



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
JULY 15, 2019
7:00 PM**

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Work Session - Jul 1, 2019 5:30 PM**
 - B. Board of Aldermen - Regular Meeting - Jul 1, 2019 7:00 PM**
- 5. Agenda Items**
 - A. Park Board Appointment**
 - B. Council Bill 45: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AN AGREEMENT WITH GOLDEN VALLEY TRACTOR FOR THE PURCHASE OF RADIAL ARM MOWER FOR THE HARRISONVILLE PARKS AND RECREATION DEPARTMENT, AND ESTABLISHING AN EFFECTIVE DATE THEREOF.**
 - C. Council Bill 46: AN ORDINANCE TO REPEAL ORDINANCE 3411 AND TO ENACT IN LIEU THEREOF A NEW ORDINANCE REGARDING AN ESTABLISHED PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS AND TO AMEND THE TIME IN WHICH CANDIDATES FOR OFFICE ARE REQUIRED TO FILE DISCLOSURE STATEMENTS WITH THE CITY CLERK.**
 - D. Council Bill 47: AN ORDINANCE AUTHORIZING A VARIANCE FOR THE DEVELOPER OF THE HARRISONVILLE VILLAS A VARIANCE OF THE APPROVED SUBDIVISION PLAT BY NOT REQUIRING TIMBER DRIVE TO EXTEND TO THE WEST PROPERTY LINE**

6. Aldermen and Committee Reports
7. Report from the City Administrator
 - A. City Admin Report 7-15-19
 - B. Monthly Municipal Court Report
8. Questions from the Media
9. Adjourn From Regular Session

Posted on City Hall Bulletin Board this 11th day of July, 2019

Randall K. Jones, City Clerk

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



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
JULY 1, 2019
5:30 PM

1. Present

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

Others present were: City Administrator Happy Welch, HES Chief Eric Myler, Public Works Director Eric Patterson, Parks & Recreation Director Chris Deal, Finance Director Marcella McCoy and City Clerk Randall Jones, Recording.

2. Discussion Items

A. Public Gathering Space-Love the Square

Lindsay Keller, 407 S. Stella, addressed the Mayor and Board of Aldermen on behalf of the Love the Square Design Committee. The group is wanting to make a gathering space in part of the parking spaces in the lot owned by the City at Pearl and Lexington Streets. Some questions that were asked were: Alderman Milner asked about upkeep/maintenance/liability and if it would be a permanent park. Lindsay replied that some maintenance would be volunteers as well as some upkeep from the City. She said that the park would not be permanent if the City should have someone who would like to purchase and develop that space. Alderman Dickerson asked about barriers and stairs leading up to Pearl Street. Alderman Doerhoff asked about funding and Lindsay replied that the utilities would need to be provided for by the City. Mayor Bowman said that she is in favor of the gathering space with the City retaining ownership. She asked the Board for a consensus. Alderman Davidson asked about the turf/grass area. Alderman Dickerson asked if Lindsay would be coming back to the Board with a plan of action. Alderman Turner suggested possibly using under the stairs as a storage area. Robert

Wiseman addressed the Board summarizing that the area would be used as a plaza until the lot would be developed/sold. Mayor Bowman stated that the Board of Aldermen agrees to allow the committee to use the space and that the City would handle the utilities.

B. 2904 Twin Pines Surface Water Problem

City Administrator Happy Welch gave staff report concerning 2904 Twin Pines. The homeowner was not available to attend meeting. The homeowner is having structure problems due to the run off flowing onto his property. Alderman Davidson asked if this was the City's responsibility. Public works Director Eric Patterson stated it was a different issue at the fire hydrant. Alderman Doerhoff inquired about homeowner's insurance. Alderman Miller asked if it would be possible to put a drain tile by the hydrant. Mr. Welch said that Mr. Wilson would attend an August work session.

C. No Parking Bird Ave.

City Administrator Happy Welch presented information regarding no parking on Bird Street. Alderman Milner stated she was for it. Alderman Davidson brought up possibly doing it at limited times. Alderman Dickerson thought parking on one side of the street should be allowed. Alderman Turner said no parking Monday through Friday during school hours. Mayor Bowman stated she had heard comments about residents parking on sidewalks along Bird as well as in the street when they have drive space available. Mayor Bowman asked if the City should look at possibly limiting parking on other streets as well. She would like to invite the residents along Bird to discuss safety concerns as well as having Chief Hofer in attendance and a representative from the school district and the Harrisonville Cares group. A letter will be sent to residents along Bird when a date is determined.

D. Burning Regs - Additional Review

City Administrator Happy Welch presented staff report. The city attorney had added a section addressing developers and regulations concerning items that could be burned. It was agreed that developers could burn vegetative waste all year providing they use of an air curtain.

E. Budget Schedule & Questionnaire

At 6:30 p.m., the Board took a 15 minute break and reconvened at 6:45 p.m. City Administrator Happy Welch presented a tentative schedule and budget questionnaire. He explained the budget process for the new aldermen. Finance Director Marcella McCoy explained the adoption process of the annual budget.

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

ATTEST:

Randall K. Jones, City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
JULY 1, 2019
7:00 PM

1. Call to Order

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

A. Pledge of Allegiance

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

Others present: City Attorney Christine Roto, City Administrator Happy Welch, Public Works Director Eric Patterson, Parks & Recreation Director Chris Deal, Finance Director Marcella McCoy, City Planner Roger Kroh, Public Information Officer/Deputy City Clerk Daniel Barnett and City Clerk Randall Jones, Recording.

2. Ceremonial Matters

None.

3. Public Participation

None.

4. Approval of Minutes

A. Board of Aldermen - Work Session - May 30, 2019 5:00 PM

Publish

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

B. Board of Aldermen - Work Session - Jun 12, 2019 5:00 PM

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

C. Board of Aldermen - Regular Meeting - Jun 17, 2019 7:00 PM

Motion was made by Alderman Milner to accept minutes with amendment to item E. changing Alderman Doerhoff from recused to aye and changing count to 8 ayes. Second by Alderman Dickerson. Motion carried.

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

D. Executive Session June 17, 2019

A motion was made by Alderman Dickerson with a second by Alderman Doerhoff to approve Executive Session minutes from June 17, 2019. Motion carried.

5. Agenda Items

A. A RESOLUTION OF THE BOARD OF ALDERMEN ADOPTING SHORT TERM GOALS OF THE CITY OF HARRISONVILLE, MISSOURI

Mayor Bowman reminded the board that these are the goals we established when we met in our retreat. Alderman Dickerson stated he could not support increased codes enforcement and also increased staffing. He stated he does not want to hire an Economic Development Director. He would like to see a cost benefit analysis for that position. Upon passage, Mayor Bowman designated it to be Resolution 2019-029.

RESULT: ADOPTED [4 TO 3]
MOVER: Marcia Milner, Board Member
SECONDER: Dave Doerhoff, Board Member
AYES: Dave Doerhoff, Marcia Milner, Gary Davidson, Matt Turner
NAYS: Brad Bockelman, Clint Miller, David Dickerson
ABSENT: Judy Reece

B. A RESOLUTION OF THE BOARD OF ALDERMEN AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH BURNS AND MCDONNELL FOR A WATER & SEWER RATE STUDY AT A COST OF \$31,350.

Staff report presented by Public Works Director Eric Patterson. Upon passage, Mayor Bowman designated it to be Resolution 2019-030.

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

C. A RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI TERMINATING THE ADMINISTRATIVE SUSPENSION AND DELAY OF PROCESSING DEVELOPMENT AND OTHER APPLICATIONS RELATED TO MEDICAL MARIJUANA WHICH WAS APPROVED BY RESOLUTION 2019-008 ON MARCH 4, 2019 AND ESTABLISHING AN EFFECTIVE DATE

Staff report presented by City Planner Roger Kroh. Upon passage, Mayor Bowman designated it to be Resolution 2019-031.

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

6. Aldermen and Committee Reports

Alderman Doerhoff attended the Moving Wall over the weekend. He along with Alderman Reece will be hosting a Town Hall meeting on July 20th at the Harrisonville United Methodist Church with the Shepherd's Staff Pantry as the program.

Alderman Milner stated it was good to see the community working together for the Moving Wall.

Alderman Miller gave update on Webster Street traffic.

Alderman Dickerson along with Alderman Davidson and Alderman Turner also thanked all those who helped with the Moving Wall over the weekend.

7. Report from the City Administrator

City Administrator Happy Welch said they have compiled an impressive list of all the volunteers who assisted with the Moving Wall. He stated that the new city website would go live on July 11th.

8. Questions from the Media

None.

Mayor Bowman commented on the Moving Wall. She said it was a very moving experience. She gave a special thank you to John Foster who was in attendance, for his work for the Wall. Mayor Bowman also recognized Steve Tiedman, Ed Roberts and many others for their efforts.

9. Adjourn From Regular Session

Motion was made by Alderman Dickerson with a second by Alderman Doerhoff to adjourn. Motion carried. Meeting adjourned at 7:19 p.m.

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

ATTEST:

Randall K. Jones, City Clerk



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: June 24, 2019
SUBJECT: Park Board Appointment

Type of Item: *Appointment*

Mayor Bowman would like to appoint Bret Reece to the Park Board to fill the vacancy left by Don Allen.

A. Appointment (ID # 3257)

Park Board Appointment

Attachments:

Reece for Park Board (PDF)



City of Harrisonville
Board, Commission and Committee Appointment
Application Form

Name: <i>Bret Reece</i>	Date: <i>6-10-19</i>
Home Address: <i>606 W. Mechanic St. Harrisonville, MO 64701</i>	
E-Mail Address: <i>bretreece@gmail.com</i>	
Home Telephone: <i>816-590-3038</i>	Work Telephone: <i>same</i>
Occupation: <i>Web/Database Developer</i>	Best Time to Call: <i>Any</i> am/pm
Do you own commercial property and/or operate a business in Harrisonville? <i>No</i>	
Work/Business Name: <i>Quantum Edge Technology</i>	
Work/Business Address: <i>Memphis, TN</i>	
Length of Residency in Harrisonville: <i>51 years</i>	
Are you now, or have you ever served on a board, commission or committee for the City of Harrisonville or any other community? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please give name of board, commission, and/or committee and dates served: <i>Harrisonville Board of Aldermen - Jan '09 to Apr '15.</i> <i>BOA Liaison to the Park Board</i> <i>Chairman of the Public Safety Committee</i>	

BOARD, COMMISSION OR COMMITTEE PREFERENCE(S): Refer to last page for list of Boards, Commissions and Committees (Please list no more than three boards, commissions or committees in order of preference)

1 <i>Park Board</i>	2	3
---------------------	---	---

Are you registered to Vote? Yes No

(Application continued on back page)

Attachment: Reece for Park Board (Park Board Appointment)

Narrative Statement. Please provide a brief statement indicating the basis for your desire to be appointed to this board or commission including the strengths you feel you could bring to the position for which you are applying. Information may include education, professional experience and community activities pertinent to the position for which you are applying.

Harrisonville has an excellent parks system, and as a parent and life long resident, I have a vested interest in our parks, community center, little leagues, etc.

Much of the credit for the quality of our parks should go to the citizens who volunteer their time and effort serving on the Park Board. When serving on the Board of Aldermen from 2009 to 2015, I served as the BOA Liaison to the Park Board and in that time, I became very familiar and even more interested in serving with this dedicated group of people. I bring no agenda with me other than to do my best to continue the excellent work/service of those who have gotten us to where we are today.

I understand that my attendance at all regularly scheduled meetings is critical even if I am an alternate member and that the Board of Aldermen may appoint a replacement for members who are chronically absent from regular meetings. I also understand that this application is considered a public record.

Applicant's Signature: 

All applications are kept on file for one year. During that time, your application will be considered when there is an opening for the Board, Commission or Committee for which you have applied.

- Please notify the City Clerk's Office at 816-380-8918 if you move or no longer wish to be considered for appointment.
- Please feel free to attach a resume and/or copies of any certificates pertinent to the appointment you are seeking.
- Mail or deliver your completed application to: City of Harrisonville, City Clerk's Office, 300 E Pearl, Harrisonville, MO 64701

* Application must be completely filled out in order to be considered *
THANK YOU FOR YOUR INTEREST IN THE CITY OF HARRISONVILLE



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 11, 2019
SUBJECT: Park Radial Arm Mower

Type of Item: *Approval*

MEMO

TO: Board of Alderman
CC: Happy Welch, City Administrator
 Park Board
FROM: Chris Deal, Parks & Recreation Director
DATE: July 10, 2019
RE: Radial Arm Mower - Equipment Purchase

As approved in the 2019 equipment budget for Parks, a bid was sent out for the purchase of a Radial Arm Mower to replace the old one that is no longer in use. The Radial Arm mower is used to mow areas along within the parks and roadways which cannot be reached by other mowers. This includes areas along the lakes and dams in City Park. The Radial Arm Mower will attach to our 7040 Kabota Tractor.

Three bids were received with specifications listed below:

- | | | |
|--|-----------------|-------------|
| • Golden Valley Tractor, Harrisonville, MO | Brush Hog Mower | \$15,706.00 |
| • John Deere Lawn & Leisure, Lees Summit, MO | Alamo Mower | \$24,924.35 |
| • John Deere Lawn & Leisure, Lees Summit, MO | Diamond Mower | \$24,987.00 |

Staff recommends the low bid from Golden Valley Tractor as the best bid for this equipment. The Brush Hog Mower works well on the Kabota Tractor and Golden Valley is local for

necessary maintenance. Staff also requests the manufacture recommended purchase of the "Lift Float Kit" for the Brush Hog Mower, which costs \$585.00.

Therefore, staff recommends, and the Park Board approves of the purchase of the Radial Arm Mower and Lift Float Kit from Golden Valley Tractor, for a total of \$16,291.00. The budget for this equipment is \$20,000.00.

Council Bill No.

Resolution No.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AN AGREEMENT WITH GOLDEN VALLEY TRACTOR FOR THE PURCHASE OF RADIAL ARM MOWER FOR THE HARRISONVILLE PARKS AND RECREATION DEPARTMENT, AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Harrisonville (“City”) budgeted \$20,000 for the purchase of a radial arm mower for the parks department;

WHEREAS, a public notice was published and bids were accepted and opened;

WHEREAS, three bids were submitted with the lowest bid submitted by Golden Valley Tractor, Harrisonville, Missouri;

WHEREAS, staff reviewed the bids and believe the Golden Valley Tractor bid is the lowest and best bid;

WHEREAS, staff recommends the Board approve the low bid of \$15,706.00 for one radial arm mower;

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

Section 1: That the City Administrator is hereby authorized and directed by the Board of Aldermen on behalf of the City of Harrisonville, Missouri, to enter into a purchase agreement with Golden Valley Tractor in Harrisonville, Missouri to purchase a radial arm mower for the Harrisonville Parks Department at a cost of \$15,706.00.

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

PASSED AND RESOLVED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Harrisonville, Missouri this 15^h day of July 2019.

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

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this 15th day of July 2019



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: June 26, 2019
SUBJECT: Conflict of Interest Ordinance

Type of Item: *Approval*

The Missouri Ethics Commission requires that the city re-adopt the conflict of interest ordinance every two years.

Council Bill No.

Ordinance No.

AN ORDINANCE TO REPEAL ORDINANCE 3411 AND TO ENACT IN LIEU THEREOF A NEW ORDINANCE REGARDING AN ESTABLISHED PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS AND TO AMEND THE TIME IN WHICH CANDIDATES FOR OFFICE ARE REQUIRED TO FILE DISCLOSURE STATEMENTS WITH THE CITY CLERK.

Council Bill #2019

Ordinance #

An Ordinance to Repeal Ordinance 3411 and to enact in Lieu Thereof a New Ordinance Regarding an Established Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Officials and to amend the Time in Which Candidates for Office are Required to file Disclosure Statements with the City Clerk.

WHEREAS, the City of Harrisonville believes that the proper operation of government requires that the public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government; and

WHEREAS, the City of Harrisonville believes a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the city should be established to meet those goals;

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

Section 1: That Ordinance 3172, approved by the Board of Aldermen August 1, 2011, regarding an established procedure to disclose potential conflicts of interest and substantial interests for certain officials be and hereby is repealed and the following enacted in lieu thereof to amend the time in which candidates for office are required to file disclosure statements with the City Clerk.

1. Conflicts of Interest.
 - a. All elected and appointed officials of the City must comply with the applicable provisions of §§105.450-105.496 of the Revised Statutes of Missouri on conflicts of interest and financial disclosure, as well as any other state law governing official conduct, subject to the provisions of this ordinance.

- b. The Mayor, any member of the Board of Aldermen, and any member of a Board or Commission who has a "substantial or private interest" in any measure, bill, order or ordinance proposed or pending before such body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly, of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.
2. Disclosure Reports. The Mayor, each Alderman, the City Administrator, and Finance Director shall disclose the following information by May 1 if any such transactions occurred during the previous calendar year:
 - a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the City, other compensation received as an employee or payment of any tax, fee or penalty due to the City, and other transfers for no consideration to the City.
 - b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
 - c. The Mayor, each Alderman, City Administrator, and Finance Director also shall disclose by May 1 for the previous calendar year the following information:
 - (1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
 - (2) The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any

class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

- (3) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

3. Filing of Reports.

- a. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:
- 1) Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the preceding calendar year ending December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.
 - 2) Each person appointed to office shall file the statement within thirty days of such appointment or employment
- b. Financial disclosure reports giving the financial information required in Section 3 shall be filed with the City Clerk and with the Secretary of State prior to January 1, of each year. After January 1, reports shall be filed with the City Clerk and the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.
- c. The financial disclosure reports required of the Mayor and Aldermen shall be required of any candidate for such office no later than 14 days after the close of filing. Reports filed by candidates for office shall be filed with the Missouri Ethics Commission and the City Clerk, and shall be available for public inspection and copying during normal business hours.

Section 2: Filing of Ordinance. A certified copy of this Ordinance adopted on this date shall be sent within ten days of its adoption to the Secretary of State's office.

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

Vote taken as follows:

Ayes:

Nays:

Absent:

Abstain:

Read two times by title only on July 15, 2019, and passed by the Board of Aldermen of the City of Harrisonville, Missouri, and approved by the Mayor this 15th day of July 2019

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

ATTEST:

Randall K. Jones, City Clerk

APPROVED by the Mayor this 15th day of July 2019



TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: July 11, 2019
SUBJECT: Timber Drive Extension Variance

Type of Item: *Approval*

Issue:

An ordinance passed in October 2017 allowing Timber Dr. to not be extended to the west property line of the Harrisonville Villas Development.

Background:

The Board voted 4-3 to allow a variance for the developer to waive the requirement that Timber Dr., an accepted City right of way, not be extended to the west property line adjacent to the Welborn Property. A vacant seat existed in Ward 4 and the previous attorney wrote an opinion that the Board could adopt an ordinance with a 4-3 vote. Our current attorney disputes that claim (see AG Opinion attachment) that to adopt an ordinance it takes at least 5 members voting for the ordinance and has requested we bring this before the Board for a vote to approve or reject the variance.

Recommendation:

Planning and Zoning in 2017 recommended approval of the variance.

Council Bill No.

Ordinance No.

**AN ORDINANCE AUTHORIZING A VARIANCE FOR THE DEVELOPER OF
THE HARRISONVILLE VILLAS A VARIANCE OF THE APPROVED
SUBDIVISION PLAT BY NOT REQUIRING TIMBER DRIVE TO EXTEND TO
THE WEST PROPERTY LINE**

WHEREAS, Harrisonville Villas is a Missouri Housing Development Commission (“MHDC”) supplemented senior housing development with 48 residences on the north end of the City of Harrisonville, Missouri;

WHEREAS, the City approved the development plat improvement on July 5, 2016;

WHEREAS, Harrisonville Villas, LP (the “Developer”) encountered some delays and extra expenses while building the affordable housing development:

WHEREAS, the Developer presented its request for a variance to the Planning and Zoning Commission to amend the requirement under the development plat and Development Agreement to extend Timber Dr. from the intersection of the private drive to the west property line of Harrisonville Villas and the adjacent sidewalk (the “Extension”), as required in City Code Sections 410.350 and 410.520, on August 17, 2017 (the “Sections”);

WHEREAS, the Planning and Zoning Commission heard from the Developer on the extra expenses and delays, discussed in detail why the Extension will create an unwarranted economic hardship in completing the development, heard from the developer the budget constraints they are facing, discussed the Extension is not necessary or desirable for the advantageous development of the adjacent tracts, such that the Developer could be relieved of the requirement for the Extension with the variance, and voted to approve the requested variance and forward it to the Board of Aldermen;

WHEREAS, the Board of Aldermen find that the review, decision, and recommendation of the Planning and Zoning Commission for the approval of the variance should be sustained;

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

Section 1: That the Board sustains the recommendation of the Planning and Zoning Commission for a variance relieving the Developer of the requirement under the Sections to construct the Extension.

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

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**READ FOR THE FIRST TIME BY TITLE ONLY ON THE 15TH DAY OF JULY 2019
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 15TH DAY OF
JULY 2019 AND PASSED BY THE BOARD OF ALDERMEN THIS 15TH DAY OF
JULY 2019.**

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

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand this 15th day of July 2019



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
OCTOBER 16, 2017
7:00 PM

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

Attendee Name	Organization	Title	Status	Arrived
Judy Bowman	Harrisonville	Board Member	Present	
Clint Long	Harrisonville	Board Member	Present	
David Dickerson	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Brad Bockelman	Harrisonville	Board Member	Present	
Brian Hasek	Harrisonville	Mayor	Present	

Others present were: City Administrator Happy Welch, City Attorney John Fairfield, Finance Director Marcella McCoy, Police Chief John Hofer, Street Superintendent Rodney Jacobs, Community Development Director Jim Clarke and City Clerk Randall Jones, Recording.

3. **Ceremonial Matters**

A. Proclamation: Harrisonville Cass County BusinessWomen Week

Mayor Hasek presented proclamation to the Harrisonville and Cass County Business Women, declaring the week of October 16-21, 2017 as Missouri Business Women's Week. Present were Ruth Christain, Betty Beason, Shirley Howell, Kim York, Mary Parker and Judy Bowman.

4. **Public Participation**

John Foster, 2619 Duncan Circle, addressed Mayor and Board in regard to Council Bill #65 - Harrisonville Villas variance request. His concerns were the placement of utility lines, sidewalks

and occupancy. He was concerned with the variance to waive the street completion. Alderman Bowman asked if he had seen any street signs or street lights.

Obie Carl, 27917 S. Bybee, reported to the Mayor and Board that the Burnt District Festival went well and expressed his gratitude to city staff for their involvement.

Virgil Butler, 606 N. King, addressed Mayor and Board over Alderman Bowman's statement from last meeting. He asked Alderman Bowman for the question she had for the Mayor and Alderman Bowman reminded him that he is only to address the Board as a whole. He stated that he was the one who had asked Alderman Bockelman to go look at the Harrisonville Villas.

Andrea Girard, 2102 N. Truman, Archie, addressed the Mayor and Board over concern with Harrisonville Villas and the completion of a road that involves private property. She also had concerns over the Chapter 430 revisions and Alderman Bowman's request for listing of owners of all corporations involved. Girard asked for an explanation of the 353 financing. She stated that if anyone could not back up an accusation then they should not bring it forward.

5. Approval of Minutes

A. Board of Aldermen - Regular Meeting - Oct 2, 2017 7:00 PM

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	David Dickerson, Board Member
SECONDER:	Clint Long, Board Member
AYES:	Bowman, Long, Dickerson, Turner, Milner, Reece, Bockelman

B. Board of Aldermen - Budget Meeting - Oct 9, 2017 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David Dickerson, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Bowman, Long, Dickerson, Turner, Milner, Reece, Bockelman

C. Minutes of Executive Session, Oct. 2, 2017

Motion by Alderman Dickerson and second by Alderman Turner to approve minutes as presented. Motion carried with a voice vote.

6. Agenda Items

A. Appointment to Historic Preservation Commission

Motion to appoint Robert Wiseman to Historic Preservation Commission. Motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Dickerson, Board Member
SECONDER:	Clint Long, Board Member
AYES:	Bowman, Long, Dickerson, Turner, Milner, Reece, Bockelman

Attachment: Minutes from 10-16-17 (Timber Drive Extension Variance)

B. Special Event Permit: Twin Oaks Block Party 2017

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Dickerson, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Bowman, Long, Dickerson, Turner, Milner, Reece, Bockelman

C. Special Event Permit: Veterans Day Recognition 2017

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marcia Milner, Board Member
SECONDER:	David Dickerson, Board Member
AYES:	Bowman, Long, Dickerson, Turner, Milner, Reece, Bockelman

D. An Ordinance Authorizing a Variance for the Developer of the Harrisonville Villas a Variance of the Approved Subdivision Plat By not Requiring Timber Drive to Extend to the West Property Line

Second reading. Following second reading, Mayor Hasek designated Council Bill #65 as Ordinance #3417 after passage.

Prior to vote was discussion:

Developer Debbie Hart addressed the Board along with Greg Lee, General Contractor for Harrisonville Villas. They explained the development and why a request for a variance for Timber Drive came about. Mr. Lee addressed some concerns that were voiced earlier in the meeting and gave an update on where they were in finishing the project.

Alderman Dickerson addressed the question from Mr. Lee in regard to 3-phase electricity and why it was required by former electric director.

Alderman Milner asked if roads and sidewalks were in original plans, explanation of street light needs and explanation of delays from City.

Mayor Hasek stated the pipe that was delivered to be installed was wrong size.

Alderman Milner stated there had been issues with former city inspector and that the City had paid for having a new inspector for project.

Mayor Hasek asked if they had spoken with adjoining property owners - the Welborns. Debbie Hart stated that she had and Mr. Welborn was okay with shortened road but voiced more concern over the tie-in at the west end of the property with 291.

Alderman Dickerson asked if there would be any violation if this variance was approved.

Alderman Bowman asked about street not being complete - Mr. Lee said a top coat should be completed next week.

Alderman Bowman asked about some of the first residents moving in with non-working smoke alarms.

Alderman Bowman stated the city inspector allegations were unfounded but City hired another inspector. Mr. Lee said the complaints were about inconsistencies. Mayor Hasek said former staff was not following procedures.

Alderman Bowman asked Hart about tax credit amounts received and asked about her monetary investment in said project.

Alderman Bowman asked city attorney about Board majority needed to pass an ordinance because of vacated Alderman seat in Ward 4 and requested his written legal opinion on matter.

RESULT:	ADOPTED [4 TO 3]
AYES:	Clint Long, David Dickerson, Matt Turner, Brad Bockelman
NAYS:	Judy Bowman, Marcia Milner, Judy Reece

E. An Ordinance of the Board of Aldermen of Harrisonville, Missouri Repealing Chapter 430 of the City Code and Enacting in lieu thereof an Amended Chapter 430 Urban Redevelopment Regulations of the City of Harrisonville, Missouri and Establishing an Effective Date.

Second reading. Following second reading, Mayor Hasek designated Council Bill #67 as Ordinance #3418 after passage.

Mayor Hasek read minutes from previous Community Development Committee meetings.

Alderman Bowman did not see where item 2 - review process, was discussed at committee meeting. Bowman again requested written legal opinion from City Attorney.

RESULT:	ADOPTED [4 TO 3]
AYES:	Clint Long, David Dickerson, Matt Turner, Brad Bockelman
NAYS:	Judy Bowman, Marcia Milner, Judy Reece

F. A Resolution of the Board of Aldermen of Harrisonville, Missouri Authorizing the City Administrator to enter into a 5-year service contract with Praxair Distribution, Inc. for the bulk supply of Liquid Oxygen at the Harrisonville Water Treatment Plant

Designated by Mayor Hasek as Resolution #39 upon passage.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marcia Milner, Board Member
SECONDER:	Clint Long, Board Member
AYES:	Bowman, Long, Dickerson, Turner, Milner, Reece, Bockelman

7. Aldermen and Committee Reports

Alderman Bowman asked City Administrator for update on new trash service contract. He stated that he was working on it with Mr. Moore and city attorney.

8. Report from the City Administrator

A. City Admin Rpt 10-16-17

9. Report from the Mayor

Reminder about Parks & Rec Haunted Hayrides on October 28th.

Mayor Hasek reminded Aldermen that any concerns should be brought to the Mayor and/or City Staff prior to meetings.

Mayor Hasek stated that the Mayor has the right to form committees. Those that had voted against having committees were not placed on a reformed committee and some have voiced concern over committees not sharing of information.

10. Adjourn From Regular Session

Motion by Alderman Dickerson and second by Alderman Long to adjourn. Motion carried and meeting adjourned at 8:55 p.m.

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

ATTEST:

Randall K. Jones, City Clerk

Attachment: Minutes from 10-16-17 (Timber Drive Extension Variance)



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

JOSHUA D. HAWLEY
ATTORNEY GENERAL

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

July 19, 2018

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

Dear Representative Anders:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Representative Ira Anders
Page 6

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

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

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

Sincerely,



Linda Lemke
Assistant Attorney General

Attachment: AG Memo 5 Votes to Pass (Timber Drive Extension Variance)

OP-2018-0077



TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: July 9, 2019
SUBJECT: City Admin Rpt 7-15-19

Type of Item: *Report*

CITY ADMINISTRATOR REPORT

July 15, 2019

1. The new website goes live Thursday, July 11, 1:00 p.m. at our regular website address. I hope you take a look at it and agree how the new design is much easier to navigate on a desktop and on a mobile device. It is also compliant with the ADA requirements for the visually challenged. The buttons direct people to the areas most often visited according to data from the old website. There are some modules that we will be utilizing that we haven't in the past, such as a fillable form. The color palette is a representation of the bricks with the dropdown menus reflecting the school colors.
2. I will be out of the office Monday at a Brownfield Conference in Lake of Ozarks but back that night for the Board meeting. And I will be at the Missouri Main Street Revitalization Conference Tuesday afternoon through Friday, July 23-26 in St. Louis.
3. The 2nd Annual Love the Harrisonville Square Tractor Show is Saturday, July 27 starting at 9a, in conjunction with the Farmer's Market on the Square. Come on down and see some antique tractors and shop for your favorite food and crafts.

A. Action Item (ID # 3272)

City Admin Rpt 7-15-19



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: July 11, 2019
SUBJECT: Monthly Municipal Court Report

Type of Item: *Report*

- B. Action Item (ID # 3274)**
Monthly Municipal Court Report

Attachments:

municipal court report(PDF)

IN THE MUNICIPAL COURT OF HARRISONVILLE, MISSOURI
CASS COUNTY

I certify that the attached is a report on all cases heard or tried before the Judge of the Circuit Court of Cass County Missouri, Municipal Division at Harrisonville during the month of June 2019 and that the information and statements contained in said report are true and correct according to my best information, knowledge and belief.

Kevin K. Anderson
Kevin K. Anderson
Municipal Court Judge

7/10/19
Date

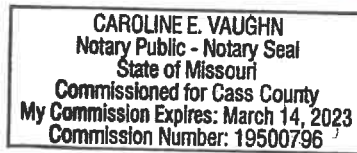
Presented and reviewed as required by Court Operating Rule 4.29.

Randy H. Jones
City Clerk

7-11-19
Date

Subscribed and sworn to before me this 11th day of July, 2019.

Caroline E. Vaughn
Notary



Attachment: municipal court report (Monthly Municipal Court Report)

IN THE MUNICIPAL COURT OF HARRISONVILLE, MISSOURI
CASS COUNTY

I certify that the attached is a report on all cases heard or tried before the Judge of the Circuit Court of Cass County Missouri, Municipal Division at Harrisonville during the month of June 2019 and that the information and statements contained in said report are true and correct according to my best information, knowledge and belief.

Kevin K. Anderson

Kevin K. Anderson
Municipal Court Judge

7/10/19

Date

Presented and reviewed as required by Court Operating Rule 4.29.

Randy H. Jones

City Clerk

7-11-19

Date

Subscribed and sworn to before me this *11th* day of *July*, 2019.

Caroline E. Vaughn
Notary

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

Attachment: municipal court report (Monthly Municipal Court Report)

Municipal Division Summary Reporting

17th Judicial Circuit - Cass County - Harrisonville Municipal Division

I. COURT INFORMATION

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

II. MONTHLY CASELOAD INFORMATION	Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations / informations) pending at start of month	52	631	849
B. Cases (citations / informations) filed	2	41	39
C. Cases (citations / informations) disposed			
1. jury trial (Springfield, Jefferson County, and St. Louis County only)	0	0	0
2. court / bench trial - GUILTY	0	1	0
3. court / bench trial - NOT GUILTY	0	0	0
4. plea of GUILTY in court	3	50	36
5. violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)	0	28	0
6. dismissed by court	0	7	6
7. nolle prosequi	2	5	13
8. certified for jury trial (not heard in the Municipal Division)	0	0	0
9. TOTAL CASE DISPOSITIONS	5	91	55
D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) - C9]	49	581	833
E. Trial de Novo and / or appeal applications filed	0	0	0

Attachment: municipal court report (Monthly Municipal Court Report)

III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS	
1. # Issued during reporting period:	132	Does court staff process parking tickets? Yes	
2. # Served/withdrawn during reporting period:	89	1. # Issued during reporting period:	0
3. # Outstanding at end of reporting period:	950		

V. DISBURSEMENTS

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

Fines – Excess Revenue	\$8,637.50
Clerk Fee – Excess Revenue	\$727.47
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Excess Revenue	\$22.42
Bond forfeitures (paid to city) – Excess Revenue	\$0.00
Total Excess Revenue	\$9,387.39

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

Fines – Other	\$7,438.00
Clerk Fee – Other	\$509.21
Judicial Education Fund (JEF) Court does not retain funds for JEF: Yes	
Peace Officer Standards and Training (POST) Commission surcharge	\$103.04
Crime Victims Compensation (CVC) Fund surcharge – Paid to State	\$734.79
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Other	\$15.71
Law Enforcement Training (LET) Fund surcharge	\$206.11
Domestic Violence Shelter surcharge	\$206.11
Inmate Prisoner Detainee Security Fund surcharge	\$206.14
Sheriffs' Retirement Fund (SRF) surcharge	\$310.45
Restitution	\$0.00
Parking ticket revenue (including penalties)	\$0.00
Bond forfeitures (paid to city) – Other	\$80.00
Total Other Revenue	\$9,809.56

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

DWI RECOUPMENT FEE - Subject to excess revenue limitation	\$125.00
DWI RECOUPMENT FEE	\$369.55
Total Other Disbursements	\$494.55
Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$19,691.50
Bond Refunds	\$590.50
Total Disbursements	\$20,282.00

Attachment: municipal court report (Monthly Municipal Court Report)