

TENTATIVE AGENDA
RAYTOWN BOARD OF ALDERMEN
MARCH 17, 2020
REGULAR SESSION NO. 23
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.

OPENING SESSION

Invocation/Pledge of Allegiance
Roll Call

Public Comments
Communication from the Mayor
Communication from the City Administrator
Committee Reports

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular March 3, 2020 Board of Aldermen meeting minutes.

OLD BUSINESS

2. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 7609 Raytown Road.
- 2a. **SECOND READING: Bill No. 6546-20, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE RECON CENTER LLC, AN AUTOMOTIVE REPAIR BUSINESS, TO OPERATE AN ACCESSORY VEHICLE SALES USE AT 7609 RAYTOWN ROAD IN A HIGHWAY COMMERCIAL (HC) DISTRICT IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI.** Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

CLOSED SESSION

Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:

- 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys;

NEW BUSINESS

3. **R-3281-20. A RESOLUTION AUTHORIZING AND APPROVING THE REPEAL AND REPLACEMENT OF THE CURRENT PURCHASING POLICY FOR THE CITY OF RAYTOWN.** Point of Contact: Russell Petry, Finance Director.

4. **R-3282-20. A RESOLUTION** AUTHORIZING AND APPROVING THE REPEAL AND REPLACEMENT OF THE CURRENT BUDGET/MANAGEMENT POLICY FOR THE CITY OF RAYTOWN. Point of Contact: Russell Petry, Finance Director.
5. **R-3283-20. A RESOLUTION** AUTHORIZING AND APPROVING THE CONTINUATION OF AN AGREEMENT WITH RAYTOWN ANIMAL HOSPITAL, INC. FOR VETERINARY SERVICES ASSOCIATED WITH ANIMAL CONTROL IN AN AMOUNT NOT TO EXCEED \$90,000.00 FOR FISCAL YEAR 2019-2020. Point of Contact: Ray Haydaripoor, Community Development Director.
6. **R-3284-20. A RESOLUTION** DECLARING CERTAIN PROPERTY OWNED BY THE CITY OF RAYTOWN AS SURPLUS AND AUTHORIZING DISPOSITION OF SUCH PROPERTY BY AUCTION. Point of Contact: Jose Leon, Public Works Director.

ADJOURNMENT

MINUTES
RAYTOWN BOARD OF ALDERMEN
MARCH 3, 2020
CLOSED SESSION
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
6:00 P.M.

Mayor Michael McDonough called the March 3, 2020 Board of Aldermen meeting to order at 6:05 p.m.

Roll Call

Roll was called by Teresa Henry, City Clerk, and the attendance was as follows:

Present: Alderman Derek Ward, Alderman Bonnaye Mims, Alderman Bill Van Buskirk, Alderman Mary Jane Van Buskirk, Alderman Ryan Myers, Alderman Jason Greene, Alderman Frank Hunt, Alderman Greg Walters

Absent: Alderman Janet Emerson, Alderman Jim Aziere

CLOSED SESSION

Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:

- 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys;
- 610.021(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information relating to the performance or merit of an individual employee is discussed or recorded; and/or
- 610.021(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.

Alderman Bill Van Buskirk, seconded by Alderman Mary Jane Van Buskirk, made a motion go into Closed Session. The motion was approved by a vote of 8-0-2.

Ayes: Aldermen Bill Van Buskirk, Mary Jane Van Buskirk, Derek Ward, Frank Hunt, Ryan Myers, Jason Greene, Bonnaye Mims, Greg Walters

Nays: None

Absent: Aldermen Emerson, Aziere

ADJOURNMENT

The meeting adjourned to Closed Session at 6:09 p.m.

RAYTOWN BOARD OF ALDERMEN

MARCH 3, 2020

REGULAR SESSION NO. 22

RAYTOWN CITY HALL

10000 EAST 59TH STREET

RAYTOWN, MISSOURI 64133

7:00 P.M.

(OR IMMEDIATELY FOLLOWING CLOSED SESSION)

OPENING SESSION

Mayor Michael McDonough called the March 3, 2020 Board of Aldermen meeting to order in Open Session at 7:17 p.m. Dr. Bill Tenney-Brittian provided the invocation and led the pledge of allegiance.

Roll Call

Roll was called by Teresa Henry, City Clerk, and the attendance was as follows:

Alderman Janet Emerson, Alderman Bill Van Buskirk, Alderman Frank Hunt, Alderman Derek Ward, Alderman Greg Walters, Alderman Ryan Myers, Alderman Mary Jane Van Buskirk, Alderman Jason Greene, Alderman Bonnaye Mims, Alderman Jim Aziere

Alderman Myers, seconded by Alderman Mims, made a motion to amend the meeting's agenda by adding a sixth item: a resolution appointing a Chief of Police.

The motion was discussed.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Mims, Greene, Bill Van Buskirk, Hunt, Mary Jane Van Buskirk, Aziere, Walters, Emerson, Ward

Nays: None

Public Comments

Public comments were given by:

Tony Jacob, Raytown, MO

Communication from the Mayor

Mayor McDonough spoke on recent events and City business.

Communication from the City Administrator

Damon Hodges, City Administrator, provided an update on the City's current projects and plans.

Committee Reports

Comments were shared by Aldermen Ward, Mary Jane Van Buskirk, Emerson, Aziere and Bill Van Buskirk

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular February 18, 2020 Board of Aldermen meeting minutes.

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Mims, Mary Jane Van Buskirk, Bill Van Buskirk, Hunt, Ward, Greene, Emerson, Aziere, Walters, Myers
Nays: None

OLD BUSINESS

2. Public Hearing: A public hearing to consider text amendments to the Raytown Municipal Code regarding Alcoholic Beverages, Business and Business Regulations and Districts and District Map.

2a. **SECOND READING: Bill No. 6542-20, Section XIII. AN ORDINANCE** AMENDING CHAPTER 4, ENTITLED "ALCOHOLIC BEVERAGES", CHAPTER 10, ENTITLED "BUSINESS AND BUSINESS REGULATIONS", CHAPTER 50, ARTICLE I, ENTITLED "IN GENERAL", AND CHAPTER 50, ARTICLE IV, ENTITLED "DISTRICTS AND DISTRICT MAP", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI. Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

The item was read by title only by Teresa Henry, City Clerk.

Chris Gilbert, Planning & Zoning Coordinator, presented the item and remained available for any discussion.

Alderman Myers handed out a document detailing a proposed amendment.

Alderman Myers, seconded by Alderman Mims, made a motion to amend Sec. 4-244 by adding the following language to (b):

Exception to this subsection: Malt Liquor Original Package Sales and Full Original Package Sales License distance measurements shall be calculated as per subsection (c) of this Section.
(c) Malt Liquor Original Package Sales and Full Original Package Sales Licenses shall meet all distance requirements contained in Section 50-107 (b)(25). A licensee legally established under this section shall not become disqualified by reason of the establishment of a church or school subsequent to the issuance of the original license.

The motion was discussed.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Mims, Ward, Hunt, Bill Van Buskirk, Mary Jane Van Buskirk, Emerson, Greene, Aziere, Walters
Nays: None

Alderman Ward, seconded by Alderman Walters, made a motion to amend subsections (2) and (3) in Sec.10-575 and Sec. 10-576 to remove "display,".

The motion was discussed.

The motion failed by a vote of 2-8.

Ayes: Aldermen Ward, Walters

Nays: Aldermen Greene, Bill Van Buskirk, Hunt, Mary Jane Van Buskirk, Aziere, Mims, Emerson, Myers

The public hearing closed.

Alderman Myers, seconded by Bill Van Buskirk, made a motion to adopt as amended.

Discussion continued.

The motion was approved by a vote of 9-1.

Ayes: Aldermen Myers, Bill Van Buskirk, Emerson, Walters, Mary Jane Van Buskirk, Greene, Hunt, Aziere, Mims

Nays: Alderman Ward

Became Ordinance 5440-20.

3. **SECOND READING: Bill No.: 6532-19, Section IV-C-11. AN ORDINANCE** REPEALING VARIOUS SECTIONS AND AMENDING OTHER SECTIONS OF THE CITY CODE OF THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Jennifer Baird, City Attorney.

The item was read by title only by Teresa Henry, City Clerk.

Jennifer Baird, City Attorney, presented the item and remained available for any discussion.

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mims, Mary Jane Van Buskirk, Greene, Bill Van Buskirk, Myers, Emerson, Aziere, Hunt, Walters, Ward

Nays: None

Became Ordinance 5441-20.

NEW BUSINESS

4. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 6824 Blue Ridge Boulevard.

- 4a. **FIRST READING: Bill No. 6545-20, Section XIII. AN ORDINANCE** APPROVING A CONDITIONAL USE PERMIT FOR RIGHT WAY AUTO, AN AUTOMOTIVE SALES BUSINESS, TO OPERATE A VEHICLE SALES USE IN A HIGHWAY COMMERCIAL (HC) DISTRICT IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

The public hearing opened.

The item was read by title only by Teresa Henry, City Clerk.

Chris Gilbert, Planning & Zoning Coordinator, presented the item, read the conditions of approval and remained available for any discussion along with the applicant, Doug White, and the property owner, Willie Rickel.

The item was discussed.

Alderman Aziere, seconded by Alderman Myers, made a motion to suspend the rules and hold an immediate second reading. The motion was approved by a vote of 10-0.

Ayes: Aldermen Aziere, Myers, Mims, Hunt, Ward, Emerson, Greene, Bill Van Buskirk, Walters, Mary Jane Van Buskirk

Nays: None

The item was read for a second time by title only by Teresa Henry, City Clerk.

The public hearing closed.

Alderman Bill Van Buskirk, seconded by Alderman Aziere, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Bill Van Buskirk, Aziere, Emerson, Ward, Hunt, Mims, Walters, Mary Jane Van Buskirk, Greene, Myers

Nays: None

Became Ordinance 5442-20.

5. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 7609 Raytown Road.

5a. **FIRST READING: Bill No. 6546-20, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE RECON CENTER LLC, AN AUTOMOTIVE REPAIR BUSINESS, TO OPERATE AN ACCESSORY VEHICLE SALES USE AT 7609 RAYTOWN ROAD IN A HIGHWAY COMMERCIAL (HC) DISTRICT IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI.** Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

The public hearing opened.

The item was read by title only by Teresa Henry, City Clerk.

Chris Gilbert, Planning & Zoning Coordinator, presented the item, read the conditions of approval and remained available for any discussion along with the property owner, William Graham.

The item was discussed.

Alderman Bill Van Buskirk stated that he had ex parte communication regarding this item.

Alderman Aziere, seconded by Alderman Mims, made a motion to amend by requiring that each parking space on the property be designated and marked for its respective business.

Discussion continued.

Alderman Mary Jane Van Buskirk stated that she had ex parte communication regarding this item.

Discussion continued.

Alderman Emerson stated that she had ex parte communication regarding this item.

Alderman Aziere and Alderman Mims withdrew their motion.

Alderman Emerson, seconded by Alderman Mims, made a motion to continue to a date certain of March 17, 2020.

Discussion continued.

The motion to continue to a date certain of March 17, 2020 was approved by a vote of 10-0.

Ayes: Aldermen Emerson, Mims, Ward, Aziere, Hunt, Bill Van Buskirk, Walters, Mary Jane Van Buskirk, Greene, Myers

Nays: None

Mayor McDonough called for a 10-minute recess.

Mayor McDonough reconvened the meeting at 9:23 p.m.

6. **R-3281-20: A RESOLUTION** RATIFYING THE APPOINTMENT OF ROBERT J KUEHL TO THE POSITION OF CHIEF OF POLICE. Point of Contact: Damon Hodges, City Administrator.

The item was read by title only by Teresa Henry, City Clerk.

Damon Hodges, City Administrator, presented the item and remained available for any discussion.

Alderman Myers, seconded by Alderman Aziere, made a motion to adopt.
The item was discussed.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Aziere, Emerson, Walters, Mary Jane Van Buskirk, Greene, Hunt, Bill Van Buskirk, Ward, Mims
Nays: None

Newly appointed Police Chief Robert Kuehl gave a statement at the lectern.

DISCUSSION ITEM

7. Zoning Ordinance-notification requirements of applicants-Alderman Greg Walters

Alderman Walters presented the item.

The item was discussed.

Alderman Myers, seconded by Alderman Walters, made a motion to refer the item to the Planning & Zoning Committee. The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Walters, Greene, Bill Van Buskirk, Hunt, Mary Jane Van Buskirk, Aziere, Mims, Emerson, Ward
Nays: None

ADJOURNMENT

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adjourn. The motion to adjourn was approved by a majority of those present.

The meeting adjourned at 9:53 p.m.

Teresa M. Henry, MRCC
City Clerk

CITY OF RAYTOWN
Request for Board Action

Date: March 10, 2020

Bill No.: 6546-20

To: Mayor and Board of Aldermen

Section No.: XIII

From: Chris Gilbert, Planning & Zoning Coordinator

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen consideration and approval of a Conditional Use Permit authorizing a used vehicle sales component to be added to the existing Vehicle Repair/General Use operated by The Recon Center, LLC, at 7609 Raytown Road in a Highway Commercial (HC) zoning district.

Recommendation: Staff recommends approval as submitted. The Planning & Zoning Commission voted (5-0) to recommend approval of the Conditional Use Permit with all conditions as contained in the staff report.

Analysis: The Recon Center is requesting Conditional Use Permit (CUP) approval to operate an accessory Vehicle Sales use in a Highway Commercial (HC) zoning district. Per the city's land use table, accessory vehicle sales can only be conditionally approved in this zoning district. The subject property is a 14,000 square foot multi-tenant building, with the 3500 square foot Recon Auto location within it having been licensed as an auto repair facility since February, 2019, shortly after Flaco's Quality Auto Repair closed. Other tenants in the building include the property owner's 6500 square foot Graham Plumbing business on the west end, 1300 square foot Sisters in Christ immediately east, then Recon Auto Repair, and finally the 2600 square foot Disabled Veterans donation drop off facility on the far east end.

Staff analyzed the parking demands of the entire property contained in the attached Planning Commission staff report and determined that excess parking does exist on the property to serve all uses and accommodate up to 12 specially marked spaces for vehicle sales, and still have excess parking remaining on the site. Conditions of approval were attached to the Conditional Use by staff and concurred with by the Planning Commission. These conditions are stated in the attached Ordinance. The applicant has agreed to all the Conditions. The property is in reasonable condition at present, so these conditions are relatively minor. The most significant conditions relate to the proper marking of the "For Sale" area and labelling of the vehicles that are actually for sale and the possibility of the CUP being referred back to the Planning Commission in the future if it becomes necessary.

Alternatives: Alternatives to the recommendation of the Planning & Zoning Commission would be to approve, conditionally approve, or deny the Conditional Use Permit.

Budgetary Impact:

Not Applicable

Additional Reports Attached:

- Staff Report from February 6, 2020, Planning & Zoning Commission meeting
- Minutes of the February 6, 2020, Planning & Zoning Commission meeting

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE RECON CENTER LLC, AN AUTOMOTIVE REPAIR BUSINESS, TO OPERATE AN ACCESSORY VEHICLE SALES USE AT 7609 RAYTOWN ROAD IN A HIGHWAY COMMERCIAL (HC) DISTRICT IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS Application PZ-2020-02, submitted by Stephen Jones of Kansas City, Missouri, owner of The Recon Center, LLC, for approval of a Conditional Use Permit for an Accessory Use of Vehicle Sales Limited to not more than 12 Vehicles, within a Highway Commercial (HC) District in the City of Raytown, Jackson County, Missouri, was referred to the Planning & Zoning Commission; and

WHEREAS, the Planning & Zoning Commission considered the application on February 6, 2020, and by a vote of 5 in favor and 0 against rendered a report to the Board of Aldermen recommending that the Conditional Use Permit be approved; and

WHEREAS, the Board of Aldermen held a Public Hearing on March 3, 2020 to consider the application; and

WHEREAS, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Conditional Use Permit.

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

SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT That the Conditional Use Permit for The Recon Center, LLC, to operate an accessory Vehicle Sales use of not more than 12 vehicles at its facility at 7609 Raytown Road, Raytown, Missouri, is hereby approved.

SECTION 2 – CONDITIONS OF APPROVAL That the Conditional Use Permit for The Recon Center, LLC, be approved subject to the following conditions as contained in the staff report and as approved by the Planning & Zoning Commission:

1. The Applicant shall mark the 12 spaces dedicated for used vehicle sales clearly with a professionally stenciled label “Vehicles For Sale Only” and a wide painted stripe across the ends of the 12 parking spaces dedicated to vehicle sales.
2. The two handicapped parking spaces shown on the original site plan shall be restored to the site and properly marked with pole signs and have a properly striped unloading zone placed next to each marked handicapped space.
3. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.
4. No unlicensed/inoperable vehicles will be permitted to be stored on the property outside of the principal structure without proper screening if such is designed to contain vehicles overnight. All vehicles for sale shall be properly marked as “For Sale”.
5. No Commercial Use Permit for vehicle sales will be issued until all requirements of this section have been met. A new business license shall be applied for to add the vehicle sales component.

- 6. The Recon Center shall not exceed the 24 parking spaces designated by its use category as auto repair and the 12 spaces designated for vehicle sales and shall not impede the activities of its neighbors by consuming parking spaces that are intended for their use. Further complaints received by the City from neighboring tenants regarding parking and drive aisle issues may result in this Conditional Use Permit being returned to the Planning Commission for reconsideration.
- 7. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 17th day of March, 2020

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

PZ 2020-02

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: February 6, 2020

Re: Application for Conditional Use Permit

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Stephen Jones, Recon Auto

Property Owner: William Graham

Property Location: 7609 Raytown Road

Request: Conditional Use Permit approval for Vehicle Sales for Existing Recon Auto Repair Business

The applicant, Stephen Jones, owner of Recon Auto, is requesting Conditional Use Permit (CUP) approval for a Vehicle and Equipment Sales use in a Highway Commercial (HC) zoning district. Per the city's land use table, vehicle sales can only be conditionally approved in this zoning district. The subject property is a multi-tenant building, with the Recon Auto location within it having been licensed as an auto repair facility in February, 2019, shortly after Flaco's Quality Auto Repair closed. Other tenants in the building include the property owner's Graham Plumbing business on the west end, Sisters in Christ next, then Recon Auto Repair, and the Disabled Veterans donation drop off facility on the far east end.





Staff Report

Community Development
Planning and Development Services

SURROUNDING ZONING AND LAND USES

Property's Zoning Classification	Highway Commercial (HC)
Surrounding Properties' Zoning	Highway Commercial (HC), High Density Residential (R-3), Low Density Residential (R-1)
Surrounding Overlay	350 Corridor Overlay
Surrounding Land Use	Commercial, Residential
Designated Future Land Use	Commercial
Ward	Ward 4
Approximate Land Area	1.54 Acres
Roadway Classification	Arterial, Highway

SITE DESCRIPTION, HISTORY, AND PRESENT USE

The site upon which this application is located consists of a 14,000 square foot multi-tenant office warehouse building surrounded by driveways and parking spaces. The lot is a through lot connecting Raytown Road with 350 Highway's eastbound lanes. The site plan for the property is dated 1987 and the building is identified as a "Retail Service Center" and has hosted numerous auto repair and motorcycle-related businesses over the years since construction. The primary tenant occupying 6500 square feet, about half the overall, is the property owner's business, Graham Plumbing. There are also three tenants in the remaining 7500 square feet, including Sisters in Christ, a religious organization in 1300 square feet that operates primarily at night, Recon Auto, the applicant, in 3500 square feet, and Disabled American Veterans in 2600 square feet on the easternmost end operating a donation drop off facility.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The structure is surrounded by commercial and apartment development on the east side of Raytown Road. On the North side of the subject property are two commercial buildings, including Popeyes Chicken. To the West are commercial multi-tenant buildings and the corner of a single family residential neighborhood on the west side of Raytown Road. To the South is the Raytown Village Apartments complex. To the East is the 350 Highway Corridor with Ace Hardware directly across the Eastbound Lanes of 350 Highway.

PUBLIC COMMENTS

The public notice was published in *The Daily Record* on January 20, 2020. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on January 29, 2020, and no one showed up for the meeting. To date, the Community Development Department has received no calls or written emails or letters regarding this application.



ANALYSIS

Evaluating an application for a conditional use permit requires consideration to be given by the City to the health, safety, morals, comfort and general welfare of the inhabitants of the City, including but not limited to, the following factors:

1. Stability and integrity of the various zoning districts

The subject parcel and all adjacent lots to the north and east are zoned Highway Commercial (HC). This zoning district is designed to accommodate commercial activities that service and draw customers from a broad area, not just the surrounding neighborhoods. The presence of 350 Highway and the large daily count of vehicles along this roadway provide a ready and visible customer base for vehicle sales businesses. Use as a vehicle repair business, adding a small auto sales component, in compliance with the recommended conditions of approval, can be accomplished with minimal negative impacts. Vehicle repair businesses typically have a small need to sell vehicles that customers don't pick up after repairs are completed as well as vehicles that the mechanics purchase and fix up for sale when customer repair business slows down.

2. Conservation of property values

No negative change to neighboring property values is expected. Requirements are being added as conditions of approval that would significantly address past issues with this business appearing to utilize more of the available parking spaces than its fair share of the approximately 70 spaces surrounding the entire site, creating concerns for other tenants at times with both parking and access, based upon complaints received by staff. These complaints were addressed with the business owner at the time of each occurrence.

3. Protection against fire and casualties

Staff has no concerns regarding fire and/or casualties on this project. The existing building is a fairly modern long warehouse/office type of construction with numerous exiting opportunities in case of damage or fire. Site plan provides a date of 1987.

4. Observation of general police regulations

The proposed auto sales is not anticipated to violate any general police regulations. The activity is all contained on the site with the exception of the access points from 350 Highway and Raytown Road, which are located within the public right of way. Anytime vehicles are left unprotected overnight, there is the possibility that vandalism and theft can occur, but this true of any business and its products. Basic security measures including lighting and cameras can assist in reducing the risk of these types of crimes.

5. Prevention of traffic congestion

The proposed auto sales will not increase traffic congestion above what is normal for the vicinity. Additional traffic generated by the auto sales with no more than 12 cars displayed will be minimal and easily handled with the direct highway access to both eastbound 350 Highway and to Raytown Road, an arterial roadway.



Staff Report

Community Development
 Planning and Development Services

6. Promotion of traffic safety and the orderly parking of motor vehicles

The proposed auto sales will not substantially increase traffic safety risk over what is already present given two major means of ingress/egress, nor the orderly parking of motor vehicles as the site is confirmed to contain enough parking to address all the combined uses plus the 12 spots for vehicles for sale. Adequate access to the property is presently available directly from 350 Highway eastbound and from Raytown Road. Customer parking completely surrounds the property. Handicapped spaces shown on the site plan will need to be made to conform to modern ADA standards with a pole sign and striped off unloading zone, however, and is attached as conditions of approval. Staff has analyzed the parking demands for the site as follows, which has 70 parking spaces available, and determined that enough parking exists to meet the demands of every tenant on the property:

Graham Plumbing	6500 SF	Indoor Sales, 1 Employee	17 spaces
Sisters In Christ	1300 SF	Office, Evening Operation	6 spaces
Recon Auto	3500 SF	3 Employees, 7 Bays	24 spaces
Disabled Veterans	<u>2600 SF</u>	5 Employees estimated	<u>5 spaces</u>
	14,000 SF		52 spaces
Adding 12 sales spaces:			<u>12 spaces</u>
			64 spaces

It is important to note that Graham Plumbing only uses 4 spaces although 17 is required by code so there is a built in padding to these numbers based upon the business owners own statement that he rarely has more than 3 customers at a time plus himself as the only employee. Additionally, Sisters in Christ primarily conducts their activities in the evenings when the other tenants are closed.

7. Promotion of the safety of individuals and property

The proposed auto sales will not affect the safety of individuals or property. The structure is in reasonable condition and no building modifications are required to accommodate the vehicle sales component of Recon Auto's operations.

8. Provision for adequate light and air

The proposed auto sales will not significantly affect the air quality of the area above what is normal for a commercial development that includes vehicle maintenance operations, and should have minor additional impact on neighboring properties as the request for 12 cars to be displayed is not a major increase in business activity on the site.

9. Prevention of overcrowding and excessive intensity of land uses

The proposed auto sales will affect the intensity of use on the property but shouldn't cause overcrowding as every use is accounted for with the parking group calculations with spaces to spare.

10. Provision for public utilities and schools

The proposed auto sales will not affect any public utilities or schools but may generate some additional revenue in return. The business office will occupy an existing structure already connected to utility services.



Staff Report

Community Development
Planning and Development Services

11. Invasion by inappropriate uses

While vehicle sales by repair shops are fairly common, Raytown has been receiving a lot of interest and inquiries into used vehicle sales recently and staff has been working on code changes designed to reduce the impact of such businesses on the community but these changes are still in the public hearing process and not adopted yet.

12. Value, type and character of existing or authorized improvements and land uses

The property on which the proposed business would be located is developed. Staff has provided recommended conditions of approval to ensure compliance with existing code standards.

13. Encouragement of improvements and land uses in keeping with overall planning

Staff has no concerns regarding the proposed business adhering to overall planning principles if the recommended conditions of approval are adopted and followed by the applicant.

14. Provision for orderly and proper renewal, development and growth

The proposed auto sales should not affect the orderly and proper renewal, development or growth of the city if the Planning Commission decides this application is an appropriate use at this location. The applicant already runs a legally existing auto repair business and is requesting to use 12 parking spaces of the 70 on the site to place vehicles for sale.

RECOMMENDATION

Staff recommends approval this application for The Recon Center to operate a vehicle sales component not to exceed a maximum of 12 vehicles with the following conditions of approval:

1. Applicant shall mark the 12 spaces dedicated for used vehicle sales clearly with a professionally stenciled label "Vehicle For Sale Only" on each of the 12 spaces dedicated to vehicle sales.
2. The two handicapped parking spaces shown on the site plan shall be properly marked with pole signs and have a properly striped unloading zone placed next to each marked space.
3. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.
4. No unlicensed/inoperable vehicles will be permitted to be stored on the property outside of the principal structure without proper screening if such is designed to contain vehicles overnight. All vehicles for sale shall be properly marked as "For Sale".
5. No Commercial Use Permit for vehicle sales will be issued until all requirements of this section have been met. A new business license shall be applied for to add the vehicle sales component.



Staff Report

Community Development
Planning and Development Services

6. The Recon Center shall not exceed the 24 parking spaces designated by its use category as auto repair and the 12 spaces designated for vehicle sales and shall not impede the activities of its neighbors by consuming parking spaces that are intended for their use. Further complaints received by the City from neighboring tenants regarding parking and drive aisle issues may result in this Conditional use Permit being returned to the Planning Commission for reconsideration.
7. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

**CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
REGULAR MEETING
MINUTES**

**February 6, 2020
7:00 pm**

**Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133**

1. Welcome by Acting Chairwoman Dee Ann Stock

2. Call meeting to order and Roll Call

Wilson:	Absent	Thurman:	Present	Emerson:	Present
Bettis:	Absent	Robinson:	Present	Frazier:	Present
Stock:	Present	Dwight:	Absent		

3. Approval of Minutes: Minutes of January 16, 2020, approved 5-0 upon motion by Frazier and second by Emerson.

4. New Business

A. Case No.: PZ 2029-02: Application for a Conditional Use Permit for Accessory Used Vehicle Sales for an existing Vehicle Repair Shop Located at 7609 Raytown Road in a Highway Commercial, HC, zone.

1. Introduction of Application by Chairman.

Acting Chairwoman Stock opened the public hearing and introduced the application. All persons providing testimony were sworn in by Jennifer Baird, City Attorney.

2. Explanation of any Ex Parte Communications Regarding the Application.

Commissioner Emerson reported Ex Parte communications with the applicant regarding this application.

3. Enter Relevant Exhibits into the Record.

Acting Chairwoman Stock entered the staff report into the record as an exhibit.

4. Staff Presentation of proposed Text Amendments.

Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewing the location of the application, surrounding zoning and uses of property and addressed all the criteria required for a Conditional Use Permit to be issued. Included was an in-depth analysis of the available parking on the site and that the site could support the requested amount of vehicles for sale, provide enough parking for the other tenants on the site, and have additional leftover spaces.

Planning Commission discussion with questions for staff.

5. Request for Public Comment by Chairman.

William Graham, 7609 Raytown Road, the property owner testified in support of the application.

Stephen Jones, 7609 Raytown Road, the business owner of Recon Auto, testified on behalf of his application. Mr. Jones agreed to the conditions of approval in the staff report.

6. Commission Discussion.

Planning Commission discussion with questions for staff.

7. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the Conditional Use Permit to the Board of Aldermen with the conditions as specified in the staff report.

Ms. Emerson moved and Ms. Thurman seconded to recommend approval as recommended in the staff report. Motion passed 5-0.

B. Case No.: PZ 2029-03: Application for a Conditional Use Permit for Used Vehicle Sales Sales to be located at 6824 Blue Ridge Blvd. in a Highway Commercial, HC, zone.

1. Introduction of Application by Chairman.

Acting Chairwoman Stock opened the public hearing and introduced the application. All persons providing testimony were sworn in by Jennifer Baird, City Attorney.

2. Explanation of any Ex Parte Communications Regarding the Application.

No Commissioners reported any Ex Parte communications regarding this application.

3. Enter Relevant Exhibits into the Record.

Acting Chairwoman Stock entered the staff report into the record as an exhibit.

4. Staff Presentation of proposed Text Amendments.

Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewing the location of the application, surrounding zoning and uses of property and addressed all the criteria required for a Conditional Use Permit to be issued.

Planning Commission discussion with questions for staff.

5. Request for Public Comment by Chairman.

Tara Nielsen, 5309 W. 116th St., Leawood, Kansas, representing the current property owner, Willie Rickel, testified in support of the application.

Doug White, 3225 S. Noland Rd., Independence, Missouri, representing the Business, Right Way Auto, spoke in support of the company's application. Mr. White agreed to the conditions contained in the staff report.

6. Commission Discussion.

Planning Commission discussion with questions for staff.

7. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the Conditional Use Permit to the Board of Aldermen with the conditions as specified in the staff report.

Mr. Frazier moved and Ms. Emerson seconded to recommend approval as recommended in the staff report. Motion passed 5-0.

5. Other Business- Chris Gilbert provided a status update on several recent cases reviewed by the Planning Commission.

6. Set Future Meeting Date – Next regular meeting on March 5, 2020, with additional CUP applications to be on the agenda.

7. Adjourn at 8:28 PM upon motion by Mr. Frazier and second by Ms. Thurman.

A RESOLUTION AUTHORIZING AND APPROVING THE CONTINUATION OF AN AGREEMENT WITH RAYTOWN ANIMAL HOSPITAL, INC. FOR VETERINARY SERVICES ASSOCIATED WITH ANIMAL CONTROL IN AN AMOUNT NOT TO EXCEED \$90,000.00 FOR FISCAL YEAR 2019-2020

WHEREAS, the City of Raytown (the "City") issued an invitation to bid for the procurement of veterinary services necessary for the operation of Animal Control in January of 2015; and

WHEREAS, pursuant to Resolution R-2779-15, the City entered into an agreement with Raytown Animal Hospital, Inc. for veterinary services on May 19, 2015; and

WHEREAS, the purchasing policy adopted by the City further requires that any expenditure of funds with a single vendor in excess of \$15,000.00 annually be approved by the Board of Aldermen; and

WHEREAS, the City anticipates spending in excess of \$15,000.00 on veterinary services associated with Animal Control; and

WHEREAS, the Board of Aldermen find it is in the best interest of the City to approve the continuation of an agreement with Raytown Animal Hospital, Inc. for the provision of veterinary services in an amount not to exceed \$90,000.00 for fiscal year 2019-2020.

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

THAT the continuation of an Agreement by and between the City of Raytown and Raytown Animal Hospital, Inc. for the provision of veterinary services within the City, attached hereto as Exhibit "A" in an amount not to exceed \$90,000.00 for fiscal year 2019-2020 is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the terms of the Agreement and exercise the authority granted herein on behalf of the City.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 17th day of March, 2020.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

**AGREEMENT FOR VETERINARY SERVICES
BY AND BETWEEN
THE CITY OF RAYTOWN, MISSOURI
AND
RAYTOWN ANIMAL HOSPITAL, INC.**

THIS AGREEMENT is entered into by and between the City of Raytown, Missouri and Raytown Animal Hospital, Inc., entered into as of this 19th day of May, 2015.

WHEREAS, the City of Raytown solicited proposals for the procurement of veterinary services necessary for the operation of Animal Control; and

WHEREAS, the proposal received from Raytown Animal Hospital was determined to be the most responsive proposal; and

WHEREAS, the Board of Aldermen desires to authorize and approve a contract by and between the City of Raytown and Raytown Animal Hospital, Inc. for the provision of veterinary services.

Now therefore, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, as follows:

1. That Raytown Animal Hospital, Inc. (hereinafter "Contractor") shall provide veterinary services to the City of Raytown (hereinafter "City"), in accordance with the terms of the City of Raytown, Veterinary Services Request for Proposal, and Contractor's response to the request for proposals identified as "Exhibit A" herein. Where there is any conflict between the terms of the Request for Proposal and the Contractor's response, the terms of the Request for Proposal shall prevail.
2. Per unit cost for services shall be as provided in Exhibit A, attached hereto and incorporated herein.
3. In addition to the per unit cost for services provided in Exhibit A, the following per unit costs are hereby agreed upon.

Microchipping: \$12.00 per shot

Rabies Shot: \$15.00 per shot

4. The City shall compensate the provider, in accordance with the provisions of Section 2 and 3 contained herein. Payment shall be due and payable 30 days from receipt of a valid invoice for services.
5. All other terms and conditions, including but not limited to insurance requirements and provisions for termination shall be as stated in the Request for Proposal.

6. This Agreement shall be in full force and effect, as of the date written above, upon proper authorization and execution by the parties.

City of Raytown

Raytown Animal Hospital, Inc.

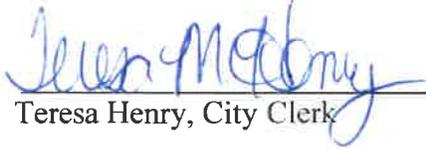


Mahesh Sharma, City Administrator



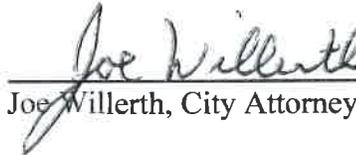
Heath Rose, DVM, Owner

Attest:



Teresa Henry, City Clerk

Approved as to form



Joe Willerth, City Attorney

Exhibit A

**CITY OF RAYTOWN, MISSOURI
VETERINARY SERVICES
REQUEST FOR PROPOSAL**

The City of Raytown, Missouri (City) will accept sealed proposals from qualified firms interested in providing veterinary services for the City of Raytown Development and Public Affairs Department. The RFP document can be obtained at www.raytown.mo.us or at the Raytown Development and Public Affairs Department located at 10000 East 59th Street, Raytown, MO 64133, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or on the City of Raytown web site at www.raytown.mo.us.

Proposals must be received in the City of Raytown City Clerk's Office by 2:00 p.m. Central Standard Time on January 6, 2015. Mailed proposals must be sent to the City of Raytown, Attn: City Clerk, 10000 East 59th St., Raytown, MO 64133. The City reserves the right to reject any and all proposals, to waive technical defects in the proposals, and to select the proposal deemed most advantageous to the City of Raytown.

Questions relating to this Request for Proposals should be directed to Ray Haydaripoor, Neighborhood Services Supervisor, at (816) 737-6093 or via e-mail at rayh@raytown.mo.us.

DESCRIPTION OF SERVICES REQUIRED

1.0 The City of Raytown is soliciting veterinarian services to provide services for the animal control services provided by the Development and Public Affairs Department. The services include but are not limited to:

- ❖ Consultation on various aspects of animal handling and care;
- ❖ Quarantine and test bite case animals for 10-days;
- ❖ Disease testing, vaccinations, spay/neutering, euthanasia, emergency field service (livestock tranquilization / euthanization); and
- ❖ Performing necropsy for cruelty cases (testify in court when necessary).

2.0 The successful veterinary service provider will also need to have the capacity to provide impoundment services relating to the services described in Section 1.0 above for primarily cats, dogs, and / or access to a facility on rare occasions for smaller livestock and wildlife (chickens, goats, horses, etc.). Animal Control officers respond to service requests 24-hours per day, 7 days per week, and 365 days per year. Regular hours are Monday through Friday 8:00 a.m. – 5:00 p.m. Animal control officers respond to after hours and weekend emergency calls also.

3.0 This contract shall be in effect for period of two (2) years with two (2), two (2) year renewal periods thereafter at the discretion of Development and Public Affairs Director.

INSTRUCTIONS TO RESPONDING VETERINARIAN FIRMS

1.0 MINIMUM QUALIFICATIONS

- 1.1 The responding veterinary firm shall include references from other municipalities or agencies for which your firm is currently providing similar services or has in the past.
- 1.2 The veterinarian firm shall detail proposed facility location for use by City animal control officers. The facility shall be located no more than 10-miles from the intersection of 69th Terr. and Raytown Road. City personnel will need to be provided access to inspect existing facilities prior to entering into an agreement with any firm to ensure facilities are adequate to provide the expected level of service and care to the animals brought to the facility.
- 1.3 The responding veterinary firm(s) shall include all federal, state, and local licenses, certifications, and documents as part of this proposal.

2.0 SELECTION PROCESS

- 2.1 A selection committee comprised of City of Raytown personnel shall evaluate the veterinary firm(s) responses.
- 2.2 The overall process will consist follow these steps:
 - 2.2.1 The selection committee will review and evaluate all responsive proposals based on criteria included in the evaluation criteria section.
 - 2.2.2 The selection committee shall select the top rated firm(s) based upon the following criteria, and the City will begin negotiating the specific terms of the contract.
 - 2.2.2.a. Capacity to provide the services described herein.
 - 2.2.2.b. Proximity to the corporate limits of the City of Raytown.
 - 2.2.2.c. References from other municipalities or agencies that your firm has provided similar services for currently or in the past.
 - 2.2.2.d. Price of services.

3.0 VETERINARIAN FIRM COST TO DEVELOP PROPOSAL

- 3.1 All cost for preparing and submitting this RFP proposal response are the responsibility of the responding veterinarian firm(s) and shall not be chargeable in any manner to the City.
- 3.2 Any future contract agreements resulting from this proposal submittal shall be negotiated individually with the veterinarian firm awarded the contract.

4.0 RESPONDING VETERINARIAN FIRM RESPONSE TO THIS RFP

- 4.1 Page 1 - The cover letter is limited to 1 page
- 4.2 Page 2 – The Table of Contents is limited to 1 page

- 4.3 Page 3 –Veterinarian Firm(s) Profile is limited to 1 page that is provided in the RFP packet.
- 4.4 Page 4 – Firm(s) Experience is limited to two pages, and shall only include the most recent similar services provided in scope and services to the description. A brief description, the entity’s name in which the services were provided, contact information for the entity referenced and years provided.
- 4.5 Page 5 - Project key personnel list limited to 1 page per resume
- 4.6 Page 6 through page 12 – General conditions governing veterinarian firm(s) responses and subsequent contracts. Each page requires the veterinarian firm principal personnel to initial.
- 4.7 Responding firm shall quote net costs of all goods and services requested, and shall include all transportation, shipping, and other expenses necessary to provide the services as detailed in this proposal.
- 4.8 The City reserves the right to award this contract in its entirety or to split the contract between bidders, whichever is in the best interest of the City. The City may accept any item or group of items of the bid unless qualified by specific limitation of the bidder.

**GENERAL CONDITIONS GOVERNING VETERINARIAN FIRMS RESPONSES AND
SUBSEQUENT CONTRACTS**

CITY OF RAYTOWN, MISSOURI

1. GENERAL CONDITIONS SCOPE:
 - a. The following terms and conditions, unless otherwise modified by the City of Raytown in writing, shall govern the submission of proposals and subsequent contracts. The City of Raytown reserves the right to reject any proposal that takes exception or deviates to these conditions.

2. COMPLETING THIS REQUEST for PROPOSAL:
 - a. All information must be legible, up to date, and relevant to the RFP project.
 - b. An authorized representative shall sign each proposal in ink, and all required information included in the veterinarian firm(s) proposal response.
 - c. The contents of the proposal submitted by the successful veterinarian firm will become part of any contract award as a result of this solicitation.

3. REQUEST FOR INFORMATION:
 - a. Any requests for clarification, and/or additional information deemed necessary by any responding veterinarian firm shall be submitted in writing to the Development and Public Affairs Department, 10000 E. 59th Street, Raytown, Missouri 64133. No requests will be accepted after 2:00 pm on January 6, 2015. All information requests and/or RFP clarifications received prior to 5:00 pm on December 22, 2014 will be responded to in writing by the City in the form of an addendum addressed to all known interested veterinarian firms.

4. CONFIDENTIALITY OF PROPOSAL INFORMATION:
 - a. Each proposal must be submitted in a sealed envelope to provide confidentiality of the proposal information. The envelope shall be sealed and clearly marked with "City of Raytown Veterinary Services RFP" on the outside of the envelope.
 - b. All proposals and supporting documents will remain confidential until a final contract has been executed. Information that discloses proprietary or financial information submitted in response to qualification statements may become public information. This is in accordance with the Missouri Sunshine law.

5. SUBMISSION OF PROPOSAL:
 - a. Proposals are to be sealed and submitted to the City of Raytown City Clerk's Office, 10000 East 59th Street, Raytown, Missouri 64133.
 - b. Submittal date is January 6, 2015 at 2:00p.m.
 - c. The opening of the submitted proposals will only record the name and address of firms submitting responses.

6. ADDENDA:
 - a. The City of Raytown Development and Public Affairs Department in the form of a written addendum may issue all changes, additions, subtractions, and/or clarifications to this Request for Proposal.
 - b. All RFP responses shall acknowledge each addendum by including a respondent signed addendum in the response submittal.

7. LATE PROPOSAL RESPONSES AND MODIFICATION OR WITHDRAWALS:
 - a. All proposals received after the response opening date and time (January 6, 2015 at 2:00 p.m.) shall not be considered.
 - b. All proposal withdrawal requests shall be in writing and submitted to the City of Raytown, City Clerk's Office.

8. NEGOTIATION:
 - a. The City reserves the right to negotiate all elements of this proposal.

9. TERMINATION:
 - a. Subject to the provisions below, any contract derived from this Request For Proposal may be terminated by either party upon sixty (60) days advanced written notice to the other party; but if any work or services hereunder is in progress, but not completed as of the draft of termination, then said contract may be extended upon written approval of the City until the work and/or services are completed and accepted by the City.
 - b. In the event that the agreement is Terminated or Cancelled for Convenience by the City, without the required sixty (60) days advanced written notice, then the City shall negotiate reasonable termination costs if applicable.
 - c. In the event that this agreement is terminated for Cause by the City, termination shall be preceded by a fourteen (14) day correction period effective upon delivery to the veterinarian firm receiving written notification from the City. In the event of Termination for Cause by the City, compensation for services rendered by the veterinarian firm up to the date of written termination shall be offset by the City's reasonable cost to mitigate or correct the effects of such termination.
 - d. When funds are not appropriated or otherwise made available to support continuation in a subsequent fiscal year, or project funding is not available at any time during the project, if terminated due to unavailability of funds, the veterinarian firm shall be reimbursed for the reasonable negotiated with the City agreement values of any cost incurred, but not amortized in the price of the supplies and/or services delivered under the agreement terms.

10. TAX EXEMPT:
 - a. The City is exempt from state and local sales taxes. All transactions resulting from an executed agreement shall be deemed to have been accomplished within the State of Missouri.

11. SAFETY:
 - a. All activities, materials, supplies, and equipment shall comply with the Federal Occupation Safety and Health Act, as well as any federal, state, and local safety or environmental regulations.

12. PROPOSAL RESPONDENT PROHIBITED:
 - a. Proposal responders are prohibited from assigning, transferring, conveying, subletting, or otherwise disposing of this proposal or any resulting agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, firm, company, or corporation without the previous written approval of the City.

13. DISCLAIMER OF LIABILITY:
 - a. The City or any of agencies will not hold harmless or indemnify any firm responding for any liability whatsoever.

14. HOLD HARMLESS:
 - a. The veterinarian firm shall agree to protect, defend, indemnify, and hold the City of Raytown, it's Board of Aldermen, officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character resulting from the error, omission or negligent act of the veterinarian firm, it's agents, subcontractors, sub-consultants, employees, or representatives, in the performance of the veterinarian firm's responsibilities under any executed agreement resulting from this Request For Proposal.

15. LAW GOVERNING:
 - a. All contractual agreements shall be subject to, governed by, and constructed according to the laws of the State of Missouri.

16. CONFLICTS of INTEREST:
 - a. The City of Raytown, its Board of Aldermen, officers, employees or representatives, shall not have a financial interest, direct or indirect, in this Request for Proposal response or any future contract agreements resulting from this proposal submittal. A violation of this provision renders the contract void. Federal, state, and local conflict of interest regulations shall not be violated. Responding veterinarian firm covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of this Request for Proposal response or any future contract agreements resulting from this proposal submittal. The veterinarian firm further covenants that no person having such interest shall be employed in the performance of this or any future contract agreements resulting from this proposal submittal.

17. ANTI-DISCRIMINATION CLAUSE:

- a. No respondent submitting a proposal shall in any way, directly or indirectly discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed.

SPECIAL CONDITIONS GOVERNING RESPONSES
AND
SUB SEQUENTIAL CONTRACTS

1. **INSURANCE REQUIREMENTS:**

- a. Veterinarian firm shall maintain at the consultant's expense the following insurance coverage during the Request for Proposal response period or any future contract agreement periods resulting from this proposal submittal.
- b. Veterinarian firm shall provide the CITY with certificates of insurance from an insurance company licensed to do business in Missouri.
- c. PROFESSIONAL LIABILITY – Professional Liability, or Errors and Omissions Insurance protection in the minimum amount of \$1,000,000.00 per claim and annual aggregate.
- d. COMMERCIAL GENERAL LIABILITY –LIMITS:
 - Each Occurrence..... \$ 1,000,000.00
 - Personal and Advertising Injury..... \$ 1,000,000.00
 - Products-Completed/Operations Aggregate..... \$ 1,000,000.00
 - General Aggregate..... \$ 2,000,000.00
- e. Policy must include the following conditions:
 - i. Contractual Liability
 - ii. Products/Completed Operations
 - iii. Personnel/Advertising Injury
 - iv. Independent Contractors
 - v. Additional Insured: City of Raytown, Missouri
- f. Veterinarian firm shall supply the CITY with current WORKERS COMPENSATION insurance certificates against all claims under applicable State Workers' Compensation laws. The veterinarian firm shall provide evidence to the CITY that the sub consultants shall maintain comprehensive general liability, automotive liability, workers' compensation, and professional liability insurance, for not less than the period of services under the subcontract agreements, and in not less than the amounts outlined for the veterinarian firm. The comprehensive general liability policy of the sub consultant shall name the CITY as an additional insured.
- g. Certificate Holder
 - City of Raytown, Missouri
 - Development and Public Affairs Department
 - 10000 East 59th Street
 - Raytown, Missouri 64133
- h. **INSURANCE CANCELLATION CLAUSE**

The veterinarian firm shall notify the CITY Thirty (30) days prior to any changes in the insurance requirements listed in the above paragraphs or insurance carriers. The veterinarian firm shall require their insurance carrier to notify the CITY thirty (30) days prior to the cancellation date.

SPECIFIC BID SPECIFICATIONS AND PRICING

- 1.0 Payments shall be made monthly. For prompt payment reference “Raytown Veterinary Services” on all invoices, and send directly to Development and Public Affairs Department, 10000 E. 59th Street, Raytown, Missouri 64133.
- 2.0 Invoices shall include the following:
 - a. Case number
 - b. Date of Case Start date and Case ending date
 - c. Cost per day
 - d. Type of service rendered, include brief description
 - e. Animal description: dog, cat, female, male, etc.
 - f. Sub-total of each animals expenses
 - g. If after-hours call, invoice shall note the type of service(s) provided
- 3.0 Service Specifications and Bidders pricing: **Bidder to fill in unit price column.**

Service Description	Unit Price	Units	2013 Approx. Quantities
Quarantine Boarding	25 ⁰⁰	\$/day	
Euthanasia Services	15 ⁰⁰	N/A	
Dead Animal Disposal (if applicable)	28 ⁰⁰	\$/ea.	
Rabies Testing	300 ⁰⁰	\$/ea.	
Sedation (Dart Charges)	40 ⁰⁰	\$/ea.	
Adoption assistance* See description below		N/A	
Necropsy report for cruelty cases	350 ⁰⁰	\$/ea.	
Quarantine bite case animals & testing		\$/ea.	
Emergency treatment & on-call	80 ⁰⁰	\$/ea.	
Livestock field visit / treatment	175 ⁰⁰	\$/ea.	

- a. Euthanasia Services – Provide the labor and the drugs necessary to euthanasia an animal when requested or agreed upon by the Director of Development and Public Affairs or his / her designee.
- b. Dead Animal Disposal Fee – Provide the freezer or other necessary equipment for the storing and disposal of dead animals. As an alternative, a freezer provided by the City can be used for this purpose in which case the city shall incur the cost of the disposal through a separate contract with a disposal company.
- c. Rabies Testing – Provide the necessary services to prepare animal to ship rabies specimens as needed. The veterinary service provider is responsible for the cost of shipping and handling.
- d. Freezer Space – The City shall provide a large chest freezer (5’x3’x2.5’) for dead animals, euthanatized animals, etc. Officers utilize the freezer during and after regular working hours frequently. If located outside, a location for the freezer must be provided that has an electrical outlet, is

protected from the weather, and secured to deter theft. The city will consider alternatives to the use of a freezer for the above purposes.

- e. Quarantine Bite Case Animals & Testing – Provide the necessary caging and testing. Provide secured cages, food, water and general care. Animal Control officers will need 24 hours/day, 7 days/week, and 365 days/year access. Any quarantined animal shall be boarded for a period of up to ten (10) days.
- f. Emergency Treatment & On-Call – On occasion, Animal Control officers will be called to emergency situations involving injured animals at hours not normally associated with the veterinary clinic’s regular working business hours (i.e. evenings or weekends). Included in this unit cost the veterinarian shall provide emergency treatment at all hours needed by the Animal Control division, on an emergency call-out basis.
- g. Livestock Field Visit/treatment – on rare occasions Animal Control personnel encounter injured livestock or livestock that belongs to an unknown owner. Under such contract, the veterinarian shall be required to provide treatment for such animals in the field or be able to provide service from another qualified veterinarian.

4.0 Describe below any additional services and the associated costs that may be incurred.

Description	Unit Cost

6.0 Does your clinic have a back up for days your clinic is closed? If yes, list name, phone number, and provide current license, and must have a MINIMUM of 3 years experience providing similar services. Please attach a firm reference to the submittal detailing number of years in business, location where services shall be provided, doctors and technicians’ credentials, certifications, degrees, etc...

7.0 Indicate regular hours of operation for clinic. The Development and Public Affairs Department will need to be notified of any change to the regular hours of operation, including but not limited to holiday hours, vacations, etc. Such notification will need to be provided not less than 24 hours in advance of any change.

monday - Friday 7am - 6pm
Saturday 8am - Noon
Sunday closed

8.0 If you have a back up clinic, are the prices the same as listed above? If different, please provide the prices charged by the backup clinic.

RENEWAL OPTION

- 1.0 If the City and the veterinarian firm agree after the first (2) two-year contract period, this contract may be renewed for not more than (2) two additional (2) two year contract periods.
- 2.0 The City shall reserve the right to terminate the current contract upon its stated expiration and solicit new bids. The option to renew is at the discretion of the Development and Public Affairs Department Director.
- 3.0 If the option(s) is exercised, the veterinarian firm shall charge the City the same prices quoted originally except as modified below. Each renewal modification shall be computed against original unit cost bid prices.
- 4.0 Bidders are to state if prices are firm for these renewal periods.

Yes _____ No X

If no, please indicate percentage of increase for each (2) two-year renewal period.

~~1st (2) two year renewal period _____ % increase from original unit price bid.~~

~~2nd (2) two year renewal period _____ % increase from original unit price bid.~~

See Addendum NO 1

State of Missouri

Division of Professional Registration
Veterinary Facility

VALID THROUGH MARCH 31, 2015
ORIGINAL CERTIFICATE/LICENSE NO. 2002031514
RAYTOWN ANIMAL HOSPITAL, INC.
10401 E 63RD ST
RAYTOWN MO 64133
USA

RAYTOWN ANIMAL HOSPITAL, INC.
10401 E 63RD ST
RAYTOWN MO 64133
USA

State of Missouri

**Department of Insurance, Financial Institutions and Professional Registration
Division of Professional Registration
Veterinary Medical Board
Doctor of Veterinary Medicine**

VALID THROUGH NOVEMBER 30, 2015
ORIGINAL CERTIFICATE/LICENSE NO. 0R6149

HEATH T ROSE
16940 MEADOW LANE
BELTON MO 64012
USA

Dana K Fernewald
EXECUTIVE DIRECTOR

Janet A. Rackus
DIVISION DIRECTOR

CITY OF RAYTOWN, MISSOURI
DEVELOPMENT AND PUBLIC AFFAIRS DEPARTMENT
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
(816) 737-6012



15-01-03P02801 RCVJ JA

VETERINARY SERVICES REQUEST FOR PROPOSALS

ADDENDUM NO. 1

Issue Date: Wednesday, January 14, 2015

The original bid documents for the City of Raytown Veterinary Services Request For Proposals shall remain in effect except as revised by the following changes, which shall take precedence over anything to the contrary in the original Veterinary Services Request For Proposals.

QUESTIONS:

1. If the animal boarding facility is operated by an entity other than the entity providing veterinary services and is located at a different location than the veterinary services provider will the veterinary be expected / required to go to the animal boarding facility to provide medical care to animals?

The City will bring any animal to the location of the veterinary services provider unless the animal cannot safely be transported by the city, in which case the veterinary services provider will be asked to come to the location of the animal boarding facility.

SPECIFICATIONS:

1. Pg. 1, Pg. 5 (no. 5), and Pg. 6 (no. 7):

The Bid submittal date and time has changed to Friday, January 30, 2015 at 2:00pm.

2. Pg. 2 (no. 3.0):

The term of the contract to be awarded has changed from: “. . . a period of two (2) years with two (2), two (2) year renewal periods thereafter at the discretion of Development and Public Affairs Director” to: “. . . a period of three (3) years with one (1), two (2) year renewal period thereafter at the discretion of Development and Public Affairs Director.

3. Pg. 5 (no. 3):

The date for response in writing has been deleted and changed to the following:

Any requests for clarification, and/or additional information deemed necessary by any responding veterinarian firm shall be submitted to:

Ray Haydaripoor
Neighborhood Services Supervisor
Development and Public Affairs Department
10000 E. 59th Street
Raytown, Missouri 64133
PH: (816) 737-6093
E-mail: rayh@raytown.mo.us.

4. Pg. 7, No. 11 (Safety):

Specifications for safety has changed from: "All activities, materials, supplies, and equipment shall comply with the Federal Occupation Safety and Health Act, as well as any federal, state, and local safety or environmental regulations" to: "All activities, materials, supplies, and equipment shall comply with any applicable federal, state, and local safety or environmental regulations."

5. Pg. 13, No. 1.0 (Renewal Option):

The term of the contract to be awarded has changed from: ". . . after the first (2) two-year contract period, this contract may be renewed for not more than (2) two additional (2) two year contract periods" to: ". . . after the first three (3) year contract period, this contract may be renewed for not more than one (1) additional (2) two year contract period."

6. Pg. 13, No. 4.0 (Renewal Option):

As provided in No. 11 on page 13, the number of renewal periods following the initial two year contract period has changed from two, two year renewal periods to one, two year renewal period. Therefore, the following option for the price of the services provided has changed as provided below:

Bidders are to state if prices are firm for these renewal periods.

Yes _____ No X

If no, please indicate percentage of increase for the two-year renewal period:

10 % increase from original unit price bid.

CITY OF RAYTOWN
Request for Board Action

Date: March 11, 2020
To: Mayor and Board of Aldermen
From: Russell Petry, Finance Director

Resolution No.: R-3281-20

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Staff requests approval of resolution to approve the repeal and replace the current Purchasing Policy. Please note that this item was discussed at the February 4, 2020 Finance Committee meeting.

Analysis: The Purchasing Policy of the City has served well for many years; however, with increasing costs of doing business, it is necessary to revise the limits of approval as well as make a few small changes to ensure that the City's daily business remains efficient and up-to-date. The changes included will not only allow the BOA meetings to remain efficient, but also to allow the City staff to conduct daily business with minimal delays. The Purchasing Policy remains a strong control over all purchases of the City. Below are some Missouri and Kansas municipalities with limits requiring Board/Council approval for reference:

City	Board Approval Required
Blue Springs Missouri	\$50,000.00
Gladstone Missouri	\$20,000.00
Grandview Missouri	\$20,000.00
Jefferson City Missouri	\$25,000.00
Lee's Summit Missouri	\$50,000.00
Olathe Kansas	\$50,000.00
St. Charles Missouri	\$50,000.00
Wentzville Missouri	\$25,000.00
Average	\$36,250.00

Budgetary Impact:

Not Applicable

Additional Reports Attached: Policy, Summary of Revision and the February 4, 2020 Finance Committee meeting minutes

A RESOLUTION AUTHORIZING AND APPROVING THE REPEAL AND REPLACEMENT OF THE CURRENT PURCHASING POLICY FOR THE CITY OF RAYTOWN

WHEREAS, the City of Raytown adopted a formal Purchasing Policy on September 8, 2009 pursuant to Resolution R-2183-09 and revised on November 13, 2012 pursuant to Resolution R-2587-12 and on March 19, 2013 pursuant to Resolution R-2583-13; and

WHEREAS, after review, it has been determined that the current policy needs to be repealed and replaced to reflect the current day-to-day operations of the City; and

WHEREAS, the suggested revisions to the Purchasing Policy were reviewed by the Finance Committee; and

WHEREAS, the Board of Aldermen find it in the best interest of the citizens of the City of Raytown to repeal the current Purchasing Policy approved on September 8, 2009 pursuant to Resolution R-2183-09 and revised on November 13, 2012 pursuant to Resolution R-2587-12 and on March 19, 2013 pursuant to Resolution R-2583-13 and replace the current Purchasing Policy with the attached Purchasing Policy marked hereto as Exhibit "A";

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

THAT the current Purchasing Policy approved on September 8, 2009 pursuant to Resolution R-2183-09 and revised on November 13, 2012 pursuant to Resolution R-2587-12 and on March 19, 2013 pursuant to Resolution R-2583-13 is hereby repealed; and

FURTHER THAT the Purchasing Policy marked hereto as Exhibit "A", and made a part hereof by reference is hereby approved and adopted.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 17th day of March, 2020.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

Purchasing Policy Revisions Summary

The following are revisions made to the current purchasing policy for review. It is the belief of staff these changes will expedite operations of the City, without requiring as many delays for approved purchases in the budget. These changes also still provide good controls to ensure the budget, bidding and purchasing processes are maintained in a fair and competitive manner.

Purchasing Policy Dollar Matrix

There is one major addition to this policy at the end and that is the Purchasing Policy Dollar Matrix, which clearly outlines what dollar thresholds require what type of bidding and also it outlines the purchasing approval limit of positions within the City Staff.

Section 1.8

This section has been re-worded to exclude the requirement of an affidavit and restates as a conflict of interest statement in writing is required. It has been added that the Director of Finance has the authority to refuse or terminate any contract at any time if a vendor is known by the City Staff to not meet the condition stated in the conflict of interest statement listed.

Section 2.1

Bullet Point 2: the limit of \$2,500 or 5% of any item exceeding the budgeted amount is changed to \$2,500 or 10%.

All Bullet points in this section that reference dollar limits of individual positions are changed to reflect what is stated in the Purchasing Policy Dollar Matrix at the end of this policy.

Section 2.2

Bullet Point 3: The wording is changed from connection fees for the ALERT II system, to radio connection fees. This is to facilitate any title changes to the Public Safety radio system in the future as well as allowing other departments to be approved under the same system.

Section 3.6

The wording in this section is changed from City Administrator's weekly report, to the City Administrator's regular report to the Board of Aldermen.

EXHIBIT A

CITY OF RAYTOWN

POLICY MANUAL

SUBJECT	ISSUED BY	EFFECTIVE DATE	REVISION DATE
Purchasing Policy	PROPOSED	PROPOSED 2020	1-30-2020

SECTION 1: GENERAL PROVISIONS

1.1 **Introduction**

This Purchasing Manual, as established by the City Administrator and approved by the Board of Aldermen, shall provide one complete source of purchasing policy, authority, and procedures. All contracts for the purchase or lease of supplies, materials, equipment, or services, shall be accomplished through the office of Finance. It shall be the intent of this policy that, whenever practicable, contracts and purchases shall be let to the lowest and best bidder after due opportunity for competition. Employees of the City of Raytown shall be required to familiarize themselves with the requirements set forth and shall adhere to these rules, regulations and procedures under all normal circumstances. However, it is recognized that exceptions appear from time to time, and organizational needs change; thus, the City Administrator is prepared to offer clarifications, assistance, special handling, and amendments within proper authority.

1.2 **Purpose**

The purpose of this Purchasing Manual is to provide for the fair and equitable treatment of all persons involved in public purchasing by the City, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

1.3 **Initial Delegation of Authority by Board of Aldermen**

In addition to any powers and duties conferred by this policy or by law, the Director of Finance shall have the following powers and duties:

- The Director of Finance shall promulgate rules and regulations necessary to insure the operation and intent of this policy. Any such rules and regulations shall be approved as to form by the City Attorney and shall be effective ten days after written approval by the City Administrator;
- The Director of Finance shall promulgate such rules and regulations as are necessary to insure the proper operation and accounting of City departmental petty cash funds, procurement cards, and travel regulations;

- The Director of Finance may recommend that the Board of Aldermen declare, as irresponsible bidders, those vendors who default on their quotations, and to disqualify them from receiving any business from the City for a stated period of time;
- The Director of Finance shall maintain a bidders' and suppliers' list which shall list all persons, firms and corporations which have applied for that listing by annually requesting that information from the various departments within the City;
- The Director of Finance may transfer any surplus, obsolete, or unused supplies, materials, or equipment from one office, department, or agency of the City to another on the written approval of the heads of the offices, departments, or agencies concerned, and on the written approval of the City Administrator.

1.4 **Purchases Contrary to this Policy**

Except as provided in the policy, no City officer or employee shall have the authority to make any purchase, lease, or contract within the purview of this policy other than through the Director of Finance. The City shall not be bound by any purchase, lease, or contract made contrary to the provisions of this policy.

1.5 **Taxes and Fees Clearance Required**

No person, firm, or corporation, resident in Raytown, or otherwise legally within the taxing jurisdiction of the City, shall be eligible to provide any goods, contractual services, or anything covered by this policy, unless that person, firm, or corporation is properly licensed by the City and is duly listed and assessed on the County tax rolls and is in no way delinquent on any taxes payable to the City, nor any other fees or charges being owed to the City.

1.6 **Director to Determine Eligibility**

Where any individual, firm, or corporation is a resident of Raytown, or where it otherwise appears that the firm is legally within the taxing jurisdiction of the City, and has made an offer, bid, or quotation for any City purchase, the Director of Finance shall cause a search to be made of the County tax rolls, and the City's delinquent fees and charges listings to determine the eligibility of that person, firm, or corporation.

1.7 **Lowest Bidder Ineligible, Procedure**

When the apparent lowest and best bidder for a given purchase order is ineligible under this policy, the Director of Finance or his/her designee may, when time is not of the essence to the City, notify the bidder and allow three (3) days for the bidder to correct the deficiency or pay any delinquency involved. If the bidder fails, after the notice to comply within three (3) days after such notice, or, if the director deems time to be of the essence, the director shall proceed as though the lowest and best bidder who is eligible under this section had entered the lowest and best bid.

1.8 **Conflict of Interest Requirements of Vendors**

No contract shall be let to any person, firm, or corporation unless it has stated to the to the City in writing that no officer or employee of the City, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of any contract, job, work, or service for the City. Also, the Director of Finance has the authority to refuse or terminate any contract at any time if a vendor is known to not meet the condition stated above.

1.9 **Vendor Drafting Bid Specifications, Disqualification**

No contract shall be awarded to any person, firm, or corporation, which has, for any valuable consideration, provided any services in connection with the development of the contract's bid specifications, unless upon recommendation of the Director of Finance and a finding by the Board of Aldermen that such award is in the City's best interests.

SECTION 2: EXCEPTIONS TO COMPETITIVE BID PROCESS

2.1 **Competitive Bids Not Required, Circumstances**

Staff may accomplish the following purchases without competitive bidding, and without prior Board approval except as specifically provided in this section. In accomplishing such purchases, the director shall be guided to the extent practicable by the policies set out in sections 1.1 and 4.5 of this policy:

- Individual departments may procure items or services \$3,000 or less by seeking a source of supply and issuing a purchase order within approved budgeted limits and in accordance with the provisions of this policy or applicable State law;
- Any planned expenditure approved in the annual budget that exceeds \$2,500 or 10% (whichever is higher) of the original budgeted amount must be approved by the Board of Aldermen before the purchase is made.
- Outside legal services need not be bid, but must be approved by the Board of Aldermen during the budget process;
- Department Heads shall solicit three telephone bids, or utilize an existing governmental contract, or submit in writing a sole-source justification to the Finance Director any procurement request for items or services greater than \$3,000 and up to \$15,000 as outlined in section 3 of this policy;
- Department Heads shall solicit three written bids, or utilize an existing governmental contract, or submit in writing a sole-source justification to the City Administrator any procurement request for items or services that fall within the City Administrator's purchasing limit as stated in the Purchasing Policy Dollar Matrix.

- Competitive bidding shall not be required when the items to be purchased can be obtained from only one source. Before a purchase is made pursuant to this exception that has a purchase price of over the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit said purchase to the Board of Aldermen for approval and the purchase shall only be effective upon Board approval. In the recommendation to the Board, the director of the department requesting the sole-source exception shall set out the reason for the decision not to seek competitive bids;
- Competitive bidding shall not be required when the items to be purchased can be obtained from another government, at a price below that quoted by a private vendor. Before a purchase is made pursuant to this exception that has a purchase price of over the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit said purchase to the Board of Aldermen for approval and the purchase shall only be effective upon board approval. In the recommendation to the Aldermen, the director of the department requesting the intergovernmental exception shall set out the reason for the decision not to seek competitive bids. Further rules and regulations can be found in section 7 of this policy;
- Competitive bidding shall not be required when the City Administrator has declared, in writing, the purchase to be an emergency. Purchases in excess of fifteen thousand dollars (\$15,000) made under the provisions of this exception shall be reported to the Board of Aldermen at its next regularly scheduled meeting. Further rules and regulations can be found in section 6 of this policy;
- Competitive bidding shall not be required when the items purchased are the subject of existing and current federal, state, or local government fixed price contractual documents, if the prices quoted in those documents are more advantageous to the City than local market prices for like items. Before a purchase is made pursuant to this exception that has a purchase price in excess of the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit the purchase to the Board of Aldermen for approval and the purchase shall only be effective upon board approval. In the recommendation to the Aldermen, the director of the department requesting the exception shall set out the reason for decision not to seek competitive bids;
- Cumulative purchases of the same or similar products or services from one vendor in an amount in excess of three thousand dollars (\$3,000) in any one-year period shall utilize the informal competitive bid procedure set out in section 3 of this policy;
- Competitive bidding shall not be required when the items to be purchased are proprietary goods not available in a competitive market, provided that such goods are purchased for resale in a facility or service operated by the City. Proprietary goods are defined as goods manufactured under an exclusive individual/corporate right to make and sell them. Before a purchase is made pursuant to this exception that has a purchase price of over the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit the purchase to the Board of Aldermen for approval and the purchase shall only be effective upon Board approval;

- Competitive bidding shall not be required when funds are appropriated and a contract for services is or will be awarded by resolution of the Board of Aldermen to an organization or agency that is exempt from federal income taxation.
- Any attempt to circumvent the purchasing process by issuing multiple smaller purchase orders to the same vendor will result in corrective action against the employee up to and including termination.
- Employee and Departmental purchasing authority may be removed by the City Administrator, at the recommendation of the Finance Director, for violation of the policies outlined in this document.

2.2 **Listing of Payments Authorized Without Following this Policy**

Upon acceptance of this Manual, the following exceptions and delegations of authority are to be implemented. The Finance Director shall be authorized to approve payments for the following:

- Payment in any amount of funds collected for other entities/other individuals, such as, but not limited to Jackson County property taxes, the IRS, Missouri Department of Revenue, and County Domestic Violence Fees;
- Utilities (gas, electric including streetlights, water, wastewater treatment, cell phones, and other utilities) in any amount;
- Payments to the City of Kansas City for radio connection fees;
- Payment of Dues or Memberships, travel arrangements or periodical subscriptions;
- Payments or reimbursements to City employees;
- Refunds of overpayment in any amount;
- Payment of invoices to obtain prompt payment discounts or to avoid late fees/charges;
- Health, Dental and Life Insurance bills or any other employee benefit related payment
- Other payroll related expenses;
- Restitution or other Court related pass through payments.
- Payments to Jackson County for budgeted election related expenses.
- Payments for fees for banking services to the contracted financial institution of the City.

SECTION 3: INFORMAL COMPETITIVE BID

3.1 **Informal Competitive Bid Procedure**

The Director of Finance or his or her designee may use the informal competitive bid procedure described in this section for purchases of more than three thousand dollars (\$3,000) but not more than fifteen thousand dollars (\$15,000), in lieu of the procedures described in section 4 for award of formal contracts. The department must have a written formal bid for any purchase in excess of fifteen thousand dollars (\$15,000) and must have the City Administrators prior approval.

3.2 **Solicitation of Bids**

The Director of Finance or his or her designee shall solicit bids from prospective vendors by means at the director's discretion, including but not limited to: telephone, internet, media, and public notice posted on the bulletin board of City Hall.

3.3 **Three Competitive Bids**

The department requesting the bid shall obtain at least three (3) competitive bids.

3.4 **Lowest and Best Bidder**

Purchases shall be awarded to the bidder providing the best products and/or services that are available for the lowest price consistent with the standards set in section 4 of this policy.

3.5 **Records**

The director of the department requesting the bid shall keep a written or electronic record of all purchases accomplished under this section and all bids submitted in competition for those purchases, and those records shall be open to public inspection. Each such record shall describe the means by which the bid was received and any specific considerations or conditions attached to the bid and/or product or service. Copies of all awarded contracts must be sent to the City Clerk and Finance Director.

3.6 **Disclosure**

Any purchase made under this section must be disclosed in the City Administrator's regular report to the Board of Aldermen.

SECTION 4: FORMAL COMPETITIVE BID

4.1 **Formal Competitive Bid Procedure**

The Director of Finance or his or her designee must use the formal competitive bid procedure described in this section for purchases of more than fifteen thousand dollars (\$15,000) for award of formal contracts.

4.2 **Formal Competitive Bids, Notice Inviting**

Notice inviting bids shall be provided in the manner and utilizing such media as the Director of Finance or his or her designee deems most appropriate to the subject matter of the bid and the applicable time line available with the objective of encouraging fair and unbiased competition. The notice shall be designed to secure a reasonable distribution and a competitive bidding process and may include direct mail, electronic mail, on line listing services, newspaper advertisements, and/or such other means, as the director may deem appropriate. In addition to any other solicitation, notices posted on public bulletin boards in City Hall shall also advertise all purchases, leases, or sales.

4.2.1 **Notice of Solicitation, Content, Timing**

The notice inviting competitive bids shall be distributed and/or posted at least ten (10) business days preceding the last day for receipt of bids or proposals and shall include a general description of the products or services to be leased or purchased and state where bid forms and specifications may be obtained and the time and place for submission and opening of bids.

4.3 **Bid Security Deposits or Surety Bid Bonds**

When deemed necessary by the Director of Finance, bid security deposits or surety bid bonds, or both, shall be prescribed in the notice of invitation for bids.

4.3.1 **Returned Bid Security Deposit**

An unsuccessful bidder who stands ready to perform according to the terms of its bid shall be entitled to the return of its bid surety deposit.

4.3.2 **Enforcement of Surety Bid Bond**

The City shall seek enforcement of a surety bid bond according to its terms.

4.3.3 **Surety Bid Bonds, Listed in Federal Register**

All surety bid bonds must be with companies listed in the Department of the Treasury, Federal Register as surety companies acceptable on federal bonds.

4.4 **Performance, Labor, and Material Payment Bonds**

Where the nature of the contract is such that the Director of Finance deems a performance bond necessary, or where the contract is for public works and requires compliance with section 107.170 RSMo, the notice of invitation for bids shall specify the amount of bond that is required. The notice shall also specify that any bid submitted pursuant to said solicitation would be presumed to include the cost of the required bond.

4.4.1 **Surety Performance Bond, Listing in Federal Register**

All surety performance bonds and surety labor and material bonds must be with companies listed in the Department of the Treasury, Federal Register, as surety companies acceptable on federal bonds.

4.5 **Procedure for Receiving and Opening Bids**

The following applies to bids submitted under the formal competitive bid procedure:

4.5.1 **Sealed and Identified**

All bids shall be submitted in a sealed envelope to the City Clerk and shall be identified as bids on the envelope.

4.5.2 **Bid Opening**

Bids shall be opened and read aloud publicly by the Director of Finance or his or her duly authorized representative in the presence of the Clerk of the City or the duly authorized representative of the clerk in the City Hall, in the particular room and on the day and at the time stated in the public notices, except that bids for construction projects undertaken pursuant to this policy may, upon proper notice, be opened in the office of the Director of Public Works.

4.5.3 **Bids Recorded**

The Clerk of the City, or his or her duly authorized representative, shall record in writing the bids opened and read by the Director of Finance, or his or her duly authorized representative.

4.5.4 **Bid Evaluation and Recommendations**

The Director of Finance, or his or her duly authorized representative shall evaluate the bids submitted and refer his or her recommendations to the appropriate department head, who shall within the shortest practicable time, confirm the recommended award or submit objections and suggestions to the Director of Finance. Such objections and suggestions shall include specific reference to the manner in which the department head believes an alternate bid complies with the provisions of section 4.5.7 of this policy.

4.5.5 **Rejection of Bids**

The Director of Finance shall have the authority to reject, as often as he or she deems necessary, all bids, parts of all bids or all bids for any one or more supplies or contractual services included in the proposed contract, for failure to comply with the requirements of the invitation for bids or when the public interest will be served thereby, and require the solicitation of new bids.

4.5.6 **Recommended Award of Bid**

The Director of Finance shall recommend to the Board of Aldermen the award of the contract to the lowest and best bidder, unless all bids have been rejected as authorized in section 4.5.5 of this policy.

4.5.7 **Factors Which Shall Be Considered When Determining Lowest and Best Bidder**

The following factors shall be considered in determining the bidder that provides the best products and/or services that are available for the lowest price:

a. Cost and Future Maintenance

The point of purchase cost of the product or service, the anticipated cost of maintenance or service (including applicable warranties), the ability of the bidder to provide future maintenance and service, the longevity of the product or service, and the cost of disposal;

b. Ability to Perform

The ability, capacity, skill, or financial resources of the bidder to perform the contract or provide the service required;

c. Timely Performance

Whether the bidder can perform the contract or provide the service promptly or within the time specified without delay or interference;

d. Character and Reputation

The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

e. Quality of Prior Performance

The quality of the bidder's performance of previous contracts or services;

f. Compliance With Laws

The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;

g. Quality and Availability

The quality, availability, and adaptability of the supplies or contractual services to the particular use required;

h. Conditions on Bid

The number and scope of conditions attached to the bid;

i. Compliance With Bid Specifications

Whether the bid as submitted fully complies with the minimum requirements of the bid specifications;

j. Social Responsibility

The socially responsible nature of the product or service that shall include, but is not limited to, products or services that create meaningful work, encourage diversity; include women-owned and minority-owned enterprises, provide fair wages, or otherwise promote social equity.

k. Local Preference

A bidder domiciled in Raytown or whose products and services were manufactured, created, or have points of origin within Raytown will be given a preference and a local bidder (a business in close proximity to Raytown) will be given a secondary preference, when all other considerations are equal and the bidder is compliant with all provisions of this policy.

4.5.8 **Analysis When Service Contracts Are Bids**

Notwithstanding any other provision of this chapter, when a contract for services is to be awarded under the competitive bidding provisions of this chapter the Director of Finance, or his or her duly authorized representative shall perform an analysis of the respective bids submitted and shall submit such analysis to the Board of Aldermen for their consideration.

4.6 **Construction Projects, Bid Process**

Except as otherwise provided by law, the Director of Public Works shall solicit bids and let contracts for construction projects in the same manner as the Director of Finance and solicit bids and let contracts on other City purchases, all of which shall seek the best products and/or services that are available for the lowest price.

4.7 **Construction Projects – Requirements to Bid, Wages and Benefits – Certain Employers**

As a condition of eligibility to bid for or perform work on any construction project funded in whole or in part by the City, producers or suppliers of sand, rock, asphalt, and/or concrete must regularly pay their production and delivery employees no less than the prevailing rate of wages as defined by or determined under state law.

4.8 **Acquisition of Interests in Real Property for Roads**

In connection with the acquisition of any interest in real property required for a road or bridge project, the Director of Public Works is authorized to accept, on behalf of the City, any conveyance of permanent right-of-way, a temporary or permanent easement of any kind or nature, and/or a right-of-entry, and to record in the office of the Recorder of Deeds a suitable conveyance instrument documenting said acceptance. The Director of Public Works is further authorized, subject to the availability of budgeted funds, to expend up to \$5,000.00 per landowner per project for any interest in real property so acquired.

4.8.1 **Notice to Board of Aldermen**

Before any interest in real property is accepted by the Director of Public Works, the Director shall give the members of the Board of Aldermen five (5) working days' written notice of the proposed transfer.

4.8.2 **Contents of Notice**

The notice shall set forth the proposed conveyance, the project involved, any time deadlines, and the recommended expenditure for the acquisition of the interest in real property.

4.8.3 **Time for Aldermen to Respond**

If the Director of Public Works has not received written objection by three (3) or more members of the Board of Aldermen to the proposed conveyance within the period of five (5) working days, the director may proceed to accept the conveyance as indicated in the notice.

4.8.4 **Board Objects**

If the Director of Public Works receives written objections by three (3) or more members of the Board of Aldermen within the period of five (5) working days, the director shall not accept the conveyance but shall submit his recommendation for Board approval at the next scheduled Board meeting or as soon as practicable afterwards.

4.9 **Insurance Bids**

The Director of Finance shall cooperate with the City Clerk and the City Administrator in the preparation of specifications, solicitation of bids, and bid analysis on insurance if necessary. The City currently is involved with MARCIT for all insurance products.

4.10 **Authorization of Purchase**

All items listed in Section 4 of this policy, unless specifically excluded, must be authorized by the affirmative vote of a majority of the members of the Board of Aldermen.

SECTION 5: CONTRACTING FOR PROFESSIONAL SERVICES

5.1 **Purpose**

These guidelines are established in order to provide assistance to City officials in selecting and contracting for professional services. The primary objective is to select the person and/or the firm with the necessary training and experience to provide the professional services needed and desired by the City. Although cost is important, professional services shall not be purchased strictly on the basis of lowest cost. Professional services need not be formally bid. The City may require the submission of a deposit when City plans/work products are required by the bidder to respond to the RFP.

5.2 **Applicable Disciplines**

Professional services are usually associated with the following disciplines:

- A. Financial, accounting and auditing services;
- B. Engineering services;
- C. Architectural services;
- D. Consulting services;
- E. Medical services;
- F. Data processing consulting and programming services;
- G. Testing and inspection services;
- H. Photographic, art or marketing services;
- I. Legal services.

5.3 **Request for Proposals**

RFP's for professional services should include:

- A. Instructions to the prospective bidders specifying when, to whom, and where proposals should be sent;
- B. A complete technical description of the problem or work task. Specify that written questions may be sent to the City. Also state whether a pre-bid conference will be held to discuss the RFP and to answer questions;
- C. An objective or statement of what is expected to be accomplished.
- D. Scope of work or task, format for the completed report, and the extent to which the City's staff will be available to the contractor;
- E. Firm or estimated schedule, including dates for commencement of performance, for submission of progress reports, and for completion of task;
- F. Selection criteria;
- G. Standard contract terms and conditions;
- H. Understanding for compensation for additional work authorized.

5.3.1 **Selection Criteria**

Specify the following criteria:

- A. Experience on similar projects including references of former clients;
- B. Qualification of person(s) proposed to work on the project (require professional resumes.);
- C. Ability to meet work schedule;
- D. Completeness of project approach;
- E. Samples of work representing product quality;
- F. Sensitivity to community involvement;
- G. Additional services and skills available;
- H. Work space requirements and/or City staff support.

5.3.2 **Evaluation and Award**

When appropriate, the City may interview and/or negotiate with up to four qualified persons or firms.

- A. Relative weight should be assigned to each criterion listed in the RFP based on the importance of the particular qualification;
- B. After reviewing the written proposals and interviewing prospects to ascertain the scope and type of work proposed, the City shall offer to award the contract to the vendor who would be most advantageous to the City. This normally will be the firm scoring the highest in the evaluation of proposals and the interviews;
- C. In determining which offer is the most advantageous, the City will generally take into account the following in order of importance:
 - a. The professional competence.
 - b. The technical merits.

The requirement to perform reference checks pertaining to all purchases greater than \$15,000 (\$15,000) extends to professional service contracts.

SECTION 6: EMERGENCY PURCHASES

6.1 **Emergency Purchases**

An emergency shall be defined as a situation in which the department operations would be severely hampered or a situation in which the preservation of life and property would not be possible.

A. Emergencies During Normal Working Hours

When the need for an emergency purchase occurs during normal working hours, the requesting department will notify the City Administrator, or his designee, who will either give approval of the transaction or will provide alternative solutions. If approved, the requesting department will prepare the confirming purchase order as soon as operations permit. EMERGENCY will be boldly written across the purchase order.

B. Emergencies after normal working hours

If the emergency occurs at times other than normal working hours, the department head or authorized representative may purchase the necessary items or services directly. The purchaser must obtain a sales ticket or invoice from the vendor. The requesting department will prepare the confirming purchase order as soon as operations permit. EMERGENCY will be boldly written across the purchase order. Communication of the purchase shall be made to the City Administrator the next business day.

C. Emergency Purchase follow up

All reasonable effort be made by the City Administrator to inform the governing body of any emergency spending as soon as feasible. A summary of all emergency purchases by commodity and by individual purchase shall be prepared by the Department Head for submission through the Finance Director and City Administrator to the Board of Aldermen at their next Regular Meeting.

SECTION 7: INTERGOVERNMENTAL PURCHASING

7.1 **Purpose**

By policy the City desires to encourage the use of pre-bid, intergovernmental purchasing. By doing so the City can obtain competitive pricing and the benefit of other jurisdictions professional purchasing services.

7.2 **Definitions**

Intergovernmental cooperative purchasing is an agreement under which the City, along with other governmental entities, buys under the same contract or agreement. There are two methods of participation - direct ("joint participation") and indirect ("piggyback participation").

- A. Direct participation involves a commitment to the lead agency by the City to purchase a specific quantity of a specific item from the successful bidder on the joint solicitation and contract.
- B. Piggybacking on a contract awarded by another governmental agency does not require prior commitment by the City.

7.2.1 **Piggybacking**

- A. Departments are encouraged to provide Finance with cooperative contract information obtained from their respective industry organizations. The Finance Director shall notify other departments of the availability of the various cooperative agreements as they become available.
- B. The State of Missouri publishes its cooperative contracts. Information may be obtained off the Web by going to the following site:
<http://oa.mo.gov/purch/contracts/index.htm>. This is the current location for this material; from time to time the State changes their web site addresses. If this link is no longer valid, go to <http://oa.mo.gov> for further information.

SECTION 8: DISPOSAL OF PROPERTY

8.1 **Real Estate Sales**

The sale of all real estate owned by the City shall be authorized by resolution of the Board of Aldermen.

8.1.1 **Real Estate to be Negotiated by City Administrator**

The City Administrator or his designee is authorized to negotiate with the entities listed below for the sale of real estate owned by the City of Raytown:

- a. The United States or any of its agencies;
- b. The State of Missouri or any of its political subdivisions or municipalities.

8.2 **Formal Bid Procedures for Real Estate Sales**

The Director of Finance is authorized to solicit sealed bids for the disposal of surplus city real estate in accordance with the formal bid procedures listed in section 4 of this policy.

8.2.1 **Recommendation to Board of Aldermen**

The City Administrator or his designee shall recommend to the Board of Aldermen the award of the sale to the highest responsible bidder.

8.3 **Auctions Authorized for Real Estate Sales**

The Director of Finance may authorize the sales of surplus city real estate by auction when the Director believes that it is in the best interest of the city to do so.

8.3.1 **Auction Requirements for Real Estate Sales**

The following requirements shall apply to auctions authorized by 8.3:

- a. All auctions shall be conducted on City property;
- b. Notice advertising an auction shall be published in one (1) official newspaper within the City or Jackson County with a circulation of at least five hundred (500) copies per issue at least ten (10) days preceding the date of the auction. The notice shall include a general description of the real estate to be sold, the time, location, and date of the auction and a place where additional information concerning the real estate may be obtained;
- c. The Director of Finance shall send a notice of the auction to all prospective purchasers who have requested their names be added to a list of bidders;
- d. The Director of Finance or his/her designee shall conduct auctions. The Director may contract with professional auctioneers to conduct the auction;
- e. The highest bidder at auction shall execute a real estate contract and submit a bid deposit of ten percent (10%) of the total bid award. If the bidder does not execute the contract, the bidder will lose the deposit;
- f. Bids received at an auction shall be subject to final acceptance by resolution of the Board of Aldermen. All notices and advertisements for the auction of real estate pursuant to this policy shall advise potential bidders of this limitation
- g. If the Board of Aldermen rejects the bid offered, the bidder shall be entitled to a return of the deposit.

8.4 **Personal Property Disposal, Cost of Less Than Five Thousand Dollars**

- a. Upon the recommendation of any department director, the Director of Finance, is authorized to dispose of any item of personal property in the custody or control of the recommending department, agency, or office, that has an original acquisition cost of less than five thousand dollars (\$5,000.00) and that has become obsolete and unusable, on terms advantageous to the City.

8.4.1 **Procedures**

- a. Disposal of personal property having an original acquisition cost of less than five thousand dollars (\$5,000) shall be made in accordance with the informal bid procedure set forth in section 2, or in accordance with section 8.7, unless transferred without compensation to another governmental agency as set out in section 8.8. If sold, the property shall be sold to the highest responsible bidder.
- b. This section shall also apply to the disposal of any city-owned personal property without regard to original acquisition cost that, as a result of a casualty loss, has been declared a total loss by the city's or responsible party's casualty insurer or as determined by an estimate or appraisal prepared by a reputable, independent expert.

8.5 **Personal Property Disposal, Cost of More Than Five Thousand Dollars**

The Personal property having an original acquisition cost of five thousand dollars (\$5,000) or more shall be disposed of in accordance with the formal contract procedure set forth in section 4, or in accordance with section 8.7, unless sold to another governmental agency as set out in section 8.8. If sold to a person or entity other than another governmental agency, the property shall be sold to the highest responsible bidder.

8.2.1 **Prior Approval of the Board of Aldermen Required**

The Director of Finance shall submit a list of any property to be disposed of, having an original acquisition cost of five thousand dollars (\$5,000.00) or more, together with all factual information in clear and specific terms that supports the finding by the Director of Finance that the property is obsolete and unusable, to the Board of Aldermen for its authorization to dispose of the property.

8.6 **Use as Trade-Ins**

The Director of Finance may, when the interest of the city are best served, use the personal property as trade-ins on replacements and/or solicit bids in accordance with the formal contract procedure in section 4 of this policy in order to obtain the price differential most advantageous to the city.

8.7 **Auctions of Personal Property**

The Director of Finance may authorize the sale of city personal property by auction when the Director believes that it is in the best interest of the city to do so.

8.7.1 **Auctions Requirements for Disposal of Personal Property**

The following requirements shall apply to auctions authorized by Section 8.7:

- a. All auctions shall be conducted on City property, unless the Director of Finance contracts with a qualified vendor or online service to conduct the auction. In such cases, the auction may be conducted online or at a site selected by the vendor and approved by the Director of Finance;

- b. Notice advertising an auction shall be published in one (1) official newspaper within the City or Jackson County with a circulation of at least five hundred (500) copies per issue at least ten (10) days preceding the date of the auction. The notice shall include a general description of the personal property to be sold, the time, location, and date of the auction and a place where additional information concerning the personal property may be obtained;
- c. The Director of Finance shall send a notice of the auction to all prospective purchasers who have requested their names be added to a list of bidders;
- d. The Director of Finance or his/her designee shall conduct auctions. The Director may contract with professional auctioneers to conduct the auction;
- e. The highest bidder at auction shall make payment for the item(s) purchased and shall be responsible for removing the item from City property or other site immediately.

8.8 **Personal Property Transfer or Sale to Another Governmental Agency**

The Any personal property that has been declared obsolete and unusable as set out in Section 8.4 and 8.5 may be sold or transferred without compensation to another governmental agency as set out in this section.

8.8.1 **By City Administrator**

The City Administrator may sell obsolete or unusable personal property with an original acquisition cost of five thousand dollars (\$5,000.00) or more to any other governmental agency at a price based on a residual value as determined by the Director of Finance and approval from the Board of Aldermen. The City Administrator may transfer obsolete or unusable personal property with an original acquisition cost of less than five thousand dollars (\$5,000.00), or property that has been declared a total loss pursuant to section 8.4.1 (b), to any other governmental agency without compensation after giving the Board of Aldermen five (5) working days written notice of the intention to make the sale or transfer.

8.8.2 **By Board of Aldermen**

The Board of Aldermen may by resolution, in appropriate cases, authorize the transfer of any obsolete or unusable property to any other governmental agency without compensation, regardless of the property's original acquisition cost.

8.9 **Donation, Recycling, or Discarding of Personal Property**

If the director of Finance is unsuccessful in documented efforts to dispose of surplus, obsolete, or unusable city personal property under one or more of the means previously authorized by this policy, the director is authorized to dispose of such property by means of donation to any entity entitled to an exemption from federal income taxation under 26 USC 501(C)(3), or by recycling, salvaging, or discarding such property, in that order of priority, under such terms deemed by the director to be most favorable to the city.

8.10 **Disposition of Firearms**

Notwithstanding any other provision of this policy to the contrary, city-owned firearms that have become unusable, obsolete, or otherwise excess to the city's needs may be used as trade-ins to any authorized law enforcement dealer. Pursuant to section 8.8 of this policy and in compliance with federal and state law, the Police Department may also transfer such firearms to a government law enforcement agency, for that agency's permanent use without a right to further transfer, provided there is no benefit to the City to trade the weapons in on newer weapons. If such firearms cannot be used as a trade in, or so transferred, they must be destroyed by whatever means the Police Department deems appropriate.

SECTION 9: ETHICS

9.1 Criminal Penalties

If violations of the ethical standards of conduct set forth in this Section constitute violations of the State Criminal Code they shall be punishable as provided therein.

9.2 General Standards of Ethical Conduct

Any attempt to realize personal gain through public employment, inconsistent with the responsible discharge of that public employment, is a breach of public trust. In order to fulfill this general prescribed standard, employees must also meet specific standards:

a. Employee Conflict of Interest

The conflict of interest definitions and rules are covered in the City Code.

b. Employees with Financial Interest - Disclosure Requirements

Any employee or public official who has or may obtain any benefit from any City contract with a business in which the employee has a financial interest, shall report such benefits to the City Administrator. Provided, however, this provision shall not apply to a contract with a business where the employee's interest in the business has been placed in an independently managed trust. Any employee or public official who knows or should have known of such benefit, and fails to report such benefit to the City, is in breach of the ethical standards of this Section.

c. Gratuities

It is a breach of ethical standards for any person to offer, give, or agree to give any employee/public official OR for any employee/public official to solicit, demand, accept, or agree to accept from another person, a gratuity of any value or an offer of employment in connection with any purchasing decision. Gratuities shall not mean pens, pencils, matchbooks, calendars, or other novelty items used for advertising purposes, meals or other meeting circumstances for the purpose of conducting or discussing official business.

d. Restriction on Employment of Present/Former Elected and Appointed City Officials

1. Contemporaneous Employment Prohibited. It shall be a breach of ethical standards for any City official who is involved in purchasing to be an employee of any party contracting with or supplying goods to the City.
2. Former Officials. It shall be a breach of ethical standards for any former City official, within one year after cessation of employment or affiliation, to be a

principal or to act as an agent for any organization that desires to solicit business from the City.

e. Use of Confidential Information - It shall be a breach of ethical standards for any employee, former employee, public official, or former public official, knowingly to use confidential information for his personal gain, or the personal gain of any other person.

f. Public Access to Purchasing Information and Records - All purchasing information and records are accessible and open to personal inspection to any citizen. Appointment and location may be arranged with the City Clerk.

g. Waivers from contemporaneous Employment Prohibition and Other Conflicts of Interest.

The Board of Aldermen may grant a waiver from the employee conflict of interest provision or the contemporaneous employment provision upon making a written determination that:

1. The contemporaneous employment or financial interest of the City employee has been publicly disclosed; and
2. The City employee will be able to perform its procurement functions without actual or apparent bias or favoritism; and
3. The award will be in the best interests of the City.

8.3 **General Standards of Ethical Conduct for Non-employees**

a. General Standards of Ethical Conduct for Non-employees

Any effort to influence any public employee to breach the standards of ethical conduct set forth in this Section is also a breach of ethical standards.

b. Kickbacks - It shall be a breach of ethical standards to for a vendor to offer a fee, a commission, brokerage, percentage, or contingent fee to an employee of the City for the purpose of securing business from the City.

c. Remedies Against Non-employees

Any person who knowingly violates or solicits the violation of any of the provisions set out in this regulation shall be barred from entering into future contracts with the City and shall be prosecuted for any violation of local, State or Federal laws that may apply.

Purchasing Policy Dollar Matrix

Informal Bid Process	Any purchase between \$3000 and under \$15,000 except exclusions in Section 2.
Formal Bid Process	Any Purchase \$15,000 and over except exclusions in Section 2.
Department Head Approval Limit	Purchases under \$5,000
Finance Director Approval Limit	Purchases \$5,000 to up to \$15,000
City Administrator Approval Limit	Non-budgeted purchases up to \$30,000; Budgeted purchases up to \$50,000
Board of Aldermen	Any Purchase over the City Administrator approval level above

Budget Policy Revision Summary

The Budget Policy section entitled, "Budget Transfers and Amendments", is revised to clarify that amendments to the budget use the same limits as purchasing authority listed in the purchasing policy. Using this wording creates less numbers to maintain in our policies and makes the purchasing policy the keeper of those limits.

BUDGET/ MANAGEMENT POLICY

Purpose

Our purpose in establishing a formal set of budget policies is to ensure that the public's trust is upheld. These policies will serve as a blueprint to achieve fiscal stability required to accomplish the City's policy goals and objectives.

Relationship to Overall City Goals and Objectives

The City will develop a mission statement, strategic plan, and conforming goals for the successful development and maintenance of our financial management policy. The finances of the City should be the vehicle by which the goals and objectives are obtained, not driven. This philosophy will help ensure that the City remains financially viable well into the future.

In addition, the City as an institution has multiple partners including citizens, taxpayers, businesses, employees, and other governments. As a major institutional, economic and service force in the region, it is important that the City strengthen its relationships with its partners by adopting clear and comprehensive financial policies.

Objectives

- To guide in policy decisions which have a significant fiscal impact.
- To set forth operating principles which minimize the cost of government and reduces financial risk.
- To employ balanced and fair revenue policies that provides adequate funding for desired programs.
- To maintain appropriate financial capacity for present and future needs.
- To promote sound financial management by providing accurate and timely information on financial conditions.
- To protect and enhance the City's credit rating and prevent any default on any debt.
- To ensure the legal use of financial resources through an effective system of internal controls.

- To promote cooperation with other governments and the private sector in the financing and delivery of services.

Budget Policy

This policy complies with the Local Budget Law of Missouri as outlined in Chapter 50 RSMo, and for the preparation, recommendation, consideration, adoption, execution, and audit of Raytown's annual budget.

Scope:

This policy applies to all departments, Agencies or Divisions within Raytown.

Guideline:

Annually, the Board of Alderman has the authority and the responsibility to adopt the City Administrator's recommended budget approving the use of public funds for the operation of all City activities. Raytown's fiscal year runs from November first through October thirty-first.

Preparation:

The City Administrator shall present a recommended budget for the Board of Alderman's consideration no later than October 1st each year.

Balanced Budget:

The City Administrator shall present a balanced budget. This means that all operating expenses shall not exceed operating revenue in the recommended budget. Any one-time revenue source, such as under spending or fund balance, shall only be used for one-time expenses that do not add to the fixed operating cost.

Budget Transfers and Amendments:

The Department Head is authorized to transfer up to their purchasing authority from any one line item under their control to any other line item under their control within any fiscal year. The Finance Director is authorized to transfer an amount equal to the amount of the purchasing limit listed in the purchasing policy from any one line item to any other line item that a Department Head has already exceeded, if the Finance Director deems it appropriate. The City

Administrator is authorized to transfer an amount up to his/her purchasing authority from any one line item to any other line item that the Finance Director has already exceeded if the City Administrator deems it appropriate. Any transfers exceeding the City Administrators purchasing authority must have prior authorization of the Board of Alderman. For purposes of this policy, a line item is a Fund, a Department, and an Object Code.

Fund Balance:

The recommended budget was developed with the idea of creating a cash flow reserve as a designation within fund balance to begin to rebuild necessary cash flows for operations within all major funds.

Capital Improvement Budget and Five-Year Plan:

The City Administrator will work with the Board of Alderman to create an initial five-year Capital Improvement Plan (CIP) to determine what the true capital needs of the City are today and into the future. The CIP shall be adequate to maintain capital assets at a level sufficient to protect infrastructure and minimize future maintenance and replacement costs. The CIP, once adopted, will be reviewed and updated annually prior to the adoption of the annual budget. The CIP plan will identify ongoing operating requirements associated with each capital project. If a capital request is approved during the budget process, the operating funds and associated expenditures will reside in the CIP Fund under the appropriate project code. Capital project budgets will include all expenses associated with the completion of the project.

Position Control:

The recommended budget shall include a total number of recommended permanent full-time equivalent (FTE) positions by classification.

**Minutes
Finance Committee
February 4, 2020
6:00p.m.
City Hall Council Chambers**

Finance Committee Chair, Alderman Jason Greene, called the February 4, 2020 meeting to order at 6:11 p.m. and stated that there was a quorum.

Present: Alderman Frank Hunt; Alderman Bonnaye Mims; Alderman Jason Greene, Chair

Absent: Alderman Mary Jane Van Buskirk and Alderman Ryan Myers

Approval of the September 3, 2019 Minutes.

Alderman Hunt, seconded by Alderman Mims, made a motion to adopt. The motion was approved by a vote of 3-0-2.

Ayes: Aldermen Hunt, Mims, Greene

Nays: None

Absent: Aldermen Myers, Mary Jane Van Buskirk

DISCUSSION ITEMS

1) General Discussion of proposed changes to the City Purchasing Policy

Russ Petry, Finance Director, presented the item and remained for any discussion along with Damon Hodges, City Administrator.

Alderman Myers joined the meeting at 6:15 p.m.

The item was discussed

Alderman Mary Jane Van Buskirk joined the meeting at 6:19 p.m.

Alderman Greene recommended that the item go before the full Board of Aldermen.

Alderman Mims, seconded by Alderman Myers, made a motion to bring this item forth to the full Board of Aldermen on February 18, 2020.

Discussion continued.

The motion to bring the item forth to the full Board of Aldermen was approved by a vote of 5-0.

Ayes: Aldermen Mims, Myers, Mary Jane Van Buskirk, Hunt, Greene

Nays: None

Discussion continued.

2) General Discussion of proposed change to Budget Policy

Russ Petry, Finance Director, presented the item and remained for any discussion along with Damon Hodges, City Administrator.

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to recommend this item to the full Board of Aldermen.

Ayes: Aldermen Mims, Mary Jane Van Buskirk, Hunt, Greene

Nays: None

ADJOURNMENT

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 6:30 p.m.

DRAFT

CITY OF RAYTOWN
Request for Board Action

Date: March 11, 2020

Resolution No.: R-3282-20

To: Mayor and Board of Aldermen

From: Russell Petry, Finance Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Staff requests approval of resolution to repeal the current Budget Management Policy and replaced it with the attached revised Budget/Management Policy. Please note that this item was discussed at the February 4, 2020 Finance Committee meeting.

Analysis: The Budget Management Policy is being revised to follow the limits stated in the Purchasing Policy in regard to budget amendments.

Budgetary Impact:

Not Applicable

Additional Reports Attached: Policy, Summary of Revision and the February 4, 2020 Finance Committee meeting minutes

A RESOLUTION AUTHORIZING AND APPROVING THE REPEAL AND REPLACEMENT OF THE CURRENT BUDGET/MANAGEMENT POLICY FOR THE CITY OF RAYTOWN

WHEREAS, the City of Raytown adopted a Budget/Management Policy on April 1, 2008 pursuant to Resolution R-2040-08; and

WHEREAS, after review, it has been determined that the current policy needs to be repealed and replaced to reflect the current day-to-day operations of the City; and

WHEREAS, the suggested revisions to the Budget/Management Policy attached hereto as Exhibit "A" were reviewed by the Finance Committee; and

WHEREAS, the Board of Aldermen find it in the best interest of the citizens of the City of Raytown to repeal the current Budget/Management Policy approved by Resolution R-2040-08 on April 1, 2008 and adopt the current Budget/Management policy and replace the current Budget/Management Policy with the attached Exhibit "A";

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

THAT the current Budget/Management Policy approved by Resolution R-2040-08 on April 1, 2008 is hereby repealed; and

FURTHER THAT the Budget/Management Policy marked hereto as Exhibit "A" and made a part hereof by reference is hereby approved and adopted.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 17th day of March, 2020.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

Budget Policy Revision Summary

The Budget Policy section entitled, "Budget Transfers and Amendments", is revised to clarify that amendments to the budget use the same limits as purchasing authority listed in the purchasing policy. Using this wording creates less numbers to maintain in our policies and makes the purchasing policy the keeper of those limits.

EXHIBIT A

BUDGET/ MANAGEMENT POLICY

Purpose

Our purpose in establishing a formal set of budget policies is to ensure that the public's trust is upheld. These policies will serve as a blueprint to achieve fiscal stability required to accomplish the City's policy goals and objectives.

Relationship to Overall City Goals and Objectives

The City will develop a mission statement, strategic plan, and conforming goals for the successful development and maintenance of our financial management policy. The finances of the City should be the vehicle by which the goals and objectives are obtained, not driven. This philosophy will help ensure that the City remains financially viable well into the future.

In addition, the City as an institution has multiple partners including citizens, taxpayers, businesses, employees, and other governments. As a major institutional, economic and service force in the region, it is important that the City strengthen its relationships with its partners by adopting clear and comprehensive financial policies.

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- To protect and enhance the City's credit rating and prevent any default on any debt.
- To ensure the legal use of financial resources through an effective system of internal controls.

- To promote cooperation with other governments and the private sector in the financing and delivery of services.

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This policy complies with the Local Budget Law of Missouri as outlined in Chapter 50 RSMo, and for the preparation, recommendation, consideration, adoption, execution, and audit of Raytown's annual budget.

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Budget Transfers and Amendments:

The Department Head is authorized to transfer up to their purchasing authority from any one line item under their control to any other line item under their control within any fiscal year. The Finance Director is authorized to transfer an amount equal to the amount of the purchasing limit listed in the purchasing policy from any one line item to any other line item that a Department Head has already exceeded, if the Finance Director deems it appropriate. The City

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The City Administrator will work with the Board of Alderman to create an initial five-year Capital Improvement Plan (CIP) to determine what the true capital needs of the City are today and into the future. The CIP shall be adequate to maintain capital assets at a level sufficient to protect infrastructure and minimize future maintenance and replacement costs. The CIP, once adopted, will be reviewed and updated annually prior to the adoption of the annual budget. The CIP plan will identify ongoing operating requirements associated with each capital project. If a capital request is approved during the budget process, the operating funds and associated expenditures will reside in the CIP Fund under the appropriate project code. Capital project budgets will include all expenses associated with the completion of the project.

Position Control:

The recommended budget shall include a total number of recommended permanent full-time equivalent (FTE) positions by classification.

**Minutes
Finance Committee
February 4, 2020
6:00p.m.
City Hall Council Chambers**

Finance Committee Chair, Alderman Jason Greene, called the February 4, 2020 meeting to order at 6:11 p.m. and stated that there was a quorum.

Present: Alderman Frank Hunt; Alderman Bonnaye Mims; Alderman Jason Greene, Chair

Absent: Alderman Mary Jane Van Buskirk and Alderman Ryan Myers

Approval of the September 3, 2019 Minutes.

Alderman Hunt, seconded by Alderman Mims, made a motion to adopt. The motion was approved by a vote of 3-0-2.

Ayes: Aldermen Hunt, Mims, Greene

Nays: None

Absent: Aldermen Myers, Mary Jane Van Buskirk

DISCUSSION ITEMS

1) General Discussion of proposed changes to the City Purchasing Policy

Russ Petry, Finance Director, presented the item and remained for any discussion along with Damon Hodges, City Administrator.

Alderman Myers joined the meeting at 6:15 p.m.

The item was discussed

Alderman Mary Jane Van Buskirk joined the meeting at 6:19 p.m.

Alderman Greene recommended that the item go before the full Board of Aldermen.

Alderman Mims, seconded by Alderman Myers, made a motion to bring this item forth to the full Board of Aldermen on February 18, 2020.

Discussion continued.

The motion to bring the item forth to the full Board of Aldermen was approved by a vote of 5-0.

Ayes: Aldermen Mims, Myers, Mary Jane Van Buskirk, Hunt, Greene

Nays: None

Discussion continued.

2) General Discussion of proposed change to Budget Policy

Russ Petry, Finance Director, presented the item and remained for any discussion along with Damon Hodges, City Administrator.

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to recommend this item to the full Board of Aldermen.

Ayes: Aldermen Mims, Mary Jane Van Buskirk, Hunt, Greene

Nays: None

ADJOURNMENT

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 6:30 p.m.

DRAFT

CITY OF RAYTOWN
Request for Board Action

Date: March 12, 2020
To: Mayor and Board of Aldermen
From: Jose Leon, Director of Public Works

Resolution No.: R-3284-20

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen approval that the vehicles are surplus and approval to dispose of items in accordance with the purchasing policy.

Recommendation: Staff recommends approval as submitted.

Analysis: Multiple vehicles and equipment have been taken out of service due to the purchase and operation of new vehicles. Public Works has evaluated the vehicles that were taken out of service and it was determined that these vehicles are not well-suited for continued use by the City and should therefore be deemed surplus and disposed of in accordance with the purchasing policy.

Unit 333 = 2005 Ford CVPI, 2FAHP71W55X171951, miles 106,302

This asset was a former EMS vehicle, when they merged with fire EMS did not want the vehicle any longer.

Former EMS Ambulance = 2009 GMC 3500, 1GDKG316291149229, miles 115,094

This asset was kept for PD for a mobile command post. PD no longer has the personnel or resources to use the asset.

2005 Wacker Neuson RD11 Asphalt Roller, 5556679, 480 hours

This asset was taken out of service in fall of 2019 when replacement was purchased

Unit 236 = 1985 John Deere Tractor w/ brush hog attachment, 889978T, 1,090 hours

This asset was taken out of service in approximately 2009-2010.

Unit 241 = 1991 Bomag Asphalt Roller, 119932, 865 hours

This asset has been out of service since 2002.

Unit 243 = 1994 Trail King 12' Tandem Axle Trailer

This asset was taken out of service in summer of 2019 when replacement was purchased.

The vehicles listed above would be sold in accordance with the purchasing policy. Proceeds from the sale of all units would be deposited back to the appropriate fund.

Alternatives: Do not surplus the equipment.

Budgetary Impact:

Not Applicable

Additional Reports Attached: Vehicle information details and pictures.

A RESOLUTION DECLARING CERTAIN PROPERTY OWNED BY THE CITY OF RAYTOWN AS SURPLUS AND AUTHORIZING DISPOSITION OF SUCH PROPERTY BY AUCTION

WHEREAS, the City of Raytown owns the property set forth in Exhibit "A" attached hereto, which is no longer required for the provision of services to the citizens of the City and is hereby found to be surplus property; and

WHEREAS, the City's purchasing policy provides for the disposition of surplus and obsolete property by trade, auction, sealed bid, salvage or scrapping; and

WHEREAS, the Board of Aldermen find that disposition of the property contained in the attached Exhibit "A" by auction is in the best interest of the City;

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

THAT the items set forth in Exhibit "A" attached hereto and made a part hereof by reference are hereby declared as surplus property of the City; and

FURTHER THAT the City Administrator is hereby authorized to dispose of such property as allowed under the City's purchasing policy by auction, sealed bid, salvage or scrapping.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 17th day of March, 2020.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

**Former EMS Vehicle
2009 GMC 3500
Taylor Made Ambulance**



**Unit 333
2005 Ford CVPI
Unit 333**



**2005 Wacker Neuson RD11
Asphalt Roller**



**Unit 236
1985 John Deere Tractor
With Brushhog Attachment**



Unit 241
1991 Bomag Asphalt Roller



Unit 243
1994 Trail King
12' Tandem Axle Trailer

