



**AGENDA
CITY OF HARRISONVILLE
FINANCE/PERSONNEL COMMITTEE
REGULAR MEETING
CITY HALL
APRIL 7, 2014
6:00 PM**

- I. Call to Order**
- II. Approve Minutes**
 - A. Finance/Personnel Committee - Regular Meeting - Feb 24, 2014 6:00 PM**
- III. Agenda Items**
 - A. Discussion of Video Conferencing Policy (carried over from 2/24 mtg.)**
 - B. Utility Deposit Amendment Discussion (carried over from 2/24 mtg.)**
 - C. Accepting Oakland Cemetery**
 - D. Twin Pines Golf Club**
 - E. Alderman Age Qualifications**
 - F. Electric Utility System Update**
- IV. General Discussion**
- V. Adjournment**

This meeting will be open to the public.

Posted on City Hall Bulletin Board this 3rd day of April, 2014

Kim Hubbard, City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
FINANCE/PERSONNEL COMMITTEE
REGULAR MEETING
CITY HALL
FEBRUARY 24, 2014
6:00 PM

I. Call to Order

The meeting was called to order at 6:00 PM by Chair Bill Mollenhour

| Attendee Name | Title | Status | Arrived |
|-----------------|-----------|---------|---------|
| Kevin Wood | Member | Present | |
| Doug Meyer | Member | Present | |
| Stacey Dahlman | Member | Late | 6:46 PM |
| Morris Coburn | Member | Present | |
| Marcia Milner | Member | Present | |
| Bret Reece | Alternate | Absent | |
| Bill Mollenhour | Chair | Present | |

Others present: City Administrator Keith Moody, Finance Director Mike Tholen, Electric Department Director Keith Thomas, Assistant Public Works Director Eric Patterson, Alderman Stull, and Public Information Specialist Sheryl Stanley.

II. Approve Minutes

A. Finance/Personnel Committee - Regular Meeting - Oct 21, 2013 6:00 PM

Accepted

Minutes were approved.

III. Agenda Items

A. Presentation by Steve Bennett, Fyndera Co.

Mr. Steve Bennett gave a Power Point presentation on a system which would allow citizens access and have a better understanding of performance measurement data for municipalities. Mr. Bennett explained the system is still in the development stage and that he was looking for feedback. Mr. Moody noted that he liked the sorting feature because of it's simplicity.

Minutes Acceptance: Minutes of Feb 24, 2014 6:00 PM (Approve Minutes)

Mr. Moody asked Mr. Bennett if it was okay to share the information he had forwarded prior to the meeting with the Board so they could provide better feedback. Mr. Bennett stated he was okay with that.

Mr. Bennett shared he wants to market this system by population to make it more affordable to smaller communities.

B. MOPEP Update

Director Thomas reviewed the summary of demand charges from MOPEP to member cities, capacity credits and our generation resources.

C. Vehicle maintenance procurement Scheduled

Director Tholen reviewed the item regarding vehicle maintenance procurement and pointed out this had become a discussion item when Alderman Milner was appointed to the Board.

Mr. Tholen reviewed state statute which prohibits transactions in excess of \$500 per transaction or \$5,000 per year, unless a contract or competitive bid is involved. Mr. Tholen shared that his research of the last six (6) years the City did not do more than \$2,900 of business with Milner O'Quinn but there had been services over the \$500 threshold. Mr. Tholen reported he looks at this as a policy issue not just for vehicle maintenance but routine business i.e. printing jobs and other types of services that are not normally bid out.

It was discussed that not all of the City's vehicle business goes to one shop, there is not a formal rotation system and city departments utilize the expertise of different businesses and their availability.

D. Discussion of Video Conferencing Policy Scheduled

Mr. Moody reviewed the video conferencing policy that was passed in the 2013 legislation and reported that the City does not have the ability for video conferencing at this time. Discussion took place that there has not been issue on having a quorum and that staff did not have a cost on what it would entail to make this available.

Mr. Tholen reported the importance for the public to be able to see who is participating in the meeting if and when the City has the ability and takes part in video conferencing. Mr. Tholen stated this had been a discussion topic at the last GFOA meeting he attended.

It was the consensus of the Committee to carry this over to the next meeting and to have staff research the cost to have this capability.

E. Level pay for Commercial utility accounts

Director Tholen reviewed the question posed by Alderman Dickerson at a previous Board meeting regarding level pay for commercial utility accounts.

Mr Tholen reported the INCODE system has the capability and reviewed the reasoning why commercial accounts were not offered the level pay due to the fluctuation of their bills. Mr. Tholen also noted the sign up time for level pay has passed for 2014.

There was discussion of the two level pay calculation options and that whatever option the City has needs to apply to everyone at the same time.

Alderman Dickerson stated he would share this information with the business that had made the inquiry and let them discuss with Mr. Tholen if they so desired.

There was no action taken or direction given.

F. Utility Deposit Amendment Discussion Scheduled

Director Tholen reviewed the amendment that eliminated the practice of refunding utility deposits to customers after two years of paying on time. Mr. Tholen reported there had been a customer who had come to the committee in July asking for the refund of their deposit and the committee had approved to refund in this one instance.

Alderman Stull noted he had requested this policy be reviewed because a business owner had been told at the time they placed their deposit that the deposit would be refunded after two years of paying on time and it wasn't. Alderman Stull stated he thought the City should honor their word.

There was discussion that there was no grandfathering of those that were customers prior to this amendment and that the directive from the Committee was that refunds would be reviewed on case by case basis.

Directive was given to Mr. Tholen to see how many accounts this policy affected and it will be discussed at the next Finance/Personnel Committee meeting.

IV. General Discussion

There was no general discussion.

V. Adjournment

The meeting was closed at 7:12 PM

Alderman Coburn made the motion to adjourn. Alderman Milner seconded the motion and it was approved by a voice vote.

Kevin Wood, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

Minutes Acceptance: Minutes of Feb 24, 2014 6:00 PM (Approve Minutes)



City of
Harrisonville^{est. 1836}
STAFF REPORT

TO: Finance/Personnel Committee
FROM: Keith Moody, City Administrator
DATE: February 17, 2014
SUBJECT: Discussion of Video Conferencing Policy

Type of Item: *Report*

SB 170 passed in the 2013 legislative session provides an option for elected officials to cast roll call votes via video conferencing. At the request of the League, Lauber Municipal Law has prepared a sample policy for member cities to consider should the municipality decide to implement this option. Copies of the policy are available on the League Web site.

At the last committee meeting the issue was discussed and the committee requested some cost estimates. I have invited Jeremy Smith to attend our next committee meeting to provide some background on options as well as to discuss pricing.

A. Discussion Item (ID # 1320)

Discussion of Video Conferencing Policy

History:

02/24/14 Finance/Personnel Committee SCHEDULED

Mr. Moody reviewed the video conferencing policy that was passed in the 2013 legislation and reported that the City does not have the ability for video conferencing at this time. Discussion took place that there has not been issue on having a quorum and that staff did not have a cost on what it would entail to make this available.

Mr. Tholen reported the importance for the public to be able to see who is participating in the meeting if and when the City has the ability and takes part in video conferencing. Mr. Tholen stated this had been a discussion topic at the last GFOA meeting he attended.

It was the consensus of the Committee to carry this over to the next meeting and to have staff research the cost to have this capability.

Attachments:

VideoconferencePolicy.12-16-Finance Committe 2-24-14 (PDF)



Sample Missouri Video Conference Meeting Policy

Prepared by: Joseph G. Lauber and
Megan L. Taggart, Law Clerk, 2014 J.D. Candidate of the UMKC School of Law

In 2013, the Missouri General Assembly adopted SB 170, which amended § 610.015, RSMo to allow roll call votes to be cast by elected members of a public governmental body who are attending by video conference. While this measure was vetoed by the Governor, the General Assembly overrode that veto in its special veto session. Prior to the amendment, roll call votes could only be cast by members physically present at the meeting. Practical implementation of this amendment may be difficult due to ambiguity of the language caused by undefined terms as well as public policy concerns related to the public's desire to have elected officials physically present at meetings for face-to-face interaction.

In light of these concerns a municipality should consider adopting a policy establishing parameters for video conference attendance of meetings by members of public governmental body. While the most appropriate policy for any municipality is one determined in the specific factual context of the community, we have provided a sample policy for adoption as an insertion to an existing policy, or as a stand-alone policy addressing the practical application of meetings having a video conference component.

In addition to the language we recommend for a resolution or ordinance adopting this policy, we have embedded footnotes in each subsection to describe some of the policy considerations that should be made in conjunction with the adoption of this policy. These footnotes are for the information of the public governmental body considering the adoption of this policy, and as such the footnotes and explanatory information in *italic font* should be deleted from the final version of the ordinance or resolution ultimately adopted by the public governmental body.

Ordinance or Resolution Language:

1. Section _____. Meetings Using Video Conference Technology.

- a. Policy Statement.¹ While it is legally permissible for members of the City's public governmental bodies to attend meetings and vote via video conference transmission,

¹ *This policy statement is designed to balance the benefits of additional participation from members who would not otherwise be available to be physically present with the concern that elected and appointed officials should take*

a member's use of video conference attendance should occur only sparingly.² Because it is good public policy for citizens to have the opportunity to meet with their elected officials face-to-face, elected members of a public governmental body should endeavor to be physically present at all meetings unless attendance is unavoidable after exercising due diligence to arrange for physical presence at the meeting. The primary purpose of attendance by video conference connection should be to accommodate the public governmental body as a whole to allow meetings to occur when circumstances would otherwise prevent the physical attendance of a quorum of the body's members. A secondary purpose of attendance by video conference should be to ensure that all members may participate in business of the public governmental body that is emergency or highly important in nature and arose quickly so as to make attendance at a regular meeting practically impossible. Except in emergency situations, all efforts should be expended to ensure that a quorum of the members of the public governmental body be physical present at the normal meeting place of the body.³

- b. Video Conference Defined.⁴ For purposes of this section "video conference" or "videoconferencing" shall refer to a means of communication where at least one member of a public government body participates in the public meeting via an electronic connection made up of three components: (1) a live video transmission of the member of the public governmental body not in physical attendance; (2) a live audio transmission allowing the member of the public governmental body not in physical attendance to be heard by those in physical attendance; and (3) a live audio transmission allowing the member of the public governmental body not in physical attendance to hear those in physical attendance at a meeting.⁵ If at any time during a

their roles seriously and make attendance at meetings a priority in their schedules. Evidence of these concerns can be found in the legislative intent as expressed by Senator Chappelle-Nadal and by Governor Nixon. (Senator Chappelle-Nadal's brief explanation behind the bill can be found on her website at: <http://www.senate.mo.gov/13info/members/mem14.htm> and the Governor's veto letter can be found at: <http://www.senate.mo.gov/13info/GovLetters/SB170.pdf>.)

² § 610.015, RSMo does not restrain on the use of videoconferencing; rather videoconferencing is allowed and now has been extended by the amendment to § 610.015 to allow roll call votes to be cast in meetings held using this technology. Despite this, some have grown concerned that videoconferencing undermines the public's desire to meet face-to-face with its elected and appointed officials as they carry out the public's work. Nevertheless, there are instances where videoconferencing can be a useful tool to allow public governmental bodies to function where circumstances prevent a quorum of members from attending a public meeting. Likewise, videoconferencing may be necessary in times of emergency for a public governmental body to meet and conduct official business, even that requiring a roll call vote, in order to act in the best interest of the community. As a measure of best practice, a municipality should consider the balancing of these concerns in its own context and adopt a policy to establish expectations of members of a public governmental body with respect to the use of videoconferencing technology at meetings.

³ Practically, if multiple members of the public governmental body cannot be in physical attendance at a meeting the body should consider rescheduling the meeting and/or holding a special meeting that is more accommodating to the body's schedule.

⁴ Videoconferencing is not expressly defined in the Sunshine Law, but it is good public policy for all participants in a meeting to be able to see, hear, and fully communicate with one another because it both focuses the members on the governmental tasks at hand and also ensures to confirm the identity of the participants (thus preventing any risk of impersonation).

⁵ In defining "public meeting" at § 610.010(5), RSMo, the General Assembly indicates meetings may be conducted in person or by means of communication equipment, including "conference call, video conference, internet chat, or

meeting one or more of the elements of a video conference becomes compromised (e.g., if any participants are unable to see, hear, or fully communicate), then the video conference participant is deemed immediately absent and this absence should be reflected in the minutes. A video conference participant's absence may compromise a quorum in which case the applicable Missouri laws shall take effect regarding a broken quorum.

- c. Frequency of Use of Video Conference Attendance. A member of a public governmental body shall not attend more than ___ meetings via video conference in a rolling twelve-month period.⁶ In keeping with the policy stated in subsection (a) above, attendance via video conference should only occur sparingly and for good cause. Such good cause shall be at the discretion of the member seeking to attend by video conference, but shall be for significant reasons such as serious illness or injury of the member or a member of his or her immediate family, including father or mother, spouse, sibling, child, or grandchild.⁷
- d. Physical Location. Members of the public may not participate in a public meeting of a governmental body via video conference.⁸ The public wishing to attend a meeting, and elected officials not participating via videoconferencing of a meeting, shall participate at the physical location where meetings of the public governmental body are typically held, or as provided in a notice provided in accordance with the Sunshine Law. The public governmental body shall cause there to be provided at the physical location communication equipment consisting of an audio and visual display, and a camera and microphone so that the member(s) of the public governmental body participating via videoconferencing, the members of the public governmental body in physical attendance, and the public in physical attendance may actively participate in the meeting in accordance with rules of meeting decorum. The communication equipment at the physical location of the meeting must allow for all meeting attendees to see, hear, and fully communicate with the videoconferencing participant.⁹

internet message board..." The use of "video conference" in this serial list suggests that "videoconferencing" cannot be a "conference call", "internet chat", or "internet message board."

⁶ *This provision is likely to be one of the most difficult provision to agree upon and enforce as it begs very difficult questions of where to "draw the line" as to whether to include a hard cap on the number of video conference meetings a member may use and what happens if all of those meetings have been used and another tragic event occurs for a particular member. However, this was chief among the concerns raised by the Governor in his veto letter as a potential method of abusing the use of this technology. Obviously, both the cap and the time frame against which the cap is measured can be modified.*

⁷ *This also represents a potentially controversial topic to be addressed for this policy as it attempts to define what is or isn't a catastrophic event for a particular member. Alternative methods for addressing this issue would include expanding or retracting the list of example "significant events," or making the matter the subject of a vote of the other members of the public governmental body before allowing the video conference attendance to occur.*

⁸ *The language of the statute reflects this assertion however, the Sunshine Laws might lend themselves to an interpretation that if members of the public governmental body may participate via videoconferencing, so too can the public. Such an interpretation would cause an undue logistical burden on government bodies to provide the equipment and technology to support participation of this nature by both elected officials and members of the public.*

⁹ *§ 610.020.4, RSMo, requires all public meetings be reasonably accessible to the public. To the extent legally required, meetings should be held in facilities appropriate for the anticipated amount of attending public and be accessible to persons with disabilities as required by the ADA and Sunshine Law. This will require the video*

- e. Voting. Elected members¹⁰ of a public governmental body attending a public meeting of that governmental body via video conference are deemed present for purposes of participating in a roll call vote to the same effect elected members of a public governmental body in physical attendance at a public meeting of that governmental body are deemed present.¹¹ As indicated in subsection (b) above, if any component of the video conference communication fails during the meeting, the member attending the meeting by video conference whose connection failed shall be deemed absent immediately upon such failure, and if the public governmental body was in the act of voting, the voting shall stop until all of the components of video conference attendance are again restored and the video conference participant's presence is again noted in the minutes.
- f. Closed Meetings. In a meeting where a member of a public governmental body is participating via videoconferencing and the meeting goes into a closed session, all provisions of Missouri law and City ordinances relating to closed sessions apply. Upon the public governmental body's vote to close the meeting, all members of the general public shall not be present. Likewise, a member of a public governmental body participating via videoconferencing must ensure there are no members of the public present at their location to see, hear, or otherwise communicate during the closed session.¹² The member must also take all reasonable precautions to guard against interception of communication by others. Failure to ensure the requirements of this subsection may result in corrective action by the full public governmental body in accordance with City regulations.
- g. Minutes. In the meeting, whether in open or in closed session, the minutes taken should reflect the member, if any, participating via video conference; the members in physical attendance; and members, if any, absent.¹³

conference participant be accessible to the public in attendance and to any in attendance with disabilities meaning a screen projecting the participant will need to be at the physical meeting location that is large enough and placed in a location for all to view and speakers provide audio so that everyone may hear the video conference participant. To utilize full communication, there must also be a microphone and camera so that any member of the public (or elected official in physical attendance) may communicate back to the video conference participant. The camera should be able to focus on anyone speaking at any one time and the microphone should be able to relate any expressions made by a meeting attendee directed to others in attendance.

¹⁰ *Note that previously the physical presence requirement only applied when (1) votes were taken by roll call; and (2) the public governmental body consisted entirely of elected officials (except for the General Assembly and a committee established by a public governmental body). Thus, bodies consisting of non-elected officials have always had the ability to meet and vote, even by roll call, notwithstanding the 2013 amendment. As roll call voting now applies to many more votes and roll call votes are completed over a longer time frame than non-roll call votes, it is even more necessary to develop a policy for the situation when a video conference connection fails during the act of voting.*

¹¹ *Consistent with § 610.015, RSMo.*

¹² *The location of a person who is participating via video conference can vastly vary. In fact by its very nature they can be participating from almost any location imaginable. The implications of this are such that they may not be isolated from other people at their location making it more difficult to comply with the requirements of a meeting closing to the public than if they were at the physical meeting location. It is however, of the utmost importance that should a meeting go into a closed session the video conference participant completely isolate themselves from anyone else.*

¹³ *§ 610.020.7, RSMo requires the journal of minutes of the meeting, whether open or closed, to reflect members present and members absent. To carefully comply with this statute it should expand the reflection of members*

- h. Emergency meetings. In the event that emergency circumstances create impossibility for the members of a public governmental body to physically attend the body as a whole may meet, and if necessary vote, by video conference. Examples of such emergency circumstances include, but are not limited to, war, riot, terrorism, widespread fire, or natural disaster such as earthquake, tornado, hurricane, flood, or blizzard. To the extent possible in such circumstances, the public governmental body shall use reasonable efforts to cause a physical location to be provided for public attendance and participation.

present to distinguish those physically present and the elected official participating via video conference (although technically if participating via video conference the member is deemed "present").



TO: Finance/Personnel Committee
FROM: Kim Hubbard, City Clerk
DATE: February 19, 2014
SUBJECT: Utility Deposit Amendment Discussion

Type of Item: *Report*

UPDATE-From Director Tholen

The committee asked for information on the number of accounts that could be affected by the change. While any account with a deposit was affected, those over 2 years old at the time of the ordinance change had the opportunity to establish good credit with us.

We looked at accounts established between March 1, 2011 and February 28, 2013 because those accounts would not have had the ability to establish good credit (24 consecutive months with no late payments) before the ordinance changed. There are 683 accounts in that category.

With no method to automatically flag or identify those accounts, we still recommend that the Board handle any appeals about the impact of the ordinance as it does now, on a case-by-case basis.

Alderman Stull asked to have a discussion on Ordinance 3228 which was passed February 4th, 2013.

The amendment eliminated the practice of refunding utility deposits to customers with two years of paying on time. This amendment was a compromise to raising the amount of the deposit to a level that would cover the two months of service that an average customer consumes before they are subject to being turned off and can leave unpaid if they move out. These unpaid utility bills become added expense to the balance of our customers that do pay. Other utility providers do not return customer deposits until final bills have been satisfied. The amendment puts our practices on par with other utilities. Our deposit may be larger than that charged by telephone, gas or cable but that is because the city provides four utility services under one bill (water, sewer, refuse and electric) where the other utilities only bill for one service.

Attached is the ordinance.

B. Discussion Item (ID # 1323)

Utility Deposit Amendment Discussion

History:

02/24/14 Finance/Personnel Committee SCHEDULED

Director Tholen reviewed the amendment that eliminated the practice of refunding utility deposits to customers after two years of paying on time. Mr. Tholen reported there had been a customer who had come to the committee in July asking for the refund of their deposit and the committee had approved to refund in this one instance.

Alderman Stull noted he had requested this policy be reviewed because a business owner had been told at the time they placed their deposit that the deposit would be refunded after two years of paying on time and it wasn't. Alderman Stull stated he thought the City should honor their word.

There was discussion that there was no grandfathering of those that were customers prior to this amendment and that the directive from the Committee was that refunds would be reviewed on case by case basis.

Directive was given to Mr. Tholen to see how many accounts this policy affected and it will be discussed at the next Finance/Personnel Committee meeting.

Attachments:

Ordinance 3228 (PDF)

COUNCIL BILL NO. 010

ORDINANCE NO. 3228 (006-13)

AN ORDINANCE AMENDING CHAPTER 700, UTILITIES, OF THE CODE OF THE CITY OF HARRISONVILLE, MISSOURI.

WHEREAS, the City of Harrisonville desires to amend its policies concerning utility deposits in order to further protect ratepayers;

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

Section 1: Section 700.310(B) shall be amended by repealing said section in its entirety and replacing it with the following new Section 700.310(B): When a customer with no deposit on file is disconnected for non-payment of utilities such customer shall be required to place a new utility deposit with the City.

Section 2: Section 700.320 shall be amended by adding the following sentence to its end: Such deposit may be increased from time to time in accordance with Section 700.410(B).

Section 3. Section 700.360 shall be amended by deleting the first sentence, which references refunding deposits after two years.

Section 4: Section 700.410(B) shall be amended by repealing the section in its entirety and replacing it with the following new Section:

B. When an order for disconnection of utility services due to non-payment has been written, a fifty dollar (\$50.00) service administrative fee shall be assessed on the account. An additional twenty-five dollar (\$25.00) deposit shall be assessed on the account but not more than eight (8) times, to be credited to the customers' existing deposit amount. This administrative service fee and deposit shall be assessed and paid regardless of the status of any actual disconnection of service. All past due amounts including any other amounts or fees due the City for any reason shall be paid in order to maintain or restore utility service. In the event that utility service is disconnected for non-payment of the bill, service shall not be reconnected until all past due bills and applicable fees for municipal services have been paid in full.

Section 5. That this ordinance shall become effective with utility bills due and payable March 1, 2013.

Vote taken as follows:

Ayes: Aldermen Reece, Stull, Meyer, Milner, Dickerson, Coburn, Dahlman

Nays: None

Absent: Alderman Mollenhour

Abstain: None

Read two times by title only on the 4th day of February, 2013, and passed by the Board of Aldermen this 4th day of February, 2013.

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

ATTEST:

Kim Hubbard, City Clerk

APPROVED by the Mayor this 4th day of February, 2013.



City of
Harrisonville^{est. 1836}
 STAFF REPORT

TO: Finance/Personnel Committee
FROM: Keith Moody, City Administrator
DATE: March 31, 2014
SUBJECT: Accepting Oakland Cemetery

Type of Item: *Report*

Background: The trustees of the Oakland Cemetery (cemetery located south of the rail road tracks on either side of Commercial Street) are requesting the City take over responsibility of the cemetery.

Review: A title search has been completed and the legal description of the cemetery land has been incorporated into a quit claim deed by the City Attorney. The City attorney is developing an ordinance approving the quit claim deed and transfer of ownership of the cemetery. A resolution will be prepared to approve the cemetery policy.

The trustees have maintained lot ownership and internment information in an electronic database which they recently reviewed for accuracy. They have provided this data to the City; we can incorporate that data into our GIS system. We can keep these records in whichever format we prefer. The trustees have done a wonderful job updating the records management to a modern, easy to understand system.

The tasks related to managing the cemetery are below:

Sale of lots

Coordinating of burials

Record lot ownership and internments

Grave marking

Inspection of burials and monuments

Enforcement of cemetery policy

Contracting for mowing

Contracting for weed control

Maintenance of trees, fences, buildings and driveways

Trustees have also provided a detail of funds available for operations/maintenance (\$57,334) and perpetual care (\$161,219). A lot sells for \$800 currently. 50% of the price goes into the maintenance account and 50% into the perpetual care account. Current practice is that the funeral home collects payment for a lot sale as well as the grave opening/closing charge. Lot sale funds would be placed into a separate trust fund for our accounting purposes. In keeping with the cemetery by-laws the principal amount of perpetual care funds would not be spent, interest from these funds would be used to maintain the cemetery. The Cemetery Policy developed reflects putting the entire lot sale amount into the perpetual care fund and collecting a maintenance fee of \$1,000 at the time of burial. This will bring the lot sale price in line with other cemeteries and increase the perpetual care funds so that more interest will be available in the future.

The interest on the perpetual care balance (\$5,000 annually at best) is not sufficient to cover the annual maintenance/operating costs. Actual expenses for 2013 are attached (totaling \$8,313.50). Managing the cemetery would not pose a need for additional staffing.

The cemetery policy attached was developed by staff and has been reviewed by the City Attorney. We have also asked the Oakland Cemetery Trustees to review the policy. The policy is based on other municipal cemetery policies we found as references. The intent was to have a comprehensive policy developed prior to accepting the cemetery in order that the City and the Trustees have a clear understanding of what policies would apply if the City assumed responsibility. The policy does anticipate there being a cemetery committee that is advisory to the Board of Aldermen. The committee would recommend policy changes in the future.

Recommendation: Although the City is not obligated to take over managing the cemetery it could be in our best interest to work with the cemetery trustees in order to avoid the records getting lost, funds being depleted and the property falling into a neglected state, followed by a public outcry for the City to remedy the situation. I am confident the City will have to subsidize the operation of Oakland Cemetery. I am also confident the City would ultimately be put under public pressure to address a neglected cemetery located in a high visibility area inside our community. Therefore I believe accepting the cemetery in an amicable manner is the better approach on this issue.

C. Discussion Item (ID # 1354)

Accepting Oakland Cemetery

Attachments:

Ordinance Accepting Oakland Cemetery (PDF)

Cemetery Policy- City of Harrisonville- Draft (PDF)

Oakland Cemetery Budget- 2013 (PDF)

Oakland Cemetery Funds- 11-14-13 (PDF)

Oakland Cemetery Property Ownership Map from County (PDF)

Oakland Cemetery Memo from City Attorney- 11-27-13 (PDF)

BILL NO. _____
VOTED FOR: _____
VOTED AGAINST: _____

ORDINANCE NO. _____
FIRST READING: _____
SECOND READING: _____

AN ORDINANCE ACCEPTING THE REAL AND PERSONAL PROPERTY OF THE OAKLAND CEMETERY ASSOCIATION OF HARRISONVILLE, MISSOURI

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri (the “City”) hereby finds that it is necessary and advisable to accept ownership of the Oakland Cemetery Association of Harrisonville (“Oakland Cemetery”), and all of its assets and records for the operation and maintenance of the cemetery; and

WHEREAS, The Oakland Cemetery has approached the City offering to dedicate, gift, transfer, or bequeath the Oakland Cemetery to the City along with all personal property owned or belonging to the Oakland Cemetery in order that the City might provide continuing maintenance and management of the Oakland Cemetery; and

WHEREAS, the City has determined that it is in the best interest of the health, safety, and welfare of its citizens to accept full ownership and operation of the Oakland Cemetery; and

WHEREAS, the City will assume ownership, operation and responsibility of the Oakland Cemetery, which is an active cemetery, and other cemetery property; and

WHEREAS, certain rules and regulations need to be established in order to provide for the continued operation of the cemetery as a public service provided by the City.

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

SECTION 1. The City hereby accepts the ownership of the Oakland Cemetery, all cemetery records, and all other real and personal property of the Oakland Cemetery Company and is hereby authorized to begin operating the cemetery under the rules and regulations prescribed by the laws of the State of Missouri, and the Cemetery Policy. Such real property, as identified in **Exhibit A**, shall be designated a public cemetery.

SECTION 2. The City shall adopt and incorporate a Cemetery Policy consisting of regulations and policies to be followed in the operation of the Oakland Cemetery. Any regulations, policies, or practices previously followed by the Oakland Cemetery but not specifically addressed by the City of Harrisonville, Missouri are hereby adopted and continued until such time as they may be specifically addressed by the Board of Aldermen.

Attachment: Ordinance Accepting Oakland Cemetery (Accepting Oakland Cemetery)

SECTION 3. Any person, firm or corporation who violates any of the provisions of the Cemetery Policy or this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500.00 and/or imprisonment for up to 90 days in jail as may be determined by court of law. Each day that the violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

SECTION 4. Hours of operation. The Oakland Cemetery shall be open to the public from 6:00 AM to 10:00 PM daily.

SECTION 5. Severability. The provisions of this ordinance are severable. If any portion of this ordinance is deemed invalid for any reason, such invalidity shall not affect the remaining provisions.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage and adoption.

Vote taken as follows:

- Ayes:
- Nays:
- Absent:
- Abstain:

Read two times by title only on the ___ day of April, 2014, and passed by the Board of Aldermen this ___ day of April, 2014.

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

ATTEST:

Kim Hubbard, City Clerk

APPROVED by the Mayor this ___ day of April, 2014.

Attachment: Ordinance Accepting Oakland Cemetery (Accepting Oakland Cemetery)

EXHIBIT A

Beginning at the Northeast corner of the East Half of Lot 5 of the Northeast Quarter of Section 5, in Township 44, Range 31, Cass County, Missouri, running thence West on the line between Lots 5 and 6 of said Quarter, 436 feet; thence South 100 feet; thence East 436 feet; thence North 100 feet to the Place of beginning; also

A tract of land known as Oak Cemetery situate lying and being in the County of Cass and State of Missouri, and described as follows: Beginning at a stone at the Southeast corner of Lot 6 of the Northeast Quarter of Section 5, Township 44, Range 31, running thence East on the line between Lots 5 and 6, 36 feet and 8 inches; thence North 114 feet; thence West parallel with the line between Lots 5 and 6, 326 feet to the intersection of the right of way of the Missouri Pacific Railway; thence with said right of way to the intersection of the same with the right of way of the K.C.C & S right of way; thence with said last named right of way to the intersection of the same, on the rock wall on the East side thereof, with the line between Lots 5 and 6 of the Northeast Quarter of said Section 5; thence East 423 feet and 4 inches to the stone at the starting point. Also

All that portion of the North Half of the East Half of the East Half of Lot 5 of the Northeast Quarter of Section 5, Township 44, Range 31, in Cass County, Missouri, except 1 acre in an oblong square in the Northeast corner of thereof now owned by the Cemetery Company and also excepting the right of way of the Kansas City, Clinton and Springfield Railway Company; also

A tract described as beginning at the Southeast corner of the above described tract running thence South 100 feet thence West 150 feet thence North 100 feet thence East to the place of beginning, Cass County, Missouri. Also

Commencing at a point 1.68 chains South of the Southwest corner of the North Half of the East Half of East Half of Lot 5, of the Northeast Quarter of Section 5, Township 44, Range 31, running thence North 9.53 chains to a point 2 chains South of the North line of said Lot 5, thence in a Southwesterly direction to a point on the East line of the right of way of the Missouri Pacific Railway 9.60 chains South of the North line of said Lot 5, measured along the East line of the original right of way, thence in a Southwesterly direction with the right of way to a point West of beginning, thence East 6.70 chains to the place of beginning. And

All that portion to the abandoned former Kansas City, Clinton and Springfield Railway a/k/a Burlington Northern spur, laying between the Oakland Cemetery and Park, and North Commercial Street, to wit:

Beginning at a point on the Easterly right of way of said Railroad and 256 feet North of the North line of the South Half of the East Half of the East Half of Lot 5 of the Northeast Quarter, thence West to the East right of way line in a North and Northeasterly direction to the Southerly line of the Missouri Pacific Railroad Company right of way, thence following the South right of way of the Missouri Pacific Railroad Company un a Northeasterly

Direction to the point of intersection with the west line of the Oakland Cemetery, this point also being the Easterly right of way line of the said Smoky Hill Railway, thence Southerly along said right of way to the point of Beginning, in Section 5, Township 44, Range 31, in the City of Harrisonville, Cass County, Missouri.

Attachment: Ordinance Accepting Oakland Cemetery (Accepting Oakland Cemetery)

City of Harrisonville Cemetery Policy
DRAFT

Section 1: DESIGNATION OF CEMETERY COMMITTEE

- A. A Cemetery Committee consisting of not less than three (3) persons nor more than five (5) persons with at least one person being an Alderman to be appointed by the Mayor with the approval of the Board of Aldermen to provide oversight of the cemetery.
- B. The Cemetery Committee shall meet from time to time, consider policy and make recommendations to the Board of Aldermen.

Section 2: SALE OF LOTS

- A. The City shall sell cemetery lots to persons wishing to purchase same in the Oakland Cemetery at prices to be set by the Board of Aldermen. Cemetery lots shall be sold at the lot sale price plus the cost of recording the deed(s) as follows:

| | | |
|---------------------------|----|--------|
| 1. Grave lot | \$ | 800.00 |
| 2. Recording fee per deed | | 35.00 |

 These fees may be amended by the Board of Alderman from time to time.
- B. Payment in full must be received by the City Clerk and delivered to the Accounts Specialist prior to the delivery of said deed(s).
- C. The City Clerk or designee shall keep a written and computer record of said lot purchase.
- D. The City Clerk or designee shall deliver to the County Recorder of Deeds in a timely manner the completed deed for any lot sold, which shall be duly recorded and returned to the purchaser.

Section 3: PERPETUAL CARE CEMETERY FUND

- A. There shall be established a Perpetual Care Cemetery Fund used for the sole purposes of preservation, care, upkeep and adornment of the Harrisonville Oakland Cemetery property.
- B. The full amount of the purchase price of a grave lot will be deposited in the Perpetual Care Cemetery Fund. The accumulated balance from lot sales shall not be encroached upon, but shall serve to generate interest income. Interest income alone shall be used for the perpetual maintenance and upkeep of the cemetery.
- C. The income from the Perpetual Care Cemetery Fund shall be expended for the preservation, care, upkeep and adornment of the Harrisonville Oakland Cemetery property and for no other purpose whatsoever.
- D. The principal of the Perpetual Care Cemetery Fund shall not be encroached upon for any purpose except for the repurchasing of cemetery lots previously sold. Money may be transferred out of the fund to be invested in bonds of the United States Government or other accounts backed by the full faith and credit of the United States Government or insured by the Federal Deposit Insurance Corporation.

Comment [J1]: The language that has been removed is required by RSMo 214.020. Thus, the City will not be able to invest the funds per its investment property.

Section 4: CEMETERY MAINTENANCE FEE

- A. There is hereby established a cemetery maintenance fee to be used for the purpose of grounds care which shall include, but not be limited to, mowing, tree maintenance, weed control,

insect control, pest control and road maintenance.

- B. The cemetery maintenance fee may be used for monument repair should said monument be in need of repair and at such time a family member within the third degree cannot be located.
- C. The cemetery maintenance fee shall be collected at the time of a burial request in addition to the grave opening and closing fee. The cemetery maintenance fee shall be one thousand dollars (\$1,000.00). This fee may be amended by the Board of Aldermen from time to time.
- D. The cemetery maintenance fee shall be combined with interest earned on the Perpetual Care Fund and private donations for the purpose of maintaining the cemetery.

Comment [J2]: A provision here should be added establishing how this amount can be increased if necessary.

Section 5: SEXTON APPOINTMENT

- A. The City Administrator shall appoint a qualified person to serve as sexton..
- B. The Sexton shall locate graves, assist with coordinating and inspecting of grave openings and closings, inspect monuments, assist with the record keeping of lots sold and occupied, coordinate maintenance of the cemetery and provide support to the Cemetery Committee.

Section 6: DUTIES OF CITY SEXTON

- A. The Sexton or designee shall identify and mark all graves upon notification of a burial.
- B. The Sexton or designee shall inspect graves which shall be a uniform minimum depth of five and one-half (5½) feet for standard burial and a minimum depth of twenty (20) to twenty-four (24) inches for cremation urn burial.
- C. The Sexton or designee shall inspect the erection of monuments as described in Section 7 of this policy.
- D. The Sexton or designee shall investigate in a timely manner complaints received regarding the City Cemetery.
- E. The Sexton or designee shall assist in the prosecution of all violations of the provisions of this Chapter.
- F. The Sexton or designee shall during the months of November through March remove funeral service flowers within seven (7) days of burial.
- G. The Sexton or designee shall from time to time review the lawn maintenance of the City Cemetery to ensure that lawn care is being conducted in accordance with the specifications.
- H. The Sexton or designee shall maintain a plat of the cemetery showing the entire area and location of the cemetery, the portion thereof which has been dedicated for the burial of human remains, all burial lots or interment spaces, and all walks, roads, improvements and features. The Sexton shall also cause the plat to be updated as necessary to remain current.
- I. The Sexton or designee shall maintain a record of the owner of each burial lot or interment space described in the current plat of the cemetery and a record of all dead human remains buried or interred at the cemetery. This record shall contain the name of each deceased person buried or interred at the cemetery, the date of burial or interment, the location of burial or interment and, if known, the name and address of the funeral director who provided the memorial services or other final arrangements for the deceased person.
- J. The Sexton or designee shall provide assistance to burial or interment space owners in locating their lots or spaces and to the family or other interested persons in locating the place of burial or interment of deceased persons whose remains are buried or interred in the cemetery.

Section 7: ERECTION OF MONUMENTS

- A. The owners of lots shall be permitted to ornament such lot in accordance with the standards and intent of this policy. No lot shall be enclosed by any fence or railing.
- B. The monument shall be erected in the following manner:
1. Monument companies must contact and make arrangements with the City Clerk or Sexton forty-eight (48) hours prior to installation of footing.
 2. Installation of footing and/or monument must take place between the hours of 7:30 A.M. and 5:30 P.M. Monday through Friday.
 3. The contractors will provided a copy of a signed work order and a diagram showing layout and location of monument forty-eight (48) hours prior to the installation of the footing.
 4. Contractor will be charged a thirty-five dollar (\$35.00) inspection fee per monument to be paid prior to the installation of the footing.
 5. The City will flag all monument locations for the contractor.
 6. All monuments will be placed at the head of the grave facing the east, unless otherwise specified and approved. No foot markers or above ground tombs are permitted.
 7. All monuments to include headstone, plaques, vases, decorative sculptures and lanterns, etc., will be set on a concrete pad and shall be kept in line along the row of graves to minimize mowing and trimming efforts. The concrete pad shall extend a minimum of two inches but not more than six inches beyond the boarder of any monument and shall not extend beyond the boundary of the owners grave. The concrete pad shall sit on the piers described below and shall be a minimum of two inches thick with an even professional finish. The concrete pad is intended to reduce mowing and trimming time and to diminish damage to monuments incurred from mowing and trimming activities.
 8. Stones under twenty-four (24) inches in length will have one (1) pier of six (6) inches minimum diameter that is three (3) feet deep or rests on the burial vault.
 - a. Stones between twenty-four (24) and forty-eight (48) inches will have a minimum of two (2) piers set no less than eight (8) inches from either end of the stone, a six (6) inch minimum diameter that are at least three (3) feet deep or rests on the burial vault.
 - b. Stones over forty-eight (48) inches will have a minimum of three (3) piers set appropriately spaced to provide maximum support for the stone with a six (6) inch minimum diameter that are at least three (3) feet deep or rests on the burial vault.
 - c. Stones more than sixteen (16) inches in width will have footing poured at all four (4) corners.
 - d. Footing will be constructed of concrete blended appropriately with water. No dry cement is to be poured into the ground.
 - e. All footings must cure for five (5) days prior to actual installation of monument and covered in temperatures thirty-two degrees (32°) and below for cure time.
 - f. All footing installations will be inspected by Cemetery Sexton or designee prior to setting of the concrete pad or monument.
 - g. The length of monuments, including the pad, shall not exceed the width of the grave lot(s). The width of the monuments, including the pad, shall not exceed thirty-six (36) inches.
 9. All monuments and footings will be installed with the contour of ground while sustaining an up-right and non-tilting condition of relevant monuments. Monuments that are leaning will be laid down to eliminate dangerous conditions.
 10. The contractor will contact City Clerk or Sexton twenty-four (24) hours prior to actual

monument installation.

Section 8: CONTRACTUAL WORK IN CEMETERY

- A. Contractors performing work in the Cemetery will prevent unnecessary damage to the cemetery lawn and shall be responsible for restoring all disturbed and damaged lawns, markers and monuments.
- B. Contractors will place any excess dirt resulting from footing installation and grave openings in designated area. No dirt is to be deposited on cemetery lawn without Sexton approval.
- C. Contractors shall indemnify the cemetery and City of Harrisonville and hold it harmless from any injuries suffered by contractor's employees while on cemetery premises as a result of the negligence or carelessness of the contractor or the contractor's employees or agents. Contractors will also indemnify the cemetery and City of Harrisonville and hold it harmless from and against all loss, liability, damage and expense incurred by cemetery resulting from the contractor's employee's tortious acts or omissions.
- D. Contractors shall maintain at least one million dollars (\$1,000,000.00) in liability insurance coverage and maintain statutory Workers' Compensation coverage on all officers, partners, directors and employees involved in contractual services performed at the Harrisonville Cemetery.
- E. Contractor shall annually provide a copy of said coverage to the City Clerk, City Hall 300 East Pearl Street, Harrisonville, Missouri 64701.
- F. Contractor shall guarantee all products for a period of at least two (2) years, during which time the contractor will make repairs or corrections in materials and installation within thirty (30) days after receiving notification from the City Clerk or Sexton.
- G. It shall be unlawful for anyone to perform work in the cemetery without first registering with the City, providing proof of all required insurance and agreeing to abide by all rules and regulations established for the cemetery.

Section 9: BURIAL OF BODIES

- A. Every body which is buried in the cemetery shall be enclosed in a coffin or a casket, such coffin or casket shall be placed in a vault (sealing or non-sealing burial case).
- B. The ashes of a cremated body which are buried in the cemetery shall be enclosed in an urn; such urn shall be placed in an urn vault (sealing or non-sealing burial case).
- C. No more than two (2) urns and vaults will be allowed on one (1) grave lot.
- D. It shall be unlawful for any person to abandon, dispose of, desert, leave or scatter the ashes of a cremated human body or all or part of a dead human body within the cemetery without burying said ashes or body in compliance with this Chapter.
- E. All violations to this Chapter shall be considered misdemeanors which, upon conviction, shall be punishable according to Section 215 of the Harrisonville Municipal Code.

Section 10: MAINTENANCE OF LOTS

No grave shall have a mound or any elevation of earth over said grave above the level of the earth adjacent thereto to exceed, along the centerline of said grave, a height of four (4) inches with a gradual slope to the outer edge thereof to a level of the earth adjacent thereto. All graves shall be covered with grass aside from monuments and the concrete pad described in Section 7 of this policy.

Section 11: CEMTERY CARE AND CONDUCT

- A. The Board of Aldermen may contract for the care, repair, maintenance and mowing of the cemetery property upon such terms as the Board may deem advisable. Such contract shall be accepted by resolution of the Board.
- B. The grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law as provided by State Statute and City Code, shall be enforced in all cases of wanton injury, disturbances or disregard of these rules.
- C. Persons entering upon the cemetery grounds shall conduct themselves with proper decorum; and any breach of this rule, by the discretion of the city may result in removal from the grounds.

Section 12: DECORATION OF GRAVES

- A. Flowers, flags and other decorations shall be confined to the monument area of the grave. This may include vases, and hooks incorporated into the monument and concrete pad as well as attaching decorations to the monument stone. They shall not inhibit mowing and trimming of graves.
- B. Exceptions- decorations on the lawn area of a grave will be permitted during the non-growing season from November 1 to March 1 and Memorial Day. Decorations remaining seven days after the Memorial Day will be removed and discarded.
- C. Decorations that are unsightly, offensive, faded, torn or not meeting these regulations will be removed.
- D. The city is not responsible for theft or damage to items placed on graves.

Section 12: OFFENSES

- A. Parking is specifically prohibited on the grass or other non-paved areas in the cemetery unless specifically authorized by the City.
- B. No person shall:
 - 1. Pull down or in any manner destroy any gate, fence or railing around the cemetery or graveyard or turn lose any animal onto said cemetery property.
 - 2. Without lawful authority erase or deface any inscription upon any monument, slab, head or foot board or stone; or write, carve, scratch or in any manner deface any grave, stone, head or foot board.
 - 3. Pull down or dig up or destroy in any manner any species of flower, shrub, shade or ornamental tree.
 - 4. Discharge any kind of firearm on any cemetery property, except in the performance of a burial ceremony.
 - 5. Drive on or through the cemetery lawn, including funeral processions, unloading casket, vault unloading and tent equipment unloading and loading

Section 13: PENALTY

Persons found guilty of violating any provision of this Chapter shall be punished in accordance with the provisions of Section 215 of the Harrisonville Municipal Code. Each violation shall be deemed a separate offence.

Section 14: BURIAL FEES

The burial fees schedule is as follows:

| | | |
|--|----|--------|
| Opening and closing costs (standard burial, weekdays) | \$ | 700.00 |
| Opening and closing costs (weekends and holidays) | | 800.00 |
| Opening and closing costs (cremations and infant, weekdays) | | 300.00 |
| Opening and closing costs (cremations and infant, weekends and holidays) | | 400.00 |

These fees may be amended by the Board of Alderman from time to time.

OAKLAND CEMETERY ASSOC.
2013 EXPENSES

| | | | |
|----------------------|-----------|----------|-------------------|
| SCHROCK LAWN SERVICE | JANUARY | 250.00 | Tree limb removal |
| SCHROCK LAWN SERVICE | JUNE | 750.00 | MOWING |
| SCHROCK LAWN SERVICE | JULY | 1,165.00 | MOWING |
| SCHROCK LAWN SERVICE | AUGUST | 1,200.00 | MOWING |
| SCHROCK LAWN SERVICE | SEPTEMBER | 1,200.00 | MOWING |
| SCHROCK LAWN SERVICE | OCTOBER | 1,200.00 | MOWING |
| SCHROCK LAWN SERVICE | NOVEMBER | 1,200.00 | MOWING |
| SCHROCK LAWN SERVICE | NOVEMBER | 600.00 | Tree limb removal |
| | | <hr/> | |
| | | 7,565.00 | * |

This is what we paid Schrock in 2013.

*This total is weather dependent and varies slightly from year to year.

| | | | |
|------------------------------|----------------|--------|----------|
| STATE FARM INSURANCE | Liability INS. | 425.00 | |
| TRASH SERVICE | 1 year | 240.00 | |
| SAFETY BOX RENTAL (COMMERCE) | | 35.00 | |
| BANK FEES | New this year | 11.00 | |
| VI SA CHK CARD FEE | New this year | 16.50 | |
| DELUXE CHECKS | | 21.00 | |
| | | | 8,313.50 |

DATED THIS DECEMBER 16, 2013. Note: December stmt has not been received.

Attachment: Oakland Cemetery Budget- 2013 (Accepting Oakland Cemetery)

14-Nov-13

OAKLAND CEMETERY ASSOC.
 JERRIE COLLINS, TREASURER
 700 TALL GRASS DR.
 PLEASANT HILL, MO. 64080

Commerce Bank

| | | | | |
|------------|-----------|----|-----------|------------|
| 440216848 | Checking | \$ | 5,583.75 | |
| 440709917 | Main't. | \$ | 7,746.35 | |
| 4402911879 | Endowment | \$ | 12,144.01 | |
| 6620533327 | Endowment | \$ | 30,787.76 | |
| 6220533328 | Main't. | \$ | 28,735.24 | |
| 6220595134 | Endowment | \$ | 57,364.71 | |
| | | | | 142,361.82 |

Country Club Bank

| | | | | |
|----------|-----------|----|-----------|-----------|
| 71171226 | Endowment | \$ | 30,925.51 | |
| | | | | 30,925.51 |

NASB

| | | | | |
|-----------|-----------|----|-----------|-----------|
| 80044014 | Main't | \$ | 5,000.00 | |
| 899107778 | Main't | \$ | 10,269.15 | |
| 877960777 | Endowment | \$ | 30,000.00 | |
| | | | | 45,269.15 |

Total 218,556.48

Attachment: Oakland Cemetery Funds- 11-14-13 (Accepting Oakland Cemetery)

Date Created: 12/3/2013



Overview

Legend

- Corporate Limits
- PLS Townships
- Parcels

Attachment: Oakland Cemetery Property Ownership Map from County (Accepting Oakland Cemetery)

| | | | | | |
|------------------|-------------------|--------------|--------|---------------|----------------------------|
| Parcel ID | 13315110000030000 | Alternate ID | n/a | Owner Address | OAKLAND CEMETERY |
| Sec/Twp/Rng | 5-44-31 | Class | Exempt | | N COMMERCIAL |
| Property Address | N COMMERCIAL | Acreeage | n/a | | HARRISONVILLE MO 647010000 |
| | HARRISONVILLE | | | | |

District 5713001
 Brief Tax Description PT E2 LT5&6 NE AS REC 138/406 111/158 & RR R/W 1278/120
 (Note: Not to be used on legal documents)

Last Data Upload: 11/27/2013 2:24:45 AM

Memorandum

To: Keith Moody
From: Zerger & Mauer
Date: 11/27/2013
Re: *Cemetery Conveyance*

In response to the City's request, we have researched the requirements the City must comply with in accepting a conveyance of the Oakland Cemetery under current Missouri law. The following is a summary of that research.

In general there was not a great deal of case law regarding the transfer of cemetery property to a political subdivision of the State, including a City. The State of Missouri has enacted several statutes directly on the topic, which permit transfer under these circumstances, but beyond the actual statutes there is very little guidance on the issue.

Nothing in the Oakland Cemetery bylaws identify a procedure for transferring ownership of any of the cemetery property or funds. We have requested the articles of incorporation (and we know they exist or existed because they are referred to in the Bylaws) but have not received them.

A. In general Missouri Cities are allowed to own cemetery property

Under RSMo 214.010 a Missouri city may purchase, receive and hold real estate within the boundaries of the City for the burial of the dead. The city can lease, sell or otherwise dispose of the cemetery property. This section does not specify how the City is to take ownership and possession of cemetery lands. However, 214.150, which permits certain cities to acquire cemetery land specifies that a city may, by ordinance, accept or take over by gift or donation cemetery lands. Based on this section, and the lack of any procedural guidance under RSMo 214.010, we suggest that the City acquire the cemetery lands by ordinance.

Once acquired, the board of aldermen may make rules and pass ordinances imposing penalties and fines not exceeding one thousand dollars, regulating, protecting, and governing cemeteries within such cities, towns, villages, and counties, the owners of lots therein, visitors thereto, and punishing trespassers thereon.

B. Notice of Transfer under RSMo 214.035

If the city decides to accept the conveyance of the cemetery property, from the cemetery association, the City is permitted under RSMo 214.035 to revest title to any conveyed platted lots or designated pieces of ground, other than ground in which dead human remains are actually buried and all ground within two feet thereof in the name of the City.

Such a transfer under RSMo 214.035 can only occur where no interment has been made in the lot and title to the lot has been vested in the present owner for a period of at least fifty years prior to the commencement of proceedings pursuant to this section. However, this section does not apply to any lot in any cemetery where a perpetual care contract has been entered into between the cemetery or the City, and the owner of the lot.

This may be a good option for the City in managing the cemetery. The City's ability to sell additional plots and generate additional funds would be a good option considering many of the "lot owners" may not even be aware the lots are owned in their names and the City will likely be forced to expend its money for the continued maintenance of the cemetery.

C. Perpetual Care Cemetery Fund

The City may by ordinance establish a fund for the preservation, care, upkeep and adornment of the cemetery, which shall be known as the "Perpetual Care Cemetery Fund". The money placed in this fund shall be invested in bonds of the United States government or of the state of Missouri, or may be placed in any bank or savings and loan association which is authorized to do business in this state so long as the funds so deposited are protected by federal deposit insurance. The income shall be expended by the City for the preservation, care, upkeep and adornment of the cemetery, for the repurchasing of cemetery lots previously sold, and for no other purpose whatsoever.

D. City Management of the Cemetery

An alternative to having the cemetery conveyed to the City would be to have the City take over the management of the cemetery while keeping the Cemetery Association intact and separate from the City. This way the cemetery would still be owned by the Association and the City would be responsible for putting a structure in place to oversee the day to day operations of the Association. Our research of the relevant Missouri statutes has not uncovered anything that would prevent the City from acting as a managing agent for the Cemetery Association. However, it should be noted that all of the statutes identified above apply to a City accepting a cemetery or cemetery land by conveyance, and would therefore not apply if the City was merely acting as a managing agent for the Cemetery Association.

E. Bylaws

The Association Bylaws provide for membership consisting of families who have paid in full for ownership of a lot or plot, and who pay annually to the upkeep of the cemetery. These members have full voting privileges in the Association.

The Bylaws also provide that members are required to pay dues. These amounts are unrealistically small. In the event that the City or the Association chooses to continue with the membership the amount should be significantly increased. More importantly, any member failing to pay annual dues for a term of 5 years, automatically forfeits their unoccupied ownership interest in any lot. The lot and

title to the same will then revert to the Cemetery Association. This provision should drastically cut down on the number of members of the Association. However, there is also a provision for life membership, where if a person invested a sufficient amount of money (\$400 for a full lot) in the endowment fund that person automatically became a life member of the Association.

It is also troubling that the Bylaws do not provide for the calling or organizing of any special meetings and instead only provide for an annual meeting on the second Tuesday in March of each year. The Bylaws can only be amended at regular meetings.

F. Summary

In summary, we agree with the City's conclusion that taking the cemetery over at this stage is a better option than allowing the cemetery to fall into disrepair where the City could be forced to take over the cemetery without the relevant information. As outlined above, we believe there are two options regarding the City's involvement with the cemetery: (1) the City can accept the conveyance of the cemetery lands and obtain title to the lands in its name; or (2) the City can act as a managing agent for the cemetery, where the City would essentially handle the operations of the cemetery while title to the cemetery would remain in the name of the association. Either option is permitted under our review of the applicable Missouri laws. There are certain advantages to the City owning the land, e.g. the City can revest unoccupied plots in its own name given the right factual situation. However, owning the lands outright places an additional burden on the City in many ways.

Please let me know if you need clarification of any of the City's options represented above or if you have any additional questions.



City of
Harrisonville^{est. 1836}
STAFF REPORT

TO: Finance/Personnel Committee
FROM: Chris Deal, Parks Director
DATE: April 2, 2014
SUBJECT: Twin Pines Golf Club

Type of Item: *Report*

On Tuesday, March 18, City Staff met with the Twin Pines Golf Club Board representatives for a Tour of the Facility and to discuss various issues regarding the Golf Club operations. The information below lists the “key points” that were discussed by bullet point.

- The Golf Club Board representatives would like to discuss the possibility of a joint venture that would “potentially” transfer ownership of the Golf Course to the City, but the Golf Club Board would still maintain the Golf Course and program operations.
- City Staff expressed that the ownership and property tax issues could be a point of discussion, but this would have to involve the Board of Aldermen, the School District and further research by City staff regarding other “cooperative agreement arrangements” of other Golf Course facilities.
- City staff stated that “if” a joint venture was entered into, the Golf Club would have to pay Utilities and follow the Insurance guidelines as established by the City.
- City Staff also expressed that “if” a joint venture was entered into, there could not be a financial burden upon the City and that the City should not be put in a “bad light” if necessary changes to the Golf Club operations had to be made for financial purposes.
- An Oversight Committee was recommended by the City “if” a joint venture is entered into.
- City Staff asked the Club representatives if they would consider an alternate use for the Golf Course, such as a land donation or Metropolitan Community College location. There was no response from the Golf Club Board representatives on this subject.
- The Golf Club Board representatives stated that it was the “consensus” of the Board that they would like to see “what’s in place, stay in place”. However, the Club has made some changes over the last couple years by opening play to the general public, so they would be open to other operating suggestions.
- The Golf Club Board representatives stated that they felt the City would bring a “stronger sense of responsibility” regarding the Golf Club operations. However, City

Staff was not sure if all of the Golf Club Board representatives were “on the same page” with their desires for the future of the Golf Club.

- It was also stated by the Golf Club Board representatives that they had not given up on personal financing of club operations, thus they are still looking at all options.

After completion of the meeting, a recap of the meeting was sent out to all those in attendance. Also, City Staff has gathered a couple examples of other City and Private Golf Club contracts for review. At this time City staff is looking for input from the Board of Aldermen, School District and Park Board regarding future discussions with the Golf Club.

D. Discussion Item (ID # 1357)

Twin Pines Golf Club

Attachments:

Twin Pines Asset Listing- 2012 (PDF)

5 Year Financial (PDF)

Depreciation Detail Listing

Program Services
For your records only

Social security number/EIN
43-0910703

* Item was disposed
of during current year.

Name(s) as shown on return

CASS RECREATION PARK INC

| No. | Description | Date | Cost | Salvage | Business percentage | Section 179 | Depreciation Basis | Life | Method | Rate | Current deprec. | Accumulated Depreciation | Prior expense | Bonus depreciation | AMT Current |
|-----|-----------------------|----------|--------|---------|---------------------|-------------|--------------------|------|--------|--------|-----------------|--------------------------|---------------|--------------------|-------------|
| 1 | TOP DRESSER | 19970407 | 6,495 | | 100.00 | | 6,495 | 10 | | 0 | | 6,495 | | | |
| 2 | UPRIGHT FREEZER | 19970607 | 150 | | 100.00 | | 150 | 7 | | 0 | | 150 | | | |
| 3 | JD RIDING MOWER | 19980420 | 1,250 | | 100.00 | | 1,250 | 7 | | 0 | | 1,250 | | | |
| 4 | 2 TV'S | 19980814 | 537 | | 100.00 | | 537 | 7 | | 0 | | 537 | | | |
| 5 | DINING ROOM CHAIRS | 19980831 | 3,781 | | 100.00 | | 3,781 | 7 | | 0 | | 3,781 | | | |
| 6 | ROUGH MOWER | 19990219 | 4,600 | | 100.00 | | 4,600 | 7 | | 0 | | 4,600 | | | |
| 7 | BANK MOWER TRADE IN | 19991101 | 2,898 | | 100.00 | | 2,898 | 7 | | 0 | | 2,898 | | | |
| 8 | OLD GREENS MOWER | 20000204 | 300 | | 100.00 | | 300 | 7 | | 0 | | 300 | | | |
| 9 | FREEZER | 20000717 | 918 | | 100.00 | | 918 | 7 | | 0 | | 918 | | | |
| 10 | 1990 USED FAIRWAY MOW | 20010810 | 1,100 | | 100.00 | | 1,100 | 7 | | 0 | | 1,100 | | | |
| 11 | RESTAURANT EQUIPMENT | 20010601 | 9,145 | | 100.00 | | 9,145 | 7 | | 0 | | 9,145 | | | |
| 12 | BRUSH HOG | 20040511 | 8,004 | | 100.00 | | 8,004 | 7 | | 0 | | 8,004 | | | |
| 13 | REFRIGERATOR | 20040524 | 427 | | 100.00 | | 427 | 7 | | 0 | | 427 | | | |
| 14 | GRIDDLE | 20040610 | 633 | | 100.00 | | 633 | 7 | | 0 | | 633 | | | |
| 15 | FAIRWAY MOWER | 20041210 | 8,004 | | 100.00 | | 8,004 | 7 | | 0 | | 8,004 | | | |
| 16 | NEON SIGN | 20041228 | 106 | | 100.00 | | 106 | 7 | | 0 | | 106 | | | |
| 17 | FONTE AIRE FOUNTAIN | 20041228 | 1,802 | | 100.00 | | 1,802 | 10 | SL | 10 | 180 | 1,441 | | | 180 |
| 18 | TRACTOR | 20060302 | 20,158 | | 100.00 | | 20,158 | 7 | SL | 14.286 | 2,880 | 19,678 | | | 2,880 |
| 19 | MOWER | 20070915 | 15,660 | | 100.00 | | 15,660 | 7 | SL | 14.286 | 2,237 | 11,502 | | | 2,237 |
| 20 | JD TRACTOR BUNK RAKE | 20111101 | 12,500 | | 100.00 | | 12,500 | 7 | SL | 14.286 | 1,786 | 3,572 | | | 1,786 |
| 21 | 2 2007 YAM GOLF CART | 20111101 | 3,900 | | 100.00 | | 3,900 | 7 | SL | 14.286 | 557 | 626 | | | 557 |
| 22 | ICE MACHINE | 20120322 | 2,400 | | 100.00 | | 2,400 | 7 | SL | 7.143 | 257 | 257 | | | 171 |
| 23 | 2 GOLF CARTS | 20120322 | 2,250 | | 100.00 | | 2,250 | 7 | SL | 7.143 | 241 | 241 | | | 161 |
| 24 | GOLF CART | 20120416 | 1,125 | | 100.00 | | 1,125 | 7 | SL | 7.143 | 107 | 107 | | | 80 |
| 25 | GOLF COURSE | 19680101 | 86,584 | 86,584 | 100.00 | | 0 | 0 | | 0 | | | | | |
| 26 | LAND IMPROVEMENTS | 19690101 | 6,402 | | 100.00 | | 6,402 | 10 | | 0 | | 6,402 | | | |
| 27 | LAND IMPROVEMENT ADDI | 19700101 | 2,550 | | 100.00 | | 2,550 | 10 | | 0 | | 2,550 | | | |
| 28 | LAND IMPROVEMENTS | 19720101 | 250 | | 100.00 | | 250 | 10 | | 0 | | 250 | | | |
| 29 | PARKING LOT | 19731001 | 2,259 | | 100.00 | | 2,259 | 10 | | 0 | | 2,259 | | | |
| 30 | MAIN WATER LINE | 19681201 | 6,368 | | 100.00 | | 6,368 | 50 | SL | 2 | | 6,368 | | | |

Attachment: Twin Pines Asset Listing- 2012 (Twin Pines Golf Club)

Depreciation Detail Listing

2012

PAGE 2

* Item was disposed of during current year.

Program Services
For your records only

| Name(s) as shown on return | | | | | | | | | | | | | Social security number/EIN | | |
|----------------------------|-----------------------|----------|---------|---------|---------------------|-------------|--------------------|------|--------|------|----------------|--------------------------|----------------------------|--------------------|-------------|
| CASS RECREATION PARK INC | | | | | | | | | | | | | 43-0910703 | | |
| No. | Description | Date | Cost | Salvage | Business percentage | Section 179 | Depreciation Basis | Life | Method | Rate | Current deprt. | Accumulated Depreciation | Prior expense | Bonus depreciation | AMT Current |
| 31 | SEWAGE SYSTEM | 19690101 | 670 | | 100.00 | | 670 | 50 | SL | HY | 2 | 578 | | | 13 |
| 32 | SPRINKLER SYSTEM | 19910128 | 123,263 | | 100.00 | | 123,263 | 31.5 | SL | MM | 3.175 | 94,861 | | | 3,913 |
| 33 | CART PATHS PADS | 19920810 | 8,500 | | 100.00 | | 8,500 | 15 | | | 0 | 8,500 | | | |
| 34 | CART PATHS | 19930831 | 10,700 | | 100.00 | | 10,700 | 15 | | | 0 | | | | |
| 35 | CART PATHS | 19950801 | 7,955 | | 100.00 | | 7,955 | 15 | | | 0 | 7,955 | | | |
| 36 | CART PATHS | 19970903 | 11,900 | | 100.00 | | 11,900 | 15 | SL | HY | 6.667 | 11,900 | | | 397 |
| 37 | CART PATHS | 19980724 | 10,956 | | 100.00 | | 10,956 | 15 | SL | HY | 6.667 | 10,530 | | | 730 |
| 38 | CART PATHS | 20020814 | 58,500 | | 100.00 | | 58,500 | 15 | SL | HY | 6.667 | 40,625 | | | 3,900 |
| 39 | POOL | 19681201 | 23,098 | | 100.00 | | 23,098 | 20 | | | 0 | 23,098 | | | |
| 40 | FILTER SYSTEM AND PUM | 19860901 | 13,997 | | 100.00 | | 13,997 | 5 | | | 0 | 13,997 | | | |
| 41 | MAJOR REPAIRS | 19860901 | 9,697 | | 100.00 | | 9,697 | 5 | | | 0 | 9,697 | | | |
| 42 | POOL | 20111231 | 4,843 | | 100.00 | | 4,843 | 10 | SL | MQ | 10 | 484 | | | 484 |
| 43 | LAND | 19681001 | 47,953 | 47,953 | 100.00 | | 0 | 0 | | | 0 | | | | |
| 44 | CLUBHOUSE | 19681201 | 65,026 | | 100.00 | | 65,026 | 40 | | | 0 | 65,026 | | | |
| 45 | METAL SHED | 19681201 | 1,875 | | 100.00 | | 1,875 | 20 | | | 0 | 1,875 | | | |
| 46 | STORAGE SHED | 19690101 | 121 | | 100.00 | | 121 | 10 | | | 0 | 121 | | | |
| 47 | GOLF CARD SHED | 19731201 | 4,662 | | 100.00 | | 4,662 | 20 | | | 0 | 4,662 | | | |
| 48 | GOLF CARD SHED | 19760401 | 2,987 | | 100.00 | | 2,987 | 20 | | | 0 | 2,987 | | | |
| 49 | DOORS STORAGE SHED | 19760501 | 837 | | 100.00 | | 837 | 10 | | | 0 | 837 | | | |
| 50 | CARPET | 19840201 | 1,518 | | 100.00 | | 1,518 | 15 | | | 0 | 1,518 | | | |
| 51 | NEW CART SHED | 19881108 | 11,509 | | 100.00 | | 11,509 | 31.5 | SL | MM | 3.175 | 8,813 | | | 365 |
| 52 | WINDOWS | 19881108 | 1,208 | | 100.00 | | 1,208 | 31.5 | SL | MM | 3.175 | 915 | | | 38 |
| 53 | BUILDING IMPROVEMENTS | 19890608 | 3,848 | | 100.00 | | 3,848 | 31.5 | SL | MM | 3.175 | 2,875 | | | 122 |
| 54 | SHRUBS | 19891002 | 1,965 | | 100.00 | | 1,965 | 31.5 | SL | MM | 3.175 | 1,774 | | | 62 |
| 55 | BEST DOOR | 19890911 | 544 | | 100.00 | | 544 | 31.5 | SL | MM | 3.175 | 544 | | | |
| 56 | BUILDING IMPROVEMENTS | 19910531 | 2,471 | | 100.00 | | 2,471 | 31.5 | SL | MM | 3.175 | 1,692 | | | 78 |
| 57 | NEW CART SHED | 19910901 | 12,564 | | 100.00 | | 12,564 | 31.5 | SL | MM | 3.175 | 8,509 | | | 399 |
| 58 | BUILDING ENTRANCE | 19911001 | 2,100 | | 100.00 | | 2,100 | 31.5 | SL | MM | 3.175 | 1,417 | | | 67 |
| 59 | OFFICE | 19920604 | 1,315 | | 100.00 | | 1,315 | 31.5 | SL | MM | 3.175 | 870 | | | 42 |
| 60 | DINING ROOM WALLS | 19921222 | 1,650 | | 100.00 | | 1,650 | 31.5 | SL | MM | 3.175 | 1,047 | | | 52 |

Attachment: Twin Pines Asset Listing- 2012 (Twin Pines Golf Club)

Depreciation Detail Listing

Program Services
For your records only

Social security number/EIN
43-0910703

* Item was disposed
of during current year.

Name(s) as shown on return

CASS RECREATION PARK INC

| No. | Description | Date | Cost | Salvage | Business percentage | Section 179 | Depreciation Basis | Life | Method | Rate | Current depr | Accumulated Depreciation | Prior expense | Bonus depreciation | AMT Current |
|-----|-----------------------|----------|--------|---------|---------------------|-------------|--------------------|------|--------|------|--------------|--------------------------|---------------|--------------------|-------------|
| 61 | LANDING AND STAIRS | 19921222 | 290 | | 100.00 | | 290 | 31.5 | SL | MM | 3.175 | 184 | | | 9 |
| 62 | PRO SHOP IMPROVEMENTS | 19901201 | 9,936 | | 100.00 | | 9,936 | 31.5 | SL | MM | 3.175 | 9,936 | | | 380 |
| 63 | ROOF | 19951201 | 14,815 | | 100.00 | | 14,815 | 39 | SL | MM | 2.564 | 6,490 | | | 168 |
| 64 | FURNACE/AC | 19951009 | 3,364 | | 100.00 | | 3,364 | 20 | SL | HY | 5 | 2,901 | | | 450 |
| 65 | ROOF | 19960925 | 9,005 | | 100.00 | | 9,005 | 20 | SL | HY | 5 | 7,316 | | | 1,111 |
| 66 | METAL CART SHEDS | 19980520 | 43,312 | | 100.00 | | 43,312 | 39 | SL | MM | 2.564 | 24,646 | | | |

TTC
Total amount
Net Depreciable Cost

741,510

Attachment: Twin Pines Asset Listing- 2012 (Twin Pines Golf Club)

20 932

CASS RECREATION PARK, INC.
Profit & Loss
January 2009 through June 2013

(qnl) Golf seus PiuWJ) leinanciJ Fieay 5 :tuewuhAttacj

| | Jan - Dec 09 | Jan - Dec 10 | Jan - Dec 11 | Jan - Dec 12 | Jan - Jun 13 | TOTAL |
|-----------------------------------|-------------------|-------------------|-------------------|-------------------|------------------|-------------------|
| Ordinary Income/Expense | | | | | | |
| Income | | | | | | |
| ASSESSMENT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| BUILDING RENTAL INCOME | 0.00 | 0.00 | 0.00 | 1,655.00 | 100.00 | 1,755.00 |
| DUES INCOME | 157,749.05 | 144,982.58 | 133,511.57 | 134,846.21 | 66,592.69 | 637,682.10 |
| CART SHED | 8,991.63 | 8,774.99 | 8,855.07 | 8,558.40 | 8,525.17 | 43,705.26 |
| ELECTRIC CART | 641.25 | 613.75 | 600.00 | 635.00 | 580.00 | 3,070.00 |
| LATE CHARGES | 496.97 | 785.73 | 564.88 | 451.79 | 357.48 | 2,656.85 |
| MISCELLANEOUS INCOME | 1,238.27 | 5,117.05 | 6,571.64 | 2,776.61 | 80.00 | 15,783.57 |
| SPECIAL ACTIVITIES | 0.00 | -323.75 | 66.63 | 5,180.90 | 250.13 | 5,173.91 |
| TRAIL FEES | 4,816.70 | 4,647.51 | 4,775.21 | 4,529.22 | 4,262.41 | 23,031.05 |
| PRO SHOP REVENUE | | | | | | |
| CART RENT/GREEN FEES - HONOR B... | 0.00 | 0.00 | 1,932.00 | 2,216.00 | 115.00 | 4,263.00 |
| FOOD AND DRINK - PRO SHOP | 0.00 | 0.00 | 0.00 | 11,422.08 | 3,828.09 | 15,250.17 |
| CART RENT/GREEN FEES - CINDY | 0.00 | 0.00 | 0.00 | 8,851.28 | 2,666.50 | 11,517.78 |
| PRO SHOP REVENUE - Other | 4,511.97 | 3,466.32 | 1,262.00 | 0.00 | 0.00 | 9,240.29 |
| Total PRO SHOP REVENUE | 4,511.97 | 3,466.32 | 3,194.00 | 22,489.36 | 6,609.59 | 40,271.24 |
| Total Income | 178,445.84 | 168,064.18 | 158,139.00 | 181,122.49 | 87,357.47 | 773,128.98 |
| Cost of Goods Sold | | | | | | |
| PRO SHOP EXPENSES | | | | | | |
| LABOR-PRO SHOP | 0.00 | 0.00 | 0.00 | 8,322.50 | 4,867.63 | 13,190.13 |
| PAYROLL TAXES - PRO SHOP | 0.00 | 0.00 | 0.00 | 644.23 | 463.73 | 1,107.96 |
| FOOD AND SUPPLIES-PRO SHOP | 0.00 | 0.00 | 0.00 | 6,283.14 | 2,474.96 | 8,758.10 |
| SUPPLIES - PRO SHOP | 0.00 | 0.00 | 0.00 | 161.79 | 313.00 | 474.79 |
| POOL UPKEEP/REPAIRS | 6,249.53 | 5,376.97 | 3,717.27 | 4,587.96 | 1,663.90 | 21,595.63 |
| POOL EXPENSES - PAYROLL | 0.00 | 0.00 | 1,083.88 | 0.00 | 0.00 | 1,083.88 |
| GOLF CART RENTAL | 1,506.40 | 0.00 | 0.00 | 810.00 | 0.00 | 2,316.40 |
| Total PRO SHOP EXPENSES | 7,755.93 | 5,376.97 | 4,801.15 | 20,809.62 | 9,783.22 | 48,526.89 |
| GOLF COURSE EXPENSES | | | | | | |
| FUEL FOR EQUIPMENT | 5,547.52 | 6,318.06 | 8,922.10 | 7,517.43 | 2,884.86 | 31,189.97 |
| LABOR GOLF COURSE | 49,549.98 | 52,790.78 | 54,662.31 | 53,625.56 | 24,567.95 | 235,226.58 |
| PAYROLL TAXES- GOLF COURSE | 3,910.99 | 4,184.10 | 4,958.85 | 4,730.60 | 1,985.67 | 19,770.21 |
| HEALTH INSURANCE | 2,400.00 | 2,400.00 | 2,400.00 | 2,500.00 | 1,500.00 | 11,250.00 |
| REPAIRS & MAINT-GOLF COURSE | 24,277.70 | 27,169.00 | 31,946.28 | 31,896.95 | 21,909.77 | 137,199.70 |
| Total GOLF COURSE EXPENSES | 85,686.19 | 92,861.94 | 102,889.54 | 100,320.54 | 52,878.25 | 434,636.46 |
| Total COGS | 93,442.12 | 98,238.91 | 107,690.69 | 121,130.16 | 62,661.47 | 483,163.35 |
| Gross Profit | 85,003.72 | 69,825.27 | 50,448.31 | 59,992.33 | 24,696.00 | 289,965.63 |
| Expense | | | | | | |
| BAD DEBT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| COMMISSION | 0.00 | 0.00 | 131.25 | 0.00 | 0.00 | 131.25 |
| ADVERTISING | 771.93 | 929.00 | 568.00 | 1,328.00 | 0.00 | 3,596.93 |

CASS RECREATION PARK, INC.
Profit & Loss
January 2009 through June 2013

(qnl) Pineus Golf (u)wL) leinanciJ Year 5 :ueumqJAttach

| | Jan - Dec 09 | Jan - Dec 10 | Jan - Dec 11 | Jan - Dec 12 | Jan - Jun 13 | TOTAL |
|----------------------------|--------------|--------------|--------------|--------------|--------------|-------------|
| BANK CHARGES | 104.00 | 19.00 | 21.00 | 69.00 | 66.00 | 279.00 |
| CABLE | 142.96 | 0.00 | 0.00 | 0.00 | 0.00 | 142.96 |
| DUES AND SUBSCRIPTIONS | 220.00 | 220.00 | 200.00 | 730.00 | 220.00 | 1,590.00 |
| GENERAL MAINTENANCE | 3,033.81 | 3,967.95 | 5,902.17 | 5,687.73 | 157.22 | 18,748.88 |
| INSURANCE | 8,440.54 | 7,366.98 | 7,008.05 | 7,718.50 | 4,429.00 | 34,963.07 |
| LEGAL FEES | 0.00 | 904.00 | 578.00 | 268.00 | 0.00 | 1,750.00 |
| MISCELLANEOUS | 572.76 | 379.70 | 916.57 | 7,355.97 | 30.00 | 9,255.00 |
| OFFICE EXPENSE | 393.55 | 581.50 | 166.86 | 431.75 | 26.12 | 1,599.88 |
| POSTAGE | 176.00 | 181.54 | 181.59 | 176.00 | 0.00 | 715.13 |
| PROFESSIONAL FEES | 12,925.40 | 13,365.00 | 13,515.00 | 13,830.00 | 7,095.00 | 60,730.40 |
| TAXES/LICENSES | 15,617.47 | 13,218.04 | 12,901.88 | 13,070.52 | 6,706.80 | 61,514.71 |
| TELEPHONE | 1,318.77 | 1,373.15 | 1,624.92 | 1,882.65 | 974.81 | 7,174.30 |
| UTILITIES-ELEC/WATER/SEWER | 14,157.89 | 10,665.98 | 15,061.53 | 19,270.27 | 7,456.08 | 66,611.75 |
| LP GAS | 312.91 | 0.00 | 0.00 | 0.00 | 0.00 | 312.91 |
| Uncategorized Expenses | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Expense | 58,187.99 | 53,171.94 | 58,776.82 | 71,818.39 | 27,161.03 | 269,116.17 |
| Net Ordinary Income | 26,815.73 | 16,653.33 | -8,328.51 | -11,826.06 | -2,465.03 | 20,949.46 |
| Other Income/Expense | | | | | | |
| Other Income | -2,922.62 | -2,261.93 | -1,473.14 | -2,807.54 | -1,134.46 | -10,599.69 |
| INTEREST EXPENSE | 86.52 | 107.27 | 81.05 | 23.55 | 4.81 | 303.20 |
| INTEREST INCOME | 27.41 | 53.19 | 51.27 | 24.62 | 0.00 | 156.49 |
| MISC INCOME | | | | | | |
| Total Other Income | -2,808.69 | -2,101.47 | -1,340.82 | -2,759.37 | -1,129.65 | -10,140.00 |
| Other Expense | 20,929.54 | 20,502.42 | 19,587.32 | 21,027.59 | 9,428.52 | 91,475.39 |
| DEPRECIATION | 20,929.54 | 20,502.42 | 19,587.32 | 21,027.59 | 9,428.52 | 91,475.39 |
| Total Other Expense | -23,738.23 | -22,603.89 | -20,928.14 | -23,786.96 | -10,558.17 | -101,615.39 |
| Net Other Income | 3,077.50 | -5,950.56 | -29,256.65 | -35,613.02 | -13,023.20 | -80,765.93 |
| Net Income | | | | | | |



TO: Finance/Personnel Committee
FROM: Kim Hubbard, City Clerk
DATE: March 31, 2014
SUBJECT: Alderman Qualifications

Type of Item: *Amendment*

Missouri State Statutes have amended the age qualification from twenty-one (21) to eighteen (18) for Aldermen which went into effect August 28, 2013. We are asking for approval to stay in line with Missouri State Statutes.

I have attached a draft of the ordinance reflecting the changes and a redline version for your convenience.

Council Bill No.
Ordinance No.
Alderman Age Qualifications

COUNCIL BILL ____

ORDINANCE NO. __ (____-14)

AN ORDINANCE AMENDING SECTION 110.020 OF CHAPTER 110, ARTICLE I OF THE CITY CODE OF THE CITY OF HARRISONVILLE, MISSOURI RELATING TO ALDERMEN QUALIFICATIONS

WHEREAS, Senate Bill 99 was passed which lowers the minimum age required for a person to serve as an alderman in a fourth class city from twenty-one to eighteen years of age (RSMo 79.0790).

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

Section 1: Section 110.020 Aldermen—Qualifications, of the City Code will hereby read as follows. An attached redlined version is attached: Aldermen--Qualifications:

SECTION 110.020: ALDERMEN--QUALIFICATIONS

Pursuant to Section 79.070, RSMo. No person shall be an Alderman unless he/she is at least eighteen (18) years of age, a citizen of the United States and an inhabitant and resident of the City for one (1) year next preceding his/her election, at the time he/she files and during the time he/she serves, of the ward from which the/she is elected. Pursuant to Section 79.070, RSMo. and a vote of the citizens of Harrisonville on April 2, 2002, Aldermen shall be elected for a term of four (4) years.

Section No. 2 Effective Date

This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times by title only, passed and approved by the Board of Aldermen this ____ day of _____ 2014.

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

ATTEST:

Kim Hubbard, City Clerk

APPROVED by the Mayor this ____th day of _____, 2014.

Attachment: Alderman Qualifications (Alderman Qualifications)

Chapter 110. Mayor and Board of Aldermen

Article I. In General

Section 110.020. Aldermen Qualifications and Term in Office.

[CC 1977 §2-35; Ord. No. 237-B §2, 10-9-1939; Ord. No. 2769(29-02) §1, 4-15-2002; Ord. No. 3259 §2, 11-18-2013]

Pursuant to Section 79.070, RSMo. No person shall be an Alderman unless he/she is at least ~~twenty-one~~^{eighteen} (18²¹) years of age, a citizen of the United States and an inhabitant and resident of the City for one (1) year next preceding his/her election and a resident of the ward from which he/she is elected.

Formatted: Underline, Font color: Red

Pursuant to Section 79.050, RSMo. and a vote of the citizens of Harrisonville on April 2, 2002, Aldermen shall be elected for a term of four (4) years.



City of
Harrisonville^{est. 1836}
STAFF REPORT

TO: Finance/Personnel Committee
FROM: Keith Thomas, Director
DATE: March 10, 2014
SUBJECT: Electric Utility System Update

Type of Item: *Report*

March 3, 2014

Kristen Morrow successfully entered the outage information for 2011, 2012, 2013 into the American Public Power Association eReliability Tracker. This is just one of the requirements for the RP3 award designation we are trying to receive and the results for this portion were very impressive.

The eReliability Annual Tracker for 2013 was completed and received. This report focuses on the reliability of distribution systems across the country and is customized to each utility's system. This will be a living document that we will receive each year with our weekly entered data.

Reliability is an emergent property that reflects historic and ongoing engineering investment decisions with a utility. Proper use of reliability metrics ensures the utility is not only performing its intended function, but also is providing service in a consistent and effective manner. We can use this information to compare with data from similar utilities and this report endeavors to group utilities by size and region to improve comparative analyses while reducing difference. To limit the comparison of utilities of truly different sizes, this report separates utilities into groups according to their number of customers served. Also, since the utilities considered in this report represent a wide variety of locations across the United States, each utility is grouped with all others located in their corresponding APPA region.

System Average Interruption Duration Index (SAIDI) is tracked through the program data. It is defined as the average interruption duration in minutes for customers served by the utility system during a twelve month period. It is calculated by dividing the sum of all customers' interruption durations by the average number of customers served by the utility during that period. Our SAIDI is 6.484 minutes. The average for all utilities is 133.6884, utilities in our region 214.0614, and across the United States for utilities of our size 133.3058.

System Average Interruption Frequency Index (SAIFI) is tracked through the program data. It is defined as the average number of instances a customer on the utility system will experience an interruption during a twelve month period. It is calculated by dividing the total number of served during the twelve month period. Our SAIFI is 0.069 instances per customer. The average for all utilities is 0.8056, utilities in our region 0.6304, and across the United States for utilities of our size 0.8804.

Customer Average Interruption Duration Index (CAIDI) is tracked through the program data. It is defined as the average duration in minutes of an interruption experienced by customers during a twelve month period. It is calculated by dividing the sum of all customer interruption durations during the twelve month period by the total number of customers that experienced one or more interruptions during that time period. Our CAIDI is 93.855 minutes. The average for all utilities is 137.6557, utilities in our region 168.5448, and across the United States for utilities of our size 156.1164.

The report also shows our wildlife outages outnumber all other causes by a 10 to 1 ratio. All other causes such as weather, equipment failure, and trees were negligible in comparison.

Not only does this report show we are well above average for similar sized utilities in our region, but we are also well above average for all electric utilities across the United States.

I believe this report shows the impact of the positive support the Electric Department has received from the Mayor and Board of Aldermen over the last twenty years. I can assure you, twenty years ago the utility would have scored at the far opposite end of the spectrum.

If I can answer any questions, please let me know.

F. Discussion Item (ID # 1341)

Electric Utility System Update