

RELEASE OF CLOSED SESSION MINUTES

1. 2015:

1.1. May 4, 2015.

Code Enforcement Review

Director DeLuca reported code enforcement was proactive at one time and now it's complaint driven. There was discussion regarding adhesive signs that were stuck to poles that were in MoDOT right of way. There was discussion of putting something in the newsletter regarding the sign code. Discussion took place regarding an inoperable vehicle that was not ticketed, complaints on Scoular Grain property and that it is too close to residents for industrial use.

Police Department and Mr. Kidd

Discussion took place regarding complaints that Mr. Kidd has had with the police department. Chief Hofer explained that Mr. Kidd has to sign a complaint when something happens, noted that the noise ordinance has been changed, that a motorcyclist was pulled over and cited with disturbing the peace.

It was the consensus of the board that staff would refer Mr. Kidd to the Board. This may be a deviation but makes more sense instead of including the editorial comment.

There was also discussion regarding children allowed to climb on the wall at the football stadium and how dangerous it was. Chief Hofer explained this is not city property

Century Link - City Attorney Mauer reviewed that there are four (4) other cities involved in the Century Link litigation.

1.2. May 18, 2015.

Finance Director

Mr. Moody announced Mr. Tholen's retirement.

Cass County Justice Center Generator

Mr. Moody reported the switch has been installed on the generator, approved by Electric Department Director Keith Thomas and MPUA. There was discussion on how much of the Cass County PILOT money the city had, and the city's investment in the equipment.

There was discussion the worth of the equipment and what the city could reuse. There was direction to move forward with negotiation with the County.

1.3. June 1, 2015.

Mr. Moody asked to discuss direction from Mayor Hasek on policy of City Administrator duties and referenced and read Sections E and F. Mr. Moody shared that he had sat down shared his concerns with the Mayor regarding bringing forth ideas and agenda items to the

Board, and noted that the board sets the policy and he is not comfortable circumventing Board.

It was also noted The Wrap Up, which is produced every other week, includes upcoming agenda items and explained that it is the staff's jobs to bring forth agenda items.

Mr. Moody asked for clarification regarding agenda items being approved by Mayor prior to being placed on the agenda. There was also discussion on the importance of the Mayor asking the Aldermen for their feedback.

1.4. June 15, 2015.

Cass County Generator

City Attorney Mauer gave an update on Cass County information regarding the County Pilot and MPUA and it was satisfied.

SAPP's Brothers TDD

City Attorney Mauer reported that SAPP's Brothers is seeking to establish a TDD. There was discussion that at this time SAPP's will not be annexing into city limits, the city will not be responsible for maintaining roads, the estimated sales tax generated and the negative perception if city intervened of TDD. The consensus of the Board was not to oppose the TDD, Mr. Mauer stated he would reach out the Sapp's Attorneys.

1.5. July 6, 2015.

Mr. Mauer opened the meeting, saying he had nothing new to report on the suit with Century Link, ...

Mr. Moody briefed the aldermen on the search for a new finance director. He said 13 applications were received and 4 people were interviewed. The top candidate withdrew from consideration following the interview. An offer was made to the next candidate judged worthy, but that person also withdrew. Mr. Moody said he anticipated advertising the position again, but intends to hire a person to fill the Finance Director's position in the interim.

Alderman Dickerson questioned hiring anyone, given the budget's current status. Mr. Moody said a finance director was a crucial position, especially at budget preparation time. He said the staff was weary from working short-handed for so long, and he could not, in good conscious, ask them to take on the finance director's duties as well.

1.6. August 25, 2015.

Finance Director Interview
Candidate-Marcella McCoy

1.7. September 16, 2015.

Discussion took place of Finance Director Tholen filling the Interim City Administrator position until a fulltime city administrator hired.

Mr. Tholen stated he would be interested and shared what his expectations would be. The list is below:

- Respect among the elected officials and staff
- Board to seek compromise and work together
- Board sets policies and goals and staff carry's the policies and goals out
- Not a candidate for a long-term position
- City Administrator funnels communication from the board to the staff

Mr. Tholen asked what the boards goals were for the interim city administrator, what is the top priority for the city, what roadblocks are present to keep you from the goals and priorities and what would you do to make it work?

There was discussion that the selection process for a new city administrator would take at least 6 months and Mr. Mauer explained the recruitment process.

The following were comments by board regarding Mr. Tholen taking the position of interim city administrator:

Provides good foundation, stability, knows inner workings, important to get started in the recruitment process, in favor of Mr. Tholen, should not huge projects, can't stop and let projects drop, don't want to lose out on big projects, don't want to miss out on opportunities just because we don't have a city administrator, and new city administrator needs to have emphasis on customer service.

There was discussion of hiring an outside recruiting firm to assist the board in their selection of a new city administrator and that they will be able to provide structure and contacts.

Mike said he would work four days a week and that the days might vary, he would be hourly and that he would have to keep track of his hours as he is collecting his LAGERS, at this time he would be willing to fill the position for four months and that he expects the selection process for a full-time city administrator be timely. ... The consensus of the board was to move forward with Mr. Tholen serving as the interim city administrator, pay would be \$75, 4 days a week, 10 days vacation (vacation had been planned previously to the resignation of Mr. Moody) and serve for 4 months.

1.8. October 5, 2015.

Love's TDD

Mr. Mauer opened the meeting, informing the board that Love's was moving forward with the TDD, this is a judicial process and the city is named as defendant. Mr. Mauer explained this is similar to the Sapps TDD process and the city did not oppose it. Mr. Mauer asked for direction from the board and the consensus of the board was to file no opposition.

1.9. October 26, 2015.

Mr. Tholen stated the purpose of the meeting was to get individual employee opinions and thoughts on the selection of the new city administrator.

There was discussion on the recruiting process.

Comments from Staff Members attached.

1.10. November 2, 2015.

City Administrator Recruitment

Board members discussed their thoughts on the characteristics, qualities and background they would like to see in the new city administrator. The board was in agreement in using a recruiting firm.

Staff was given direction to have recruitment information for the board to review ...

and board felt that recruitment cost should not exceed \$13,000

1.11. November 17, 2015.

Century Link

Mr. Mauer reported to the Board that he had an agreement for the Century Link case and reviewed the following:

- The tax payments made under protest will be released, \$140,812
- The new tax base would continue and if there is a change in the law then the tax base for the city would change.
- The attorney fees for Cunningham, Rost and Vogel would be reimbursed, \$122,540
- Century Link agreed to pay \$325,000, city getting \$257,453 after paying **Zerger and Mauer**

The board was good with the settlement and in agreement for this to come forward at the next board of aldermen meeting.

1.12. December 7, 2015.

Recruitment for City Administrator

Mr. Tholen reviewed quotes from recruiting firms for the City Administrator search. The following firms were presented: SGR, Austin Peters Group and Sparks Management. The Board agreed to interview Austin Peters Group before moving forward. Mr. Tholen was going to contact the firm and inquire as to their availability to meet.

1.13. December 21, 2015.

Recruitment for City Administrator-Austin Peters Group-Rebecca Crowder

Mr. Tholen reviewed the proposal submitted by the Austin Peters Group and introduced Rebecca Crowder. Ms. Crowder reviewed her background and the background of other employees at the company. Ms. Crowder reviewed the recruitment process and answered questions from the Board. Ms. Crowder left at 6:44 p.m. and discussion took place between Mr. Tholen, Mayor and Board. The consensus was to move forward and have the city attorney review the agreement.

2. 2016.

2.1. January 18, 2016.

Mayor/Board and giving Direction to Staff

Discussion took place regarding Mayor and Board giving direction to staff and not going through the chain of command. The example was used of the Mayor telling staff by email to hold off on issuing a Stop Work Order on construction of a building on the square which actually went against the City's code/policy. It was noted that these types of events put staff in a very difficult position and it was asked that the members of the Board and the Mayor go through the City Administrator and to remember that the staff is doing their jobs which is enforcing the code/policy and to change code it must be done as a board.

Mr. Tholen reminded the board that when he agreed to serve as interim city administrator it was till the end of January and that it was fast approaching. Mr. Tholen asked if the board for feedback which was given that he has done a good job and there are no issues.

2.2. March 7, 2016.

Century Link Litigation & Cunningham, Vogel and Rost

Mr. Mauer updated the Board regarding a bill that Cunningham, Vogel and Rost states the city owes and that the city was still part of a suite (that included other municipalities) that Cunningham was representing.

2.3. March 21, 2016.

City Administrator Recruitment

Discussion took place regarding the candidates that Ms. Flentje had forwarded to the Board. Ms. Flentje reported she would develop a menu of questions for the board to pick

from. The Board chose to interview on Wednesday, April 6th and Thursday, April 7th and that the interviews would be by phone unless staff could set it up as a video interview.

2.4. March 21, 2016 – Special Meeting.

ADS representatives in attendance: (Company)

- James Clemans – V.P. of Operations Services
- Gary Ashley – Midwest Regional Manager
- Joes Janer – Manager – Facilities Engineering
- ADP representatives in attendance: (Incentives Consultants)
- Michelle Silver – Director – ADP Tax Credits
- Richard Eads – Director – Business Incentives

New Development/Business

Representatives from ADS were in attendance and showed a video of their operations to the Board. Discussion took place covering the following:

- How many employees-approximately 75-77 over 3 phases which would consist of the following 4 to5 office, plant manager, supervisors, line operators, packing handlers, loaders and drivers.
- Timeline for being online-late fall
- There will be three (3) shifts operating 24 hours
- They have 61 plants-47 in the US 14 international
- 30 distribution centers and KC is one of the largest.
- Average salary of employees was discussed
- Long tenure of employees
- Good safety record

2.5. April 4, 2016.

ADS Update

Mr. Mauer gave an update on ADS and their request for abatement and that board direction was needed. Mr. Clarke distributed information regarding property and real estate taxes. There was discussion regarding a Chapter 100 and how it works, discussed PILOT (payment in lieu of taxes) money that could be distributed among the different taxing entities like the city does with the Wal-Mart DC PILOT money. There were no board members that opposed moving forward with the Chapter 100 with ADS and present the numbers that were shared with the board (packet is attached).

Mr. Tholen reported that a territorial agreement with KCPL would need to be done also for the ADS project. It was also noted that staff has met with the school superintendent regarding the project and the Chapter 100 and they were ok with it and that staff intended to meet with all of the taxing jurisdictions.

2.6. April 6, 2016.

City Administrator Interviews

The Mayor and Board interviewed candidates at 6:15 PM and at 7:30 PM. After interviews were conducted Ms. Flejte distributed reference checks and discussion took place regarding each candidate.

2.7. April 6, 2016.

City Administrator Interviews

The Mayor and Board interviewed candidates at 6:15 PM and at 7:30 PM. After interviews were conducted Mayor and Board discussed with Ms. Flenjte their thoughts on the candidates, Alderman Dickerson left at 8:10pm and stated it didn't matter on the candidates that he was ok with what the Board decided.

The consensus of the Mayor and Board was to conduct second interviews. There was discussion regarding the process.

2.8. April 25, 2016.

City Administrator Interviews

The Mayor and Board conducted a second candidate interview at 4:30pm and ended at 5:55pm. After interviews were conducted Mayor and Board discussed with Ms. Flenjte their thoughts on the candidates.

2.9. April 28, 2016.

City Administrator Interviews

The Mayor and Board conducted a second candidate interview at 4:30pm and ended at 6:10pm. After the interview was conducted Director Keith Thomas and Assistant Public Works Director Eric Patterson came in and shared their impression two candidates, and that they took each candidate on a tour of the city. Mr. Thomas and Patterson after their sharing their impressions and the Mayor and Board discussed with Ms. Flenjte their thoughts on the candidates.

2.10. May 2, 2016.

City Administrator Candidate Discussion

Mr. Tholen reported he spoke Marla Flentje and she shared that both candidates were still interested in the position. Mayor Hasek shared that he did not think there were enough candidates to compare. Mayor Hasek stated he would like to see the remaining candidate resumes.

Discussion took place of extending the city administrator process and Mr. Tholen was asked if he would be able to continue as serving as the Interim City Administrator. Mr. Tholen stated he was willing to stay on but let everyone know that he would have to work two days a week rather than four days to stay within the LAGER's guidelines.

It was also noted that Chief Hofer would be considered in charge when Mr. Tholen is out.

2.11. May 16, 2016.

State Audit of the City of Harrisonville Municipal Court

Mr. Tholen and Ms. McCoy reviewed the draft audit Ms. McCoy also reported that the report would be made public later this week and that an email would be sent to everyone letting them know when. There was no discussion or questions.

2.12. June 6, 2016.

City Administrator Search

Mr. Tholen reported he is in his 11 month as interim which 9 months of that has been serving as interim city administrator and is working two days a week. Mr. Tholen shared that there are some personnel changes that need to be done and that there is a strong need for changes in the HR function. Mr. Tholen let everyone know that he will be out the last of July, the last part of September and first part of October.

Mr. Tholen reported that Mayor Hasek has given him five or six names of candidates who meet the minimum requirements for the city administrator position to contact to see if they are still interested. It was discussed that Mr. Tholen will reach out to The Austin Peters Group to see about extending their agreement.

2.13. August 15, 2016.

Residency Requirement

Mr. Tholen explained that Mr. Patterson has been groomed to take over the public works director position and per the personnel manual the public works director is required to live inside city limits of Harrisonville. Discussion took place of Mr. Patterson's availability and that he lives two miles south of the runway. The board was asked to exempt Mr. Patterson from the residency requirement. There were no objections.

2.14. August 30, 2016.

City Administrator Search

Discussion took place regarding the search for a new city administrator, the possibility of dialing back on some of the qualifications such as experience with electric utility, time frame for advertising and that we would advertise in the same places.

Direction was given for city clerk to send the city administrator profile out for comments from everyone.

2.15. September 6, 2016.

353 Update-Senior Living Village

Mr. Tholen reported information is needed to move forward and that the fund that is to be maintained at \$10,000 is 60% depleted and needs to be brought up to \$10,000. There was a question on why permits were not being issued and share with the board when the answer is known.

2.16. October 24, 2016.

Review of City Administrator Resumes

The board selected five (5) applicants and three (3) alternates and set video interview dates and times for November 2 and November 3. Direction was given to the City Clerk to confirm a place to conduct the interviews. Board members were asked to keep November 8 and 9 and November 14-18 to conduct face to face interview.

2.17. November 15, 2016.

Employee Complaint – released because discussed in open session later.

Discussion took place regarding a complaint taken by the Senior Villas contractor against employee Kip Thomas regarding a comment that he allegedly made “I can make or break you” and a complaint that inspections were not being done in a timely fashion. Direction was given to have the allegations investigated.

2.18. November 21, 2016.

The group discussed and granted a city residency waiver for a new police lieutenant, provided he does not have a city car to take home. Mr. Tholen told the board, in the wake of Mr. Thomas’ death, the chain of command structure in the Electric Utility, for the foreseeable future, will be Brent Stockstill for the line crew; Mike Morales for tree trimmers; and Kristin Morrow for office administration. Eric Patterson is the alternate point of contact.

3. 2017.

3.1. February 6, 2017.

City Administrator Welch briefed aldermen on how he intends to fill the vacancies on staff. It was also noted that the Electric Department will be moved under the Public Works umbrella for the time being, that it might be possible to combine the roles of Community Development Director and Economic Development Manager; that the Community Development secretary will transfer to Public Works, and an extra person will be hired to work in the utilities area. One alderman expressed an opinion that the utilities staff could use some training in customer service and dealing with the public in a professional manner. Mr. Welch said he would ask Mr. Patterson to see if MPUA might offer such training.