



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
JUNE 1, 2015
7:00 PM**

- 1. Call to Order & Pledge of Allegiance**
- 2. Roll Call**
 - A. Roll Call**
- 3. Ceremonial Matters**
 - A. A Service Award to Honor Mike Tholen for 15 Years of Loyal Service to the City of Harrisonville**
 - B. Appointments to the Planning & Zoning Commission**
- 4. Public Participation**
- 5. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - May 18, 2015 7:00 PM**
- 6. Agenda Items**
 - A. Approve Special Event Permit for Wal-Mart 5K for CMN**
 - B. Approve Special Event Permit for Boutique VII - Love the Square Fundraiser**
 - C. MoDot Work Zone Enforcement Agreement**
 - D. Council Bill 041: A RESOLUTION AMENDING SECTION II, ARTICLE G.2, EMPLOYEE TOBACCO USE, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES MANUAL, EFFECTIVE JUNE 1, 2015.**
 - E. Council Bill 042: A RESOLUTION AMENDING SECTION V, ARTICLE B, TIME KEEPING AND ATTENDANCE, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES MANUAL, EFFECTIVE JULY 1, 2015.**

- F. Council Bill 043: A RESOLUTION AMENDING SECTION V, ARTICLE J, ANNUAL MILITARY TRAINING LEAVE, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES MANUAL, EFFECTIVE IMMEDIATELY.**
 - G. Council Bill 044: A RESOLUTION AMENDING SECTION VI, ARTICLE C, SAFETY-SENSITIVE EMPLOYEES, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES MANUAL, EFFECTIVE OCTOBER 1, 2015.**
- 7. Aldermen and Committee Reports**
- 8. Report from the City Administrator**
- 9. Report from the Mayor**
- 10. Questions from the Media**
- 11. Adjourn to Executive Session**
- 12. Adjourn From Regular Session**

Posted on City Hall Bulletin Board this 28th day of May 2015

Kim Hubbard, City Clerk

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



TO: Board of Aldermen
FROM: Sheryl Stanley, Deputy City Clerk
DATE: May 22, 2015
SUBJECT: Service Award for M. Tholen

Type of Item: *Presentation*

It is customary to recognize employees who have completed 10, 15, 20, or more years with the city during a Board of Aldermen meeting. This month, we honor Mike Tholen, outgoing Finance Director, who is completing 15 years of service to the City of Harrisonville.

A. Action Item (ID # 1874)

A Service Award to Honor Mike Tholen for 15 Years of Loyal Service to the City of Harrisonville

Attachments:

Mike Tholen (DOC)

Presented by the Mayor and the Harrisonville Board of Aldermen to

Mike Tholen

In Grateful Appreciation for

15 Years

Of Dedicated Service to



June 1, 2015

Brian Hasek, Mayor

Attachment: Mike Tholen (1874 : Service Award for M. Tholen)



TO: Board of Aldermen
FROM: Sheryl Stanley, Deputy City Clerk
DATE: May 28, 2015
SUBJECT: P&Z Appointments

Type of Item: *Appointment*

Mayor Hasek has notified the City Clerk that he plans to appoint Rusty Bennett and Brad Bockelman to fill two vacancies on the Planning & Zoning Commission. Mr. Bennett will serve until November 2015, and Mr. Bockelman will serve until November 2017 .

Both men have submitted applications to serve on the Planning and Zoning Commission.

Others who currently have applications on file for this volunteer board are: John Foster; Jason Zaroor; and Kevin Wood.

B. Action Item (ID # 1887)

Appointments to the Planning & Zoning Commission

Attachments:

Brad Bockelman, P & Z (PDF)

Rusty Bennett, P & Z (PDF)

COMMISSION

STATE OF MISSOURI)
COUNTY OF CASS)
CITY OF HARRISONVILLE)

THE CITY OF HARRISONVILLE TO ALL WHO SHALL SEE THESE PRESENTS-GREETING:

KNOW YE, that in pursuance of the Mayor and Board of Aldermen, and in pursuance of the Statute and Ordinances in such cases made and approved, and by virtue of the power and authority in us vested, we do hereby

APPOINT AND COMMISSION

Brad Bockelman TO THE OFFICE OF THE **Planning & Zoning Commission**
And he is hereby authorized and empowered to discharge the duties of said office according to law; to have and to hold said office with all privileges and emoluments to the same of right pertaining unto him the said **Planning & Zoning Commission**.

For and during the term ending November 2017 or until his successor in said office shall be duly appointed and qualified.

IN TESTIMONY WHEREOF, we have caused this to be signed by the Mayor of the City of Harrisonville and witnessed by the Clerk of said City, and the seal of said City to be affixed hereto.

Done at Harrisonville, in said County, this 1st day of June 2015.

Mayor

ATTEST:

City Clerk

Attachment: Brad Bockelman, P & Z (1887 : P&Z Appointments)

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Planning & Zoning Commission

for

Brad Bockelman

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COMMISSION

STATE OF MISSOURI)
COUNTY OF CASS)
CITY OF HARRISONVILLE)

THE CITY OF HARRISONVILLE TO ALL WHO SHALL SEE THESE PRESENTS-GREETING:

KNOW YE, that in pursuance of the Mayor and Board of Aldermen, and in pursuance of the Statute and Ordinances in such cases made and approved, and by virtue of the power and authority in us vested, we do hereby

APPOINT AND COMMISSION

Rusty Bennett TO THE OFFICE OF THE **Planning & Zoning Commission**
And he is hereby authorized and empowered to discharge the duties of said office according to law; to have and to hold said office with all privileges and emoluments to the same of right pertaining unto him the said **Planning & Zoning Commission**.

For and during the term ending November 2015 or until his successor in said office shall be duly appointed and qualified.

IN TESTIMONY WHEREOF, we have caused this to be signed by the Mayor of the City of Harrisonville and witnessed by the Clerk of said City, and the seal of said City to be affixed hereto.

Done at Harrisonville, in said County, this 1st day of June 2015.

Mayor

ATTEST:

City Clerk

Attachment: Rusty Bennett, P & Z (1887 : P&Z Appointments)

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Planning & Zoning Commission

for

Rusty Bennett

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DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
MAY 18, 2015
7:00 PM

1. **Call to Order & Pledge of Allegiance**
2. **Roll Call**

Attendee Name	Title	Status	Arrived
Judy Bowman	Board Member	Present	
Clint Long	Alderman	Present	
Josh Stafford	Board Member	Present	
David Dickerson	Board Member	Present	
Ivan Stull	Board Member	Present	
Marcia Milner	Board Member	Present	
Morris Coburn	Board Member	Present	
Stacey Dahlman	Board Member	Present	
Brian Hasek	Mayor	Present	

Others Present: City Administrator Keith Moody, Finance Director Mike Tholen, Community Development Director Rick DeLuca, City Clerk Kim Hubbard, Public Information Officer Sheryl Stanley, and Assistant Public Works Director Eric Patterson.

3. **Ceremonial Matters**

None.

4. **Public Participation**

Laura Holden, 1201 Beth Blvd shared story of a student who expressed that he was sorry for what was being done to her brother, Mayor Hasek. Ms. Holden encouraged the Board to look at their character, to come together, listen to each other, to stop the back biting and put the petty issues aside.

Bret Reece, 800 Logan Street, shared he had taken advantage of the city wide clean up and commented on what a great service it is.

Mr. Reece encouraged the Board to push forward on the approval of agenda items for the Phase 2 of the 291 Project. Mr. Reece also shared that the Love's project would generate extra taxes for Harrisonville and the vast majority of the taxes would be incurred by travelers and it would provide a good start on needed infrastructure.

Virgil Butler, 606 N. King Terrace, asked City Administrator what his successes have been after 8 years in 2 sentences. City Administrator shared that communication is better, enhanced citizen satisfaction survey.....I DIDN'T GET EVERYTHING WRITTEN DOWN

Mr. Butler disputed the citizen satisfaction survey results and reported that the feed back he has received from residents is not the same as the results of the survey. Mr. Butler also stated that since the City is paying the company to perform the survey he believes they will give the answers that the City wants.

Mr. Butler stated that there are a total of nine (9) TDD/CID's in Cass County and Harrisonville has four (4) and that they have not been positive for the City. Mr. Butler noted the Cabinet Shop that left and took 60 jobs with it and the three (3) car dealerships that closed up and the number of jobs that were lost.

Mr. Butler then talked about the police department and the charges that are incurred for having a taillight out and rolling through stop sign, Mr. Butler said people in Harrisonville are not happy.

Mr. Moody shared that ETC, the company used to administer the survey, is highly regarded and that the survey is not designed to create a predetermined outcome.

Mr. Butler then shared the information that was in the KC Star regarding the cost of water.

Cindy Greendwell, 1701Twin Oaks spoke. Ms. Greenwell stated there are several citizens wondering whether Mayor Hasek is going to serve all of Harrisonville or just the 805 individuals that voted for him. Ms. Greenwell asked Mayor Hasek if he was going to appoint on an equal basis, and asked him to reconsider the appointments.

Alderman Long questioned Mr. Reece on his statement of encouraging the board to move forward on the TDD and that during Mr. Reece's campaign he said he was against the TDD's. Mr. Reece stated that it was TIF's not TDD's.

5. Approval of Minutes

A. Board of Aldermen - Regular Meeting - May 4, 2015 7:00 PM

Minutes were accepted with the amendment reflecting Alderman Stafford absent.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Morris Coburn, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Bowman, Long, Stafford, Dickerson, Stull, Milner, Coburn, Dahlman

6. Agenda Items

A. A Resolution authorizing the City Administrator of the City of Harrisonville, Missouri to enter into an agreement with David E. Ross Construction for filter rehabilitation work at the Harrisonville Water Treatment Plan in an amount not to exceed \$406,528.

City Attorney Mauer read Council Bill 038 by title only. Mr. Patterson reported on the bid opening and reviewed the agreement and that staff recommended David E Ross Construction. Mr. Patterson also reported this is the first step in the construction process for the water plant improvements, Mr. Patterson asked for the reserve amount to reflect \$40,000. Alderman Bowman asked how Mr. Patterson came up with the \$40,000 and Mr. Patterson explained originally it was 10% and this makes it an even number. Aldermen Coburn expressed his support for the project and what a good job David E Ross did on the sewer plant improvements. Alderman Dickerson asked if this company is a company that Burns and McDonnell wanted to work with and Mr. Patterson stated it was.

Alderman Milner made the motion to amend Council Bill 038 to reflect the reserve to \$40,000. Alderman Dahlman seconded the motion and it was approved by a unanimous vote.

Council Bill 038 became Resolution 025.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Morris Coburn, Board Member
SECONDER:	David Dickerson, Board Member
AYES:	Bowman, Long, Stafford, Dickerson, Stull, Milner, Coburn, Dahlman

B. AN ORDINANCE APPROVING SUPPLEMENT #1 TO THE COST SHARE AGREEMENT BETWEEN THE CITY OF HARRISONVILLE, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

City Attorney Mauer read Council Bill 039 by title only. City Administrator Moody explained the cost share agreement through MoDOT was awarded in 2013. It was explained that the original agreement the City was responsible for the overruns on Phase 2 and was conveyed by the agreement to the 291 TDD. In 2015 the cost share agreement was revised which placed the responsibility of the overrun costs for Phase 2 on MoDOT. Supplement #1 officially transfers the overrun costs to MoDOT.

Alderman Dickerson made the motion to suspend the rules and move Council Bill 039 to it's second reading. Alderman Bowman seconded the motion and it was approved by the following roll call vote:

Ayes: Aldermen Stull, Long, Dickerson, Dahlman, Bowman Milner, and Stafford.

Nays: Alderman Coburn

Minutes Acceptance: Minutes of May 18, 2015 7:00 PM (Approval of Minutes)

Absent: None

Abstain: None

City Attorney Mauer read Council Bill 039 by title only for a second time.

Council Bill 039 became Ordinance 3311.

RESULT:	ADOPTED [7 TO 1]
AYES:	Bowman, Long, Stafford, Dickerson, Stull, Milner, Dahlman
NAYS:	Morris Coburn

C. AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PHASE 2 OF THE 291, CASS COUNTY, JOB NO. J4P3002

City Attorney Mauer read Council Bill 040 by title only. Mr. Moody reviewed the agreement and explained this is a requirement by MoDOT. It was also noted that this type of agreement will be needed when the Mechanic project starts.

Alderman Milner made the motion to suspend the rules and move Council Bill 040 to it's second reading. Alderman Dahlman seconded the motion and it was approved by the following roll call vote:

Ayes: Aldermen Bowman, Dahlman, Milner, Dickerson, Long, Stull, and Stafford.

Nays: Alderman Coburn

Absent: None

Abstain: None

City Attorney Mauer read Council Bill 040 by title only for a second time.

Council Bill 040 became Ordinance 3312

RESULT:	ADOPTED [7 TO 1]
AYES:	Bowman, Long, Stafford, Dickerson, Stull, Milner, Dahlman
NAYS:	Morris Coburn

D. Discussion of Strategic Plan Update Process

Mr. Moody reported the Board had approved an update to the Strategic Plan Process in the 2015 budget. Mr. Moody reported that the majority of objectives had been completed that had come from the original strategic plan process. Mr. Moody asked the board for direction on soliciting a facilitator to the lead project.

Alderman Dickerson stated he would like to this pulled from budget and the \$50,000 used towards the maintenance of the streets. Alderman Dahlman shared that it would be a good idea to involve Harrisonville business owners, Alderman Long stated there are many people come into his shop and share that they would like to have some input, and Alderman Bowman stated she thought it would be a good idea to get the thoughts of those who were involved the first time.

Jay Schick, Tim Soulis John Foster and Obie Carl who were involved in the strategic plan process the first time shared the following thoughts:

- *A facilitator is needed to keep things moving forward, keep everyone on point and involved.*
- *The Farmers Market and Junk in the Trunk came from this process,*

- *Benefits of having someone from the outside tends to see what we can't, an outsider will bring in new ideas*
- *Aldermen were encouraged to at least three (3) town hall meetings and listen to the residents before hiring someone.*

Scott Emmons asked about involving of the Chamber of Commerce and contacting the National Division for assistance in finding a facilitator.

Mayor Hasek stated he thought it would be good to review the process that was followed the last time, look at budgeting the \$50,000 for another year and possibly use the \$50,000 for the improvement Commercial Street from Plaza Drive to Butler Street.

Mr. Moody stated he would look for a facilitator in the Kansas City Area.

Alderman Bowman reminded everyone of the town hall meetings for Ward 1 which were June 6th, August 1, and October 10.

7. Aldermen and Committee Reports

Alderman Bowman announced that everyone is invited to the Ward 1 town hall meetings. Alderman Bowman also acknowledged all the staff and Mr. Moody for the tour of the city and how impressed she was with staff's knowledge.

Alderman Milner made a clarification of the statement by Virgil Butler during public participation regarding the three (3) Harrisonville dealerships that had closed. Alderman Milner shared that the closing of those dealerships was in no way the City's fault that it was corporate greed. Alderman Milner stated that before making statements you should have your know your facts.

Alderman Dickerson reported that the Historical Preservation Commission had discussion regarding the old hospital off the square and that Chair David Atkinson would like to see it saved. Alderman Dickerson also shared three buildings on the square had been purchased and the buyer that had done so as they were impressed by the Mayor during the candidate forum that was held prior to the April election.

Alderman Stull commented that he also enjoyed the tour last Thursday. Alderman Stull reported he had been to Rusty's Concepts regarding and spoken to the owner regarding a sign issue. Alderman Stull stated he has been in contact with Director DeLuca who reviewed the issues that needed to be addressed to be code compliant.

Alderman Stafford stated he enjoyed the tour also and expressed his appreciation to the staff. Alderman Stafford commented on how cool the sewer plant was.

8. Report from the City Administrator

Mr. Moody reminded everyone of the Chamber meeting at 10:30 this week and that residential development will be discussed.

9. Report from the Mayor

Mayor Hasek reported he had participated in the city wide clean up and expressed his thanks to the staff.

Mayor Hasek reported he had enjoyed the tour.

Mayor Hasek also spoke regarding the sign issue that Rusty' s Concept was having and suggested that the sign ordinance be reviewed.

10. Questions from the Media

None

11. Adjourn to Executive Session

Alderman Stull moved to adjourn to Executive Session for the purpose of Section 610.021 (1), legal actions and Section 610.021 (3) Personnel. Alderman Dahlman seconded the motion which was approved with the following roll call vote:

Ayes: Aldermen Bowman, Dahlman, Coburn, Milner, Dickerson, Long Stull, and Stafford

Nays: None

Abstain: None

Absent: None

The Board adjourned to Executive Session at 8:31 PM

The Board reconvened to regular session at 9:10 PM

12. Adjourn From Regular Session

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

Meeting adjourned at 9:10 pm

Brian Hasek, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Minutes Acceptance: Minutes of May 18, 2015 7:00 PM (Approval of Minutes)

Regular Meeting**Monday, May 18, 2015****7:00 PM**

Kim Hubbard, City Clerk

Minutes Acceptance: Minutes of May 18, 2015 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: May 27, 2015
SUBJECT: Wal-Mart 5K for CMN

Type of Item: *Approval*

Issue: Children's Miracle Network 5K Run Event Permit
 scheduled for September 12, 2015 from 8:00 am to 11:00 am.

Background: The applicant, Biz Davidson has requested a special event permit to host a 5K run in Harrisonville. This is the first year for this event however several other similar events are held annually with no noted complaints or concerns. This event will be a fundraiser for the Children's Miracle Network. The Police Department will provide a police escort for the event. A marked patrol unit, from on duty personnel, will lead the runners during this event so there is no cost for city services. The escort request is pending availability of the officer. I do not believe this event will directly effect the previously approved Farmer's Market.

The proposed route is as follows: begin on the northeast corner of the square (Lexington and Pearl), north on Lexington, through Camp Reeder and City Park exiting behind Cass Career Center, west on to Elm Street, south on Price, west on Pearl commencing at the square. (See attached map). Anticipated crowd size is 250. There is no cost for the requested City services and the required insurance will be provided once approved.

Recommendation: With no noted complaints or concerns associated with other similar events I would recommend approval for this event as long as all state laws and city ordinances are followed.

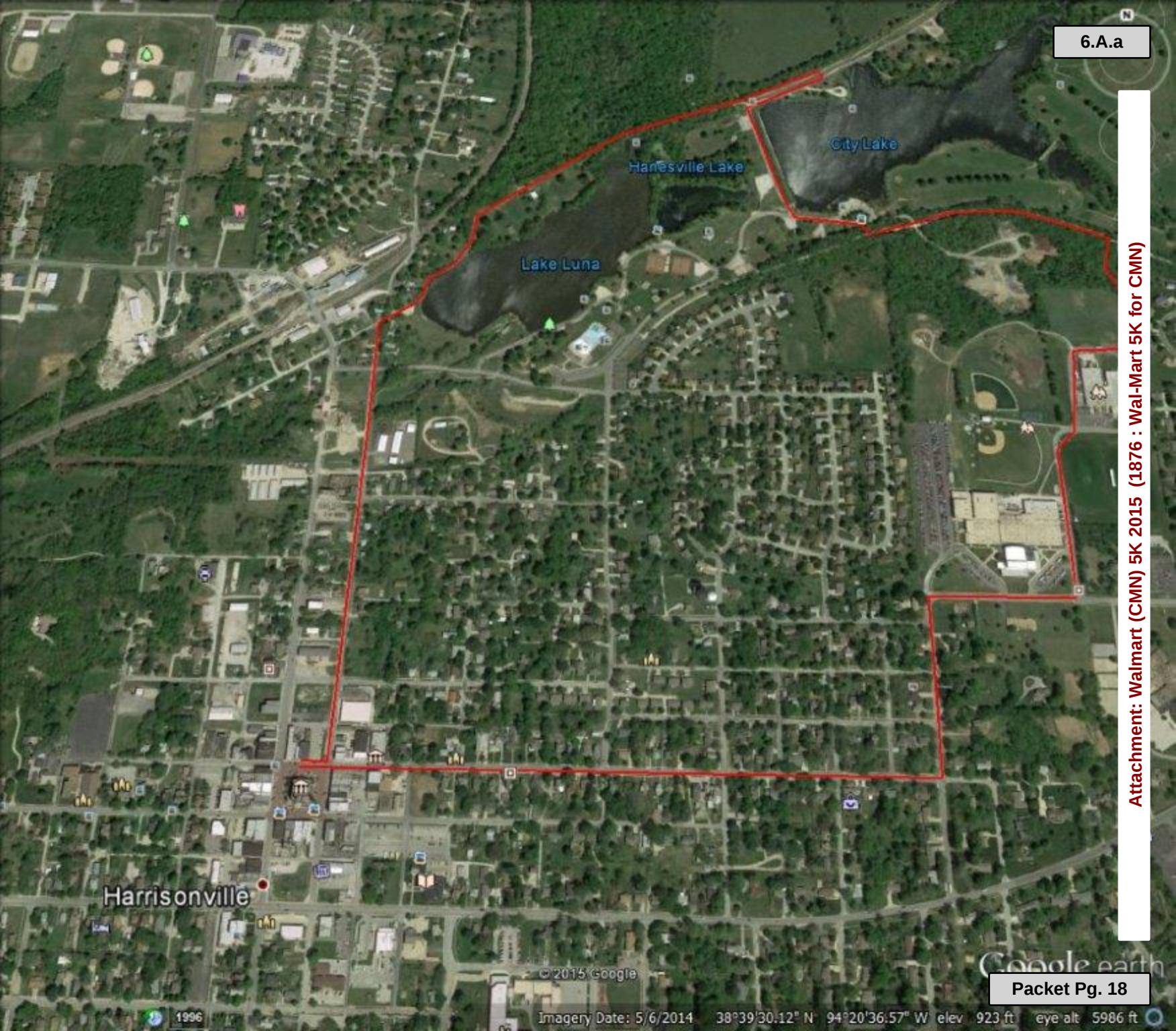
A. Action Item (ID # 1876)

Approve Special Event Permit for Wal-Mart 5K for CMN

Attachments:

Walmart (CMN) 5K 2015 (JPG)

Walmart (CMN) 5K 2015.jpg(PDF)



Attachment: Walmart (CMN) 5K 2015 (1876 : Wal-Mart 5K for CMN)

Harrisonville

© 2015 Google

SPECIAL EVENTS APPLICATION

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

1. Organization: Children's Miracle Network
2. Name of Applicant: Elizabeth Davidson (Walmart)
 Address: 1700 N State Route 291
 Phone: 816-884-5635 Cell: 913-231-8077
3. Purpose of Event: A 5K to Raise money for Childrens Miracle Network
4. Proposed date(s) and time(s) of Event: September 12, 2015
8am to 11am.
5. Location(s) where event will be held: Harrisonville Route #2
(Map Included)
6. Anticipated crowd size: 250
7. City services requested: (Please check all that apply) Provide detailed letter for these requests.
☐ Electricity ☐ Police Protection ☐ Traffic Control ☐ Ambulance Standby
☒ Cones ☒ Barricades ☐ Street or parking lot clean up
8. Any additional information: We are using VIP (Volunteer Police) to help with event. We have our own volunteer Gmt and our volunteers will take care of clean-up.

APPROVED this _____ day of _____, 20 ____.

Chief of Police

City Clerk

Attachment: Walmart (CMN) 5K 2015.jpg (1876 : Wal-Mart 5K for CMN)



Attachment: Walmart (CMN) 5K 2015.jpg (1876 : Wal-Mart 5K for CMN)



STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: May 27, 2015
SUBJECT: Boutique VII - Love the Square Fundraiser

Type of Item: *Approval*

Issue: The applicant, Renea Faulds has requested permission to host a craft fair on the historic Harrisonville square on Saturday July 18, 2015 from 1:00pm until 6:00 pm in conjunction with the opening of her new shop, the Boutique VII. This event will be used as a fundraiser for the Love the Harrisonville Square program as well as a local family.

Background: This is a first time event on the Harrisonville square, however, numerous similar events have been held on the square without incident. The applicant is anticipating a crowd size of approximately 750-1000.

The applicant is proposing blocking the north and west sides of the square and possibly the east side depending on the popularity of this event. These sides of the square will be closed to vehicular traffic and the event will be held after the weekly Farmer's Market event. Therefore, not causing any problems between the two events. The street department will be responsible for closure of the square at approximately 12:00 pm to allow for set-up. Off-duty staff will need to be brought in to cover this event. Superintendent Jacobs estimates that cost at approximately \$200.00. The applicant originally asked for electricity however has since withdrawn that request. The application (attached) includes a copy of the required insurance along with a letter from the applicant.

Recommendation: Staff is recommending approval for this event.

B. Action Item (ID # 1886)

Approve Special Event Permit for Boutique VII - Love the Square Fundraiser

Attachments:

Love the Square Event App 2015 (PDF)

SPECIAL EVENTS APPLICATION

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

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

1. Organization: Fundraiser for Love The Harrisonville Square
2. Name of Applicant: Boutique VII LLC
 Address: 102 S Independence St Harrisonville MO 64701
 Phone: 816-651-8890 Cell: 816-761-3230
3. Purpose of Event: Grand opening / Fundraiser
4. Proposed date(s) and time(s) of Event: Saturday July 18th
1pm to 10pm
5. Location(s) where event will be held: West & North side of
the square & East side (if possible)
6. Anticipated crowd size: 750-1,000
7. City services requested: (Please check all that apply) Provide detailed letter for these requests.
☒ Electricity ☐ Police Protection ☐ Traffic Control ☐ Ambulance Standby
☐ Cones ☐ Barricades ☐ Street or parking lot clean up
8. Any additional information: See attached

APPROVED this _____ day of _____, 20____.

Chief of Police

City Clerk

Attachment: Love the Square Event App 2015 (1886 : Boutique VII - Love the Square Fundraiser)

**BOUTIQUE VII
102 S INDEPENDENCE STREET
HARRISONVILLE, MO 64701
(816) 651-8890**

May 21, 2015

City of Harrisonville
300 East Pearl
Harrisonville, MO 64701

RE: Event request 07-18-15

We are opening a shop, Boutique VII, on the square on 07-07-15. It will be located at 102 S Independence, Harrisonville, MO 64701.

As part of our grand opening celebration, we would like to host a craft fair on the square. The craft fair will comprise of craft vendors (The KC Pinterest Addicts), direct sales as well as food vendors. We have experience coordinating craft fairs, as we created the KC Pinterest Addicts and have had great success in Harrisonville with our events (located in the red barn next door to the Trade Fair).

All proceeds raised from booth fees will be donated to Love The Harrisonville Square and a local family, The Lounsberry family, for medical expenses.

We would greatly appreciate your approval for our event and look forward to being a long term business in town!

Thank you,



Renea Faulds
Boutique VII



CERTIFICATE OF LIABILITY INSURANCE

6.B.a
DATE (MM/DD/YYYY)
05-21-15

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER TOZIER PARKWAY HOUSH JONES 13606 WASHINGTON KANSAS CITY, MO 64145		CONTACT NAME: KIM NORGREN PHONE (A/C, No, Ext): 816-761-3230 FAX (A/C, No): 816-942-5151 E-MAIL ADDRESS:	
INSURED KC PINTEREST ADDICTS LLC 12204 ASTOR COURT PECULIAR, MO 64078		INSURER(S) AFFORDING COVERAGE INSURER A: HUDSON INSURANCE INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:		HBD 10009653	06/05/15	06/05/16	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED ☐ RETENTION \$ ☐ OCCUR CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

CITY OF HARRISONVILLE 300 EAST PEARL STREET HARRISONVILLE, MO 64701	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE DAN LISTON
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STAFF REPORT

TO: Board of Aldermen
FROM: John Hofer, Director
DATE: May 20, 2015
SUBJECT: MoDot Work Zone Enforcement Agreement

Type of Item: *Agreement*

Issue: MoDot is requesting an ordinance adopted entering into a contractual agreement to reimburse the City of Harrisonville Police Department for traffic control through their work zone enforcement agreement program.

Background: Periodically MoDot will request officers to conduct traffic safety enforcement in a work zone and this will allow Harrisonville PD officers to work this area at an overtime rate that will be reimbursed to the City similar to the STEP previously approved by the BOA earlier this year. The agreement will be valid or the awarded years 2015-2019 with the first order beginning July 1, 2015..

Recommendation: Staff recommends approval and looks forward to partnering with MoDot to make Harrisonville a safer community.

C. Action Item (ID # 1873)

MoDot Work Zone Enforcement Agreement

Attachments:

MoDot Agreement 2015 (PDF)

MoDot Contract 2015 (PDF)

Missouri Department of Transportation

David B. Nichols, Director

573.751.4161
Fax: 573.634.5977
1.800.800.2358

April 29, 2015

Harrisonville Police Department
Lt. Mike Prindle
205 N Lexington Street
Harrisonville, MO 64701

Dear Lt. Prindle:

Enclosed are a Work Zone Enforcement Program Agreement and a Program Order between the Missouri Highways and Transportation Commission (MHTC) and your agency for enforcement to be conducted in designated Missouri Department of Transportation (MoDOT) Work Zones.

The Work Zone Enforcement Program Agreement will be valid for the award years 2015-2019. The award years establishes a lengthier term agreement so that the agreement and an ordinance will only need to be passed every five years. In addition, on the Program Agreement article (6), please fill in your agency's representative's title.

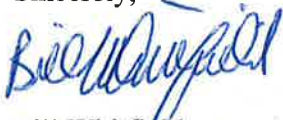
The Work Zone Enforcement Program Order is for Program Order Number CWZEB36Z in the contract amount of \$10,000.00 with the effective date of July 1, 2015 thru December 31, 2016.

Please have the appropriate authorizing official sign and date all three copies of the Work Zone Enforcement Program Agreement and Program Order. Return all completed copies of the Work Zone Enforcement Program Agreement, Program Order and a copy of the ordinance to the MoDOT Traffic and Highway Safety Division.

Once the Work Zone Enforcement Program Agreement and Program Order have been fully executed by MHTC, one original copy will be returned to your agency and your agency may begin work.

If you have any questions about the process, please call me at 573-751-5417.

Sincerely,



Bill Whitfield
Highway Safety Director

c: Chief John Hofer
Enclosure



Our mission is to provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri.

www.modot.org

Attachment: MoDot Agreement 2015 (1873 : MoDot Work Zone Enforcement Agreement)

CCO Form: HS06
Approved: 07/06 (AMN)
Revised: 04/15 (BDG)
Modified:

**PROGRAM ORDER
TO AGREEMENT DATED _____**

C.F.D.A. Number: 20.205

Program Order Number: CWZEB36Z

Date: _____

Contract Amount: \$10,000.00

Effective Date: July 1, 2015

Completion Date: December 31, 2016

Contractor: Harrisonville Police Department

Mail Invoices/Vouchers to: MoDOT Traffic and Highway Safety Division
PO Box 270
Jefferson City, MO 65102

This Program Order is issued under the authority of the Agreement between the Missouri Highways and Transportation Commission (the "Commission") and the City of Harrisonville (the "City") dated _____ and is subject to all applicable provisions and covenants of that Agreement, which are incorporated herein by this reference.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have caused this contract to be duly executed intending to be bound thereby.

Executed by the City of Harrisonville this ____ day of _____,
20____.

Executed by the Commission this ____ day of _____,
20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF HARRISONVILLE

Title _____

By _____
Title _____

Attest:

Secretary to the Commission

Approved as to Form:

Commission Counsel

Attachment: MoDot Agreement 2015 (1873 : MoDot Work Zone Enforcement Agreement)

CCO Form: HS3A
 Approved: 07/06 (AMN)
 Revised: 06/13 (ASB)
 Modified:

Award years: 2015-2019
 Region: KC – Kansas City

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM ON CALL WORK
 ZONE ENFORCEMENT PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Harrisonville, a municipal corporation in the State of Missouri (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The Commission has authorized funds to be used to support Statewide Transportation Improvement Program (hereinafter, "STIP") On Call Work Zone Enforcement activities. The purpose of this Agreement is to grant the use of such funds to the City.

(2) ACTIVITY: The funds which are the subject of this Agreement are provided to support law enforcement work zone activities to further STIP On Call Work Zone Enforcement.

(3) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial

Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(4) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(5) COMMISSION REPRESENTATIVE: This Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) CITY REPRESENTATIVE: The City's _____ is designated as the City's representative for the purpose of administering the provisions of this Agreement. Further, the City's _____ shall have the authority to execute Program Orders in accordance with this Agreement.

(7) NONDISCRIMINATION CLAUSE: The City shall also comply with all state and federal statutes applicable to the City relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(8) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(9) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(10) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(11) FUNDING/REIMBURSEMENT:

(A) General: With regard to work under this Agreement, the City agrees that funds to implement work zone law enforcement activities shall only be available for reimbursement of eligible costs which have been incurred by the City. The City shall

supply to the Commission copies of all bid information, purchase orders, invoices and, for hours worked, certified payroll (on Program Agreements that include salaries). Any costs incurred by the City prior to authorization and notification to proceed from the Commission are **not** reimbursable costs. The Commission shall not be responsible for any costs associated with the activity herein unless specifically identified in this Agreement or subsequent written amendments or Task Orders.

(B) Peace Officer Standards and Training: Law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.

(12) EQUIPMENT:

(A) Procurement: The City may use its own procurement regulations which reflect applicable state/local laws, rules & regulations provided they adhere to the following:

(1) Equipment with a cost of \$3,000 or more must be purchased on a competitive bid basis, or purchased through use of state cooperative procurement.

(2) Price or rate quotations shall be solicited from at least three (3) sources.

(3) All procurement transactions, regardless of whether by sealed bids or by negotiation, shall be conducted in a manner that provides maximum open and free competition.

(4) The City shall have a clear and accurate description of the item to be purchased. Such description shall not, in competitive procurements, contain features that unduly restrict competition. A "brand name or equal" description may be used as a means to define the performance or other requirement of procurement.

(5) If for some reason the low bid is not acceptable, the City must have written approval from the MHTC prior to bid approval and purchase.

(6) The City will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services.

(B) Disposition: The City shall make written request to the MHTC for instructions on the proper disposition of all items of equipment provided under the terms of this contract with a cost of \$3,000 or more. City must keep and maintain equipment with a cost of under \$3,000 until it is no longer useful for its originally intended purpose.

(C) Replacement: No equipment may be funded on a replacement basis. Participation in equipment and manpower projects must be in addition to the City's previous twelve months authorized strength.

(13) ACCOUNTING: The City shall maintain all documentation in file for audit review; failure to provide supporting documentation at the time of audit could result in

questioned costs. The City must document the following: (1) Receipt of funds, (2) date and amount paid to officers, (3) officer's timesheet (regular hours and overtime hours). Documentation shall be kept available for inspection for representatives of the MHTC for a period of three years following date of final payments. Copies of such records shall be made available upon request.

(14) PROGRAM ORDER: On Call Work Zone Enforcement funding will be conducted under a Program Order. Each Program Order must be executed by the Commission and the City's Representative. Each Program Order shall contain, but is not limited to the following:

(A) Program Order Job Number(s).

(B) Funds available for the completion of the Program Order.

(C) Starting and completion dates for the Program Order.

(15) LIMITS ON OVERTIME: The City will not be eligible for reimbursement for any individual law enforcement officer working under this grant where said officer is claiming to have worked as a law enforcement officer for more than 16 hours in any 24 hour period.

(16) USE OF FUNDS: Any employee of the City whose salary or wages are paid in whole or in part with federal funds is prohibited from participating in certain partisan political activities, including, but not limited to, being a candidate for elective office pursuant to Title 5 United States Code (hereinafter, "U.S.C."), Sections 1501-1508. If an employee of the City participates in activities prohibited by the Hatch Act, the City shall no longer pay that employee's salary or wages with federal funds unless the requirements of 5 U.S.C. Sections 1501-1508 are not applicable to that employee pursuant to 5 U.S.C. Section 1502(c).

(17) AUDIT OF RECORDS: The City must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at all reasonable times at no charge to the Commission and/or its designees or representatives during the period of this Agreement and any extension thereof, and for three (3) years from the date of final payment made under this Agreement.

(18) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(19) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The City shall refund any overpayments as determined by the final audit.

(20) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(21) EMPLOYEES ONLY: The funding granted by the Commission to the City under this Agreement extends only to reimbursement for work zone enforcement by employees of the City covered by the City worker's compensation plan.

(22) DURATION AND EXTENSION: Unless otherwise terminated, this Agreement shall be in effect for five years from the execution of this Agreement. Upon the approval of both parties, the terms and conditions of this Agreement are renewable for an additional two, one year extensions from the date of the expiration of the Agreement. Any extension shall be memorialized in an appropriate Supplemental Agreement and executed by the duly authorized representatives of the parties.

(23) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ____ day of _____, 20____.

Executed by the Commission this ____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF HARRISONVILLE, MISSOURI

By _____

By _____

Title _____

Title _____

ATTEST:

Secretary to the Commission

By _____

Title _____

Approved as to Form

Commission Counsel

By _____

Title _____

ATTEST:

By _____

Title _____

Approved as to Form:

Title _____

Ordinance No _____



TO: Board of Aldermen
FROM: Kim Hubbard, City Clerk
DATE: May 27, 2015
SUBJECT: Employee Tobacco Use Policy

Type of Item: *Policy*

The City has allowed employees to smoke in city-owned, leased, or rented vehicles when they are by themselves or when they have permission from other occupants.

It has been requested that this policy be reviewed and amended to prohibit smoking in all city vehicles.

This comes with a positive recommendation for approval from the Finance/Personnel Committee.

Council Bill No. 041**Resolution No.****A RESOLUTION AMENDING SECTION II, ARTICLE G.2, EMPLOYEE
TOBACCO USE, OF THE CITY OF HARRISONVILLE PERSONNEL
POLICIES MANUAL, EFFECTIVE JUNE 1, 2015.**

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

Section 1. That Section II, Article G.2 of the Personnel Policies Manual is hereby amended to read:

2. Applicability

This smoking policy shall apply to all individuals while inside any City controlled building or space including City Hall, Police Station, EMS Building, Fire Station, Water Treatment Plant, Waste Water Treatment Plant, Water Facility, Animal Shelter, Street Facility, Electric Facility, Substation Control Room, Parks Facility, Pool, Community Building, and North Park Building.

This policy also applies to any city-owned, leased, or rented vehicle.

(Continue until end)

Section 2. That the amendment for the Personnel Policies Manual supersedes all personnel policies, rules or regulations previously adopted or approved, for Section II, Art. G.2, effective immediately.

Section 3. That if any provision of the amendment is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of the Personnel Policies Manual.

READ and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 1st day of June, 2015

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 1st day of June 2015.

G. Employee Tobacco Use Policy - City Facilities & Vehicles

1. Purpose

The U.S. Surgeon General has determined that exposure to “side-stream”, “second-hand”, or “passive smoke” increases the risk to non-smokers of developing cancer and other diseases related to smoking. As authorized by the Board of Aldermen Resolution R-99-14 dated November 15, 1999, the purpose of this policy is to restrict smoking in the public buildings of the City of Harrisonville, to provide a clean and healthy environment for all employees and visitors and to promote a positive impression of City operations with the general public. It is the intent of this policy to address and be sensitive to the preferences of both smokers and non-smokers.

2. Applicability

This smoking policy shall apply to all individuals while inside any City controlled building or space including City Hall, Police Station, EMS Building, Fire Station, Water Treatment Plant, Waste Water Treatment Plant, Water Facility, Animal Shelter, Street Facility, Electric Facility, Substation Control Room, Parks Facility, Pool, Community Building, and North Park Building.

This policy also applies to any city-owned, leased, or rented vehicle. ~~when more than one person is in the vehicle unless all occupants give permission.~~

The use of other tobacco products, including chewing tobacco and snuff, are also subject to the provisions of this policy. No chewing cups are allowed in any office unless in a designated area and no cups are permitted in city vehicles. Chewing is allowed if the employee is out in the field and away from public view. At no time is chewing allowed if the employee is in contact with the public.

This policy does not apply to open-air facilities unless prohibited under other policies. Individual departments may further restrict the use of tobacco beyond the scope of this policy if specific work conditions warrant such restrictions from a safety or operational standpoint.

3. Definitions

“Smoking” is defined as carrying or possessing any lighted tobacco product including cigars, cigarettes, and pipes.

“Designated Smoking Area” means any area within an enclosed City facility where smoking is specifically permitted, and shall be so situated as to allow non-smoking individuals reasonable opportunity to conduct normal activity in a smoke-free environment.

4. Designated Smoking Areas

The designated employee smoking areas where smoking and other forms of tobacco use shall be permitted include the bay area adjacent to the Police and Fire Stations, Street, Water, Waste Water and the filter building except lab at the water treatment plant.

Smoking by employees will be permitted immediately outside City buildings; however, during the scheduled work day, no employee shall be permitted to smoke directly in front of the City Hall, Police Station, EMS Facility including the sidewalk and parking lots. Smoking, by employees is expressly prohibited in office spaces, Council Chambers, conference rooms, kitchens, bathrooms, entrance lobby/foyer areas, sleeping quarters and other areas of general use inside City facilities.

5. Procedure

- a. “No Smoking” signs shall be posted at the primary entrance to all public buildings.
- b. Designated employee smoking areas shall be clearly identified and posted.
- c. Complaints of non-compliance shall be made to the appropriate Supervisor, Human Resources Manager, or City Administrator and all complaints will be held confidential. Anonymous complaints cannot be accepted because the validity of the complaint must be verified.
- d. Outdoor ash receptacles shall be placed in the permitted smoking areas, at public entrances and outdoor smoking areas. All smoking material must be properly extinguished and disposed of in ash receptacles. Tobacco products, cigarette butts, etc. are not permitted to be extinguished on the sidewalks or surrounding grounds.

6. Enforcement

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of smokers and non-smokers. All employees share the responsibility of adhering to and enforcing the policy. Employees who are found smoking outside of “smoking permitted” areas will be considered in violation of this policy and will be subject to discipline in the same manner and magnitude as violation of other City policies and work rules. Visitors or others who violate the City ordinance regarding non-smoking shall be advised by employees of this public policy and requested to extinguish smoking materials.



TO: Board of Aldermen
FROM: Kim Hubbard, City Clerk
DATE: May 27, 2015
SUBJECT: Hours of Work and Leave

Type of Item: *Policy*

City staff has been in the process of outsourcing the time card and payroll processing with Paylocity. Implementation is almost complete. I have included in your packets an addition to the personnel policy covering the time keeping process. This has been reviewed by the Finance/Personnel Committee and given a positive recommendation for approval.

I have made changes to the policy that were not reviewed by the Finance/Personnel Committee and are reflected in paragraph 6 and 7. The changes reflect that directors can set a policy for their departments with approval from the City Administrator and that discipline can be taken with employees who abuse the system.

Council Bill No. 042

Resolution No.

A RESOLUTION AMENDING SECTION V, ARTICLE B, TIME KEEPING AND ATTENDANCE, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES MANUAL, EFFECTIVE JULY 1, 2015.

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

Section 1. That Section V, Article B, Time Keeping and Attendance, of the Personnel Policies Manual is hereby amended to read:

B. Time Keeping and Attendance

Time Keeping

In compliance with Fair Labor Standards Act (FLSA), the City of Harrisonville requires all hourly employees keep an accurate account of their time worked. Supervisors, Directors and Superintendents are responsible for correcting time entry mistakes or errors and submitting time to HR no later than noon on Monday of a payroll week, (you will be notified of exceptions for holidays, emergencies, etc., via email, in advance).

Clocking in/out

- 1) All time worked must be accurately recorded.
- 2) Paylocity Webtime will be utilized in tracking time worked.
- 3) Deviations from regular schedules must be noted and tracked including tardiness, unscheduled absences, leave (vacation, sick, comp time, bereavement, etc.) and overtime. There are sections for employees and supervisors to include narratives for deviations from scheduled hours such as “employee was late 15 minutes”, “overtime authorized by supervisor”, etc.)
- 4) The City of Harrisonville will follow the “7 minute rule” in accordance with the FMLA. The “7 minute rule” refers to the method of rounding time to the nearest quarter hour.
 - a. Employees may not clock in more than 7 minutes **before** a scheduled shift (unless otherwise instructed to do so by the supervisor) and they may not clock out more than 7 minutes **after** the scheduled end of their shift.
 - b. “Clock ins”: Any punches more than 7 minutes after your scheduled start time will be rounded up to the quarter hour. For example, if an employee clocking between 7:38-7:52, they will be credited for 7:45. If an employee clocks in between 7:53-8:07, they will be credited for 8:00. Any time after 8:07 will be rounded up to 8:15 and the employee will be .25 hours late.
 - c. “Clock outs”: The time system calculates the clock out punch at the end of a shift according to the 7 minute rule. For example if an employee clocks out 4:38-4:52 the time recorded will give credit for 4:45. Clocking out at 4:53-5:07 will give credit for 5:00.

- d. The “7” minute rule” only applies to time keeping. If you are scheduled at 8:00 am and arrive at 8:02, your supervisor can count this as tardy.
- 5) You must start work, take your lunch and **RETURN** to work, and end your work day when you are instructed to do so by your supervisor. Any deviations from a normal workday must be approved in advance, by your supervisor and noted on time card.
- 6) An employee who is abusing the rounding of the clock habitually by clocking in/out to receive additional time on their check can be disciplined.
- 7) Individual departments may deviate from the “7-minute rule” by choosing a “5 or 3 minute rule”. The deviation request must be submitted to the City Administrator with justification of the benefit to the department and signed off by the HR Department. A 30-day notice will be given to the employees affected of the date the change will be implemented and examples of the rule. Each employee will be required to sign off that they were notified of the change.

Attendance

Supervisors will consider the operating requirements of the department, seniority of employees, and, insofar as possible, and the request of the employee when approving leave. Any employee who is unable to report for work on time and does not notify his/her supervisor by his/her designated starting time, is subject to Leave Without Pay, see paragraph O of this section, and may be subject to disciplinary action.

Supervisors may authorize time off. Each Supervisor shall keep daily employee attendance records, which shall be approved through the Paylocity Payroll System to the payroll department by noon on Mondays. If Monday is a holiday, Supervisors shall see that their records are approved and to payroll first thing the next regular work day. Leave request shall be submitted and approved in advance. It is the Supervisor’s responsibility to make sure their employees have the time available that has been requested.

Section 2. That the amendment for the Personnel Policies Manual supersedes all personnel policies, rules or regulations previously adopted or approved, for Section V, Article B, Time Keeping and Attendance, effective July 1, 2015.

Section 3. That if any provision of the amendment is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of the Personnel Policies Manual

READ and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 1st day of June, 2015

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 1st day of June 2015.

B. Time Keeping and Attendance

Time Keeping

In compliance with Fair Labor Standards Act (FLSA), the City of Harrisonville requires all hourly employees keep an accurate account of their time worked. Supervisors, Directors and Superintendents are responsible for correcting time entry mistakes or errors and submitting time to HR no later than noon on Monday of a payroll week, (you will be notified of exceptions for holidays, emergencies, etc., via email, in advance).

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Clocking in/out

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- 1) All time worked must be accurately recorded.
- 2) Paylocity Webtime will be utilized in tracking time worked.
- 3) Deviations from regular schedules must be noted and tracked including tardiness, unscheduled absences, leave (vacation, sick, comp time, bereavement, etc.) and overtime. There are sections for employees and supervisors to include narratives for deviations from scheduled hours such as "employee was late 15 minutes", "overtime authorized by supervisor", etc.)
- 4) The City of Harrisonville will follow the "7 minute rule" in accordance with the FMLA. The "7 minute rule" refers to the method of rounding time to the nearest quarter hour.
 - a. Employees may not clock in more than 7 minutes **before** a scheduled shift (unless otherwise instructed to do so by the supervisor) and they may not clock out more than 7 minutes **after** the scheduled end of their shift.
 - b. "Clock ins": Any punches more than 7 minutes after your scheduled start time will be rounded up to the quarter hour. For example, if an employee clocks in between 7:38-7:52, they will be credited for 7:45. If an employee clocks in between 7:53-8:07, they will be credited for 8:00. Any time after 8:07 will be rounded up to 8:15 and the employee will be .25 hours late.
 - c. "Clock outs": The time system calculates the clock out punch at the end of a shift according to the 7 minute rule. For example if an employee clocks out 4:38-4:52 the time recorded will give credit for 4:45. Clocking out at 4:53-5:07 will give credit for 5:00.
 - d. The "7" minute rule" only applies to time keeping. If you are scheduled at 8:00 am and arrive at 8:02, your supervisor can count this as tardy.
- 5) You must start work, take your lunch and **RETURN** to work, and end your work day when you are instructed to do so by your supervisor. Any deviations from a normal workday must be approved in advance, by your supervisor and noted on time card.
- 6) An employee who is abusing the rounding of the clock habitually by clocking in/out to receive additional time on their check can be disciplined.

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7) Individual departments may deviate from the “7 minute rule” by choosing a “5 or 3 minute rule”. The deviation request must be submitted to the City Administrator with justification of the benefit of the department and signed off by the HR Department. A 30 day notice will be given to the employees affected of the date the change will be implemented and examples of the rule. Each employee will be required to sign off that they were notified of the change.

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Attendance

Supervisors will consider the operating requirements of the department, seniority of employees, and, insofar as possible, and the request of the employee when approving leave. Any employee who is unable to report for work on time and does not notify his/her supervisor by his/her designated starting time, is subject to Leave Without Pay, see paragraph O of this section, and may be subject to disciplinary action.

Supervisors may authorize time off. Each Supervisor shall keep daily employee attendance records, which shall ~~be reported~~be approved through the Paylocity Payroll System to the payroll department by noon on Mondays. If Monday is a holiday, Supervisors shall ~~submit~~see that their records are approved and to payroll first thing~~the records to payroll~~ the next regular work day. ~~A Leave request shall be prepared-be submitted~~ and approved in advance, it is the Supervisors responsibility to make sure their employees have the time available that has been requested.-and forwarded to the payroll department by the Supervisors for the affected employee's absence including vacation, holiday, personal hours, compensatory time and other approved absences.-



STAFF REPORT

TO: Board of Aldermen
FROM: Kim Hubbard, City Clerk
DATE: May 27, 2015
SUBJECT: Annual Military Training Leave

Type of Item: *Policy*

The City's personnel manual, Section V J currently covers annual military training leave for employees up to 120 hours paid. The current policy states the following "Compensation for said leave of absence shall be calculated at the normal rate of pay, less pay compensation paid by the State or Federal Government for said paid of training", which is not accurate. I have spoken with City Attorney Heather Zerger regarding this and she referenced a 1959 Attorney General Opinion that states cities must provide an employee's regular pay, in addition to their national guard pay while they are on guard duty (military leave).

I have attached a redline copy of the policy.

This has been reviewed by the Finance/Personnel Committee and comes with a positive recommendation for approval.

Council Bill No. 043

Resolution No.

A RESOLUTION AMENDING SECTION V, ARTICLE J, ANNUAL MILITARY TRAINING LEAVE, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES MANUAL, EFFECTIVE IMMEDIATELY.

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

Section 1. That Section V, Article J, Annual Military Training Leave, of the Personnel Policies Manual is hereby amended to read:

J. Annual Military Training Leave

In addition to leaves of absence otherwise authorized in these regulations, regular employees who are required to take annual periods of training as members in organized units of the Reserve Corps of the Army, Navy, Air Force, Marine Corps, Coast Guard and National Guard or otherwise called to provide military services, may be granted a paid leave of absence upon proper application through his/her appointing authority to the City Administrator with pay for the duration of said period of annual training not to exceed 120 work hours for all employees. Requests for such leave must be accompanied by a copy of official orders requiring such training. Compensation for said leave of absence shall be calculated at the normal rate of pay, for said period of training (§105.270, R.S.Mo., and Opinion of the Attorney General, No. 1, Sheppard, 9-16-59). Such military training leave shall not be deducted from annual vacation leave.

Employees may use accrued vacation or comp time for military leave that exceeds the 120 hours, otherwise the leave will be unpaid.

Section 2. That the amendment for the Personnel Policies Manual supersedes all personnel policies, rules or regulations previously adopted or approved, for Section V, Article J, Annual Military Training Leave, effective immediately.

Section 3. That if any provision of the attached is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of the Personnel Policies Manual

READ and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 1st day of June, 2015

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 1st day of June 2015.

J. Annual Military Training Leave

In addition to leaves of absence otherwise authorized in these regulations, regular employees who are required to take annual periods of training as members in organized units of the Reserve Corps of the Army, Navy, Air Force, Marine Corps, Coast Guard and National Guard or otherwise called to provide military services, may be granted a paid leave of absence upon proper application through his/her appointing authority to the City Administrator with pay for the duration of said period of annual training not to exceed 120 work hours for all employees. Requests for such leave must be accompanied by a copy of official orders requiring such training. Compensation for said leave of absence shall be calculated at the normal rate of pay, ~~less any compensation paid by the State or Federal Government for~~ for said period of training (§105.270, R.S.Mo., and Opinion of the Attorney General, No. 1, Sheppard, 9-16-59). Such military training leave shall not be deducted from annual vacation leave.

Employees may use accrued vacation or comp time for military leave that exceeds the 120 hours otherwise the leave will be unpaid.



TO: Board of Aldermen
FROM: Kim Hubbard, City Clerk
DATE: May 27, 2015
SUBJECT: Safety-Sensitive Employees

Type of Item: *Policy*

City employees who perform safety-sensitive functions are subject to random testing which include the following:

- 1) Any employee required to obtain a Commercial Driver's License (CDL)
- 2) Public Safety Officers (Police, EMS and Fire)
- 3) Communications Officers
- 4) Water Treatment Plant Operators

Animal Control employees need to be included with this group as they deal with potentially dangerous animals that could pose a direct threat to the public and should be considered a safety-sensitive function. If approved this would go into effect for the Animal Control Department the 4th quarter of this year.

The City Attorney has been contacted and has provided guidance regarding this addition.

This comes with a positive recommendation from the Finance/Personnel Committee for approval.

Council Bill No. 044

Resolution No.

**A RESOLUTION AMENDING SECTION VI, ARTICLE C, SAFETY-SENSITIVE
EMPLOYEES, OF THE CITY OF HARRISONVILLE PERSONNEL POLICIES
MANUAL, EFFECTIVE OCTOBER 1, 2015.**

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

Section 1. That Section VI, Article C, Safety-Sensitive Employees, of the Personnel Policies Manual is hereby amended to read:

C. Safety-Sensitive Employees

Employees who perform safety-sensitive functions will be subject to random testing. The following is a list of City of Harrisonville's safety-sensitive functions:

1. Any employee required to obtain a Commercial Driver's License (CDL).
2. Public Safety Officers (Police, EMS, and Fire)
3. Communication Officers
4. Water Treatment Plant Operators
5. Animal Control Officers

Section 2. That the amendment for the Personnel Policies Manual supersedes all personnel policies, rules or regulations previously adopted or approved, for Section VI, Article C, Safety-Sensitive Employees, effective October 1, 2015.

Section 3. That if any provision of the amendment is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of the Personnel Policies Manual.

READ and DULY PASSED by the Board of Aldermen and APPROVED by the Mayor of the City of Harrisonville, Missouri, this 1st day of June, 2015

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Kim Hubbard, City Clerk

WITNESS my hand and seal this 1st day of June 2015.

C. Safety-Sensitive Employees

Employees who perform safety-sensitive functions will be subject to random testing. The following is a list of City of Harrisonville's safety-sensitive functions:

1. Any employee required to obtain a Commercial Driver's License (CDL)
2. Public Safety Officers (Police, EMS, and Fire)
3. Communication Officers
4. Water Treatment Plant Operators

5. Animal Control Officers