

NOTICE OF OPEN MEETING

Public Notice is hereby given that the City Council of the City of Excelsior Springs will conduct a **Council Meeting at 6:00 PM, March 2, 2026** to consider and act upon the matters on the following agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at the time.

The tentative agenda of this meeting is as follows.

**City Council
City of Excelsior Springs**

A G E N D A



City Council Meeting
6:00 PM
Monday, March 2, 2026
**School District Building, Board Room No. 8, 113 Line St, Ex.
Springs MO**

CALL TO ORDER

Opening - Pastor James Wesley of Main Street Baptist Church

Pledge of Allegiance

Roll Call

Visitors

This time is reserved for public comment addressed to the City Council. Each speaker is limited to 5 minutes. Any agenda item which has a Public Hearing should be reserved until the Public Hearing is opened and comments on such item will be taken at that time.

Minutes of the Regular City Council Meeting of February 17, 2026

CONSIDERATION OF AGENDA

1. Proclamation to Honor and Thank City Manager Molly McGovern and Celebrate Her on Her Retirement
2. Consideration of Temporary Signage for the Excelsior Springs Museum and Archives to Promote the "Not Forgotten" Exhibit - Resolution No. 1646
3. Consideration of Amendment to the Zoning Regulations Regarding Drive-Thru Services at Marijuana Dispensaries - Ordinance No. 26-03-01
4. Consideration of Amendment to Zoning Regulations Concerning Temporary Short-Term Rental Regulations for Major Regional Events - Ordinance No. 26-

03-02

5. Consideration of Amendment to Zoning Regulations Concerning Minimum Floor Area for Residential Dwellings - Ordinance No. 26-03-03

6. Consideration of Application for State Transit Assistance - Ordinance No. 26-03-04

7. Consideration of Capital Purchase of Buses for Transportation from MoDOT/Application for Partial Reimbursement through MoDOT's SLFRF Funds - Ordinance No. 26-03-05

8. Consideration of Detainee Housing Agreement with Clay County - Ordinance No. 26-03-06

9. Consideration of Amendments to the City Personnel Policies - Ordinance No. 26-03-07

10. Notification of Change Orders

Remarks - City Manager

TRANSMITTAL - Health Insurance Renewal 2026

Remarks - City Council

Remarks - Mayor

Motion to Close the Meeting Pursuant to Section 610.021.1, RSMo.

Adjourn

Representatives of the news media may obtain copies of this notice by contacting the City Manager's office, 201 East Broadway. Phone (816) 630-0752.

If any accommodations are required in order to attend this meeting (i.e. qualified interpreter, large print, reader, hearing assistance), please notify the City Manager's office no later than 48 hours prior to the beginning of the meeting.

Date and Time of Posting: Thursday, February 26, 2026 at 2:30pm

CITY COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
February 17, 2026

The City Council of the City of Excelsior Springs, Missouri met in a Regular City Council Meeting at 6:00 PM, on Tuesday, February 17, 2026 in the Board Room of the School District Building located at 113 Line Street.

The opening was led by Pastor Gary Barkley of Pisgah Baptist Church.

The Pledge of Allegiance was led by Mayor Spohn.

The meeting was called to order by Mayor Spohn.

Roll Call of Members: Present: Mayor Mark Spohn, Mayor Pro-Tem Reggie St. John, Councilman Stephen Spear, Councilman Gary Renne, and Councilman John McGovern.

Absent: None.

VISITORS: Brianna Rock, 17862 N. Union Road, Lawson, MO, is in attendance to make the Excelsior Springs City Council aware that she hired Tim Rash of Green Mile Lawn Care to build her very large, expensive deck with the job going very wrong and is unsafe for use. He has no intention of making it right. Ms. Rock has inspection reports and photos of his work, using all wrong materials for outdoor use. She canvased surrounding communities and has stories of dangerous decks. She decided to let other communities know of his unsafe work. Ms. Rock has filed a complaint with the Attorney General. In investigating inspection reports from the City of Excelsior Springs, three reports were sent to her and the reports only list approved. He came to Excelsior Springs yesterday to obtain a business license and Green Mile Lawn & Landscaping has changed their name. Ms. Rock asks for Excelsior Springs to please execute and enforce the fees and laws set forth in your city, and have your inspector go back out to inspect. Mr. Rash should be penalized. With Ms. Rock's presentation time limit expiring, the City Council thanked her for attending the meeting.

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 2, 2026:

Mayor Pro-Tem St. John made a motion to approve the minutes of the Regular City Council Meeting of February 2, 2026. Motion was seconded by Councilman Renne. All in favor; motion carried.

Minutes of the Regular City Council Meeting of February 2, 2026 passed and approved February 17, 2026.

CONSIDERATION OF AGENDA:

Councilman McGovern made a motion to approve the agenda as presented. Motion was seconded by Councilman Spear.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

Nays: None, motion carried.

The agenda passed and approved February 17, 2026.

PROCLAMATION – OUT & ABOUT INITIATIVE:

Mayor Spohn read aloud the Proclamation for the Out & About Initiative and presented it to Laura Mize, Neighborhood Specialist. Laura Mize explained that the Initiative was originated in Utah and you go out and take a walk, meeting your neighbors.

PUBLIC HEARING – STORMWATER MS4 PERMIT RENEWAL AND ANNUAL STORMWATER UPDATE:

Nate Conyers, Stormwater Coordinator, gave the staff report of the renewal application and renewal meeting.

Mayor Spohn called for a motion to open the public hearing.

Councilman Spear made a motion to Open the Public Hearing for MS4 Permit Renewal and Annual Storm Water Update. Motion was seconded by Councilman Renne.

Roll Call of Votes: Ayes: McGovern, Renne, Spear, St. John, Spohn

Nays: None, motion carried.

The Public Hearing was opened at 6:16 pm.

With no comments from the public, Councilman McGovern motioned to Close the Public Hearing for MS4 Permit Renewal. Councilman Spear seconded.

Roll Call of Votes: Ayes: Spear, McGovern, Renne, St. John, Spohn

Nays: None, motion carried.

The Public Hearing was Closed at 6:17 pm.

Nate Conyers finished the report of the MS4 Permit Renewal and Annual Storm Water Update. There were no further questions or comments.

RESOLUTION NO. 1644, CONSIDERATION OF POLLUTION DEPARTMENT VEHICLE PURCHASE FOR 2026:

Mayor Spohn read by title Resolution No. 1644.

Chad Birdsong, Director of Public Works briefed the Council of the Resolution.

Councilman Renne made a motion to approve Resolution No. 1644 awarding the bid for the purchase of a 2025 GMC Savana G3500 to Roberts-Robinson Chevrolet CMC. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

Resolution No. 1644 passed and approved February 17, 2026.

RESOLUTION NO. 1645, CONSIDERATION OF SERVICE AGREEMENT WITH IBTS:

Mayor Spohn read by title Resolution No. 1645.

Mallory Brown, Director of Community Development briefed the Council of the Resolution.

Councilman Spear made a motion to approve Resolution No. 1645 authorizing a service agreement with the Institute for Building Technology and Safety (IBTS) for Building Department Services through the Mid-America Regional Council (MARC) Regional Shared Services Program. Motion was seconded by Mayor Pro-Tem St. John.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

Nays: None, motion carried.

Resolution No. 1645 passed and approved February 17, 2026.

RESOLUTION NO. 1636, CONSIDERATION OF SERVICES AGREEMENT WITH ORION MANAGEMENT SOLUTIONS RG, INC.:

Mayor Spohn read by title Resolution No. 1636.

Molly McGovern, City Manager briefed the Council of the Resolution that was previously tabled.

A discussion was had with the City Manager, Shane Gardner of Orion Management Solutions RG, Inc., and Councilman Spear. The agreement with Orion is in the sixth year and ends in February 2027. We are pleased with the agreement, the financial success, and the positive arrangement. We appreciate what Orion has brought forth and want to see them continue to grow. Councilman Spear wants to protect tax payer revenues. What happens if we have a year when expenses exceed revenues. The hope is for Capital Improvements not to exist in the future. It comes down to what does City Council want to accomplish.

Councilman Spear made a motion to table Resolution No. 1636 to revise the language and bring the Resolution back to the March 2, 2026 City Council Agenda. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: Renne, Spear, McGovern, St. John, Spohn

Nays: None, motion carried.

Resolution No. 1636 was tabled on February 17, 2026.

ORDINANCE NO. 26-02-03, CONSIDERATION OF GRANT FUNDING TO PARTICIPATE IN MISSOURI HIGHWAY SAFETY PROGRAM:

Mayor Spohn read by title Ordinance No. 26-02-03.

Robert Warner, Police Captain briefed the Council of the Ordinance.

Mayor Pro Tem St. John made a motion to place Ordinance No. 26-02-03 authorizing participation in the Missouri Department of Transportation Highway Safety and Traffic Division Traffic Enforcement Grant Programs for Fiscal Year 2027, including the Hazardous Moving Violations Grant and the Driving Under the Influence Grant on second reading. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: McGovern, Renne, Spear, St. John, Spohn

Nays: None, motion carried.

Mayor Spohn read by title the second reading of Ordinance No. 26-02-03.

Councilman Spear made a motion to approve Ordinance No. 26-02-03 authorizing participation in the Missouri Department of Transportation Highway Safety and Traffic Division Traffic Enforcement Grant Programs for Fiscal Year 2027, including the Hazardous Moving Violations Grant and the Driving Under the Influence Grant. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: Renne, McGovern, Spear, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 26-02-03 passed and approved February 17, 2026.

ORDINANCE NO. 26-02-04, CONSIDERATION OF ADJUSTING SCHEDULE OF FEES FOR THE ANIMAL CONTROL CENTER:

Mayor Spohn read by title Ordinance No. 26-02-04.

Captain Warner briefed the Council of the Ordinance.

With the change to the ordinance, this only allows a total of 4 animals (whether it be a combination of dogs or cats), miniature pigs will not be allowed, and the requirement of animal tags will not be required. Councilman McGovern appreciates the work the Police Department has done on this, and of the changes what problems will it create to not require the animal tags? The tags may be useful to the department in the future to track a stray pet and get it back to its rightful owner. Councilman McGovern prefers to leave in the tags as to not give away a successful tool for the future. Mallory Brown, Community Development Director spoke with Captain Warner, in the absence of Police Chief Gregory Dull, in favor of leaving in the tags. The tags can be distributed online to emails or mailing tags. The online process is recommended by Councilmen, the physical tag is the question.

Councilman McGovern made a motion to table Ordinance No. 26-02-04 for added or revised language in amending Chapter 210 of the City Code regarding Animal Regulations and Licensing, and Amending Appendix A relating to Animal Fees. Motion was seconded by Mayor Pro Tem St. John.

Roll Call of Votes: Ayes: Renne, Spear, McGovern, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 26-02-04 was tabled February 17, 2026.

ORDINANCE NO. 26-02-05, CONSIDERATION OF FISCAL YEAR 2024 END OF YEAR BUDGET AMENDMENT:

Mayor Spohn read by title Ordinance No. 26-02-05.

Vonda Floyd, Finance Director briefed the Council of the Ordinance.

Councilman Spear made a motion to place Ordinance No. 26-02-05 approving Budget Amendments which affect Budget Surpluses to cover authorized expenditures of funds, amending the appropriate line items and amending Ordinance No. 23-09-05 on second reading. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: McGovern, Spear, Renne, St. John, Spohn

Nays: None, motion carried.

Mayor Spohn read by title the second reading of Ordinance No. 26-02-05.

Councilman McGovern made a motion to approve Ordinance No. 26-02-05 approving Budget Amendments which affect Budget Surpluses to cover authorized expenditures of funds, amending the appropriate line items and amending Ordinance No. 23-09-05. Motion was seconded by Councilman Renne.

Roll Call of Votes: Ayes: McGovern, Renne, Spear, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 26-02-05 passed and approved February 17, 2026.

ORDINANCE NO. 26-02-06, CONSIDERATION OF FISCAL YEAR 2025 END OF YEAR BUDGET AMENDMENT:

Mayor Spohn read by title Ordinance No. 26-02-06.

Vonda Floyd, Finance Director briefed the Council of the Ordinance.

Councilman Renne made a motion to place Ordinance No. 26-02-06 amending the Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025 on second reading. Motion was seconded by Mayor Pro Tem St. John.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

Mayor Spohn read by title the second reading of Ordinance No. 26-02-06.

Councilman Spear made a motion to approve Ordinance No. 26-02-06 amending the Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025. Motion was seconded by Councilman McGovern.

Roll Call of Votes: Ayes: Spear, Renne, McGovern, St. John, Spohn

Nays: None, motion carried.

Ordinance No. 26-02-06 passed and approved February 17, 2026.

JANUARY 2026 REVENUE REPORT AND FINANCIALS FOR REVIEW:

Mayor Spohn read by title the January 2026 Revenue Report and Financials for Review.

Vonda Floyd, Finance Director briefed the Council of the Review and highlighted several action such as the Dry Fork Grant, AIERA, Appropriations, Elevator Repairs in the Hall of Waters, Payroll Changes, and the Revenue Report. Councilman Spear noted that he appreciates the Finance Department for the amount of time spent to correct the overtime issue caused by Paychex. Vonda Floyd recognized the HR Department for the amount of time they had to also spend in making the correction.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager, Molly McGovern:

1. Nothing this evening, except the Court Report for January is in your Transmittals.

Councilman Renne:

1. Congratulations to our Excelsior Springs High School Debate Team, they are overall Champions. They make our city proud!

Councilman McGovern:

1. Nothing this evening.

Councilman Spear:

1. This may be old news but we won! Our City is amongst the 5 cities that won. I'll be excited to see the video.

Mayor Pro-Tem St. John:

1. Noting a comment from Travel and Leisure, I've lived in the Midwest most of my life and have never visited Excelsior Springs. It is the most charming town.
2. I always like to recognize folks that have longevity and bring forth their talents to the city; Cassie Cramer Stocks - 14 Years, David Shadwick – 22 Years, Mike Thompson – 12 Years.
3. Molly McGovern, wishing you well in retirement and good luck putting up with Councilman McGovern during retirement.

Mayor Spohn:

1. We attended the Excelsior Springs School District's 5 Year Comprehensive Plan that was focused on the Career Center and Middle School. I am impressed with the Career Center and the evening classes they have to offer. Ben Ruby is doing an excellent job.

With no further business at hand, Councilman McGovern made a motion to end the Regular City Council Meeting of February 17, 2026. Mayor Pro Tem St. John seconded. All in favor; motion carried.

The Regular City Council meeting of February 17, 2026 adjourned at 7:07 pm.

ATTEST:

MARK D. SPOHN, MAYOR

SHANNON STROUD, CITY CLERK



Board/Commission Members
City Council 3/2/2026

TO: City Council
FROM: Mark Spohn, Council Member - Mayor
DATE:
RE: Consideration of Agenda

1. PROCLAMATION

A PROCLAMATION

Honoring Molly McGovern, City Manager of the City of Excelsior Springs

WHEREAS, dedicated public service requires integrity, resilience, and visionary leadership; and

WHEREAS, Molly McGovern has faithfully served the citizens of Excelsior Springs with professionalism, transparency, and steadfast commitment as City Manager; and

WHEREAS, during her tenure, she skillfully guided the City through the challenges of a State audit and the unprecedented impacts of the COVID-19 pandemic, ensuring stability, accountability, and continuity of essential services; and

WHEREAS, she was influential in the development and completion of the new Community Center and its three phases, as well as the construction of the golf clubhouse and advancement of the golf subdivision, strengthening recreational opportunities and economic growth; and

WHEREAS, she championed a culture of opportunity and collaboration by consistently encouraging internships, mentorships, sponsorships, and partnerships to invest in future leaders and strengthen community ties; and

WHEREAS, through her leadership and diligence in submitting competitive grant applications, she secured millions of dollars in funding for transformative city projects; and

WHEREAS, she led the City to join Communities of Excellence in 2017, becoming the first community in the nation to achieve Silver Status and earning national recognition for organizational excellence; and

WHEREAS, she played a pivotal role in conducting salary studies, implementing Cost of Living Adjustments and merit raises, and establishing a Leave Committee to support and value City employees; and

WHEREAS, her forward-thinking leadership helped launch Solar Fest, advance annexation efforts, establish the Westside Community Improvement District, and guide the development of the Comprehensive Plan and Thrive Task Forces; and

WHEREAS, she supported long-term sustainability initiatives including the Fishing River Watershed Study and the creation of the Community Foundation, ensuring thoughtful stewardship of resources and community vitality; and

WHEREAS, after years of exemplary service marked by resilience, innovation, and dedication, Molly McGovern now retires, leaving a lasting legacy of progress and excellence.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Mark Spohn, Mayor of the City of Excelsior Springs, Missouri, and on behalf of the City Council, staff, and citizens of Excelsior Springs, do hereby recognize and honor Molly McGovern for her extraordinary service as City Manager and express our deepest gratitude for her transformative leadership.

BE IT FURTHER PROCLAIMED, that we congratulate her on her well-earned retirement and extend our sincere wishes for continued health, happiness, and success in all her future endeavors.

IN WITNESS WHEREOF, this proclamation is hereby adopted this 2nd day of March, **2026**.

SEAL:

Mark D. Spohn, Mayor



City Planner**City Council 3/2/2026**

TO: City Council
FROM: Joshua Garrett, City Planner
DATE:
RE: Consideration of Agenda

1. Museum Exhibit Signage Resolution - City Council Letter
2. RESOLUTION - Museum Exhibit Signage

Community Development Department Planning & Zoning



February 24, 2026

To: Mayor and City Council
City of Excelsior Springs

Re: Approval of a temporary sign for the Museum's Vietnam War Era exhibit

On February 12, 2026, the Excelsior Springs Museum and Archives submitted a sign permit application with the Community Development Department. The permit is to place a temporary banner sign above the main entrance of the Museum to promote their new exhibit, titled "Not Forgotten: Local Stories of the Vietnam War Era." The museum seeks to keep the signage posted through November 2027 while the exhibit is open. The proposed signage does not comply with the City's sign code concerning permanent or temporary signs. As such, the sign permit cannot be approved by City staff.

Although the proposed sign cannot be approved by staff, section 403.120(E) of the Sign Regulations states that:

"Public agencies and not-for-profit institutions may apply for City Council review and approval of identification, event scheduling and similar signage not covered elsewhere in these regulations. Approval of such signage, under conditions and limitations deemed to be in the public interest, is at the sole discretion of the City Council."

With this provision in mind, the Museum has elected to seek the approval of the City Council for the proposed signage. A letter signed by Deb Foster, the Project Manager, and Darryl Coutts, the Museum Board President, has been submitted requesting Council approval.

City staff have prepared a resolution for your consideration, which approves the Museum's proposed signage with certain conditions in accordance with section 403.120(E) of the City's Sign Regulations. The conditions of approval proposed by staff are to ensure that the proposed signage is maintained in good condition, the signage is removed when

appropriate, and that the method of attachment does not damage the historical character of the building, among other similar concerns.

Please contact me if you have any questions, concerns, or comments regarding the proposed zoning text amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joshua Garrett', with a stylized flourish at the end.

Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Draft Resolution

Letter from Museum Staff

RESOLUTION NO. 1646

A RESOLUTION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, APPROVING TEMPORARY SIGNAGE FOR THE EXCELSIOR SPRINGS MUSEUM AND ARCHIVES TO PROMOTE THEIR EXHIBIT TITLED “NOT FORGOTTEN: LOCAL STORIES OF THE VEITNAM WAR ERA”

WHEREAS, the Excelsior Springs Museum and Archives (Museum) has developed a new exhibit titled “Not Forgotten: Local Stories of the Vietnam Era,” which serves not only as a means to honor veterans of the Vietnam War, but to also educate the public by sharing local stories from within the Excelsior Springs community; and

WHEREAS, to promote the exhibit, the Museum intends to use signage placed above the primary entrance to their building; however, the proposed signage does not conform to the City’s adopted sign regulations concerning sign type, material, and the duration for which the temporary sign will be displayed; and

WHEREAS, the sign regulations, specifically section 403.120(E), permits the City Council to review and approve signage that would otherwise not be permitted at the request of public and non-profit organizations for purposes deemed to be in the public interest; and

WHEREAS, the Museum has submitted a letter requesting that the Mayor and City Council approve the proposed signage in accordance with Section 403.120(E) of the City’s sign regulations; and

WHEREAS, the request includes additional information concerning the location of the sign, the method of attachment to the building, and the duration for which the sign will be displayed; and

WHEREAS, the City Council finds that the proposed sign serves the public interest by promoting awareness of the Museum’s exhibit highlighting an important period in the history of Excelsior Springs and the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. Approval. The proposed sign for the “Not Forgotten: Local Stories of the Vietnam Era” is hereby approved, with conditions further outlined in the resolution.

Section 2. Building Permits. The Museum must submit a sign permit application and receive approval from the Community Development Department prior to the installation of the proposed sign.

Section 3. Size. The sign must not exceed an area of 35 square feet, with a maximum height of five (5) feet and a maximum length of seven (7) feet.

Section 4. Location. The sign must be affixed to the building at 101 E Broadway Avenue, above the primary entrance to the building. The sign may not be located elsewhere on the building, property, or outdoors within the City of Excelsior Springs without approval from the City Council.

Section 5. Method of Attachment. The sign must be affixed to the building in such a way that does not damage or permanently alter the historic character of the building. The proposed eyebolts placed in the building's mortar are acceptable to the extent it does not permanently damage the building.

Section 6. Timeline. The sign may be installed following the approval of a building permit issued by the Community Development Department. Once installed, the sign may be displayed until November 30, 2027, with the exception of a period lasting from December 1, 2026 through January 31, 2027, when the Museum is closed. While the Museum is closed in December and January, the sign must be removed.

Section 7. Maintenance. The sign must be maintained and kept in such a condition that complies with section 403.120(A) of the City's sign regulations. If the sign is damaged or falls into disrepair, it must be removed. In order to maintain a clean and neat appearance, the sign may be replaced provided the replacement sign is the same size and similar in design to the sign approved herein.

Section 8. Removal. When the sign is permanently removed, all supports and methods by which the sign was affixed to the building must be removed, including any existing eyebolts. The holes in the mortar created by the removal of the eyebolts or other fasteners must be repaired in such a manner that preserves the historic character of the building. The visual impact of the repairs should be reduced to the greatest extent possible and the repair mortar should match the historic building's mortar in color and composition.

Section 9. Revocation. If the Museum fails to adhere to any of the conditions of approval outlined by this resolution, this approval may be revoked by resolution of the City Council.

Section 10. Implementation. The City Manager and other appropriate City officials are hereby authorized to take all actions necessary to implement and administer the terms and conditions of this Resolution.

Section 11. Effective Date. This resolution shall be in full force and effect from and after its passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Excelsior Springs, Missouri, this 2nd day of March, 2026.

Mark D. Spohn, Mayor

ATTEST:

REVIEWED BY:

Shannon Stroud, City Clerk

Molly McGovern, City Manager



City Planner
City Council 3/2/2026

TO: City Council
FROM: Joshua Garrett, City Planner
DATE:
RE: Consideration of Agenda

1. ZTA-26-002 - City Council Letter
2. ORD - ZTA-26-002 - Draft Ordinance (002)
3. ZTA-26-002 - Staff Report
4. ZTA-26-002 - PZC Resolution - SIGNED

Community Development Department Planning & Zoning



February 24, 2026

To: Mayor and City Council
City of Excelsior Springs

Re: Planning and Zoning Case No. ZTA-26-002 – Zoning Text Amendment

On February 23, 2026 the Planning and Zoning Commission held a public hearing for a proposed amendment to Chapter 400 of the Code that removes a provision that restricts marijuana dispensaries from having drive-through services. City staff presented a report on the proposed amendment and fielded questions from the Commission. Following discussion on the matter, the Commission voted 5-0 in favor of recommending approval of the proposed text amendments.

An ordinance has been prepared and is attached, along with supporting documents, for your consideration.

Please contact me if you have any questions, concerns, or comments regarding the proposed zoning text amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua Garrett".

Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Draft Ordinance

Staff Report

Planning and Zoning Resolution

ORDINANCE NO. 26-03-01

**AN ORDINANCE OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AMENDING TITLE IV,
CHAPTER 400 OF THE CODE OF ORDINANCES REGARDING DRIVE-THROUGH SERVICES FOR
MARIJUANA DISPENSARIES**

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on February 23, 2026, to consider proposed amendments to Chapter 400, specifically concerning drive-through services for marijuana dispensaries; and

WHEREAS, the Planning and Zoning Commission, following said public hearing, recommended approval of the proposed amendments to the City Council by a vote of 5-0; and

WHEREAS, the City Council of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on March 2, 2026 to consider the proposed amendments and the recommendation of the Planning and Zoning Commission; and

WHEREAS, the City Council finds that the proposed amendment will modernize the zoning code to accommodate evolving market practices, support the economic viability of a legal industry, and provide a consistent and predictable regulatory environment for businesses operating within the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. Repeal and Reservation of Section 400.300, Subsection (D)(6). Subsection (D)(6) of Section 400.300 of Chapter 400 of Title IV of the Code of Ordinances, which currently reads:

"Marijuana dispensaries are prohibited from having drive-through services."

is hereby repealed in its entirety, and the subsection (D)(6) shall hereafter be designated as "Reserved."

Section 2. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Errors. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Excelsior Springs, Missouri, this 2nd day of March, 2026.

Mark D. Spohn, Mayor

ATTEST:

REVIEWED BY:

Shannon Stroud, City Clerk

Molly McGovern, City Manager

Community Development Department Planning & Zoning



February 23, 2026

To: Chairman and Commissioners
Planning & Zoning Commission

Re: Staff Report for Case No. ZTA-26-002 – Zoning Text Amendment

Proposal Summary:

City staff proposes an amendment to Chapter 400 of the Code that removes a provision that restricts marijuana dispensaries from having drive-through services.
(Public Hearing)

Background:

In recent years, consumer market trends have shown a clear favorability for curb-side pickup or drive-through services or a variety of goods, including marijuana sales. City of Excelsior Springs is one of the only cities in the Kansas City metropolitan region expressly restricts drive-through services at marijuana dispensaries. This restricts businesses operating in Excelsior Springs, or businesses looking to locate to Excelsior Springs, from competing with other area dispensaries and meeting market demands. Such demands are driven by general consumer preferences, but also by persons with certain disabilities that may benefit from drive-through services. The proposed amendment will alleviate some of these concerns and accommodate local businesses.

Amendment Description:

Currently, section 400.300, which concerns marijuana facilities, prohibits drive-through services for marijuana dispensaries. This is outlined specifically in Section 400.300(D)(6). The proposed amendment removes subsection (6) in its entirety. This change would permit marijuana dispensaries to operate drive-through services, if the business so chooses. The proposed amendment does not change any other regulation or provision concerning marijuana facilities.

The changes will be as follows:

400.300(D)(6).

~~Marijuana dispensaries are prohibited from having drive-through services.~~

(Reserved).

Staff Recommendation:

City staff recommends approval of the proposed zoning text amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joshua Garrett', with a stylized flourish at the end.

Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Exhibit A – Draft Ordinance

Exhibit B – Resolution

RESOLUTION NO. PZC-26-002

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI RECOMMENDING THE CITY COUNCIL APPROVE THE PROPOSED AMENDMENTS TO TITLE IV, CHAPTER 400 OF THE CODE OF ORDINANCES REGARDING DRIVE-THROUGH SERVICES FOR MARIJUANA DISPENSARIES

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, in accordance with Section 404.090(A) of the City's Code of Ordinances, City staff have prepared the application assigned case number ZTA-26-002 to amend Chapter 400 and have presented a staff report for the Planning and Zoning Commission's consideration; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on February 23, 2026 to consider proposed amendments; and

WHEREAS, the Planning and Zoning Commission finds that the proposed amendments will modernize the zoning code to accommodate evolving market practices, support the economic viability of a legal industry, and provide a consistent and predictable regulatory environment for businesses operating within the city.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Recommendation. The Planning and Zoning Commission recommends that the City Council approve the application assigned case number ZTA-25-002 to amend Title IV, Chapter 400 of the Code of Ordinances, concerning drive-through services for marijuana dispensaries.

PASSED AND APPROVED by the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, this 23rd day of February 2026.



Creyton Vincent,
Vice-Chairman
Planning and Zoning Commission



Mallory Brown,
Community Development Director



City Planner
City Council 3/2/2026

TO: City Council
FROM: Joshua Garrett, City Planner
DATE:
RE: Consideration of Agenda

1. ZTA-26-003 - City Council Letter
2. ORD - ZTA-26-003 - Draft Ordinance
3. ZTA-26-003 - Staff Report
4. ZTA-26-003 - PZC Resolution - SIGNED

Community Development Department Planning & Zoning



February 24, 2026

To: Mayor and City Council
City of Excelsior Springs

Re: Planning and Zoning Case No. ZTA-26-003 – Zoning Text Amendment

On February 23, 2026 the Planning and Zoning Commission held a public hearing for a proposed amendment to Chapter 400 of the Code that permits short-term rentals by right outside of the Downtown Tourist District, when the City Council declares a major regional event period by resolution. City staff presented a report on the proposed amendment and fielded questions from the Commission. Following discussion on the matter, the Commission voted 5-0 in favor of recommending approval of the proposed text amendments.

An ordinance has been prepared and is attached, along with supporting documents, for your consideration.

Please contact me if you have any questions, concerns, or comments regarding the proposed zoning text amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua Garrett".

Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Draft Ordinance

Staff Report

Planning and Zoning Resolution

ORDINANCE NO. 26-03-02

**AN ORDINANCE OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AMENDING TITLE IV,
CHAPTER 400 OF THE CODE OF ORDINANCES REGARDING SHORT-TERM RENTAL
REGULATIONS DURING CITY COUNCIL DECLARED MAJOR EVENTS AND OTHER MINOR
CHANGES**

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City’s Comprehensive Plan and long-term goals; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on February 23, 2026, to consider proposed amendments to Chapter 400, specifically concerning the allowance of short-term rentals by right outside of the Downtown Tourist Area when the City Council has declared a major event period by resolution; and

WHEREAS, the Planning and Zoning Commission, following said public hearing, recommended approval of the proposed amendments to the City Council by a vote of 5-0; and

WHEREAS, the City Council of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on March 2, 2026 to consider the proposed amendments and the recommendation of the Planning and Zoning Commission; and

WHEREAS, the City Council finds that the proposed amendment will help the local economy of Excelsior Springs by capitalizing on market demands for lodging during major regional events, while also respecting the residential character of Excelsior Springs neighborhoods.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. Amendments. Chapter 400 of Title IV of the Code of Ordinances is hereby amended to read as written in Exhibit A, which is attached and incorporated into the Ordinance.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Errors. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Excelsior Springs, Missouri, this 2nd day of March, 2026.

Mark D. Spohn, Mayor

ATTEST:

REVIEWED BY:

Shannon Stroud, City Clerk

Molly McGovern, City Manager

EXHIBIT A

Section 400.240. Accessory Uses.

M. ~~Short-Term~~ Short-term Rental.

1. ~~Short-term~~ Short-term rentals are permitted in any ~~legally conforming~~ legal single-family, two-family, three-family or four-family residential structure, or mixed residential and non-residential use within the Central Business District, regardless of zoning district.
 - a. Within the Downtown Tourist Area, ~~short-term~~ short-term rentals are permitted ~~outright~~ by right.
 - b. Outside of the Downtown Tourist Area, ~~short-term~~ short-term rentals are permitted with a special use permit; however, when the City Council has declared a major event period by resolution, short-term rentals shall be permitted by right during the declared period.
2. All ~~short-term~~ short-term rentals shall obtain a City business license, issued upon compliance with all zoning and site standards, as applicable.
3. All ~~short-term~~ short-term rentals shall comply with the following site standards:
 - a. Sufficient off-street parking shall be provided: a minimum of two (2) on-site off-street parking spaces (covered or uncovered) for ~~short-term~~ short-term rentals with up to three (3) bedrooms. An additional on-site off-street parking space is required for each bedroom over three (3).
 - b. Occupancy: a maximum of two (2) adult guests per bedroom.
 - c. Inspection: City rental inspections are required every two (2) years.
 - d. ~~Short-term~~ Short-term rental City business license and/or special use permit is subject to revocation upon three (3) or more City Code property maintenance and/or disturbance citations or charges thereby constituting a chronic nuisance, within the one-year period of City business license issuance or renewal.
4. ~~Short-term~~ Short-term rentals located in a mixed residential and non-residential use within the Central Business District according to the standards of Section 400.180(F) are not subject to the off-street parking site standards.
5. Proposed ~~short-term~~ short-term rentals located in the Downtown Tourist Area unable to meet the off-street parking site standards may be considered through special use permit application.
6. Only the property owner of record may obtain a City business license and/or apply for a special use permit for a ~~short-term~~ short-term rental.

7. Boundaries of Downtown Tourist Area: the Elms Historic District, the Boarding House Historic District, and the Hall of Waters Historic District as established as Historic Preservation Districts and designated as such by the Official Zoning Map of the City of Excelsior Springs; and point of beginning: intersection of Isley Boulevard and Saratoga Avenue; thence east along the centerline of Isley Boulevard to the southeast corner of Calhoun Street; thence south and southwesterly along the east side of Calhoun Street to the intersection of Lover's Lane/Isley Park Wood Trail; thence westerly along the centerline of Lover's Lane/Isley Park Wood Trail to the intersection of Isley Boulevard; thence east along the centerline of Isley Boulevard to the Point of the beginning.
8. Separation Standards.
 - a. No separation standards apply in the Downtown Tourist Area.
 - b. No new ~~STR~~ short-term rental shall be permitted to locate within one thousand (1,000) feet of any then existing ~~STR~~ short-term rental. The distance shall be measured from the external walls of the proposed and existing ~~STR~~ short-term rental residential units ~~and shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.~~

Community Development Department Planning & Zoning



February 23, 2026

To: Chairman and Commissioners
Planning & Zoning Commission

Re: Staff Report for Case No. ZTA-26-003 – Zoning Text Amendment

Proposal Summary:

City staff proposes an amendment to Chapter 400 of the Code that permits short-term rentals by right outside of the Downtown Tourist District, when the City Council declares a major regional event period by resolution. *(Public Hearing)*

Background:

The 2026 FIFA World Cup is happening throughout North America in the summer of 2026. Kansas City, being a central location and home to one of the stadiums in which matches will be played, will have a significant influx of visitors and tourists throughout the summer. As such, demands for lodging will be significantly higher than what is typical. To accommodate this increased demand, cities throughout the region have been relaxing their short-term rental regulations while the World Cup is in North America.

Amendment Description:

Currently, the short-term rental regulations require short-term rentals outside of the Downtown Tourist District to obtain a special use permit prior to operating. This proposed amendment would allow this to be temporarily suspended, and permit short-term rentals by right, when the City Council declares a major event period by resolution. Following the end of the declared event period, the regulations would automatically revert back to requiring a special use permit for short-term rentals outside of the Downtown Tourist District.

The changes will be as follows:

a. **400.240(M)(1).**

Outside of the Downtown Tourist Area, ~~short-term~~ short-term rentals are permitted with a special use permit; however, when the City Council has declared a major event period by resolution, short-term rentals shall be permitted by right during the declared period.

Staff Analysis:

The proposed text amendment would allow local residents and businesses alike to capitalize on the increased demand for lodging. However, by making these changes temporary, residents of Excelsior Springs can ensure that the essential character of their neighborhoods remains residential in nature. While the special use permit requirement is dropped for the event period, short-term rentals will still need to obtain a business license, along with rental and fire inspections prior to starting operations.

Staff Recommendation:

City staff recommends approval of the proposed zoning text amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joshua Garrett', written in a cursive style.

Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Exhibit A – Draft Ordinance

Exhibit B – Resolution

RESOLUTION NO. PZC-26-003

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI RECOMMENDING THE CITY COUNCIL APPROVE THE PROPOSED AMENDMENTS TO TITLE IV, CHAPTER 400 OF THE CODE OF ORDINANCES REGARDING SHORT-TERM RENTAL REGULATIONS DURING CITY COUNCIL DECLARED MAJOR EVENTS AND OTHER MINOR CHANGES

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, in accordance with Section 404.090(A) of the City's Code of Ordinances, City staff have prepared the application assigned case number ZTA-26-003 to amend Chapter 400 and have presented a staff report for the Planning and Zoning Commission's consideration; and

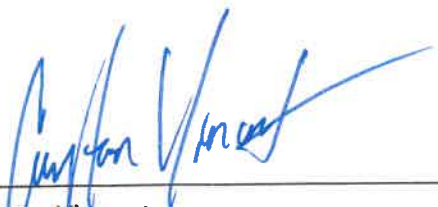
WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on February 23, 2026 to consider proposed amendments; and

WHEREAS, the Planning and Zoning Commission finds that the proposed amendments will help the local economy of Excelsior Springs by capitalizing on market demands for lodging during major regional events, while also respecting the residential character of Excelsior Springs neighborhoods

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Recommendation. The Planning and Zoning Commission recommends that the City Council approve the application assigned case number ZTA-25-003 to amend Title IV, Chapter 400 of the Code of Ordinances, concerning the allowance of short-term rentals by right outside of the Downtown Tourist Area when the City Council has declared a major event period by resolution.

PASSED AND APPROVED by the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, this 23rd day of February 2026.


Creyton Vincent,
Vice-Chairman
Planning and Zoning Commission


Mallory Brown,
Community Development Director



City Planner
City Council 3/2/2026

TO: City Council
FROM: Joshua Garrett, City Planner
DATE:
RE: Consideration of Agenda

1. ZTA-26-004 - City Council Letter
2. ORD - ZTA-26-004 - Draft Ordinance
3. ZTA-26-004 - Staff Report
4. ZTA-26-004 - PZC Resolution - SIGNED

Community Development Department Planning & Zoning



February 24, 2026

To: Mayor and City Council
City of Excelsior Springs

Re: Planning and Zoning Case No. ZTA-26-004 – Zoning Text Amendment

On February 23, 2026 the Planning and Zoning Commission held a public hearing for a proposed amendment to Chapter 400 of the Code sets the minimum dwelling size for zoning districts R-1 through R-3, and district "A" to 800 square feet of living space. City staff presented a report on the proposed amendment and fielded questions from the Commission. Following discussion on the matter, the Commission voted 5-0 in favor of recommending approval of the proposed text amendments.

An ordinance has been prepared and is attached, along with supporting documents, for your consideration.

Please contact me if you have any questions, concerns, or comments regarding the proposed zoning text amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua Garrett".

Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Draft Ordinance

Staff Report

Planning and Zoning Resolution

ORDINANCE NO. 26-03-03

**AN ORDINANCE OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AMENDING TITLE IV,
CHAPTER 400 OF THE CODE OF ORDINANCES REGARDING MINIMUM FLOOR AREA FOR
RESIDENTIAL STRUCTURES**

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on February 23, 2026, to consider proposed amendments to Chapter 400, specifically concerning the minimum allowable floor area for residential structures; and

WHEREAS, the Planning and Zoning Commission, following said public hearing, recommended approval of the proposed amendments to the City Council by a vote of 5-0; and

WHEREAS, the City Council of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on March 2, 2026 to consider the proposed amendments and the recommendation of the Planning and Zoning Commission; and

WHEREAS, the City Council finds that the proposed amendment will modernize the zoning code to accommodate evolving housing needs and market trends while preserving the character of the neighborhoods in Excelsior Springs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. Amendments. Chapter 400 of Title IV of the Code of Ordinances is hereby amended to read as written in Exhibit A, which is attached and incorporated into the Ordinance.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Errors. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Excelsior Springs, Missouri, this 2nd day of March, 2026.

Mark D. Spohn, Mayor

ATTEST:

REVIEWED BY:

Shannon Stroud, City Clerk

Molly McGovern, City Manager

EXHIBIT A

Section 400.070 District "A" – Agriculture District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "A" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

****Note:** Subsections one through six are not included in this amendment.

7. **Minimum Dwelling Size.** ~~Minimum size of single-family dwelling shall be eight hundred and fifty (850) square feet of living floor area.~~ **Principal dwellings shall have a minimum of eight hundred (800) square feet of habitable floor area, excluding basements, garages, attics and other areas not designed for living space.**

Section 400.075 District "R-1A" – Single-Family Residential Traditional District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-1A" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

****Note:** Subsections one through six, eight, and nine are not included in this amendment.

8. **Floor Area Minimum Dwelling Size.** ~~No single-family dwelling shall be constructed, reconstructed, altered or moved unless it contains a total floor area, finished for living purposes, of not less than one thousand one hundred (1,100) square feet.~~ **Principal dwellings shall have a minimum of eight hundred (800) square feet of habitable floor area, excluding basements, garages, attics and other areas not designed for living space.**

Section 400.080 District "R-1" – Single-Family Residential District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-1" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

****Note:** Subsections one through six, eight, nine, and ten are not included in this amendment.

9. **Floor Area Minimum Dwelling Size.** ~~No single-family dwelling shall be constructed, reconstructed, altered or moved unless it contains a total floor area, finished for living purposes, of not less than one thousand one hundred (1,100) square feet.~~ **Principal dwellings shall have a minimum of eight hundred (800)**

square feet of habitable floor area, excluding basements, garages, attics and other areas not designed for living space.

Section 400.075 District "R-2" – Two-Family Residential District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-2" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

****Note:** Subsections one through eight are not included in this amendment.

9. Infill Or Previously Approved Housing. Notwithstanding any of the requirements of Subsections (5), (7) and (~~8~~**10**) of this Subsection (B), in areas where the surrounding area is generally developed and the site is either vacant or has previously been used for another purpose, any principal residential structure may be designed and constructed or reconstructed to face the street that any existing, immediately adjoining principal structure faces, and may have a lot area and floor area not less than:
- a. The average of the principal residential structures on both sides of the street between two (2) intersecting streets (excluding reverse corner lots); or
 - b. The lot area and floor area of any residential structure previously constructed on the site in conformance with lot area and floor area requirements at the time of construction.

Parking shall be in conformity with the adjacent single-family residences facing the same street, or shall be the same parking provided with the residential structure previously constructed on the site in conformance with the parking requirements at the time of construction. The scale, placement on the site, and street setback must conform to the scale, placement and setback of adjacent structures. Styles of architecture must ensure that exterior design, materials, and color are in harmony with neighboring structures.

10. **Minimum Dwelling Size. Principal dwellings shall have a minimum of eight hundred (800) square feet of habitable floor area, excluding basements, garages, attics and other areas not designed for living space.**

Section 400.075 District "R-3" – Cluster, Townhouse, or Garden Apartment District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-3" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

****Note:** Subsections one through five are not included in this amendment.

6. **Minimum Dwelling Size.** Principal dwellings shall have a minimum of eight hundred (800) square feet of habitable floor area, excluding basements, garages, attics and other areas not designed for living space.

Section 400.075 District “R-4” – Medium Density Residential District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-4" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

Section 400.075 District “R-5” – High Density Apartment District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-5" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

Section 400.075 District “R-CH” – Cottage Housing Residential District

- B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "R-CH" ~~the height of buildings, the minimum dimensions of lots and yards, the minimum lot area per family permitted on any lot shall be as follows~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

Section 400.075 District “C-O” – Non-Retail Business District

- C. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "C-O" ~~the height of the buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows, provided residential uses in this district shall be subject to those regulations in the district in which the specific residential use is enumerated.~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

Section 400.075 District “C-1” – Non-Retail Business District

- C. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "C-1" ~~the height of buildings, the minimum dimensions of lots and yards and the minimum lot area per family permitted on any lot shall be as follows.~~ **lots and buildings must be developed in accordance with the following standards:** (For exceptions, see Section 400.270.)

Section 400.075 District “C-2” – Non-Retail Business District

- C. ~~Height And Area Regulations~~ **Lot and Building Development Standards.** In District "C-

~~2" the height of buildings and the minimum dimensions of lots and yards shall be as follows~~ lots and buildings must be developed in accordance with the following standards: (For exceptions, see Section 400.270.)

Section 400.075 District "C-2A" – Non-Retail Business District

- C. ~~Height And Area Regulations~~ Lot and Building Development Standards. In District "C-2A" ~~the height of buildings, the minimum dimensions of lots and yards, and the minimum lot per family permitted on any lot shall be as follows~~ lots and buildings must be developed in accordance with the following standards: (For exceptions, see Section 400.270.)

Section 400.075 District "C-3" – Non-Retail Business District

- C. ~~Height And Area Regulations~~ Lot and Building Development Standards. In District "C-3" ~~the height of the buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot, shall be as follows~~ lots and buildings must be developed in accordance with the following standards: (For exceptions, see Section 400.270.)

Section 400.075 District "M-1" – Non-Retail Business District

- C. ~~Height And Area Regulations~~ Lot and Building Development Standards. In District "C-O" ~~the height of buildings, and the minimum dimension of lots and yards shall be as follows~~ lots and buildings must be developed in accordance with the following standards: (For exceptions, see Section 400.270.)

Section 400.075 District "M-2" – Non-Retail Business District

- C. ~~Height And Area Regulations~~ Lot and Building Development Standards. In District "C-O" ~~the height of buildings, and the minimum dimension of lots and yards shall be as follows~~ lots and buildings must be developed in accordance with the following standards: (For exceptions, see Section 400.270.)

Community Development Department Planning & Zoning



February 23, 2026

To: Chairman and Commissioners
Planning & Zoning Commission

Re: Staff Report for Case No. ZTA-26-004 – Zoning Text Amendment

Proposal Summary:

City staff proposes an amendment to Chapter 400 of the Code that sets the minimum dwelling size for zoning districts R-1 through R-3, and district "A" to 800 square feet of living space. *(Public Hearing)*

Background:

The current zoning regulations establish minimum dwelling sizes or minimum floor areas for certain zoning districts, while having no requirements for others. The current minimum floor area for homes in R-1 and R-1A is 1,100 square feet. This reflects the social values and market trends of the late 1980s, when these requirements were put in place. Conversely, zoning districts such as R-2 and R-3, which permit single-family homes and duplexes, currently have no minimum dwelling size.

Amendment Description:

The proposed amendment establishes a uniform standard for all dwellings, single-family and multi-family, in districts A, R-1, R-1A, R-2, and R-3. The proposed standard is a minimum dwelling size of 800 feet per dwelling unit in these districts. Additionally, the amendment addresses some formatting and minor errors.

The changes are generally as follows:

B. ~~Height And Area Regulations~~ **Lot and Building Development Standards.**

In District "A" ~~the height of buildings, the minimum dimensions of lots~~

~~and yards, the minimum lot area per family permitted on any lot shall be as follows~~ lots and buildings must be developed in accordance with the following standards: (For exceptions, see Section 400.270.)

****Note:** Subsections one through six are not included in this amendment.

7. Minimum Dwelling Size. ~~Minimum size of single family dwelling shall be eight hundred and fifty (850) square feet of living floor area.~~ Principal dwellings shall have a minimum of eight hundred (800) square feet of habitable floor area, excluding basements, garages, attics and other areas not designed for living space.

Above is an example of how the text will change. The example uses the language for District A (Agriculture), but the new proposed text will read the same for all relevant zoning districts.

Staff Analysis:

A common theme throughout the recent comprehensive planning process was the City's need for additional housing options, including workforce housing. In fact, one of the strategies outlined in the new comprehensive plan is to "building and sustain housing that is attuned to lifestyle preferences and shifts, as well as difference in age and income." The proposed amendment helps implement the strategy by accommodating people looking for homes in this size and price point.

Staff Recommendation:

City staff recommends approval of the proposed zoning text amendment.

Respectfully submitted,



Joshua Garrett, MPA

Planner

City of Excelsior Springs

Attachments:

Exhibit A – Draft Ordinance

Exhibit B – Resolution

RESOLUTION NO. PZC-26-004

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF
EXCELSIOR SPRINGS, MISSOURI RECOMMENDING THE CITY COUNCIL APPROVE THE
PROPOSED AMENDMENTS TO TITLE IV, CHAPTER 400 OF THE CODE OF ORDINANCES
REGARDING MINIMUM FLOOR AREA FOR RESIDENTIAL STRUCTURES**

WHEREAS, the City of Excelsior Springs, Missouri, periodically reviews and updates its Code of Ordinances to ensure consistency and alignment with the City's Comprehensive Plan and long-term goals; and

WHEREAS, in accordance with Section 404.090(A) of the City's Code of Ordinances, City staff have prepared the application assigned case number ZTA-26-002 to amend Chapter 400 and have presented a staff report for the Planning and Zoning Commission's consideration; and

WHEREAS, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, after due public notice, held a public hearing on February 23, 2026 to consider proposed amendments; and

WHEREAS, the Planning and Zoning Commission finds that the proposed amendments will modernize the zoning code to accommodate evolving housing needs and market trends while preserving the character of the neighborhoods in Excelsior Springs.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Recommendation. The Planning and Zoning Commission recommends that the City Council approve the application assigned case number ZTA-25-002 to amend Title IV, Chapter 400 of the Code of Ordinances, concerning minimum floor area for residential structures.

PASSED AND APPROVED by the Planning and Zoning Commission of the City of Excelsior Springs, Missouri, this 23rd day of February 2026.



Creyton Vincent,
Vice-Chairman
Planning and Zoning Commission



Mallory Brown,
Community Development Director



Public Works**City Council 3/2/2026**

TO: City Council
FROM: Chad Birdsong, Director of Public Works
DATE:
RE: Consideration of Agenda

1. COVER LETTER - 5311 Grant Application Ord.
2. ES - ord -modot - 5311
3. TRANSPORTATION-5311 Grant Applilcation



Director of Utility Services
201 E Broadway
Excelsior Springs, MO 64024

Phone: (816) 630-0755
Fax: (816) 630-9528

March 2, 2026

To: Mayor and City Council
From: Chad Birdsong, Director of Public Works

Re: Public Transportation- Missouri State Transit Assistance Program

The Missouri Department of Transportation has provided an application to apply for State Transit Assistance, in addition to our 5311 Grant, for the fiscal year July 1, 2026 thru June 30, 2027.

Attached is an ordinance for your consideration and approval of this application.

If you have any questions, please do not hesitate to call me at 630-0755.

Respectfully Submitted,
Chad Birdsong

ORDINANCE NO. 26-03-04

AN ORDINANCE TO AUTHORIZE THE MAYOR TO APPLY FOR FEDERAL FINANCIAL ASSISTANCE ON BEHALF OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI AND TO EXECUTE ANY CONTRACT(S) RESULTING FROM SUCH APPLICATION FOR ANY GRANTS BETWEEN THE CITY OF EXCELSIOR SPRINGS, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PROVIDING FOR CAPITAL, OPERATING, AND/OR MARKETING ASSISTANCE, COMPRISED OF FEDERAL FUNDS TO BE EXPENDED FOR COMMISSION-APPROVED TRANSIT PROJECTS.

Be it Ordained by the City Council of the City of Excelsior Springs, Missouri, as follows:

Section 1. That the Mayor is hereby authorized to apply for federal financial assistance on behalf of the City of Excelsior Springs, Missouri and to execute any contract(s) resulting from such application for any grants between the City of Excelsior Springs, Missouri and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for Commission-approved transit projects.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

INTRODUCED IN WRITING, read by title two times, passed and approved this 2nd day of March, 2026.

ATTEST:

Shannon Stroud, City Clerk

Mark D. Spohn, Mayor

REVIEWED BY:

Molly McGovern, City Manager



Application
Missouri State Transit Assistance Program
FY2027

July 1, 2026 through June 30, 2027

For Public Transportation Only

DUE April 1, 2026

Agency Legal Name: City of Excelsior Springs

DBA (if applicable): _____

Street Address: 103 E Waters Street

Mailing Address: 201 E Broadway

City: Excelsior Springs State: MO Zip + 4 Code: 64024

Grant Contact Person - Name: Courtney Kennedy

Grant Contact Person – Email: ckennedy@excelsiorsprings.gov

Grant Contact Person – Work Phone: 816-630-0754

Grant Contact Person – Alt Phone: 816-564-3950

Eligibility Criteria: (Check All That Apply):

(If operating both urbanized and rural transit service, submit separate applications)

☐	A City
☐	A City Transit Authority
☐	A City Utilities Board
☐	An Interstate Transit Authority (as defined in 94.600 RSMo)
☐	An Intrastate Transportation Authority
☐	A recipient / direct recipient of FTA Sec. 5307 urbanized formula funds
☒	A sub-recipient of FTA Section 5311 non-urbanized formula funds

Total transportation operating costs for **Public Transportation Services**. If your agency applies for **MEHTAP funding** **do not include** information for Seniors or Individuals with Disabilities.

Calendar Year	<u>2023</u>	<u>2024</u>	<u>2025</u>
Transit Operating Costs for Public Transportation Service.	<u>280,099</u>	<u>295,904</u>	<u>310,375.08</u>
Annual Passenger Ridership in Missouri (unlinked Trips for calendar years)	<u>11,573</u>	<u>11,553</u>	<u>12,729</u>
Service Area Population	<u>10,532</u>	<u>10,612</u>	<u>10,727</u>
Amount of Annual Local Effort or Tax Support for Transit	<u>90,643.13</u>	<u>105,255</u>	<u>61,684.47</u>

Requested Amount: 305,676

Attach agency transportation related budget for the state fiscal year supporting requested amount.

Description of local financial effort or local tax support for applicants' public transit service:

The City of Excelsior Springs is Funded from Passenger Fare Box, Merchant Ride a Share, Medical Revenue, Bus Wash, Trans Trust

Agency's Missouri Transit Service Area Population: Urbanized: Rural:

Description of Calendar Year 2025 Public Transit Service in Missouri

Days of Transit Operation:

Weekday Hours of Operation:

Saturday Hours of Operation:

Sunday Hours of Operation:

Applicant Agency Authorized Signature: Courtney Kennedy	Date: 2/18/2026
---	---------------------------

Please submit authorizing resolution or city ordinance.

(Version February 2026)

WORKER ELIGIBILITY VERIFICATION AFFIDAVIT**Appendix B**

On this _____ day of _____, 20____, before me appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be a person whose name is subscribed to this affidavit, who being by me duly sworn, deposed as follows:

My name is _____, and I am of sound mind, capable of making this affidavit, and personally certify the facts herein stated, as required by Section 285.530, RSMo, to enter into any contract agreement with the state to perform any job, task, employment, labor, personal services, or any other activity for which compensation is provided, expected, or due, including but not limited to all activities conducted by business entities:

I am the _____ of _____, and I am duly authorized, directed, and/or empowered to act officially and properly on behalf of this business entity.
title business name

I hereby affirm and warrant that the aforementioned business entity is enrolled in a federal work authorization program operated by the United States Department of Homeland Security, and the aforementioned business entity shall participate in said program to verify information (employment eligibility) of newly hired employees working in connection to work under the within state contract agreement with the Missouri Highways and Transportation Commission (MHTC). I have attached documentation to this affidavit to evidence enrollment/participation by the aforementioned business entity in a federal work authorization program, as required by Section 285.530, RSMo.

In addition, I hereby affirm and warrant that the aforementioned business entity does not and shall not knowingly employ, in connection to work under the within state contract agreement with MHTC, any alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. § 1324a(h)(3).

I am aware and recognize that, unless certain contract and affidavit conditions are satisfied pursuant to Section 285.530, RSMo, the aforementioned business entity may be held liable under Sections 285.525 through 285.550, RSMo, for subcontractors that knowingly employ or continue to employ any unauthorized alien to work within the state of Missouri.

I acknowledge that I am signing this affidavit as a free act and deed of the aforementioned business entity and not under duress.

Signature _____ Printed Name _____ Date _____

Attest _____ Printed Name _____ Title _____

[Documentation of enrollment/participation in a federal work authorization program is attached. Acceptable enrollment and participation documentation consists of the following two pages of the E-Verify Memorandum of Understanding: (1) A valid, completed copy of the first page identifying the business entity; and (2) A valid copy of the signature page completed and signed by the business entity, the Social Security Administration, and the Department of Homeland Security – Verification Division.]



Public Works**City Council 3/2/2026**

TO: City Council
FROM: Chad Birdsong, Director of Public Works
DATE:
RE: Consideration of Agenda

1. letter to council- 5311 bus purchase SLFRF funds 2025-2026
2. ES - ord -modot - SLFRF Funds 2026
3. Workers Eligibility Form



Director of Public Works
201 E Broadway
Excelsior Springs, MO 64024

Phone: (816) 630-0755
Fax: (816) 630-9528

March 2nd, 2026

To: Mayor and City Council
From: Chad Birdsong, Director of Public Works
Re: Capital purchase of buses for Transportation from MODOT- Application for Partial Reimbursement through MODOT's SLFRF funds

Since being approved for 4 new vehicles last year through MODOT's 5339 Capital Assistance Grant Program, our match was \$71,663.00 or 20% of the total \$358,314.00. Since then, we have received the 2 vans and now the 2 busses are being prepped for delivery.

We received another notice on February 24th, 2026, that the State of Missouri has additional funding under the Coronavirus State and Local Fiscal Recovery- Revenue Replacement Funds (SLFRF), to defray a portion of the 20% local share of the agency's capital cost on transit vehicles supporting the transportation of seniors and Individuals with disabilities. Currently we are eligible for \$17,661.60 in reimbursement, according to MODOT.

At this time, we would like to proceed with the application through MODOT to use this reimbursement funding. An ordinance is attached for your consideration and approval to apply for these SLFRF funds.

Please call me if you have and questions or concerns regarding this.

Respectfully submitted,
Chad Birdsong

ORDINANCE NO. 26-03-05

AN ORDINANCE TO AUTHORIZE THE MAYOR TO APPLY FOR FEDERAL FINANCIAL ASSISTANCE ON BEHALF OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI AND TO EXECUTE ANY CONTRACT(S) RESULTING FROM SUCH APPLICATION FOR ANY GRANTS BETWEEN THE CITY OF EXCELSIOR SPRINGS, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PROVIDING FOR CAPITAL, OPERATING, AND/OR MARKETING ASSISTANCE, COMPRISED OF FEDERAL FUNDS, INCLUDING THE CORONAVIRUS STATE AND LOCAL RECOVERY-REVENUE REPLACEMENT FUNDS (SLFRF), TO BE EXPENDED FOR COMMISSION-APPROVED TRANSIT PROJECTS.

Be it Ordained by the City Council of the City of Excelsior Springs, Missouri, as follows:

Section 1. That the Mayor is hereby authorized to apply for federal financial assistance on behalf of the City of Excelsior Springs, Missouri and to execute any contract(s) resulting from such application for any grants between the City of Excelsior Springs, Missouri and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds, including the SLFRF funds, to be expended for Commission-approved transit projects.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

INTRODUCED IN WRITING, read by title two times, passed and approved this 2nd day of March, 2026.

ATTEST:

Mark Spohn, Mayor

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

**WORKER ELIGIBILITY VERIFICATION AFFIDAVIT FOR ALL
MHTC/MODOT CONTRACT AGREEMENTS IN EXCESS OF \$5,000**

My name is _____, and I am of sound mind, capable of making this affidavit, and personally certify the facts herein stated, as required by Section 285.530, RSMo, to enter into any contract agreement with the state to perform any job, task, employment, labor, personal services, or any other activity for which compensation is provided, expected, or due, including but not limited to all activities conducted by business entities:

I am the _____, and I am duly authorized, directed, and/or
title business name

empowered to act officially and properly on behalf of this business entity.

I hereby affirm and warrant that the aforementioned business entity is enrolled in a federal work authorization program operated by the United States Department of Homeland Security, and the aforementioned business entity shall participate in said program to verify information (employment eligibility) of newly hired employees working in connection to work under the within state contract agreement with the Missouri Highways and Transportation Commission (MHTC). I have attached documentation to this affidavit to evidence enrollment/participation by the aforementioned business entity in a federal work authorization program, as required by Section 285.530, RSMo.

In addition, I hereby affirm and warrant that the aforementioned business entity does not and shall not knowingly employ, in connection to work under the within state contract agreement with MHTC, any alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. § 1324a(h)(3).

I am aware and recognize that, unless certain contract and affidavit conditions are satisfied pursuant to Section 285.530, RSMo, the aforementioned business entity, may be held liable under Sections 285.525 through 285.550, RSMo, for subcontractors that knowingly employ or continue to employ any unauthorized alien to work within the state of Missouri.

I acknowledge that I am signing this affidavit as a free act and deed of the aforementioned business entity and not under duress.

Authorized Signature _____ Date _____

Attest _____ Date _____

[Documentation of enrollment/participation in a federal work authorization program is attached. Acceptable enrollment and participation documentation consists of the following two pages of the E-Verify Memorandum of Understanding: (1) A valid, completed copy of the first page identifying the business entity; and (2) A valid copy of the signature page completed and signed by the business entity, the Social Security Administration, and the Department of Homeland Security – Verification Division.]



Police Department
City Council 3/2/2026

TO: City Council
FROM: Greg Dull, Police Chief
DATE:
RE: Consideration of Agenda

1. City Counsel Cover Memo - Clay County Detainee Housing Agreement
2. ES -ORD - ClayCo Agreement



GREGORY A. DULL
CHIEF OF POLICE

POLICE DEPARTMENT
301 SOUTH MAIN STREET
EXCELSIOR SPRINGS, MISSOURI 64024

816.630.2000
Fax: 816.630.4104
www.espolice.com

February 25, 2026

TO: Mayor and City Counsel

FROM: Gregory Dull, Chief of Police

SUBJECT: Consideration of an Ordinance Approving a Detainee Housing Agreement with Clay County, Missouri.

The Clay County Sheriff's Office recently submitted written notice of termination of the existing Municipal Housing Memorandum of Understanding (MOU) between the Clay County Detention Center and the Excelsior Springs Police Department. Subsequent to terminating that agreement, they forwarded a proposed new Clay County Detention Center Detainee Housing Agreement for consideration. The main differences between these two agreements are the rates for housing detainees; the old rate was \$59.34 per day and the new rate is \$150 per day. Additionally, there are new charges for housing detainees on a 24-hour hold, segregating detainees, and for time spent seeking off-site medical care.

In order for the police department to be able to continue to house municipal detainees at the Clay County Detention Center, I am requesting this proposed ordinance be approved.

Gregory Dull

Gregory Dull
Chief of Police

ORDINANCE NO. 26-03-06

AN ORDINANCE APPROVING A DETAINEE HOUSING AGREEMENT WITH CLAY COUNTY, MISSOURI FOR THE HOUSING OF MUNICIPAL DETAINEES AT THE CLAY COUNTY DETENTION CENTER; AND RECOGNIZING THE SHERIFF'S FEBRUARY 2, 2026 MEMORANDUM REGARDING MUNICIPAL DISCRETION OVER THE FOUR-HOUR BOND HOLDING PERIOD

WHEREAS, Clay County, Missouri owns and operates the Clay County Detention Center (the "Jail"); and

WHEREAS, the City of Excelsior Springs, Missouri (the "City") requires detention services for persons lawfully arrested, charged, or committed under the authority of the City; and

WHEREAS, Section 70.220, RSMo., authorizes political subdivisions to enter into cooperative agreements for the performance of governmental services; and

WHEREAS, Clay County and the City desire to enter into a cooperative Detainee Housing Agreement providing for the housing of City detainees at the Clay County Detention Center under the terms set forth therein; and

WHEREAS, the Detainee Housing Agreement establishes responsibilities for intake, transportation, medical care, billing, release arrangements, bonding procedures, and related matters; and

WHEREAS, on February 2, 2026, the Clay County Sheriff's Office issued a memorandum clarifying and modifying the "Bonding Arrangements" provision of the Agreement to provide that municipalities shall have sole discretion to determine whether to hold a detainee for up to four (4) hours to allow posting of bond prior to transport to the Jail, and may transport detainees without observing a four-hour holding period; and

WHEREAS, the City Council finds that approval of the Detainee Housing Agreement is in the best interests of the City and necessary for the proper administration of municipal law enforcement operations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI, AS FOLLOWS:

Section 1. The Detainee Housing Agreement between Clay County, Missouri and the City of Excelsior Springs, Missouri, substantially in the form attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved, and further that the Mayor is hereby authorized and directed to execute the Detainee Housing Agreement on behalf of the City.

Section 2. The City expressly acknowledges, accepts, and agrees that the February 2, 2026 memorandum issued by the Clay County Sheriff's Office regarding municipal discretion over the

four-hour bond holding period shall be deemed incorporated into and made a part of the Detainee Housing Agreement as a binding term and condition thereof. The City further acknowledges that the four-hour bond holding period described under “Bonding Arrangements” is at the sole discretion of the City and may be waived based upon operational needs or other considerations. A copy of said memorandum shall be retained with and maintained as part of the City’s official copy of the Agreement

Section 3. The City Manager, Police Chief, and other appropriate City officials are hereby authorized and directed to execute, on behalf of the City, all applications, agreements, certifications, assurances, and other documents necessary to apply for, accept, and administer said grants, if awarded, and to take such further actions as may be necessary to carry out the intent of this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

INTRODUCED IN WRITING, read by title two times, passed and approved this 2nd day of March, 2026.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager



City Manager's Office
City Council 3/2/2026

TO: City Council
FROM: Molly McGovern, City Manager
DATE:
RE: Consideration of Agenda

1. ORDINANCE - Amend Personnel Policy
2. Exhibit A-leave committee language discussion revised 1 21 26
3. Notes on Changes from Previous Version of Personnel Policy

February 24, 2026

TO: Mayor and City Council

FROM: City Manager

RE: Personnel Policy Amendments

Annually, the staff updates the Personnel Policy in areas that could be improved. This year, we formed a Personnel Policy Review Committee with representatives from every department. The purpose was to discuss Leave Benefits and to evaluate a PTO Leave System. The Committee overwhelmingly did not support a change to PTO, but supported the following changes:

- Elimination of accumulated compensatory time earned buyout
- Elimination of Personnel Leave Earned Day for not using sick leave
- Elimination of Vacation Accrual buyouts

Housekeeping items include:

- changing the worker's compensation contact information,
- updating the exempt employee minimum salary per US Labor Standards,
- clarifying the language establishing department work periods,
- clarifying start and end of leave benefit accruals during worker's compensation and FMLA Leave
- Including the Benefit Allowance
- Inclusion of Motor Vehicle Record review to lower our insurance premiums
- Clarify when post-accident testing is required
- Revision of policy around hiring relatives
- Expanding the use of credit cards

Please consider approval of the amendments presented.

ORDINANCE NO. 26-03-07

**AN ORDINANCE APPROVING AMENDMENTS TO THE
PERSONNEL POLICIES OF THE CITY OF EXCELSIOR SPRINGS, MISSOURI**

WHEREAS, the City of Excelsior Springs, Missouri (the “City”) and its staff have conducted a review of the City’s Personnel Policies (the “Personnel Manual”) and have determined that it is appropriate to amend those policies; and

WHEREAS, the City and its staff have created amendments to the current version of the Personnel Manual to incorporate these changes; and

WHEREAS, the City staff and the City Council have reviewed, examined and deemed adoption of the amendments to be advisable and in the City’s best interests for the promotion of the health, safety and welfare of the residents of the City.

NOW, THEREFORE, be it Ordained by the City Council of the City of Excelsior Springs, Missouri, as follows:

Section 1. The City of Excelsior Springs Personnel Policies, Personnel Manual is hereby revised and amended as provided in Exhibit A.

Section 2. The provisions of the Personnel Manual amended hereby shall not be construed to revive any former clause or provision of the Personnel Policies of the City of Excelsior Springs, Missouri that is inconsistent with Exhibit A and the provisions of the current Personnel Manual.

Section 3. The sections, paragraphs, clauses, and phrases of the Ordinance containing this amendment to the Personnel Manual are severable and if any portion of the Ordinance or Personnel Manual is declared unlawful by the valid judgment, decree, or injunction order of a court of competent jurisdiction, such ruling shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance or Personnel Manual and all provisions of the Ordinance or Personnel Manual not specifically declared to be unlawful shall remain in full force and effect.

Section 4. This Ordinance overrides any conflicting provision or regulation within the Municipal Code of the City of Excelsior Springs, Missouri.

Section 5. This Ordinance shall take effect immediately.

INTRODUCED IN WRITING, read by title two times, passed and approved this 2nd day of March, 2026.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

CITY PERSONNEL MANUAL AMENDMENT 2/15/26

Notes: If the type is **red** that reflects the change; if the type is crossed out in **red**, the language is to be deleted, if the type is **highlighted in green** that pertains to the Fire Department and was addressed in meetings with the Assistant Chiefs. If the type is **highlighted in blue** that pertains to the Fire Department and may be addressed in meetings with Local 42 in the future. The changed language has been reviewed by legal. Circulated to Personnel Leave Committee March 28, 2025

SECTION 2 – DEFINITIONS OF TERMS

COMPENSATORY TIME - A time off plan, referred to as comp time. Such time is allowed at the discretion of the department head for hourly employees, or non-exempt employees who are paid a regular salary. Comp time is paid in lieu of overtime and is earned at one- and one-half times the number of overtime hours worked ~~and will be paid out two times annually~~. The maximum numbers of hours that can be accumulated are 240 hours for regular employees and 480 hours for public safety and seasonal employees.

EXEMPT EMPLOYEE – A person employed by the City of Excelsior Springs, Missouri who is exempt from the payment of overtime under the Fair Labor Standards Act and applicable state law. Exempt employees must (a) be paid at least ~~\$455~~ **\$684** per week, **equivalent to \$35,568 per year**; (b) be paid on a salary basis; and (c) must perform exempt job duties. Exempt job duties include executive, professional, administrative and computer duties. The determination of an exempt duty is not based on job title, but on actual work performed and shall be made by the City Manager in accordance with U.S. Department of Labor regulations. See definition of non-exempt employee. **(effective 1/1/2026)**

SECTION 3 - CLASSIFICATION

3.291 **changed to 3.241**

3.292 **changed to 3.242**

SECTION 9 - HOURS OF WORK AND OVERTIME

9.1 Standard Hours

9.11 Regular working hours for all full-time employees shall be the standard work week of 40 hours except for the Police and Fire Departments **on shift**.

9.12 The Department Head shall prescribe specific starting time, length of lunch break and finishing time for their respective departments **with approval of City Manager**.

9.4 Comp Time

~~9.47 Unless approved by a Department Head or the City Manager or unless the City Manager directs otherwise, all accumulated comp time shall be paid out at the then current rate of pay at the end of the month in March and September of each year; however, an employee may request from the payroll office that up to forty (40) hours of accumulated comp time be carried over for future use. Such request shall be made on a form available from the payroll office.~~

9.47 RESERVED

SECTION 10 – LEAVE

~~10.11 Personal Leave Earned Day.~~ Employees may be awarded eight (8) hours of Personal Leave for perfect attendance (members must be employed on or before January 1st of the year for which the Personal Leave award is earned). Employees are considered to have perfect attendance in a calendar year if they do not have any occurrences of the following:

- ~~■ Sick Leave~~
- ~~■ Unpaid Leave (To include Suspension, paid or unpaid; Absent, i.e. no call, no show)~~
- ~~■ FMLA~~

10.24 Vacation leave shall be used in units of no less than one **QUARTER** hour.

10.25 Accrual. Vacation days accrue from the employee's anniversary date of employment. Unused vacation beyond the maximum allowed to be accrued shall be forfeited unless otherwise authorized by the City Manager. ~~Employees with 80% or more of their maximum accrual have the option to request up to 40 hours four times annually; annually it is January 1 to December 31. Employees working a twenty-four hour work schedule not covered by the CBA may request up to 84 hours maximum, one time quarterly.~~

10.26 Terminal Leave. Any regular employee leaving the service of the City shall be compensated for unused vacation leave up to the standard maximum allowed to be accrued if a written notice of 14 calendar days is submitted. If the terminating employee is unavailable to work during the final two weeks, they are subject to lose all leave accumulated. **CONVERSION** of monetized leave benefits upon termination of employment can be arranged between the employee and external fiduciaries. For example, funds can be paid into existing deferred compensation plans at the employee's option.

10.35 Unused Sick Leave. Any employee terminating from City service shall not be allowed the use of sick leave in the last two calendar weeks of employment unless there is a physician's confirmation. Unused sick leave for all regular employees will be compensated for in the ratio of one day for every four days in excess of 30 accumulated sick leave days or 240 hours to a maximum of 22.5 days or 180 hours upon resignation, retirement, or lay-off. Unused sick leave for all regular Fire Department employees will be compensated for using the 60-day accrual in the ratio of one for every four days in excess of 30 accumulated sick leave days or 720 hours to a maximum of 7.5 days

or 180 hours upon resignation, retirement, or layoff. ~~Employees may be awarded eight (8) hours of Personal Leave for perfect attendance (members must be employed on or before January 1st of the year for which the Personal Leave award is earned). Employees are considered to have perfect attendance in a calendar year if they do not have any occurrences of the following:~~

- ~~• Sick Leave~~
- ~~• Unpaid Leave (To include Suspension, paid or unpaid; Absent, i.e. no call, no show)~~
- ~~• FMLA~~

10.38 INJURY LEAVE AND WORKER'S COMPENSATION

10.381 The employee or supervisor shall as soon as practicable report any injury, regardless of the extent, to the immediate supervisor, Human Resources Manager ~~at 816-848-2671~~, and the City's Worker's Compensation provider ~~Travelers at 800-238-6225~~, use worker's compensation policy number ~~2T520604 Rx Bin 012874~~ which is the code for employees of City of Excelsior Springs. **SEE HEALTH AND WELLNESS CONTACT INFORMATION**

Accruals during Worker's Compensation

10.386 An employee on workers' compensation will accrue according to the following schedule when on leave.

Going out on leave:

- The 1st through the 15th of the month – employee will not receive accruals for that month.
- 16th through the end of the month – employee will receive accruals for that month.

Returning from leave:

- 1st to the 15th of the month - employee will receive accruals for that month.
- 16th to end of the month – employee will not receive accruals for that month

10.9 FMLA LEAVE REQUEST

10.91 An employee on FMLA will accrue according to the following schedule when on leave.

Going out on leave:

- The 1st through the 15th of the month – employee will not receive accruals for that month.
- 16th through the end of the month – employee will receive accruals for that month.

Returning from leave:

- 1st to the 15th of the month - employee will receive accruals for that month.
- 16th to end of the month – employee will not receive accruals for that month

10.10 Disability Leave

10.91 Conditions. Replaced with 10.10.1

10.911 with 10.10.11

10.912 with 10.10.12

10.913 with 10.10.13

10.914 with 10.10.14

10.11 Family and Medical Leave

10.101 with 10.11.1

10.102 with 10.11.2

10.103 with 10.11.3

10.104 with 10.11.4

10.105 with 10.11.5

10.106 with 10.11.6

10.107 with 10.11.7

10.108 with 10.11.8

10.109 with 10.11.9

10.110 with 10.11.10

10.111 with 10.11.11

10.112 with 10.11.12

10.113 with 10.11.13

SECTION 11 – EMPLOYEE BENEFITS

11.1 Insurance Programs. The City provides health, dental, vision, life, and long-term disability insurance coverage effective first day of month following employment, for its regular full-time employees.

11.1.3 Benefit Allowance. In lieu of deducting the entire employees' share for Health, Dental, Vision and Long-term disability plans, the City provides a monthly benefit allowance for regular full-time employees to select which benefit plans they elect to participate in. The Benefit Allowance is

distributed to the employee on their regular paycheck beginning from the original day of appointment as a regular employee.

11.13 changed to 11.1.4 Community Center Memberships

11.7 EMPLOYEE ASSISTANCE PROGRAMS

11.73 For a further explanation of the details of this assistance plan, contact the Human Resources office. For 24/7 support at no extra cost, call the member phone number of your health plan ID card and ask to speak to an EAP consultant. Or contact **EAP-EVO** directly 24.7 at **information provided on the HEALTH AND WELLNESS CONTACT INFORMATION SHEET**.

11.13.2 Requirements for Use of City Vehicles

A. Any person operating a City-owned vehicle must maintain a valid Missouri operator's license and/or Commercial Driver's License (CDL), as applicable. If at any time an employee does not possess a valid Missouri operator's license, or if the employee's driving privileges are suspended or revoked, the employee shall immediately notify his or her supervisor and the Human Resources Department and shall not operate a City-owned vehicle until the requisite license is restored. Any person operating a City-owned vehicle shall, upon request, consent to and execute any authorization necessary to permit the City to obtain and review the individual's motor vehicle record from the Missouri Department of Revenue and shall provide a valid driver's license upon request.

B. Authorization to operate a City-owned vehicle or to drive on City business is subject to review of the individual's motor vehicle record ("MVR"). Driving eligibility determinations shall be administered in accordance with the City's Motor Vehicle Record (MVR) Administrative Policy, as adopted and amended from time to time. The MVR Administrative Policy is attached as an appendix to this Personnel Manual and incorporated herein by reference.

C. Also see Section 16, Risk Management.

11.13.3 RESERVED

SECTION 13 – SEPARATION AND DISCIPLINARY ACTION

13.3 SUSPENSION. Department Heads may suspend any employee of their department for a period not to exceed five (5) workdays with or without pay. The City Manager may suspend any employee with or without pay for a period not to exceed thirty (30) calendar days. The City Manager or Department Head shall notify the employee. Such notification shall be in writing and include the reasons for and the duration of the suspension. Within ten (10) working days of such notice, the employee may appeal such suspension under procedures outlined in **Section 13.8 "Appeal Process"**. No leave, or seniority benefits will accrue during the period of suspension. An employee may not work any additional hours or shifts outside their normally scheduled shifts during the same pay period as the suspension days without authorization from the department head. **The**

department head shall have the option of forfeiting accumulated vacation or compensatory time in lieu of serving their unpaid suspension.

13.9 SUBSTANCE ABUSE AND EMPLOYEE ASSISTANCE PROGRAM.

13.91 APPLICABILITY. This policy applies to all safety-sensitive and non-safety-sensitive employees, paid part-time employees, contract employees, and contractors when they are on City property or when performing other safety-sensitive or non-safety-sensitive business, except that the City's Substance Abuse Policy for Transportation/Transit Employees governs transportation/transit employees. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contractor employees are governed by this policy while on City premises and will not be permitted to conduct business if found to be in violation of this policy. All the City's drug and alcohol policies shall be construed to be consistent with all applicable legal requirements. Nothing in this Section 13 shall be construed or applied in a manner that is inconsistent with the provisions of the City's Substance Abuse Policy for Transportation/Transit Employees.

13.94 TESTING PROCEDURES

4. Post-Accident Testing

All employees will be required to undergo urine and breath testing if they are involved in an accident with a City vehicle/Equipment (regardless of whether or not the vehicle/Equipment is in revenue service) that results in a fatality. This includes all surviving employees that are operating the vehicle/Equipment and any other whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles/Equipment incurs disabling damage, unless the employee can be completely discounted as a contributing factor to the accident. The accident definition may include some incidents where an individual is injured even though there is no vehicle/Equipment collision.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the City Manager or his/her appointee using the best information available at the time of the decision, will be tested.

Following an accident, the employees will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. ~~Employees tested under this provision will include not only the operations personnel, but also any other covered employee whose performance could have contributed to the accident.~~

13.99 SYSTEM CONTACT

Medical Review Officer:

Name: MRO Lab at Excelsior Springs Hospital
Address: 1700 Rainbow Blvd.
Excelsior Springs, MO 64024
Telephone: 816-629-2766

SEE HEALTH AND WELLNESS CONTACT INFORMATION

Substance Abuse Professional:

Name: United Healthcare
Website Assistance: myuhc.com
Telephone: (888-887-4114)

Selfcare/support: ~~Sanvello.com~~

SEE HEALTH AND WELLNESS CONTACT INFORMATION

SECTION 15 – ETHICS AND STANDARDS

~~15.4 RELATIVES. Two members of an immediate family shall not be employed under the same supervisor; nor shall two members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee supervising a member of the immediate family. This policy applies to promotions, demotions, transfers, reinstatements, and new appointments. Additionally, and in conjunction with Missouri law, specifically Article VII S6 of the Missouri Constitution, any public officer or employee in this state who by virtue of his office or employment names or appoints to any public office or employment any relative within the fourth degree of consanguinity or affinity, shall there by forfeit his office or employment~~

~~**Note: The Fourth degree of consanguinity or affinity is defined as “First Cousins” by blood or Marriage.**~~

~~The provisions of this Section shall not be retroactive, and no action is to be taken concerning those members of the same family employed at the time of the adoption of this Section.~~

The City permits the employment of immediate family members, including within the same department, provided that no employee directly supervises, or is directly supervised by, a member of their immediate family. “Direct supervision” includes having authority over, or participating in, employment-related decisions such as hiring, promotion, pay adjustments, performance evaluation, discipline, scheduling, or work assignments affecting the family member. Employees must promptly disclose to the Human Resources

Department any familial relationship with another City employee, whether they exist at the time of hire or arising during employment. The City may reassign duties, adjust reporting relationships, or

take other appropriate measures to avoid actual or perceived conflicts of interest. In accordance with Article VII, Section 6 of the Missouri Constitution, no public officer or employee may appoint or employ a relative within the fourth degree of consanguinity or affinity, and any violation of this requirement shall result in forfeiture of office or employment.

SECTION 20 – MISCELLANEOUS WORK RULES AND PROVISIONS

20.12 CREDIT CARD USE POLICY

POLICIES.

1. The City of Excelsior Springs will issue a corporate credit card to only those employees approved by the City Manager for job-related expenses.

PROCEDURES.

1. Department Head is to initiate the request for issuing a credit card by using credit card action notice with their signature and approved by City Manager.
- 1 changed to 2.
2. Changed to 3
3. Changed to 4. Before any purchase is made, the employee and their Department Head should verify that the funds are available in his or her budget to cover the expense.
4. Changed to 5
5. Changed to 6
6. Changed to 7
7. Changed to 8
8. Changed to 9

COLLECTIVE BARGAINING AGREEMENT

ARTICLE VII – VACATIONS, HOLIDAYS, AND SPECIAL LEAVE

Section 1. Vacations

7.1.6 Vacation days accrue from the employee's anniversary date of employment. Unused vacation beyond the maximum allowed to be accrued shall be forfeited unless otherwise authorized by the City Manager. Employees with 80% or more of their maximum accrual have the option to request up to 40 hours pay one time annually.

ARTICLE 13 – DISCIPLINARY PROCEEDINGS

13.3.4 Suspension Without Pay: The ordered absence from duty without pay for a specific period for infraction(s) of fire department or City policy or unacceptable job performance. A signed letter of cause will be given to the employee as soon as possible, but in no case later than the beginning of the regular workday on which the suspension is scheduled to begin. The letter shall state the reason for the suspension and its duration. A copy shall be made a permanent part of the employee's personal file. An employee suspended without pay may not use previously accrued vacation in lieu of suspension days.

HEALTH AND WELLNESS CONTACT INFORMATION

10.38 INJURY LEAVE AND WORKER'S COMPENSATION

10.381 The employee or supervisor shall as soon as practicable report any injury, regardless of the extent, to the immediate supervisor, Human Resources Manager at **816-225-5057**, and the City's Worker's Compensation provider **MEM** at **800-442-0593**, use worker's compensation policy number: **MEM3023267** which is the code for employees of City of Excelsior Springs. **Rx Prescription information: get coupon from HR for first fill.**

11.7 EMPLOYEE ASSISTANCE PROGRAMS

11.73 For a further explanation of the details of this assistance plan, contact the Human Resources office. For 24/7 support at no extra cost, call the member phone number of your health plan ID card and ask to speak to an EAP consultant.

Or contact EVO directly 24.7 at **1-855-636-3669**, or <https://portal.securusbenefits.com/signin>.

13.99 SYSTEM CONTACT

Medical Review Officer:

Name: Work Health Solutions
Address: 8300 N. Church Road
Kansas City, MO 64158
Telephone: (816) 407-2300

Substance Abuse Professional:

Name: Securus Benefits
Website Assistance: <https://portal.securusbenefits.com/signin>
Telephone: (855) 636-3669

This contact information is in effect from April 1, 2025 – March 31, 2026

CITY PERSONNEL MANUAL AMENDMENT 2/15/26

Notes: If the type is red that reflects the change; if the type is crossed out in red, the language is to be deleted, if the type is highlighted in green that pertains to the Fire Department and was addressed in meetings with the Assistant Chiefs. If the type is highlighted in blue that pertains to the Fire Department and may be addressed in meetings with Local 42 in the future. The changed language has been reviewed by legal. Circulated to Personnel Leave Committee March 28, 2025

SECTION 2 – DEFINITIONS OF TERMS

COMPENSATORY TIME - A time off plan, referred to as comp time. Such time is allowed at the discretion of the department head for hourly employees, or non-exempt employees who are paid a regular salary. Comp time is paid in lieu of overtime and is earned at one- and one-half times the number of overtime hours worked ~~and will be paid out two times annually~~. The maximum numbers of hours that can be accumulated are 240 hours for regular employees and 480 hours for public safety and seasonal employees.

EXEMPT EMPLOYEE – A person employed by the City of Excelsior Springs, Missouri who is exempt from the payment of overtime under the Fair Labor Standards Act and applicable state law. Exempt employees must (a) be paid at least ~~\$455~~ \$684 per week, ~~equivalent to \$35,568 per year~~; (b) be paid on a salary basis; and (c) must perform exempt job duties. Exempt job duties include executive, professional, administrative and computer duties. The determination of an exempt duty is not based on job title, but on actual work performed and shall be made by the City Manager in accordance with U.S. Department of Labor regulations. See definition of non-exempt employee. ~~(effective 1/1/2026)~~

SECTION 3 - CLASSIFICATION

3.291 ~~changed to 3.241~~

3.292 ~~changed to 3.242~~

SECTION 9 - HOURS OF WORK AND OVERTIME

9.1 Standard Hours

9.11 Regular working hours for all full-time employees shall be the standard work week of 40 hours except for the Police and Fire Departments ~~on shift~~.

9.12 The Department Head shall prescribe specific starting time, length of lunch break and finishing time for their respective departments ~~with approval of City Manager~~.

9.4 Comp Time

~~9.47 Unless approved by a Department Head or the City Manager or unless the City Manager directs otherwise, all accumulated comp time shall be paid out at the then current rate of pay at the end of the month in March and September of each year; however, an employee may request from the payroll office that up to forty (40) hours of accumulated comp time be carried over for future use. Such request shall be made on a form available from the payroll office.~~

9.47 RESERVED

SECTION 10 – LEAVE

~~10.11 Personal Leave Earned Day.~~ Employees may be awarded eight (8) hours of Personal Leave for perfect attendance (members must be employed on or before January 1st of the year for which the Personal Leave award is earned). Employees are considered to have perfect attendance in a calendar year if they do not have any occurrences of the following:

- ~~* Sick Leave~~
- ~~* Unpaid Leave (To include Suspension, paid or unpaid; Absent, i.e. no call, no show)~~
- ~~* FMLA~~

10.24 Vacation leave shall be used in units of no less than one **QUARTER** hour.

10.25 Accrual. Vacation days accrue from the employee's anniversary date of employment. Unused vacation beyond the maximum allowed to be accrued shall be forfeited unless otherwise authorized by the City Manager. ~~Employees with 80% or more of their maximum accrual have the option to request up to 40 hours four times annually; annually it is January 1 to December 31. Employees working a twenty-four hour work schedule not covered by the CBA may request up to 84 hours maximum, one time quarterly.~~

10.26 Terminal Leave. Any regular employee leaving the service of the City shall be compensated for unused vacation leave up to the standard maximum allowed to be accrued if a written notice of 14 calendar days is submitted. If the terminating employee is unavailable to work during the final two weeks, they are subject to lose all leave accumulated. **CONVERSION** of monetized leave benefits upon termination of employment can be arranged between the employee and external fiduciaries. For example, funds can be paid into existing deferred compensation plans at the employee's option.

10.35 Unused Sick Leave. Any employee terminating from City service shall not be allowed the use of sick leave in the last two calendar weeks of employment unless there is a physician's confirmation. Unused sick leave for all regular employees will be compensated for in the ratio of one day for every four days in excess of 30 accumulated sick leave days or 240 hours to a maximum of 22.5 days or 180 hours upon resignation, retirement, or lay-off. Unused sick leave for all regular Fire Department employees will be compensated for using the 60-day accrual in the ratio of one for every four days in excess of 30 accumulated sick leave days or 720 hours to a maximum of 7.5 days

or 180 hours upon resignation, retirement, or layoff. Employees may be awarded eight (8) hours of Personal Leave for perfect attendance (members must be employed on or before January 1st of the year for which the Personal Leave award is earned). Employees are considered to have perfect attendance in a calendar year if they do not have any occurrences of the following:

- ~~Sick Leave~~
- ~~Unpaid Leave (To include Suspension, paid or unpaid; Absent, i.e. no call, no show)~~
- ~~FMLA~~

10.38 INJURY LEAVE AND WORKER'S COMPENSATION

10.381 The employee or supervisor shall as soon as practicable report any injury, regardless of the extent, to the immediate supervisor, Human Resources Manager ~~at 816-848-2671~~, and the City's Worker's Compensation provider ~~Travelers at 800-238-6225~~, use worker's compensation policy number ~~2T520604 Rx Bin 012874~~ which is the code for employees of City of Excelsior Springs. **SEE HEALTH AND WELLNESS CONTACT INFORMATION**

Accruals during Worker's Compensation

10.386 An employee on workers' compensation will accrue according to the following schedule when on leave.

Going out on leave:

- The 1st through the 15th of the month – employee will not receive accruals for that month.
- 16th through the end of the month – employee will receive accruals for that month.

Returning from leave:

- 1st to the 15th of the month - employee will receive accruals for that month.
- 16th to end of the month – employee will not receive accruals for that month

10.9 FMLA LEAVE REQUEST

10.91 An employee on FMLA will accrue according to the following schedule when on leave.

Going out on leave:

- The 1st through the 15th of the month – employee will not receive accruals for that month.
- 16th through the end of the month – employee will receive accruals for that month.

Returning from leave:

- 1st to the 15th of the month - employee will receive accruals for that month.
- 16th to end of the month – employee will not receive accruals for that month

10.10 Disability Leave

10.91 Conditions. Replaced with 10.10.1

10.911 with 10.10.11

10.912 with 10.10.12

10.913 with 10.10.13

10.914 with 10.10.14

10.11 Family and Medical Leave

10.101 with 10.11.1

10.102 with 10.11.2

10.103 with 10.11.3

10.104 with 10.11.4

10.105 with 10.11.5

10.106 with 10.11.6

10.107 with 10.11.7

10.108 with 10.11.8

10.109 with 10.11.9

10.110 with 10.11.10

10.111 with 10.11.11

10.112 with 10.11.12

10.113 with 10.11.13

SECTION 11 – EMPLOYEE BENEFITS

11.1 Insurance Programs. The City provides health, dental, vision, life, and long-term disability insurance coverage effective first day of month following employment, for its regular full-time employees.

11.1.3 Benefit Allowance. In lieu of deducting the entire employees' share for Health, Dental, Vision and Long-term disability plans, the City provides a monthly benefit allowance for regular full-time employees to select which benefit plans they elect to participate in. The Benefit Allowance is

distributed to the employee on their regular paycheck beginning from the original day of appointment as a regular employee.

11.13 changed to 11.1.4 Community Center Memberships

11.7 EMPLOYEE ASSISTANCE PROGRAMS

11.73 For a further explanation of the details of this assistance plan, contact the Human Resources office. For 24/7 support at no extra cost, call the member phone number of your health plan ID card and ask to speak to an EAP consultant. Or contact **EAP-EVO** directly 24.7 at information provided on the **HEALTH AND WELLNESS CONTACT INFORMATION SHEET**.

11.13.2 Requirements for Use of City Vehicles

A. Any person operating a City-owned vehicle must maintain a valid Missouri operator's license and/or Commercial Driver's License (CDL), as applicable. If at any time an employee does not possess a valid Missouri operator's license, or if the employee's driving privileges are suspended or revoked, the employee shall immediately notify his or her supervisor and the Human Resources Department and shall not operate a City-owned vehicle until the requisite license is restored. Any person operating a City-owned vehicle shall, upon request, consent to and execute any authorization necessary to permit the City to obtain and review the individual's motor vehicle record from the Missouri Department of Revenue and shall provide a valid driver's license upon request.

B. Authorization to operate a City-owned vehicle or to drive on City business is subject to review of the individual's motor vehicle record ("MVR"). Driving eligibility determinations shall be administered in accordance with the City's Motor Vehicle Record (MVR) Administrative Policy, as adopted and amended from time to time. The MVR Administrative Policy is attached as an appendix to this Personnel Manual and incorporated herein by reference.

C. Also see Section 16, Risk Management.

11.13.3 RESERVED

SECTION 13 – SEPARATION AND DISCIPLINARY ACTION

13.3 SUSPENSION. Department Heads may suspend any employee of their department for a period not to exceed five (5) workdays with or without pay. The City Manager may suspend any employee with or without pay for a period not to exceed thirty (30) calendar days. The City Manager or Department Head shall notify the employee. Such notification shall be in writing and include the reasons for and the duration of the suspension. Within ten (10) working days of such notice, the employee may appeal such suspension under procedures outlined in **Section 13.8 "Appeal Process"**. No leave, or seniority benefits will accrue during the period of suspension. An employee may not work any additional hours or shifts outside their normally scheduled shifts during the same pay period as the suspension days without authorization from the department head. **The**

department head shall have the option of forfeiting accumulated vacation or compensatory time in lieu of serving their unpaid suspension.

13.9 SUBSTANCE ABUSE AND EMPLOYEE ASSISTANCE PROGRAM.

13.91 APPLICABILITY. This policy applies to all safety-sensitive and non-safety-sensitive employees, paid part-time employees, contract employees, and contractors when they are on City property or when performing other safety-sensitive or non-safety-sensitive business, except that the City's Substance Abuse Policy for Transportation/Transit Employees governs transportation/transit employees. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contractor employees are governed by this policy while on City premises and will not be permitted to conduct business if found to be in violation of this policy. All the City's drug and alcohol policies shall be construed to be consistent with all applicable legal requirements. Nothing in this **Section 13** shall be construed or applied in a manner that is inconsistent with the provisions of the City's Substance Abuse Policy for Transportation/Transit Employees.

13.94 TESTING PROCEDURES

4. Post-Accident Testing

All employees will be required to undergo urine and breath testing if they are involved in an accident with a City vehicle/Equipment (regardless of whether or not the vehicle/Equipment is in revenue service) that results in a fatality. This includes all surviving employees that are operating the vehicle/Equipment and any other whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles/Equipment incurs disabling damage, unless the employee can be completely discounted as a contributing factor to the accident. The accident definition may include some incidents where an individual is injured even though there is no vehicle/Equipment collision.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the City Manager or his/her appointee using the best information available at the time of the decision, will be tested.

Following an accident, the employees will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. ~~Employees tested under this provision will include not only the operations personnel, but also any other covered employee whose performance could have contributed to the accident.~~

13.99 SYSTEM CONTACT

Medical Review Officer:

Name: MRO Lab at Excelsior Springs Hospital
Address: 1700 Rainbow Blvd.
Excelsior Springs, MO 64024
Telephone: 816-629-2766

SEE HEALTH AND WELLNESS CONTACT INFORMATION

Substance Abuse Professional:

Name: United Healthcare
Website Assistance: myuhc.com
Telephone: (888-887-4114)

Selfcare/support: ~~Sanvelto.com~~

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SECTION 15 – ETHICS AND STANDARDS

~~15.4 RELATIVES. Two members of an immediate family shall not be employed under the same supervisor; nor shall two members of an immediate family be employed at the same time; regardless of the administrative department, if such employment will result in an employee supervising a member of the immediate family. This policy applies to promotions, demotions, transfers, reinstatements, and new appointments. Additionally, and in conjunction with Missouri law, specifically Article VII-S6 of the Missouri Constitution, any public officer or employee in this state who by virtue of his office or employment names or appoints to any public office or employment any relative within the fourth degree of consanguinity or affinity, shall there by forfeit his office or employment~~

~~**Note: The Fourth degree of consanguinity or affinity is defined as “First Cousins” by blood or Marriage.**~~

~~The provisions of this Section shall not be retroactive, and no action is to be taken concerning those members of the same family employed at the time of the adoption of this Section:~~

The City permits the employment of immediate family members, including within the same department, provided that no employee directly supervises, or is directly supervised by, a member of their immediate family. “Direct supervision” includes having authority over, or participating in, employment-related decisions such as hiring, promotion, pay adjustments, performance evaluation, discipline, scheduling, or work assignments affecting the family member. Employees must promptly disclose to the Human Resources

Department any familial relationship with another City employee, whether they exist at the time of hire or arising during employment. The City may reassign duties, adjust reporting relationships, or

take other appropriate measures to avoid actual or perceived conflicts of interest. In accordance with Article VII, Section 6 of the Missouri Constitution, no public officer or employee may appoint or employ a relative within the fourth degree of consanguinity or affinity, and any violation of this requirement shall result in forfeiture of office or employment.

SECTION 20 – MISCELLANEOUS WORK RULES AND PROVISIONS

20.12 CREDIT CARD USE POLICY

POLICIES.

1. The City of Excelsior Springs will issue a corporate credit card to only those employees approved by the City Manager for job-related expenses.

PROCEDURES.

1. Department Head is to initiate the request for issuing a credit card by using credit card action notice with their signature and approved by City Manager.
- 1 changed to 2.
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COLLECTIVE BARGAINING AGREEMENT

ARTICLE VII – VACATIONS, HOLIDAYS, AND SPECIAL LEAVE

Section 1. Vacations

7.1.6 Vacation days accrue from the employee's anniversary date of employment. Unused vacation beyond the maximum allowed to be accrued shall be forfeited unless otherwise authorized by the City Manager. Employees with 80% or more of their maximum accrual have the option to request up to 40 hours pay one time annually.

ARTICLE 13 – DISCIPLINARY PROCEEDINGS

13.3.4 Suspension Without Pay: The ordered absence from duty without pay for a specific period for infraction(s) of fire department or City policy or unacceptable job performance. A signed letter of cause will be given to the employee as soon as possible, but in no case later than the beginning of the regular workday on which the suspension is scheduled to begin. The letter shall state the reason for the suspension and its duration. A copy shall be made a permanent part of the employee's personal file. An employee suspended without pay may not use previously accrued vacation in lieu of suspension days.

COMPENSATORY TIME - A time off plan, referred to as comp time. Such time is allowed at the discretion of the department head for hourly employees, or non-exempt employees who are paid a regular salary. Comp time is paid in lieu of overtime and is earned at one-and one-half times the number of overtime hours worked and will be paid out two times annually. The maximum numbers of hours that can be accumulated are 240 hours for regular employees and 480 hours for public safety and seasonal employees.

COST-OF-LIVING ADJUSTMENT (COLA) – On October 1st of each year, the salary schedules may be adjusted for economic reasons in order to maintain a competitive, fair, and fiscally sound salary schedule. The cost-of-living adjustment will use the national Consumer Price Index – Urban (CPI-U) percentage or a local economic indicator, if preferred.

COUNCIL - The City Council of Excelsior Springs, Missouri.

DEMOTION - The movement of an employee from a position in one class to a position in another class with less responsible duties and a lower maximum salary rate.

DEPARTMENT HEAD - The managing supervisor of a department.

DESIGNATION OF EMPLOYEES – The Department Head must designate employees as either essential or non-essential by name and job classification.

EMPLOYEE - A person employed by the City of Excelsior Springs, Missouri.

ESSENTIAL EMPLOYEE – Employees who are designated as such by a department head for the purpose of providing essential services to City residents and/or other City employees during inclement weather, other City emergencies and disasters, when City offices are operating under the Liberal Leave policy or City offices are closed. See definition of non-essential employee and Liberal Leave policy.

EXEMPT EMPLOYEE - A person employed by the City of Excelsior Springs, Missouri who is exempt from the payment of overtime under the Fair Labor Standards Act and applicable state law. Exempt employees must (a) be paid at least \$455 per week; (b) be paid on a salary basis; and (c) must perform exempt job duties. Exempt job duties include executive, professional, administrative and computer duties. The determination of an exempt duty is not based on job title, but on actual work performed and shall be made by the City Manager in accordance with U.S. Department of Labor regulations. See definition of non-exempt employee.

FAMILY – Spouse, parent, stepparent, parent-in-law, sibling, half-sibling, sibling-in-law, child (shall include biological, adopted, foster, step or legal ward), spouse of child, grand

SECTION 3

CLASSIFICATION

- 3.1 The Classification Plan.** A Classification Plan based upon and graded according to assigned work duties and responsibilities, shall be developed, and maintained by the City Manager or appointed staff. The Plan shall include, at a minimum:
- 3.11** An outline (schematic list) of classes of positions arranged in appropriate occupational groups.
 - 3.12** The respective class specifications setting forth the qualifications necessary for appointment to a position of that class.
 - 3.13** Job descriptions for each class or positions which shall include the title, supervision, a general description of the work, specific tasks and duties performed, and minimum qualifications required.
- 3.2 Purpose of the Plan.**
- 3.21** To provide like pay for like work.
 - 3.22** To establish education and work experience qualifications and standards for recruiting.
 - 3.23** To assist in the employee selection procedure.
 - 3.24** To provide a basis for developing standard of work performance. Receipt of the grievance decision appeal. The employee, the employee's supervisor, the Department Head, and any other interested party shall have the right to be heard. The City Manager or appointed representative shall then take appropriate action, which may include:
 - 3.24.1 3.291** To establish lines of promotional opportunity.
 - 3.24.2 3.292** To indicate employee training needs.
- 3.3 Administration of the Plan.** The City Manager shall be responsible for ensuring that the Classification Plan is maintained.
- 3.4 Classification of Positions.**
- 3.41** Positions shall be assigned to a specific class if the same kinds and levels of work, education, experience, knowledge, ability, skills, and other qualifications are

SECTION 9

HOURS OF WORK AND OVERTIME

9.1 Standard Hours.

- 9.11 Regular working hours for all full-time employees shall be the standard work week of 40 hours except for the Police and Fire Departments.
- 9.12 The Department Head shall prescribe specific starting time, length of lunch break and finishing time for their respective departments.
- 9.13 Employees who must vary from the prescribed hours of work on a regular basis for a legitimate reason must secure supervisory and Departmental Head level approval.

9.2 Exempt Employees.

- 9.21 A list of employees classified as exempt, according to FLSA, is on file in the Human Resources Office.
- 9.22 Regular employees whose compensation is based upon a salary worked more than the standard work week with the approval of the City Manager shall be considered exempt if permitted under the FLSA.

9.3 Overtime.

- 9.31 Non-exempt employees shall receive overtime pay or compensatory time for all hours actually worked (i.e., sick leave, vacation and comp-time do not count as hours actually worked; however, Holiday and Personal Day time does count as hours actually worked) in excess of 40 hours per week at the rate of one and one half time their regular rate of pay. Fire and Police Department will be paid overtime compensation after working more than the hours specified below:

Fire – All hours worked in excess of 76.0 in a 10-day work period for firemen assigned to a 24-hour shift and 80 hours for all others.

Police -- All hours worked in excess of 80.0 in a 14-day work period for officers assigned to 12-hour shift and 80 hours for all others.

9.311 Fire Rescue. Employees work shifts of twenty-four (24) hours on duty followed by forty-eight (48) hours off duty within a work period of 10 days. Shift workers will be paid a monthly salary in accordance with the pay scale based on a guaranteed compensation rate of 95% for 72 hours of scheduled work per 10-day period. Employees who work the additional 4 hours required to meet the FLSA standard of 76 hours within the period will be compensated at their regular hourly rate for those 4 hours, thereby bringing their total compensation to 100% of their monthly salary. Pursuant to the Fair Labor Standards Act Section 7(k) and

- 9.43** Comp time will be calculated at one and one-half times hours worked more than forty (40) hours in any work week (except for Public Safety employees). Public Safety employees will follow the same guidelines as for overtime.
- 9.44** All Compensatory hours worked shall be indicated on the appropriate timesheet to be submitted to the payroll clerk. Accumulated hours will be indicated on each check stub or is available from the payroll clerk.
- 9.45** All compensatory hours more than 240 (480 for Public Safety employees) will be paid at the current rate of pay.
- 9.46** At the time of termination, unused compensatory time will be paid at the current rate of pay.
- 9.47** Unless approved by a Department Head or the City Manager or unless the City Manager directs otherwise, all accumulated comp time shall be paid out at the then current rate of pay at the end of the month in March and September of each year; however, an employee may request from the payroll office that up to forty (40) hours of accumulated comp time be carried over for future use. Such request shall be made on a form available from the payroll office.
- 9.48** If the employee was on a scheduled vacation or sick leave when working on forced call back, the employee shall elect to use vacation or sick hours or be paid for vacation or sick hours occurring in the pay period, subject to the definition of overtime.

SECTION 10

LEAVE

10.1 Holidays.

10.11 All regular full-time employees shall receive their regular compensation for the following holidays (**Note:** Actual holidays may be moved to observed holidays if they land on a weekend. Please see the below sections 10.12 and 10.13):

New Year's Day. January 1

Martin Luther King's Birthday. Third Monday in January

George Washington's Birthday Observance. Third Monday in February

Memorial Day. Last Monday in May

Juneteenth, June 19

Independence Day. July 4

Labor Day. First Monday in September

Veteran's Day. November 11

Thanksgiving Day. Fourth Thursday in November

Day after Thanksgiving Day. Fourth Friday in November

Christmas Day. December 25

Personal Leave Day. Employee's choice, one day per year, subject to Department Head's approval, accrues on the employee's work anniversary date beginning with their first anniversary and must be used before their next work anniversary date.

For Police Officers working a twelve (12) hour shift, the personal day will be for twelve (12) hours, for Firemen working a twenty-four (24) hour shift, the personal day will be for twenty-four (24) hours.

~~**Personal Leave Earned Day.** Employee's may be awarded eight (8) hours of Personal Leave for perfect attendance (members must be employed on or before January 1st of the year for which the Personal Leave award is earned). Employee's are considered to have perfect attendance in a calendar year if they do not have any occurrences of the following:~~

- ~~• Sick Leave~~
- ~~• Unpaid Leave (To include- Suspension, paid or unpaid; Absent, i.e. no call, no show)~~
- ~~• FMLA~~

vacation leave beginning on the first day of that month. Those hired after the fifteenth of the month shall earn leave beginning on the first day of the succeeding month. One vacation day will be considered as equal to one City working day. Employees changing status from temporary to regular shall earn vacation leave from original day of appointment to a regular employee.

10.22 No vacation leave may be taken until the employee has completed six months of employment. Variations from this policy must be authorized by the Department Head.

10.23 An employee wishing to use vacation leave should submit the appropriate request form to the Department Head at least two weeks in advance unless the Department Head, in his or her discretion, authorizes vacation with shorter advance notice.

10.24 Vacation leave shall be used in units of no less than one hour.

10.25 Accrual. Vacation days accrue from the employee's anniversary date of employment. Unused vacation beyond the maximum allowed to be accrued shall be forfeited unless otherwise authorized by the City Manager. Employees with 80% or more of their maximum accrual have the option to request up to 40 hours four times annually; annually is January 1 to December 31. Employees working a twenty four hour work schedule not covered by the CBA may request up to 84 hours maximum, one time quarterly.

10.26 Terminal Leave. Any regular employee leaving the service of the City shall be compensated for unused vacation leave up to the standard maximum allowed to be accrued if a written notice of 14 calendar days is submitted. If the terminating employee is unavailable to work during the final two weeks, they are subject to lose all leave accumulated. +

10.27 Vacation records shall be kept in accordance with administrative policy, and vacation leaves shall be scheduled by the Department Heads regarding employee seniority, operating requirements, and employee requests.

10.28 Any official holiday, as set forth in these policies, which occurs during an employee's scheduled vacation shall not be considered as a day of vacation.

10.3 Sick Leave.

Policy Statement. Employees are expected to attend work and to be working in a regular and predictable manner. Failing to do so is legitimate grounds for dismissal, with or without fault. The City's sick leave policies shall be construed to be consistent with the Family and Medical Leave Act, and applicable federal, state, and local laws.

may result in sick leave not being granted.

An employee who calls in sick due to the employee's own illness is considered to be incapacitated and unavailable for work of any type for the twenty-four-hour period following his/her scheduled start time. An employee who is found to have engaged in any activity which is inconsistent with such incapacity (e.g., performing work for another employer, etc.) during such period shall be subject to disciplinary action. This City policy shall be construed consistent with the Family and Medical Leave Act and applicable federal, state, and local laws. The employee is considered sick until they return to work.

10.34 Accrual. For all regular employees' sick leave credit may be accumulated to a maximum of 120 days or 960 hours. For all regular Fire Department employees working 24-hour shifts, sick leave credits may be accumulated to a maximum of 60 days or 1,440 hours. The provisions of this subsection shall not be retroactive, and no action is to be taken concerning those Fire Department employees who have exceeded the 60-day accrual. Sick leave that has exceeded the 60-day accrual may be used in accordance with the sick leave policy.

10.35 Unused Sick Leave. Any employee terminating from City service shall not be allowed the use of sick leave in the last two calendar weeks of employment unless there is a physician's confirmation. Unused sick leave for all regular employees will be compensated for in the ratio of one day for every four days in excess of 30 accumulated sick leave days or 240 hours to a maximum of 22.5 days or 180 hours upon resignation, retirement, or lay-off. Unused sick leave for all regular Fire Department employees will be compensated for using the 60-day accrual in the ratio of one for every four days in excess of 30 accumulated sick leave days or 720 hours to a maximum of 7.5 days or 180 hours upon resignation, retirement, or layoff. ~~Employees may be awarded eight (8) hours of Personal Leave for perfect attendance (members must be employed on or before January 1st of the year for which the Personal Leave award is earned). Employees are considered to have perfect attendance in a calendar year if they do not have any occurrences of the following:~~

- Sick Leave
- Unpaid Leave (To include-Suspension, paid or unpaid; Absent, i.e. no call, no show)
- FMLA

10.351 No Borrowing of Sick Leave. With the permission of the City Manager, employees can donate sick leave hours to another employee under the following conditions:

10.381 The employee or supervisor shall as soon as practicable report any injury, regardless of the extent, to the immediate supervisor, Human Resources Manager at 816-848-2671, and the City's Worker's Compensation provider Travelers at 800-238-6225, use workers compensation policy number: 2T520604, Rx Bin 012874 which is the code for employees of the City of Excelsior Springs. +

10.382 The immediate supervisor shall see that proper first aid treatment is received, that the injured employee follows direction of City's Worker's Compensation Provider, or in case of extreme emergency, shall have the employee appropriately transported to the closest appropriate hospital.

10.383 The Department Head shall inform the City Manager and the Human Resources Department of the action taken. Injury reports shall be made a permanent part of the employee's medical records and the City's records.

10.384 The insurance company issuing the Worker's Compensation policy shall make all necessary remittances under covered claim.

10.385 An employee receiving workers compensation benefits from the City's workers compensation insurance carrier will not receive additional pay or benefits from the City beyond those provided by the City's workers compensation carrier other than the amount the City typically pays for its share of medical insurance, . To the extent that the employee has family medical insurance and/or normally pays a portion of any group insurance provided by the City, employee will be billed for and will be required to timely pay the employee's share of all such insurance charges.

10.4 Leave Without Pay. The City Manager may, in his/her sole discretion, authorize leaves without pay for full-time regular employees for travel or study or for an illness or disability or maternity leave extending beyond the employee's accumulated sick leave or FMLA leave.

10.41 Such leave shall not exceed six (6) months unless required by law.

10.42 Department heads may institute administrative leave without pay when an employee has been arrested for a serious crime and is imprisoned pending trial or released pre-trial; or has been charged with misconduct while on the job and the conduct is being investigated or a disciplinary action is pending. If the leave is without pay and the investigation and disciplinary action does not result in suspension without pay or dismissal, the leave will be converted to paid administrative leave.

and sick leave accumulations (25% rule applies).

- 10.57** Any employee, upon termination of active duty, shall be entitled to return to City service to the extent and subject to the conditions required by Federal and Missouri Law which will generally involve return to City service at a level equivalent to the position held at departure with full restoration of all employees' rights and benefits or where leave was covered by USERRA to the position that he or she would have attained with reasonable certainty if not for the absence due to uniformed service.
- 10.58** The military leave of absence will cease upon the termination of active duty and the employee is required to contact the City within a two-week period of such active-duty termination or at such earlier time as may be permitted by law. If the City is not notified within the period and has knowledge of the cessation of the employee's active duty, said employee will be placed in a leave without pay status pending further information from or about the returning employee. The City will then take such action as is required or permitted under applicable law.
- 10.6 Jury Duty.** A regular full-time employee may receive leave with pay when required to serve on a jury and the jury duty conflicts with regular working hours. For any day during which the employee spends time engaged in jury duty service, the City will pay the employee his/her regular pay for that day if the employee delivers to the City and endorses over to the City the check or debit card that the employee receives for jury duty. If an employee is released from jury duty before the end of the employee's shift at the City, the employee shall report to duty at the City and perform duties for the City until the end of the Employee's regular shift. Employees required to report for jury duty before 10:00 a.m. on days following a regularly scheduled shift shall be granted leave with pay sufficient to allow travel time.
- 10.7 Funeral Leave.** A regular full-time employee will be granted up to 24 hours of paid leave to arrange and attend the funeral of an immediate family member of the employee.
- 10.8 Voting Leave.** Voting leave shall be granted in accordance with RSMO 115.639, for a period of 3 hours while the polls are open for the purpose of voting, unless the voter has three successive hours while the polls are open in which he is not on duty. The supervisor may specify any three hours while the polls are open the employee may take leave to vote. However, the employee's request for leave shall be made prior to the day of election.
- 10.9 FMLA Leave Request.** For employees needing time beyond accumulated sick leave, the City Manager may authorize leave without pay as set forth in Section 10.4 of these Policies and as required by law. Failure to return at the end of the leave of absence shall constitute a resignation. +

10.10 Disability Leave. A City employee who is temporarily disabled in the line of duty shall receive any accrued sick leave benefits prior to the time of becoming eligible to receive Worker's Compensation Benefits. While the employee is receiving Worker's Compensation benefits, the employee will not receive additional pay or benefits from the City beyond those provided by the City's workers compensation carrier other than the amount the City typically pays for its share of medical insurance, dental insurance, vision insurance, life insurance, and long-term disability insurance benefits. To the extent that the employee has family medical insurance and/or normally pays a portion of any group insurance provided by the City, the employee will be billed for and will be required to timely pay the employee's share of all such insurance charges.

10.10.1 10.91 Conditions. The following are conditions of disability leave eligibility:

10.10.11 10.911 Provided that the disability resulted from an injury or illness sustained directly in the performance of the employee's work as provided in the State Worker's Compensation Act.

.12 10.912 If incapacitated for regular assignments, the employee may be given other duties within the City government for the period of recuperation. Unwillingness to accept such assignments as directed by the Department Head or the City Manager will make the employee ineligible for disability leave during the time involved.

.13 10.913 A licensed medical doctor of the City's choice and at the City's expense shall determine the physical ability of the employee to continue working or to return to work. Employees retain the right to request, at their own expense, a second opinion from a licensed medical doctor of their choosing.

.14 10.914 Liability of the City for any portion of continued group insurance benefits shall not exceed the time period for which such insurance benefits are payable under the Family and Medical Leave Act.

10.11 Family and Medical Leave.

City employees who have worked at least 1,250 hours during the twelve month period immediately preceding the commencement of the requested leave and who have been employed by the City for at least twelve months (the twelve months need not be consecutive months) and who meet the other requirements of the Family and Medical Leave Act (FMLA), may be eligible to take up to twelve (12) work weeks or 480 hours of unpaid FMLA leave in a rolling 12-month period measured backward from the date an employee uses any FMLA leave for the following reasons calendar year for the following reasons:

Forces (including a member of the National Guard or Reserves) at any time during the period described in paragraph 6(b) above, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran; and

8. Leave to care for an injured or ill service member is the only type of FMLA leave that may extend an employee's leave entitlement beyond 12 weeks to 26 weeks. Other types of FMLA leave are included with this type of leave totaling the 26 weeks.

10.11.1

10.101 Length of Leave. An eligible employee can take up to 12 weeks (or up to 26 weeks of leave to care for an injured or ill service member) under this policy during any calendar year.

Eligible employees requesting leave due to the birth of a child, placement of a child for adoption or foster care, or a serious health condition of the employee, or the employee's spouse, parent or child are entitled to up to twelve workweeks, or 480 hours, of family medical leave in a rolling 12-month period measured backward from the date an employee uses any FMLA leave. An eligible part-time employee is entitled to twelve work weeks of FMLA leave (e.g., if that person regularly worked four days per week, that person would be eligible for up to 48 workdays or 384 hours of FMLA leave).

The right to FMLA leave for the birth and/or placement of a child into an employee's family may only be taken within twelve months after the date of the birth or placement of the child.

10.11.2

10.102 Married couples who work for the City. If a husband and wife both work for the City and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent in-law) with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the City and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

10.11.3

10.103 Concurrent Leave. Employees must use any accumulated sick leave, vacation time, or paid time off (PTO) to the extent available during FMLA leave unless such leave is covered under workers' compensation, in which case the employee may use accumulated leave time only for the purpose of satisfying any waiting period. Absences more than these accumulated days will be treated as FMLA leave without pay. Leave taken pursuant to a disability leave plan and leave taken because of an injury or illness covered by workers compensation shall

count toward FMLA leave time to the extent allowed by law. An employee using any type of paid leave concurrently with FMLA leave must follow the same terms and conditions of the City's policy that apply to other employees for the use of such leave. The employee is entitled to unpaid FMLA leave if he or she does not meet the City's conditions for taking paid leave, but the City Manager may waive any procedural requirements for the taking of any type of paid leave or any other variations from this FMLA policy.

10.11.4

10.104 Serious Health Condition. For purposes of this policy and subject to legal requirements, a serious health condition means an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two timely visits to a health care provider or one timely visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

10.11.5

10.105 Fetal Protection. A female employee, including probationary, who upon advice from her physician may not safely perform all of the normal duties of her job during pregnancy will be temporarily assigned to non-hazardous duties, if possible, for the protection of the unborn fetus. If non-hazardous duty is not available, the employee may use Family Medical Leave.

The employee shall remain assigned to non-hazardous duty or another similar assignment for the duration of the pregnancy or until her physician specifies in writing that she may return to her normal duties.

If at any time during the pregnancy, the employee's physician feels that the member cannot perform non-hazardous duty, she will have the option of being placed on paid leave (sick leave/vacation) or non-paid leave.

A non-hazardous duty assignment is defined as: a work environment which does not expose a pregnant employee or fetus to potential hazards incurred during emergency response activities or preparation for such activities.

10.11.6

10.106 Intermittent Leave. When medically necessary for a serious health condition, military caregiver leave or for a qualifying exigency, FMLA leave also is available on an intermittent or reduced schedule basis. When an employee requests intermittent leave or leave on a reduced hour's basis, the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the

employer's operations. The City may, where consistent with legal requirements, require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave. The temporary position will have the equivalent pay and benefits as the employee's regular job.

10.11.7

10.107 Notice of Leave. When requesting leave, the employee must:

1. Supply sufficient information for the City to be aware that the FMLA may apply to the leave request, as well as information regarding the anticipated timing and duration of the leave.
2. Give at least thirty (30) days' notice, or as soon as practical (generally the same or next business day) if leave starts in less than thirty (30) days or if the need for leave is not foreseeable and comply with the City's usual and customary notice and procedural requirements for requesting leave (if you are not able to notify the City of the need for leave personally because of illness, you should ask someone else to call on your behalf, and unless impossible because of medical emergency, you should give at least a minimum of 1 hours' notice before the start of your shift for unforeseeable leave if more advanced notice is not practical). Notice shall be given to the Department Head or the Human Resources Manager. Notice for all other types of unforeseeable leave shall also be given to the Department Head or the Human Resources Manager under the same time frames as specified in this paragraph.
3. Make a reasonable effort to schedule the treatment so as not to unduly disrupt the operation of the City, subject to the approval of the health care provider; and
4. Cooperate with all requests for information regarding whether absences are FMLA-qualifying.

10.11.8

Failure to comply may result in leave being delayed or denied.

10.108 Medical and other Certifications. Employees will be required to provide a medical certification if the leave request is: 1) for the employee's own serious health condition, 2) to care for a family member's serious health condition, or 3) military caregiver leave. Failure to provide the requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied, and the employee may be disciplined.

The City, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the

medical certification provided by the employee. In lieu of a second opinion, the City may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

The employee must provide a copy of the appropriate certification to the City within fifteen (15) days of receipt of the form from the City. The City may require subsequent recertification on a reasonable basis consistent with legal requirements. FMLA certification forms are available from Human Resources or your supervisor.

10.11.9

10.109 Fitness for Duty Certifications. Because the City wishes to ensure the well-being of all employees, any employee returning from FMLA leave for his/her own serious health condition will need to provide a Fitness for Duty (FFD) certification signed by his/her health care provider. An employee who fails to provide an FFD certification will be prohibited from returning to work until it is provided. An employee who fails to provide an FFD certification may be disciplined or terminated.

FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his/her duties safely.

10.11.10

10.110 Maintenance of Benefits. The City will maintain health-medical care benefits for the employee while on FMLA leave, but the employee participating in health-medical insurance programs is responsible for paying their normal monthly employee contribution. Additional benefits that the employee is receiving such as vision and life insurance may be continued at the employee's expense to the extent there is a charge for the employee to continue to receive such benefits during the unpaid portion of the leave. Failure to pay applicable premiums by the employee while on FMLA leave or thereafter will result in the loss of insurance and other benefits to the extent allowed by law. If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the City for the cost of any premiums paid by the City for maintaining coverage during the leave period to the extent allowed by law. All other benefits (i.e., vacation pay, holiday pay, sick leave, etc.) cease to accrue during FMLA leave and other leaves (e.g., leave because of an injury or illness covered by workers compensation and sick leave) whether the leave is paid or unpaid. However, for the purposes of vesting and eligibility to participate in the retirement plan, any period of FMLA leave is treated as continuous service.

Except for certain “key employees,” upon return from FMLA leave, employees will be restored to his or her original position or an equivalent position with equivalent pay, benefits, and other employment terms. You will be notified if you are considered a “key employee.”

The City may require employees to report periodically on their status, and the intention on the part of the employee to return to work, and City may also require periodic recertification of the medical condition consistent with legal requirements.

10.11.11

10.11.11 Return from Leave. Upon return from leave, the employee will be restored to his/her original or an equivalent position. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned his/her position with the City. Employees who do not return to work at the end of their leave will be terminated unless they request and are entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

10.11.12

10.11.12 Interpretation of Policy and State and Local Laws. This Policy shall be interpreted consistent with applicable law and regulations. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. The City reserves the right to apply the terms of the FMLA and the FMLA regulations to any individual circumstances. See Employee Rights and Responsibilities under the Family and Medical Leave Act (WHD Publication 1420 Revised January 2009) which is attached to this Policy. If state laws offer more protection or benefits, the protection or benefits provided by those laws will apply.

10.11.13

10.11.13 If you have Further Questions. If you have further questions about FMLA leave or your entitlement to FMLA leave or if you are not sure if a particular situation qualifies for FMLA leave, please contact Human Resources or if Human Resources is unavailable, contact your Department Head.

SECTION 11

EMPLOYEE BENEFITS

11.1 Insurance Programs. The City provides health, dental, vision, life, and long-term disability insurance coverage effective first day of month following employment, for its regular full-time employees.

11.10 Status Change. An employee whose status is changed from temporary to regular shall earn applicable benefits from the original day of appointment as a regular employee.

11.11 Open Enrollment. Open Enrollment Sessions are available prior to April 1st every year. If an employee does not fill out the proper paperwork provided, the benefit elections will remain the same selections as previously provided. It is the employee's responsibility to provide the Human Resource Manager with his/her selections.

11.12 Cost. Employees will be advised of any costs for employee only coverage. Family coverage is available at an extra cost to the employee. These costs are subject to change, and the City retains the right to change, alter or terminate any type of benefits and insurance in its sole discretion at any time.

Policy Information. The Human Resources Department shall be responsible for seeing that participating employees are provided with adequate information on policy coverage and with any forms necessary to make a claim against one of the insurance programs.

11.1.4 + 11.13 Community Center Membership. Full-time employees who choose to sign-up for a membership at the Excelsior Springs Community Center, can receive a free individual membership. The price of the individual membership will be applied toward the price of the membership of their choice. Additionally, Part-time employees who have worked at least 500 hours in the preceding 12 months shall be eligible for the same Community Center Membership as described herein. Continued eligibility for Part-time employees who have worked at least 500 hours the preceding 12 months will be reviewed every January 1st. Part-time employees that are hired by the City after January 1st, will be eligible for this benefit once they have worked 500 hours.

11.2 Pension Plan. A retirement program, which is in addition to Social Security benefits, is provided by the City. Known as LAGERS (Local Area Government Employee's Retirement System), the system is in use throughout the State of Missouri. All eligible regular employees must be members of the retirement system, and with the City contributing

(EAP) on behalf of all full-time regular employees.

11. 71 The program provides various forms of psychological services to employees and their dependents inclusive of stress, family problems, depression, drug, and alcohol abuse counseling. The program is entirely confidential (the employer is not notified of an employee's counseling or problems).

11. 72 This benefit is City-paid and is available for employees to use at their discretion. The employer may also recommend such services to the employee when the need warrants such recommendation.

11. 73 For a further explanation of the details of this assistance plan, contact the Human Resources office. For 24/7 support at no extra cost, call the member phone number on your health plan ID card and ask to speak to an EAP consultant. Or contact EAP directly 24.7 at 1-888-887-4114.

11. 8 Flexible Benefit Program Section 125. The City maintains a Section 125 program for all eligible employees. Under Section 125 of the IRS Code, employees may choose among the benefits of a flexible benefit plan.

11. 81 It permits pre-tax dollars to be established for medical premium payments, dependent care coverage, and medical expenses (an FSA account).

11. 9 Health Benefits after Retirement. The City will permit an employee that retired prior to August 7, 2018, to continue participation in City-sponsored health insurance programs. The retired employee may continue said coverage until age 65 is reached or he/she becomes eligible for Medicare, whichever is first. The retired employee will pay the full premium cost of any coverage for himself/herself and any eligibly enrolled dependents.

11. 10 Immunizations. The City will provide immunization shots to any employees whose duties require exposure to infectious diseases.

11.11 COBRA Policy. Summary of rights and obligations regarding continuation of Group Health Plan coverage.

11.111 Federal law requires employers our size, who sponsor group health plans, to offer employees and their families the opportunity to elect a temporary extension of health coverage (called "COBRA") in certain instances where coverage under the City Group Health Plan would otherwise end.

11.112 When COBRA is elected by the employee, the full cost of coverage reverts to the employee who will be charged 102% of the monthly premium for a similarly situated plan participant who is not receiving COBRA.

corporate boundaries. Exceptions at the Department Head's discretion with City Manager approval.

11.13.2 Requirements for Use of City Vehicles.

- A. Any person operating a City owned vehicle must maintain a valid Missouri Operator's license and/or CDL operator's license, as applicable. At any time, an employee does not have a valid Missouri Operator's License or his/her driving privileges are suspended or revoked, he/she shall immediately notify his/her supervisor and Human Resources and shall not operate a city owned vehicle until such time as the employee has regained the requisite license. Any person operating a City owned vehicle will consent and sign any necessary consent forms if requested by the City to allow the City to check with the Department of Revenue on the current driving record of any such person or provide a valid driver's license upon request.

- B. Also see **Section 16, Risk Management.**

11.13.4 Operators Responsibilities. Operators are responsible for each of the following when using a City vehicle.

- A. Ensuring that city vehicle is locked and secured when unattended or parked.
- B. Checking fuel levels, oil, tires, head, and taillights, and turn indicators before use.
- C. Performing Missouri mandated vehicle inspections (if required).
- D. Using seat belts when vehicle is in motion. No employee will disable any safety restraint system or any portion or part of it, such as an audible or visual warning indicators relating to seat belt use. Requiring all passengers to use seat belts when vehicle is so equipped.
- E. Operating vehicle in a safe and law-abiding manner.
- F. Use of a phone, including texting, while operating a motor vehicle (while the vehicle is in motion) is prohibited, except with the use of a hands-free device. Calls may be made using a phone without a hands-free device only for emergency purposes, including but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency.
- G. Smoking is not allowed in City Vehicles (See **Smoking Policy, Chapter 15,**

13.2 Disciplinary Action. An employee can be disciplined for any lawful reason. The City Manager in his/her sole discretion shall make the final determination of whether a specific circumstance warrants disciplinary action. The City Manager may in writing delegate the authority to take disciplinary action to Department Heads, except that the City Manager shall retain sole authority, in his/her sole discretion, to dismiss or demote an employee or to suspend an employee for more than five (5) days. Refer to Section 16 Risk Management for additional guidance.

13.21 Procedures. A four-step procedure is generally followed by the City for poor performance, or minor misconduct, but is not required. In all steps prior to suspension without pay, **Section 13.3**, or dismissal, **Section 13.6**, an employee will be given notice of the charges against him and an opportunity to respond. In addition, discipline will be administered privately, out of sight and sound of the employee's co-workers except that the person issuing the discipline may have a witness present if he/she deems appropriate. However, a violation, which is serious in nature, is to be corrected by the supervisor immediately. Moreover, the City Manager has the authority, in his/her discretion, to skip any of the steps outlined below, if he/she believes in his discretion that it is in the City's best interests.

1. **Verbal/warning:** The offending employee will be given a verbal warning by his/her supervisor. The supervisor will state "This is a verbal warning". A notation of this will be made and filed in the employee's personnel file.
2. **Written Warning:** The employee will receive written notice of the offense with reference to prior discussion. If the employee's position is in jeopardy, the notice should so state. A copy of this notice will be placed in the employee's personnel file.
3. **Suspension or Demotion:** This will subject an employee to disciplinary action. See **Section 13.3 Suspension**.
4. **Dismissal:** See **Section 13.6 Dismissal**.

13.3 Suspension. Department Heads may suspend any employee of their department for a period not to exceed five (5) workdays with or without pay. The City Manager may suspend any employee with or without pay for a period not to exceed thirty (30) calendar days. The City Manager or Department Head shall notify the employee. Such notification shall be in writing and include the reasons for and the duration of the suspension. Within ten (10) working days of such notice, the employee may appeal such suspension under procedures outlined in **Section 13.8 "Appeal Process"**. No leave, or seniority benefits will accrue during the period of suspension. An employee may not work any additional hours or shifts outside their normally scheduled shifts during the same pay period as the suspension days without authorization from the department

head. +

- 13.4 Demotion.** The City Manager may demote an employee. A written statement of the reasons for any such action shall be promptly furnished to the employee. An employee will receive at least fifteen (15) days' notice of a demotion unless the City Manager believes that less notice is appropriate. No demotion shall be made if any employee in the lower class will be laid off because of the action. Within ten (10) working days after receiving notification of demotion, the employee may appeal in writing under procedures outlined in **Section 13.8 "Appeal Process"**.
- 13.5 Dismissal.** The City is an "at will" employer and as such employment with the City is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. The City Manager may dismiss any employee for any lawful reason. Such action shall require that notice of at least ten (10) working days be given, to include a written statement of reasons for the action if specifically requested in writing by the employee. Should the City Manager desire to make an immediate dismissal of an employee from the service of the City, the City Manager may authorize two weeks' pay in lieu of notice.
- 13. 51 Appeal.** The employee may, within ten (10) calendar days of notification, appeal in writing to the City Manager under procedures set forth in Section 13.8 "Appeal Process".
- 13. 52** An employee dismissed for unsatisfactory job performance shall receive compensation for vacation leave earned and unused.
- 13. 6 Layoff.** The City Manager may separate any employee if the position or project to which said employee has been assigned is abolished or if funds are not available, in the opinion of the City Manager, to pay the salary. Notice of at least ten (10) working days shall be given the employee.
- 13. 61 Appeal.** Within ten (10) working days of notice of layoff, the employee may appeal in writing to the City Manager under procedures set forth in Section 13.8 "Appeal Process".
- 13. 62** The employee who has been laid off shall receive compensation for any leave earned and unused per leave policies.
- 13. 63** Employees who have been laid off and who have performed their duties satisfactorily and have complied with the provisions of this Manual will receive first consideration for any vacancies that the employee is qualified to fill which becomes available within the City for a period of one year after layoff if the laid off employee notifies the City's Human Resources Department of an interest in such vacancies and satisfactorily completes the application process.

prohibited substance.

- c. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse.
- d. Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.

Reasonable suspicion referrals must be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse.

4. **Post-Accident Testing**

All employees will be required to undergo urine and breath testing if they are involved in an accident with a City vehicle (regardless of whether or not the vehicle is in revenue service) that result in a fatality. This includes all surviving employees that are operating the vehicle and any other whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage; unless the employee can be completely discounted as a contributing factor to the accident. The accident definition may include some incidents where an individual is injured even though there is no vehicle collision. +

Following an accident, the employees will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. Employees tested under this provision will include not only the operations personnel, but also any other covered employee whose performance could have contributed to the accident.

5. **Random Testing**

Employees in safety-sensitive positions will be subjected to random,

201 East Broadway
Excelsior Springs, MO 64024
Telephone No.: (816) 630-0761
Fax No.: (816) 629-7023

Medical Review Officer:

Name: MRO Lab at Excelsior Springs Hospital
Address: 1700 Rainbow Blvd.
Excelsior Springs, MO 64024
Telephone No.: (816) 629-2766

Substance Abuse Professional:

Name: United Healthcare
Telephone No.: 888-887-4114
Website Assistance: myuhc.com
Selfcare/Support: Sanvello.com

SECTION 15

ETHICS AND STANDARDS

- 15.1 Political Activity.** City employees shall not be appointed or retained based on their political activity. City employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute to or solicit funds or support for the purpose of supporting or opposing the appointment or election of candidates for any municipal office.
- 15.2 Conduct, Work Habits.** It shall be the duty of each employee to maintain high standards of conduct, cooperation, efficiency, and economy in their work for the City. Whenever work habits, production, or personal conduct of any employee falls below a desirable standard, supervisors should point out the deficiencies at the time they are observed. Corrections and suggestions should be presented in a constructive and helpful manner to elicit the cooperation and good will of the employee.
- 15.3 Outside Employment.** No person shall be hired by the City or be employed full-time by the City and be engaged in outside employment, whether part-time, temporary, or permanent, without prior written approval from the Department Head. Each change in outside employment shall require separate approval. Approval shall not be granted when such outside employment conflicts or interferes or is likely to conflict or interfere with the employee's municipal service. Employees may not engage in any private business or activity while on duty. No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with official duties.
- 15.4 Relatives.** Two members of an immediate family shall not be employed under the same supervisor; nor shall two members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee supervising a member of the immediate family. This policy applies to promotions, demotions, transfers, reinstatements, and new appointments. Additionally, and in conjunction with Missouri law, specifically Article VII S6 of the Missouri Constitution, any public officer or employee in this state who by virtue of his office or employment names or appoints to any public office or employment any relative within the fourth degree of consanguinity or affinity, shall there by forfeit his office or employment.

Note: The Fourth degree of consanguinity or affinity is defined as "First Cousins" by blood or Marriage.

The provisions of this Section shall not be retroactive, and no action is to be taken concerning those members of the same family employed at the time of the adoption of this Section.

- h. Employees should consider the possible adverse consequences of internet postings, such as future employment, exposure to civil and/or criminal proceedings, and public as well as private embarrassment.
- i. Remember that you have no expectation of privacy while participating in social media and that the City reserves the right to review your on-line postings.
- j. Violations of this Policy may lead to discipline up to and including termination of employment.
- k. The City prohibits any form of negative action or retaliation against an employee for reporting a possible violation or for participating in the investigation of a possible violation of this Policy. Anyone who retaliates against an employee for reporting a possible violation or for cooperating in an investigation will be subject to disciplinary action, up to and including discharge.
- l. If you have any questions or concerns about the City's social media policy, please contact Shannon Stroud or the then current Human Resources Manager.

Section 20.12 – Credit Card Use Policy

PURPOSE. The purpose of this policy is to communicate eligibility, usage, and payment of expenditure requirements for the City credit card.

POLICIES.

1. The City of Excelsior Springs will issue a corporate credit card to only those employees approved by the City Manager for job-related expenses.
2. Employees shall use their City credit cards to charge business-related expenses. Expenses must be for approved budget items only.
3. Personal purchases of any type are strictly prohibited.
4. No alcoholic beverages may be purchased with the City credit card.
5. No cash advances are allowed on City credit cards.
6. The employee is responsible for all charges made to the card. The employee will be held liable for any unauthorized items appearing on the credit card statement.

PROCEDURES. +1.

1. 2 The Finance Director is responsible for authorizing the use of corporate credit cards and assigning the credit limit, if applicable.
2. 3 Upon receiving a City credit card, the employee should call the 800 number on the front of the card to activate it and sign the back of the card.
3. 4 Before any purchase is made, the employee R should verify that the funds are available in his or her budget to cover the expense.

- 5 4. The employee must obtain a receipt for the purchase and include a brief description of the business purpose or the budget account code on the receipt. In the case of meals, each receipt should include the names of all persons involved in the purchase.
- 6 5. The receipt is to be submitted to the Finance Department within 24 hours of card use or immediately upon return from road trip.
- 7 6. Upon receipt of the credit card statement, the Finance Department will match the receipts to the individual items and assign the appropriate accounting code. The statement along with a summary will be submitted to the City Manager for approval. Any items that do not have a receipt will be the personal responsibility of the cardholder.
- 8 7. The employee must notify the Finance Director immediately in the event a card is lost or stolen.
- 9 8. The City credit card is the property of the City of Excelsior Springs. An employee leaving the employment of the City of Excelsior Springs must surrender the credit card to the Finance Director who will then notify the issuing authority to cancel the employee's account.



City Manager's Office
City Council 3/2/2026

TO: City Council
FROM: Molly McGovern, City Manager
DATE:
RE: Consideration of Agenda

Under the purchasing policy, the City Manager has the authority to approve negative change orders. This does not require approval, only notification.

1. CYES3 EPC Amendment #1

AMENDMENT #1 TO ENERGY SAVINGS PERFORMANCE CONTRACT

This Amendment #1 to the Energy Savings Performance Contract is made and entered into this 16 day of February, 2026 by and between Navitas, LLC ("Navitas"), a Kansas limited liability company having its principal offices at 25618 West 103rd Street, Olathe, Kansas 66061; and City of Excelsior Springs, Missouri (the "Client"), having its principal offices at 201 East Broadway, Excelsior Springs, MO 64024. This Amendment #1 hereby amends the Contract with additional Scope of Work as set forth herein.

WHEREAS, Navitas and Client entered into an Energy Savings Performance Contract (the "Contract") on February 17, 2026.

This Amendment #1 reduces the Contract Sum by the unused Project Contingency.

The following Contract Sections are amended as follows:

Section 3.01 Compensation

The Contract Sum is revised as follows:

Original Contract Sum	\$ 868,779.00
Net Change by previously authorized Amendments	\$ 0.00
Contract Sum prior to this Amendment #1	\$ 868,779.00
Amendment #1 (Owner Contingency) Decrease to Contract Sum	\$ (18,061.00)
Revised Contract Sum including this Amendment #1	\$ 850,718.00

All other terms and conditions of the Contract remain unchanged and in force and effect.

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto subscribe their names to this Change Order by their duly authorized representatives as of February 16, 2026

NAVITAS, LLC

Name Title Date

CITY OF EXCELSIOR SPRINGS, MO (Client)

Name Title Date