

**CITY OF WARRENSBURG
POLICE DEPARTMENT**

January 28, 2019

Honorable Mayor and
Members of the City Council
City of Warrensburg, Missouri

Dear Mayor and Council Members:

**SUBJECT: A RESOLUTION OF THE CITY OF WARRENSBURG, MISSOURI,
REGARDING QUALIFICATIONS OF VENDORS PROVIDING TOWING
SERVICES IN THE CITY OF WARRENSBURG, MISSOURI.**

BACKGROUND:

Recently it came to my attention the resolution for tow service provided to the police department was more than 15 years old. The resolution is for police requested tows for arrests, people who do not have a preference for a specific tow company, or illegally parked vehicles. On January 9, 2019, I met with the tow companies on our qualified list and reviewed the resolution. With their input and agreement, the resolution was updated. The most significant area updated involved the fees charged for the service. These fees have not been updated since the original resolution and represent a maximum amount the companies may charge. This is a business transaction between the vehicle operator/owner and the tow company. With predetermined pricing, the consumer is protected from unexpected charges. The new fees are similar to fees charged in the Kansas City metro area with most of ours being less. The fees are below:

- | | |
|--|---|
| a. Towing for autos and vehicles up to 1 ton | \$95.00 (was \$75) |
| b. Daily outside storage fee | \$40.00 (was \$35) |
| c. Daily inside storage fee | \$45.00 (was \$40) |
| d. Winching fee if applicable
(same charge just added the time element) | \$75.00 (first 30 minutes) |
| e. Winching fee if applicable over 30 minutes
minutes) (this is a new fee for complex tows) | \$50.00 (each additional 30 minutes) |
| f. Dolly or roll back fee, if applicable
base tow fee of \$95.00) (no change to this fee) | \$75.00 (in addition to the base tow fee of \$95.00) |
| g. After-hour access fee
compensate the tow company for the need to call in staff) | \$40.00 (this is a new fee to compensate the tow company for the need to call in staff) |

ISSUE:

Updating the Resolution for vendors providing tow service for the city.

STRATEGIC PLAN:

N/A.

FISCAL IMPACT:

None

ECONOMIC BENEFITS/IMPACT:

Keeping our tow fees competitive may attract new vendors.

RECOMMENDATION:

Staff recommends approval of the resolution.

Sincerely,

Rich Lockhart
Chief of Police

cc: City Manager

Attachments: 1. Resolution

Resolution No. _____

**A RESOLUTION OF THE CITY OF WARRENSBURG, MISSOURI, REGARDING
QUALIFICATIONS OF VENDORS PROVIDING TOWING SERVICES IN THE CITY OF
WARRENSBURG, MISSOURI.**

Be it resolved by the Council of the City of Warrensburg as follows:

1. All vendors providing towing services as requested by the Warrensburg Police Department will be selected on a rotating basis from a list of qualifying vendors.
2. In order to qualify and be placed on the list, the vendor must submit a statement of qualifications demonstrating compliance with at least the requirements listed below. The Chief of Police will approve all vendors before they are placed on the list.
 - a. Towing companies must have a City of Warrensburg Business License unless exempted by 301.344 RSMo. Failing to maintain a current business license may be cause for removal from the qualified list until a business license is obtained.
 - b. Towing companies must maintain \$500,000 liability insurance for damage, fire and theft for vehicles that are towed/stored as a result of calls from the Warrensburg Police Department. A copy of this policy should be provided to the police department. If a company fails to maintain insurance, they may be removed from the list. It is the responsibility of the vendor to ensure a current proof of insurance is on file.
 - c. Towing companies must have adequate equipment to perform the services requested. The equipment must be maintained in safe working condition. The vendor shall comply with applicable statutes regarding vehicle equipment, registration and motor vehicle operations. All operators performing service for the vendor must be qualified to operate the equipment in a safe manner and must be capable of completing an assignment without unnecessary delays or property damage.
 - d. Towing companies must have a 7-foot-high fenced, locked storage lot and/or inside storage facility that is within $\frac{1}{4}$ of the city limits of Warrensburg. Towed vehicles must be stored on/in these facilities.
 - e. Towing companies must provide 24 hour, 7 days a week, response service to the scene and to tow vehicles. Tow companies may charge an after-hour access fee.
 - f. Towing companies must arrive within 30 minutes of being contacted at all time. If the vendor does not have equipment available at the time of the call, the vendor will inform the dispatcher. The dispatcher will notify the next vendor on the qualified list. Tow operators should not respond to a police call for service unless they were requested through Johnson County Central Dispatch.

- g. Towing companies must allow pick up of vehicles during normal business hours, defined as 8am to 5pm, Monday through Friday. Pick-up outside of these hours will be available but will be subject to an after-hour fee.
 - h. All qualified vendors shall remain up to date on any fees payable to the city of Warrensburg.
 - i. Vendors may not have any financial ties or ownership partnerships with any other tow service on the rotation. Vendors may have only one placement on the rotation list.
3. Towing companies responding to calls from the Warrensburg Police Department call-out list will not charge more than the following rates unless documented as extenuating circumstances:
- | | |
|---|--|
| a. Towing for autos and vehicles up to 1 ton | \$95.00 |
| b. Daily outside storage fee | \$40.00 |
| c. Daily inside storage fee | \$45.00 |
| d. Winching fee if applicable | \$75.00 (first 30 minutes) |
| e. Winching fee if applicable over 30 minutes | \$50.00 (each additional 30 minutes) |
| f. Dolly or roll back fee, if applicable | \$75.00 (in addition to the base tow fee of \$95.00) |
| g. After-hour access fee | \$40.00 |
4. Towing companies will not solicit business at the scene of an accident.
5. Any vendor failing to meet the qualifications may be removed from the qualified list at any time. Vendors violating the qualifications, or the resolution guidelines will be notified in writing, outlining the violation. The vendor will be given an opportunity to respond to the violation. The Chief of Police will consider the violation, response from the vendor and past violations before removing the vendor from the qualified list.
6. Any new vendor or disqualified vendor may be qualified by demonstrating compliance with all qualifications required.
7. Nothing in this resolution or the vendor's qualifications shall create in any vendor any property right or right to continued qualification, which status shall be in the sole discretion of the City of Warrensburg. Any violation of the qualifications or other failure to conduct business in a fair and reasonable manner will justify disqualification.
8. All tow companies currently on the qualified list will be deemed qualified when this resolution is passed. Current qualified vendors will be required to submit a signed

qualification form within 21 days of the approval of this resolution. The Chief of Police will create a qualified vendor list for the tow rotation. Each vendor added thereafter shall be placed at the end of the current rotation.

Passed this ____ day of _____ 2019 by the City Council of the City of Warrensburg.

Danielle Johnston
Mayor

Attest:

Cindy Gabel
City Clerk