occur in a residence or on residential property or anywhere other than a licensed infused products manufacturing facility.
3. No odors shall be detectable by a person with a normal sense of smell outside of the boundary of the residence.

SECTION 670.050: VIOLATIONS

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Chapter.

SECTION 670.060: PENALTIES

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.200 of the City Code.

Section 2. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 3. Severability. 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.

**READ FOR THE FIRST TIME BY TITLE ONLY ON THE ____ DAY OF JULY 2019
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE ____ DAY OF
JULY 2019 AND PASSED BY THE BOARD OF ALDERMEN THIS ____ DAY OF JULY
2019.**

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

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this _____ day of July 2019

ATTEST:

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney



STAFF REPORT

TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: July 11, 2019
SUBJECT: Chapter 430 Public Hearing

Type of Item: *Public Hearing*

NOTICE OF PUBLIC HEARING

Before the Board of Aldermen of the City of Harrisonville, Missouri.

NOTICE IS HEREBY GIVEN of a public hearing before the Board of Aldermen of the City of Harrisonville, Missouri to be held at 7:00 PM on Monday, August 19, at City Hall, 300 E. Pearl Street, Harrisonville, Missouri to consider adopting a revised Chapter 430, Urban Redevelopment Regulations, for the Municipal Code of the City of Harrisonville.

Copies of the ordinance are available online at www.harrisonville.com or by contacting city hall.

The public is invited to attend.

Randall K. Jones
City Clerk

H. Action Item (ID # 3277)
Chapter 430 Public Hearing



TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: July 11, 2019
SUBJECT: Chapter 430 Revisions Revote

Type of Item: *Approval*

Issue:

Chapter 430 was originally brought before the Board in October 2017 with proposed changes to the chapter recommended by Attorney John Fairfield.

Background:

Chapter 430 is the Urban Redevelopment Regulation section of the Code of Ordinances. When referring to the Chapter during the Harrisonville Senior Villas redevelopment at the old hospital, some issues were found that needed to be corrected and in doing so it was better to change a number of items associated with the Chapter (see revisions).

Former City Attorney Fairfield completed the revisions. This ordinance originally had a 4-3 vote for adoption, however, that vote current City Attorney Mauer says is not valid and recommends the Board rehear the ordinance and to approve it there must be 5 votes in favor.

Recommendation:

Staff is recommending adoption.

Council Bill No. 56

Ordinance No.

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF HARRISONVILLE,
MISSOURI REPEALING CHAPTER 430 OF THE CITY CODE AND
ENACTING IN LIEU THEREOF AN AMENDED CHAPTER 430 URBAN
REDEVELOPMENT REGULATIONS OF THE CITY OF HARRISONVILLE,
MISSOURI AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Harrisonville, Missouri (“City”) desires to allow redevelopment through certain funding mechanisms authorized by state law;

WHEREAS, the City desires to define the process for a developer seeking approval from the Board under the requirements of Chapter 353 RSMo. for blighted areas;

WHEREAS, the City has reviewed the current Chapter 430 and found that amendments were needed to clarify and amend certain requirements of the Chapter and to allow the city more flexibility and time to conduct its analysis of a proposed project;

WHEREAS, the Community Development Committee reviewed the recommendations of City staff at the August 15, 2017 meeting and recommend to the Board approval of the amended Chapter 430 as set forth in Exhibit A attached hereto;

WHEREAS the City of Harrisonville Board of Aldermen, after careful and due deliberation, concludes that amending Chapter 430 as set forth in Exhibit A below would be in the best interest of the City.

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

Section 1: The Board of Alderman (“Board”) hereby repeals Chapter 430 of the Code of Ordinances and enacts in lieu thereof an amended Chapter 430 as provided in EXHIBIT A, which is attached to this ordinance, and incorporated herein by reference.

Section 2: That this ordinance shall become effective immediately upon passage and approval for the City of Harrisonville.

Section 3. Severability. 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 4: Effective Date. That this order shall become effective immediately upon its passage and approval.

**READ FOR THE FIRST TIME BY TITLE ONLY ON THE 15TH DAY OF JULY 2019
AND READ FOR A SECOND TIME BY TITLE ONLY ON THE 19TH DAY OF
AUGUST 2019. VOTE TAKEN AS FOLLOWS:**

AYE:

NAY:

ABSENT:

ABSTAIN:

PASSED BY THE BOARD OF ALDERMEN THIS 19TH DAY OF AUGUST 2019.

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

ATTEST:

Randall K. Jones, City Clerk

APPROVED by the Mayor this 19th day of August 2019.



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

JOSHUA D. HAWLEY
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

July 19, 2018

Representative Ira Anders
201 West Capitol Avenue
Jefferson City, MO 65101-6806
(573) 751-5701

Dear Representative Anders:

You ask how many votes are needed in order for the Board of Aldermen in a fourth-class city to pass an ordinance, when one or more of the aldermen positions are vacant due to resignation. You also ask whether a person who is appointed to fill a vacant alderman position has the same powers as someone who was elected to that position.

We conclude that, except where the legislature specified otherwise, the number of votes necessary to pass an ordinance is determined using the total authorized membership. We also conclude that, whether a person has been elected to a position on the Board of Aldermen, or whether a person has been appointed to a position on the Board of Aldermen, that person has the same powers and duties under § 79.130.1, RSMo.

As to your first question, § 79.130.1, RSMo, provides, in pertinent part, as follows: "No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the *members elected* to the board of aldermen shall vote for it, and the ayes and nays be entered on the journal." *Emphasis added*. Similar language is found in § 79.240, RSMo:

1. The mayor may, with the consent of a majority of all the *members elected* to the board of aldermen, remove from office, for cause shown, any elective officer of the city ... Any elective officer ... [may, for cause] be removed from office by a two-thirds vote of all *members elected* to the board of aldermen ... The mayor may, with the consent of a majority of all the *members elected* to the board of aldermen, remove from office any appointive officer of the city at will, and any such appointive officer may be so removed by a two-thirds vote of all the *members elected* to the board of aldermen, independently of the mayor's approval or recommendation. ...
2. Nothing in this section shall be construed to authorize the mayor, with the consent of the majority of all the *members elected* to the board of aldermen, or the board of aldermen by a two-thirds vote of *all its members*,¹ to remove or discharge any chief, as that term is defined in section 106.273.

Similar language has been interpreted to refer to the total authorized membership of the public body. *State ex rel. Brown v. City of O'Fallon*, 728 S.W.2d 595, 597-98 (Mo. App. E.D. 1987) (holding that language in § 79.240, RSMo, that allowed the removal of the mayor by “two-thirds vote of all members elected to the board” meant that six of the eight board members needed to vote for the measure; the phrase “all members elected” included the votes of “non-participating members”); *Braddy v. Zych*, 702 S.W.2d 491, 493-94 (Mo. App. E.D. 1985). In *Braddy*, the court considered charter language that required certain votes to be by majority or two-thirds approval of “of all the members” of the board of aldermen. In determining whether this phrase meant all the authorized aldermen, or only the aldermen available to vote on the measures, the court stated:

¹ This phrase is different from all the phrases that preceded it. This is especially strange, given that the only purpose of this provision is to limit the removal power when applied to a chief. This difference in phrasing thus appears to be a stylistic choice, to avoid the clunky sentence that would otherwise occur: “... all the members elected to the board of aldermen, or the board of aldermen by a two-thirds vote of all the members elected to the board of aldermen.”

Treating the language “all the members” as referring to the entire Board as defined in the Charter creates a predictability and definiteness in the requirements for the enactment of laws. It also gives substance to the charter scheme that representatives of sufficient wards to adequately represent the residents of the city support an enactment before it becomes binding on the City as a whole. Interpreting “all the members” to be less than the full board established by the Charter creates the possibility that legislation may be enacted which has support in less than the required number of wards. So also treating “all the members” as describing the full Board as constituted by the Charter insures that actions deemed important enough to require greater than majority approval, such as override of a veto or sale of city real estate, will not have less support than contemplated by the Charter.

Braddy v. Zych, 702 S.W.2d at 493-94. See also *Smith v. Taney County*, --- S.W.3d ---, 2018 WL 2753055, note 4 (Mo. App. S.D. June 8, 2018) (mentioning with approval the holding in *Braddy*). Thus, it makes no difference whether a member of the body is absent due to death, resignation, temporary absence, or abstention, the total authorized number of members of the body is the correct number to use in determining what fraction of that body has voted in favor of an ordinance.

Additionally, where the legislature wanted a vote to be calculated using only the currently serving members of the board of aldermen, the legislature used different language: § 79.280, RSMo, provides that where there is a vacancy “in any elective office,” that office may be filled by mayoral appointment, with “the advice and consent of a majority of the *remaining* members of the board of aldermen.” *Emphasis added*. See *Braddy v. Zych*, 702 S.W.2d at 494 (contrasting a charter provision that required a vote of all the “remaining” members with a charter provision that required a vote of “all the members.”); see also *Mosley v. English*, 501 S.W.3d 497, 505 (Mo. App. E.D. 2016) (in interpreting statutes, the court considers the entire legislative act, and where different terms are used, the court presumes that the legislature intended those terms to have different meanings). Because the legislature specified when it wanted a vote to be counted only by a subset of the entire authorized board, it is reasonable to conclude that the legislature

intended the references to votes by the members elected to the board to refer generically to votes by the entire authorized membership of the board, whether those members were elected or appointed.

We realize this could create a situation where a board lacks the power to pass ordinances, if many of its members have resigned at once. However, § 79.280, RSMo, provides a quick remedy for this situation, and, further, it appears to be the legislative intent of this chapter that ordinances not be passed without adequate representation of all the wards in the city.

Therefore, in answer to your first question, the number of votes necessary to pass an ordinance is determined as a ratio of the number of affirmative votes to the number of authorized board members.

Turning to your second question, under § 79.280, RSMo, when there is a vacancy in the board of aldermen, the mayor convenes a special meeting of the remaining board members. The mayor appoints a person to fill the vacancy, “with the advice and consent of a majority of the remaining members of the board[,]” and that new alderman serves “until the next regular municipal election.” *Id.* Clearly, for a board member to “serve,” that board member must be able to execute the powers and duties of that office. Otherwise, the office would, as a practical matter, still stand vacant. *Compare State ex inf. Lamkin ex rel. Harrison v. Tennyson*, 151 S.W.2d 1090, 1091 (Mo. banc 1941) (“courts indulge a strong presumption against a legislative intent to create a condition that might result in a vacancy in public office.”).

However, you point out that language in Chapter 79, RSMo, could be interpreted to only allow elected, rather than appointed, board members to vote on proposed ordinances: “No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members *elected* to the board of aldermen shall vote for it, and the ayes and nays be entered on the journal.”² § 79.130, RSMo, *emphasis added*. You ask whether this language prevents appointed aldermen from being fully-functioning board members, because they were not members “elected” to the board, but were members “appointed” to the board.

² In *Braddy v. Zych*, 702 S.W.2d 491, 493 (Mo. App. E.D. 1985), the court noted that a Texas court had held that this language referred not to the number of people currently serving who had been elected, but to the number of possible elected positions on the board: “an irreducible number.” The *Braddy* court questioned whether using the adjective “elected” before the term “members” was intended to create a meaningful distinction. *Id.*

Statutes should not be interpreted in a “hyper-technical” sense, but rather they should be read to give a “reasonable and logical ... meaning to the statutes.” *Donaldson v. Crawford*, 230 S.W.3d 340, 342 (Mo. 2007). This is especially true of statutes involving local political subdivisions, many of which statutes are of long standing, and were written to be applied by lay-people. See *State ex inf. Attorney General ex rel. Lincoln v. Bird*, 244 S.W. 938, 940 (Mo. 1922) (school board statutes were written to be applied by lay-people, and, therefore, “no strict and technical construction should be given to them.”).

If § 79.130, RSMo, were read as stripping an appointed alderman of the power to cast a meaningful vote to pass an ordinance, an important part of the alderman’s representation of his or her ward would be limited. Courts do not favor such a result.

For example, in *City of St. Robert, Missouri v. Clark*, 471 S.W.3d 321, 325-26 (Mo. App. S.D. 2015), the court considered a situation where the mayor took a temporary leave of absence, and the acting president of the board of aldermen served in the mayor’s position. During this time, the acting president of the board voted, as a board member, to terminate an employee. *Id.* at 325. Then, with a majority of the aldermen having voted in favor of termination, in his position as acting mayor, he gave his consent to terminating the employee. *Id.* The employee brought suit, claiming it was improper for the board member to vote as an alderman, when he also was executing mayoral powers in the same matter. *Id.* at 323, 328.

The court disagreed, finding that the statutes did not require this result, and further holding that: “to hold that President lost his power to vote as an alderman during the absence of Mayor would deprive the residents of President’s ward of half of the aldermanic voting power they would otherwise have[.]” *Id.* at 328.

Similarly, to conclude that an alderman who was appointed, rather than elected, lost the ability to cast a valid vote with the majority in passing an ordinance, would deprive those of that alderman’s ward of representation. The purpose of appointing an alderman to a vacant office is to ensure the board can continue to function, and that the people of that ward may continue to have representation in the board until the next regular election. See § 79.110, RSMo (duties of board of aldermen); § 79.280, RSMo (vacancies shall be filled by appointment). A hyper-technical reading of § 79.130.1,

Representative Ira Anders
Page 6

RSMo, would frustrate the express purpose of the statutes that require an appointment to fill a vacant office, because this technical reading would make the appointed person not a true board member, but a board member in name, but without essential voting powers. *Compare State ex inf. Lamkin ex rel. Harrison v. Tennyson*, 151 S.W.2d at 1091.

There can situations where statutes specifically distinguish between elected and appointed positions. *See, e.g., Pumphrey v. City of Lutesville*, 707 S.W.2d 475, 477 (Mo. App. S.D. 1986) (statutes provided “for different procedures for the removal of elected officers and appointed officers. ... There are obvious reasons why removing an elected official should be more difficult than removing an appointed official.”). However, in § 79.130.1, RSMo, the term “elected” is not used to distinguish between elected and appointed members and assign them different powers and duties; rather, no mention is made of appointed members, whatsoever, and it appears the term is used merely as a generic adjective regarding the usual composition of board members. And, as explained above, to read the statute in such a hyper-technical way would frustrate the legislative intent in providing for an appointee to fill a board member vacancy.

Therefore, we conclude that all aldermen, whether elected or appointed, have the power to vote on ordinances under § 79.130, RSMo.

Sincerely,



Linda Lemke
Assistant Attorney General

Attachment: AG Memo 5 Votes to Pass (Chapter 430 Revisions Revote)

Chapter 430. Urban Redevelopment Regulations

Section 430.040. Procedural Requirements.

[Ord. No. 2764 §1(140.040), 4-1-2002]

- A. *Submission Of Application.* Three (3) applications for approval of a development plan pursuant to the provisions of this Chapter and Chapter 353, RSMo., shall be filed by the Redevelopment Corporation (a.k.a. the “urban redevelopment corporation”) at the office of the City Clerk. Additional copies may be requested as necessary to allow adequate review. Concurrent with such filing, the applicant shall file an application for rezoning to the appropriate land use district in accordance with the requirements of the zoning regulations of the City of Harrisonville (a.k.a the “City”) if the current zoning of the proposed development project is incompatible with the proposed development plan.

- B. *Contents Of Application.* An application for approval of a development plan shall contain the following supporting information:
 1. A development plan of the property which shall include the following information:
 - a. A legal description of each parcel of land included in the proposed redevelopment area and a legal description of all property proposed to be acquired by eminent domain and a statement outlining the reasons why eminent domain is requested.
 - b. A proposed phasing or staging plan for the development project, if more than one (1) phase or stage is intended, and the time schedule for acquisition, commencement and completion of each phase or stage.
 - c. Existing structures to be demolished, retained and renovated and the time schedule for each.
 - d. Proposed new construction including, but not limited to, type of building (i.e., residential, commercial, industrial, office building heights, square footage, parking space).
 - e. Public improvements proposed with the development plan, including any proposed changes in existing public facilities, including, but not limited to, streets, sidewalks and utilities.
 - f. Amenities proposed to be included with the development.
 - g. Necessary zoning changes.
 2. A blight study prepared in accordance with the requirements of Section 430.060 of this Chapter.

3. A relocation plan in accordance with the requirements of Section 430.070 of this Chapter.
4. Appraisals of all parcels of property proposed for acquisition in accordance with the requirements of Section 430.080 of this Chapter.
5. An affidavit from the Redevelopment Corporation certifying financial capability of the redevelopment corporation to complete the development project as proposed in accordance with the requirements of Section 430.100. In addition, a market study demonstrating the financial and market feasibility of the proposed new development project.
6. A study analyzing post development project tax impact versus current tax levels to fully justify the tax abatement as economically essential to the proposed development project and assessing the impact of abatement on all taxing jurisdictions. This document shall also be provided as the basis for determining any in-lieu-of tax payments to be made by the Redevelopment Corporation during the period of abatement. A statement from the applicant indicating a willingness to make payments in lieu of taxes as necessary. Submittal of copies of return receipts indicating notice has been given to all taxing jurisdictions in accordance with the requirements of Section 430.090 herein.
7. A provision for the disposition of surplus earnings of the Redevelopment Corporation as provided in Chapter 353, RSMo.
8. Identification, including background and experience of the individuals who will be responsible for the management of the development plan and the development therein.
9. Certificate of Incorporation of the Redevelopment Corporation, including a certified copy of the articles of incorporation, names and addresses of the officers, directors and registered agent, and any owner, partner, member or shareholder in the Redevelopment Corporation.
10. A statement that each person or entity having a property interest of record (including any interest which is a security interest or any leasehold interest of record) and each occupant or resident in the project area has been given written notice of the filing of the development plan by depositing such notice in the regular United States mail, postage prepaid, addressed to such person or entity having a property interest of record at the address indicated in the records of the Recorder's office of Cass County in which the property is located and addressed to each occupant at the address of such occupant in the project area.
11. A deposit of five hundred dollars (\$500.00) plus one hundred dollars (\$100.00) per individual tract of ground included in the proposed redevelopment. The applicant

shall also pay in advance to the City of Harrisonville a deposit and such additional sums necessary to cover costs for the City to engage independent professional services to assist in the review of the application, to conduct an analysis of the impact on City Services, financial and market feasibility, the financial capability of the Redevelopment Corporation to complete the development project, and the review of the ownership and management of the Redevelopment Corporation (“Professional Review”).

12. Any additional information from time to time which is deemed necessary.

C. *Review Process.*

1. *Filing application and review.* Upon receipt of the application, the City Clerk shall refer the application to the City Administrator and City Attorney for a determination that all required information has been submitted. A public hearing on said application shall be scheduled at the direction of the Mayor before the Board of Aldermen no later than ninety (90) days after determining the application and the Professional Review are complete (the “Public Hearing”).
2. *Initial Development Plan Review.* After the application and the Professional Review are complete, and prior to submittal to the Board, the development plan, at the discretion of the Mayor, may be reviewed by the Mayor, City Administrator, Community Development Director, and City Attorney, who may require the developer or Redevelopment Corporation to provide additional information. Such information must be provided to the City by the developer and Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City. The Mayor may also create a committee of the Board to have an initial hearing on the development plan, which may determine that additional information should be provided by the developer or Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City.
2. *Public notice.* A notice of said Public Hearing shall be published in a newspaper having a general circulation in the City of Harrisonville providing no less than fifteen (15) days' notice of the time and place of hearing before the Board of Aldermen. Applicant shall be required to give notice by mail to all property owners and occupants in the redevelopment area, to the taxpayers listed on the County tax rolls for any hearings before the Board of Aldermen no less than thirty (30) days before the date of the hearing. Applicant shall be notified in sufficient time of the date of the public hearing to give the mailed noticed required herein to the property owners and occupants in the redevelopment area. Evidence of mailing of notices for each and every public hearing shall be given to the City, and should the applicant fail to provide the evidence of mailing of notices, the Public Hearing shall be postponed until such time as the applicant provides satisfactory evidence of mailing of notices.

3. *Board of Aldermen.* The Board of Aldermen shall have the following duties and responsibilities:
 - a. A development plan shall not be recommended for approval by the Board of Aldermen until and unless the Board makes the following determinations:
 - (1) *Necessity.* That the area within which the redevelopment is to be made is blighted and that redevelopment in accordance with this development plan is necessary or advisable to effectuate the purposes declared in Section 430.010 of this Chapter.
 - (2) *Compliance with the Comprehensive Plan.* That the development complies with the Comprehensive Plan of the City.
 - (3) *Sufficient size.* That the area is of sufficient size to allow its redevelopment in an efficient and economically satisfactory manner.
 - (4) *Stages of plan.* That the various stages, if any, by which the redevelopment is proposed to be constructed or undertaken as stated in the development plan are practical and in the public interest.
 - (5) *Public facilities.* That public facilities, including, but not limited to, school, fire, water, sewer, Police, transportation, park, playground or recreation, are presently adequate, or will be adequate at the time that the redevelopment is ready for use, to service the area and if additional public facilities are deemed necessary, the Redevelopment Corporation is required to build all public improvements to support the proposed development.
 - (6) *Zoning, street changes.* That the proposed changes, if any, in the case of the zoning ordinance or map have been approved by the Planning and Zoning Commission and in streets or street levels or any proposed street closings, are necessary or desirable for the redevelopment and its protection against blighting influences and for the City as a whole.
 - (7) *Financial capability.* Evidence of existing financial capability to complete the project and provision for the continuing availability of funding in accordance with the requirements of Section 430.100 of this Chapter.
 - (8) *Relocation plan.* That the relocation plan submitted with the application complies with the requirements of Section 430.070 of this Chapter.
 - (9) *Notice to taxing authorities.* That proper notice has been given to all taxing jurisdictions as required in Section 430.090(A) of this Chapter.

- (10) Payments in lieu of taxes. Approve and authorize execution of any agreement between the City and the applicant regarding payments in lieu of taxes.
 - (11) That the area included within a development plan is a blighted area and that the clearance, redevelopment, replanning, rehabilitation or reconstruction thereof is necessary for the public convenience and necessity
 - (12) That if a Redevelopment Corporation or developer seeks to acquire all or any part of the real property within a blighted area by exercise of the power of eminent domain, such acquisition is for the public convenience and necessity.
 - (13) That approval of the development plan and construction of the redevelopment project are necessary for the preservation of the public health, safety and general welfare.
- b. Upon making the findings and the declaration required, the Board of Aldermen shall consider an ordinance approving the development plan. If the Board of Aldermen approves the ordinance, the Board of Aldermen shall authorize the Mayor to enter into a contract with the Redevelopment Corporation on behalf of the City (the "Contract"), such Contract to contain, among other provisions, the provisions as embodied in the plan, the approving ordinance, a provision that the applicable provisions of this Chapter shall be incorporated by reference into such Contract, a provision outlining any required payments in lieu of taxes, a provision pertaining to non-compliance remedy of breach of contract as more particularly stated in Section 430.130 and a provision that the terms, conditions or provisions of the Contract can be neither modified nor eliminated except by mutual agreement between the City and the Redevelopment Corporation; provided however, that no such Contract shall be construed as an enlargement of the authority conferred upon the City by Chapter 353, RSMo. The City at its discretion may require the Redevelopment Corporation or developer to advance such sums necessary to for the City to engage an independent attorney to draft and negotiate the terms of the Contract.

Section 430.050. Plan Implementation.

[Ord. No. 2764 §1(140.050), 4-1-2002]

- A. *Certification Of Public Convenience And Necessity For Corporation To Acquire Property By Eminent Domain.* If the Redevelopment Corporation proposing a development plan seeks to acquire all or any part of the real property described in the development plan by eminent domain, the Board of Aldermen shall, by the ordinance approving such plan, determine that the public convenience and necessity will be served by the development

plan and the redevelopment project and shall grant to such Redevelopment Corporation a certificate of public convenience and necessity authorizing and empowering such Redevelopment Corporation to acquire by the exercise of eminent domain such real property in fee simple or other estate; provided that such real property shall be devoted to the purposes and uses described in the development plan. The Redevelopment Corporation may thereafter exercise the power of eminent domain in the manner provided for corporations in Revised Statutes of Missouri or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provision. Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to the City or to the State or any other political subdivision thereof may be acquired without its consent.

B. *Commission To Check Compliance, Make Reports, Adopt Rules And Regulations.*

1. Investigation and reports. It shall be the duty of the City Administrator, after a development plan has been approved by the Board of Aldermen, to investigate and report to the Board of Aldermen semi-annually during construction of the redevelopment project whether the Redevelopment Corporation is fully complying with the approved development plan, the Contract and this Chapter.
2. Compliance with time schedule. The Redevelopment Corporation shall comply with the time schedule or staging plan approved with the development plan, including the time schedule for acquisition, commencement and completion of each phase or stage. Upon application for an extension of time by the Redevelopment Corporation, the Board of Aldermen, if deemed in the public interest, may with a three-fourths ($\frac{3}{4}$) majority vote grant to the Redevelopment Corporation operating under an approved development plan an extension of time in which to complete the development plan or any approved phase or stage. In the event an extension is denied and the Redevelopment Corporation cannot comply with the required time schedule, an ordinance to repeal the ordinance approving the development plan shall be considered.
3. Recommendation of certification. When a Redevelopment Corporation operating under an approved development plan has completed the redevelopment project in accordance with the provisions of the development plan, the City Administrator, upon the written request of such Redevelopment Corporation, shall conduct an investigation and if the City Administrator determines that the project has been completed, the City Administrator shall recommend to the Board of Aldermen that a certificate of full compliance be issued to the Redevelopment Corporation for each stage and the Board of Aldermen may authorize the City Administrator to issue a certificate of compliance which shall be conclusive evidence of compliance.

C. *Reports Required By Corporations.*

1. Every Redevelopment Corporation shall render annually to the City Clerk during the period of tax relief provided in Section 430.090 a financial report for the preceding

year, verified under oath by the Redevelopment Corporation's certified public accountant, which report shall disclose the earnings of the Redevelopment Corporation and the disposition of any net earnings in excess of those provided for under Section 430.100 and the interest rate on income debenture bonds, notes or other evidence of debt of the Redevelopment Corporation, thereupon, the City Clerk shall forward the report to the City Administrator for review. Such financial reports shall be submitted not more than ninety (90) days after the Redevelopment Corporation's fiscal year end as specified in the application for approval of a development plan.

2. The Redevelopment Corporation shall annually file with the City Clerk a certified financial statement indicating compliance with Section 430.100 of this Chapter.
3. The Redevelopment Corporation shall report annually progress on property acquisition and the occupants displaced by the Redevelopment Corporation by name and address and specify the relocation benefits provided to each occupant.

Section 430.060. Supporting Evidence of Blight.

[Ord. No. 2764 §1(140.060), 4-1-2002]

Any application for approval of a development plan shall be supported by factual evidence that the area is a blighted area as defined by Chapter 353, RSMo. Evidence must be complete prior to any Public Hearing to allow the Board to make a finding of blight as required by Statute and this Chapter.

Section 430.070. Relocation Plan.

[Ord. No. 2764 §1(140.070), 4-1-2002]

- A. General. Every Redevelopment Corporation which requests the power of eminent domain for any part of the project area shall submit a relocation plan as part of the development plan.
- B. Contents Of Plan. The relocation plan shall outline specific requirements and procedures for handling displacement in each of the following instances: owner-occupied residential units, renter-occupied residential units, owner-occupied businesses, renter-occupied businesses or any combination of the above.
- C. Relocation Payments. Payments shall be made to all displaced occupants, except those occupants who have agreed to waive their relocation benefits for payments made for the purpose of real property or other mutually agreeable settlement. A displaced occupant who lives on a business property shall be eligible for both a payment as a dwelling occupant and a payment with respect to the business operation.
- D. Review Of The Relocation Plan. In reviewing any plan proposed, the City retains the right to determine the adequacy of the proposal and, if appropriate, require additional elements to be provided therein.

- E. Reporting Requirements. The Redevelopment Corporation shall submit to the City Clerk a relocation progress report on an annual basis during the entire relocation process and until such time as the Board of Aldermen certifies that all relocation needs have been met. Such progress report shall demonstrate and document compliance with the approved relocation plan. The report shall be certified by affidavit of a corporate officer.

Section 430.080. Acquisition of Real Property.

[Ord. No. 2764 §1(140.080), 4-1-2002]

- A. General. At the time of filing a development plan which provides for the acquisition of property by eminent domain, the Redevelopment Corporation shall certify that, as a condition of approval of the plan, it shall make every reasonable effort and good faith attempt to acquire the real property expeditiously by negotiation and ensure that owners of real property to be acquired are treated fairly and consistently. Further, the Redevelopment Corporation shall submit a property acquisition schedule on a parcel-by-parcel basis for the development area.
- B. Appraisal. The Redevelopment Corporation's appraisal of "fair market value" shall be based upon nationally recognized appraisal standards and techniques consistent with the concepts of value and the rules on the admissibility of evidence of value under the eminent domain law of the State of Missouri. The owner shall be notified, in writing, of all appraisals and be extended the opportunity to accompany the appraiser on their inspection.
- C. Offer Of Just Compensation. Promptly after establishment of just compensation the Redevelopment Corporation shall transmit a written purchase offer with a copy of the approved appraisal to the owner and furnish the City with proof such offer was received. The Redevelopment Corporation shall make every reasonable effort to meet with the owner or their representative to discuss the basis for the determination of just compensation and attempt to arrive at a negotiated purchase price. Should such negotiations continue for a period greater than ninety (90) days, either the owner or the Redevelopment Corporation may elect to proceed with eminent domain proceedings.
- D. Mandatory Purchase By Corporation. Upon arrival of the development plan or at any time thereafter during the life of the project, any property owner wishing to sell their property and relocate immediately may notify the Redevelopment Corporation of such in writing. Upon receipt of the request, the Redevelopment Corporation shall in good faith attempt to purchase by negotiation said property subject to eminent domain. If a sale of the property cannot be consummated within ninety (90) days, the corporation shall proceed forthwith to file a proceeding in condemnation.

Section 430.090. Tax Relief For Redevelopment Corporations.

[Ord. No. 2764 §1(140.090), 4-1-2002]

- A. Notice To Taxing Authority. In addition to the notification requirements of Section 430.040, written notice shall be given by the Redevelopment Corporation to all taxing authorities within the area that is the subject of the development plan. A separate notice shall be given prior to the filing of the development plan and the Public Hearing before the Board of Aldermen. Certification of notice shall be provided to the City Clerk at the time of filing the development plan and to the Board of Aldermen prior to the hearings before each body.
- B. Full Exemption. Once the requirements of this Section have been complied with, the real property of urban redevelopment corporations acquired pursuant to this Chapter may be subject to full exemption of taxes for a period of up to ten (10) years as provided by Chapter 353, RSMo, and pursuant to the Contract with the City.
- C. Property Already Exempt. In the event, however, that any such real property was tax exempt immediately prior to ownership by any urban redevelopment corporation, the County Assessor shall assess the property as provided by Chapter 353, RSMo.
- D. Partial Exemption. For the next ensuing period not in excess of fifteen (15) years, ad valorem taxes upon such real property shall be measured as provided by Chapter 353, RSMo., and pursuant to the Contract with the City.
- E. Full Assessment. After a period totaling not more than twenty-five (25) years, such real property shall be subject to assessment and payment of all ad valorem taxes as provided by Chapter 353, RSMo.
- F. Tax Agreements By Corporations. In the course of considering any development plan for approval, the Board of Aldermen shall consider any agreement, in writing, on behalf of the Redevelopment Corporation presenting such plan that, notwithstanding the provisions of the Missouri Redevelopment Corporations Law, it will make payments in lieu of real property taxes to the appropriate taxing bodies in such amount which, together with the real property taxes to be paid on the land for the first ten (10) years, shall, as a minimum, equal the total real property taxes on the land and improvements during the tax year immediately preceding purchase of the property by the corporation; however, such sum may actually in fact exceed the current level of taxes.

Section 430.100. Financial Restrictions On Corporation.

[Ord. No. 2764 §1(140.100), 4-1-2002]

Financial Capability. Proof of financial capability to complete the project shall include a description of the method by which the developer proposes to obtain the financing necessary to complete the project and the developer's proposed equity interest in the project. Further, this information shall be related to the market feasibility and proposed tax abatement to allow analysis of the project's financial feasibility.

Section 430.110. Prerequisites To Amendment of An Approved Development Plan.

[Ord. No. 2764 §1(140.110), 4-1-2002]

The Board of Aldermen shall review any amendment to a development plan previously approved by ordinance. No such amendment shall be reviewed and no action shall be taken by the Board of Aldermen, unless and until an application for amendment has been filed with the City Clerk by the Redevelopment Corporation or its assignee containing those portions of the statements and information required by Section 430.040 of this Chapter relevant to the proposed amendment and unless and until the Board of Aldermen shall make the determinations required by Section 430.040 relevant to the proposed amendment. The notice requirements of Section 430.040 shall also apply.

Section 430.120 Disposal of Property.

[Ord. No. 2764 §1(140.120), 4-1-2002]

Any urban redevelopment corporation may sell or otherwise dispose of any or all of the real property acquired by it for the purposes of a redevelopment project as provided by Chapter 353, RSMo.

Section 430.130 Remedies For Failure To Follow Plan or Breach of Contract.

[Ord. No. 2764 §1(140.130), 4-1-2002]

Whenever any person or Redevelopment Corporation or its grantee or assignees operating under an approved development plan does not substantially comply with the development plan or with any contract entered into pursuant to the regulations contained herein, then such non-compliance shall immediately be certified by the Board of Aldermen which shall direct the City Administrator to notify said Redevelopment Corporation, its successors, grantees and assignees who is the then current responsible party to the Contract with the City by certified mail to the last known address that it has been found in non-compliance and giving thirty (30) days' notice to correct said non-compliance. The thirty (30) day period shall begin on the date notice is posted. If the non-compliance has not been remedied within the thirty (30) day period, the Board of Aldermen may authorize an attorney to commence a proceeding in the Circuit Court in the name of the City to have such action, failure or omission or threatened action or omission stopped, prevented or rectified by injunction or otherwise or bring an action for damages, including punitive damages against the urban redevelopment corporation for breach of any of the provisions of the redevelopment plan; provided that in the event that the Board of Aldermen determines that the Redevelopment Corporation has abandoned construction before completion of the project in accordance with the terms of an approved development plan, a declaration of abandonment shall be filed with the Recorder's office in the appropriate County and the real property thereafter

included in the plan shall be subject that date to assessment and payment of all ad valorem taxes based on the true value of such real property.

Section 430.140 Amendments To Chapter.

[Ord. No. 2764 §1(140.140), 4-1-2002]

- A. Amendments to this Chapter shall be approved by the Board of Aldermen. At such time as an amendment is recommended, it shall be scheduled for public hearings before the Board of Aldermen with fifteen (15) days' notice of the date, time and place of each hearing published in a newspaper having a general circulation of the City of Harrisonville.
- B. The Board of Aldermen shall hold a public hearing regarding the proposed amendment. Upon considering the evidence presented in the public hearing, the Board of Aldermen may either continue, for good cause, its action upon such an amendment to a date specific or approve or deny such amendment. Approval of the amendment shall be by ordinance.



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: August 5, 2019
SUBJECT: July Municipal Court Report

Type of Item: *Discussion*

A. Discussion Item (ID # 3301)
July Municipal Court Report

Attachments:

July 2019 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 July 2019 and that the information and statements contained in said report are true and correct according to my best information, knowledge and belief.

Kevin K. Anderson
Municipal Court Judge

Date

Presented and reviewed as required by Court Operating Rule 4.29.

City Clerk

Date

Subscribed and sworn to before me this 5th day of August, 2019.

Notary

CAROLINE E. VAUGHN
Notary Public - Notary Seal
State of Missouri
Commissioned for Cass County
My Commission Expires: March 14, 2023
Commission Number: 19500796~

Attachment: July 2019 Court Report (July Municipal Court Report)

Municipal Division Summary Reporting

17th Judicial Circuit - Cass County - Harrisonville Municipal Division

I. COURT INFORMATION

Reporting Period:		
July	2019	Court activity occurred in reporting period: Yes
Clerk's Physical Address:	Mailing Address:	Vendor
300 E. Pearl St. Harrisonville, MO 64701	PO Box 367 Harrisonville, MO 64701	Incode (Tyler Technologies)
Telephone Number:	Fax Number:	
(816) 380-8903		
Prepared by:	Prepared by E-mail Address:	Municipal Judge(s) Active During Reporting Period:
Michelle Shaffer	michelle.shaffer@courts.mo.gov	Kevin Anderson

II. MONTHLY CASELOAD INFORMATION		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations / informations) pending at start of month		49	581	833
B. Cases (citations / informations) filed		6	75	54
C. Cases (citations / informations) disposed				
	1. jury trial (Springfield, Jefferson County, and St. Louis County only)	0	0	0
	2. court / bench trial - GUILTY	0	0	2
	3. court / bench trial - NOT GUILTY	0	0	0
	4. plea of GUILTY in court	5	38	35
	5. violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)	0	12	3
	6. dismissed by court	0	5	2
	7. nolle prosequi	0	8	4
	8. certified for jury trial (not heard in the Municipal Division)	0	0	0
	9. TOTAL CASE DISPOSITIONS	5	63	46
D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) – C9]		50	593	841
E. Trial de Novo and / or appeal applications filed		0	0	0

III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS	
1. # Issued during reporting period:	104	Does court staff process parking tickets? Yes	
2. # Served/withdrawn during reporting period:	153	1. # Issued during reporting period:	1
3. # Outstanding at end of reporting period:	901		

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

Fines – Excess Revenue	\$5,299.00
Clerk Fee – Excess Revenue	\$497.66
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Excess Revenue	\$15.35
Bond forfeitures (paid to city) – Excess Revenue	\$0.00
Total Excess Revenue	\$5,812.01

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

Fines – Other	\$3,833.50
Clerk Fee – Other	\$330.56
Judicial Education Fund (JEF) Court does not retain funds for JEF: Yes	
Peace Officer Standards and Training (POST) Commission surcharge	\$69.04
Crime Victims Compensation (CVC) Fund surcharge – Paid to State	\$492.09
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Other	\$10.21
Law Enforcement Training (LET) Fund surcharge	\$138.02
Domestic Violence Shelter surcharge	\$138.02
Inmate Prisoner Detainee Security Fund surcharge	\$138.05
Sheriffs' Retirement Fund (SRF) surcharge	\$217.03
Restitution	\$0.00
Parking ticket revenue (including penalties)	\$0.00
Bond forfeitures (paid to city) – Other	\$760.00
Total Other Revenue	\$6,126.52

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

OVERPAYMENT - EXCESS REVENUE	\$1.00
DWI RECOUPMENT FEE - NOT EXCESS REVENUE	\$513.47
Total Other Disbursements	\$514.47
Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$12,453.00
Bond Refunds	\$170.00
Total Disbursements	\$12,623.00