

1. CALL TO ORDER

A regular meeting of the Board of Aldermen was convened at 7:11 p.m. at City Hall, 8880 Clark Avenue, Parkville, Missouri on August 3, 2021, and was called to order by Mayor Nanette K. Johnston. City Clerk Melissa McChesney called the roll as follows:

Present:

Ward 1 Alderman Tina Welch
Ward 1 Alderman Philip Wassmer
Ward 2 Alderman Dave Rittman
Ward 2 Alderman Brian T. Whitley
Ward 3 Alderman Robert Lock
Ward 4 Alderman Marc Sportsman
Ward 4 Alderman Greg Plumb

Absent:

Ward 3 Alderman Douglas Wylie - *with prior notice*

A quorum of the Board of Aldermen was present.

The following staff was also present:

Joe Parente, City Administrator
Kevin Chrisman, Police Chief
Alysen Abel, Public Works Director
Stephen Lachky, Community Development Director
Matthew Chapman, Finance/Human Resources Director
Chris Ashley, Public Works Project Manager
Chris Williams, City Attorney

Mayor Johnston led the Board in the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN INPUT

3. CONSENT AGENDA

- A. Approve the minutes for the July 20, 2021, regular meeting
- B. Appoint Dr. Vince Carlisle and Rondale Dunn through May 2023 and Amy Barr, Mahnaz Shabbir and Rhonda Weimber through May 2024 to the Diversity and Inclusion Commission
- C. Approve a three-year service agreement with Messenger Lawn & Landscape for maintenance of the Old Parkville Cemetery
- D. Approve accounts payable from July 16 to July 29, 2021
- E. Reject bids associated with the improvements to the Busch Drive Improvements and authorize staff to rebid the project

- F. Approve Change Order No. 1 with Gunter Construction for storm sewer and concrete pavement near Lakeview Drive related to the improvements to Route 9 from Highway 45 to Lakeview Drive

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO **APPROVE THE CONSENT AGENDA AND RECOMMENDED MOTIONS, AS PRESENTED.**

RESULT: MOTION PASSED 7-0.

4. ACTION AGENDA

- A. **Approve the first reading of an ordinance to authorize a ballot question to impose a local use tax on out-of-state purchases**

City Administrator Joe Parente provided an overview of the use tax; presentation attached as Exhibit A. He stated that the proposed ordinance would authorize a ballot question for the November 2 election. Following discussion at the May 18 meeting, the Board decided to wait on the result of the "Wayfair Legislation" which was subsequently approved and would become effective August 28. In order to get the question on the November election, the ordinance had to be certified by August 24 which was before the new ballot language would become effective. A special meeting would be needed to adopt an ordinance with the revised language that would then be submitted to the courts for their approval, which had to be done no later than September 7.

Discussion focused on the special meeting and the educational piece including what would be funded if the use tax was approved.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3135, AN ORDINANCE CALLING FOR AN ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS THE QUESTION OF WHETHER TO IMPOSE A LOCAL USE TAX ON OUT-OF-STATE PURCHASES AT A RATE EQUAL TO THE RATE OF THE LOCAL SALES TAXES IN EFFECT IN THE CITY, ON FIRST READING AND POSTPONE THE SECOND READING TO AUGUST 17, 2021.

RESULT: MOTION PASSED 7-0.

- B. **Approve the second reading of an ordinance to extend the city limits by voluntary annexation to include described real estate in unincorporated Platte County, generally located at 16400 NW Jones-Myer Road- Reuben and Kelly Albrecht, applicant**

Mayor Johnston stated that the first reading was presented on July 20. No additional information was provided.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3133, AN ORDINANCE **EXTENDING THE LIMITS OF THE CITY OF PARKVILLE BY VOLUNTARY ANNEXATION TO INCLUDE DESCRIBED REAL ESTATE IN UNINCORPORATED PLATTE COUNTY, MISSOURI GENERALLY LOCATED AT 16400 NW JONES-MYER ROAD -- PLATTE COUNTY PARCEL NO. 21-1.0-12-000-000-015.000 (1.40 ACRES, MORE OR LESS), ON SECOND READING TO BECOME ORDINANCE NO. 3079.**

RESULT: MOTION PASSED 7-0.

AYES: TINA WELCH, PHILIP WASSMER, DAVE RITTMAN, BRIAN T. WHITLEY, ROBERT LOCK, MARC SPORTSMAN, GREG PLUMB

NOES: NONE

ABSTAIN: NONE

C. Approve Resolution 21-008 authorizing staff to approve change orders for the Route 9 (Highway 45 to Lakeview Drive) improvements project

Public Works Director Alysén Abel said that the Finance Committee discussed a change order on July 26. The consensus was that order to be more efficient with the project they recommended the Board adopt a resolution authorizing the City Administrator to approve change orders in a cumulative 2.5 percent or \$103,827 of the original contract price. Information would be provided to the Board on change orders for the project.

Discussion focused on how the information would be presented to the Board.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE RESOLUTION NO. 21-008 AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE CHANGE ORDERS CUMULATIVE AMOUNT OF 2.5% OF THE ORIGINAL CONTRACT PRICE, OR \$103,827, FOR THE ROUTE 9 (HIGHWAY 45 TO LAKEVIEW DRIVE) IMPROVEMENTS PROJECT.

RESULT: MOTION PASSED 7-0.

D. Approve the first reading of an ordinance to approve an agreement with the Missouri Department of Conservation to maintain the boat ramp in Platte Landing Park

Public Works Director Alysén Abel stated that the boat ramp was constructed in 2013 when the park was owned by Platte County. Because the property was owned by the City the agreement needed to be updated.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED

BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3134, AN ORDINANCE APPROVING AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF CONSERVATION FOR THE MAINTENANCE OF THE BOAT RAMP IN PLATTE LANDING PARK, ON FIRST READING AND POSTPONE THE SECOND READING TO AUGUST 17, 2021.

RESULT: MOTION PASSED 7-0.

5. STAFF UPDATES ON ACTIVITIES

A. Public Works

1. Electronics Recycling and Paper Shredding Events - August 7, 2021

Public Works Director Alysen Abel said that electronics recycling and paper shredding events were scheduled for August 7.

6. MAYOR, BOARD OF ALDERMEN & COMMITTEE REPORTS & MISCELLANEOUS ITEMS

Alderman Welch requested that staff look into placing signs along Route 9 letting the public know about the construction project. Public Works Director Alysen Abel responded that she would check with the Missouri Department of Transportation (MoDOT) to determine who was responsible for the signs. Abel added that staff planned to add signs near the Busch Drive roundabout providing park visitors a rendering of the project.

Alderman Rittman asked if the City should consider lowering the speed limits in construction zones and Abel responded that staff had discussions with MoDOT who explained that contractors had the ability to change the speed limits. The speed limit on Route 9 was reduced for the Sixth Street project and she anticipated the same would be done for the Highway 45 to Lakeview project.

Public Works Project Manager Chris Ashley provided an update on the Watkins Park improvements, noting that staff was waiting on contract documents and would schedule a kick-off meeting with the contractor once they were finalized. The playground equipment and shelter house were ordered.

7. EXECUTIVE SESSION

A. Attorney-client matters pursuant to RSMo 610.021(1) and negotiated contract matters pursuant to RSMo 610.021(12)

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ATTORNEY-CLIENT MATTERS PURSUANT TO RSMO 610.021(1) AND NEGOTIATED

CONTRACT MATTERS PURSUANT TO RSMO 610.021(12).

RESULT: MOTION PASSED 7-0.

AYES: TINA WELCH, PHILIP WASSMER, DAVE RITTMAN, BRIAN T. WHITLEY, ROBERT LOCK, MARC SPORTSMAN, GREG PLUMB

NOES: NONE

ABSTAIN: NONE

The Board entered the executive session at 7:59 p.m. At 9:07 p.m., the Board reconvened in open session.

Clerks Note: The minutes from the executive session are on file with the City Clerk.

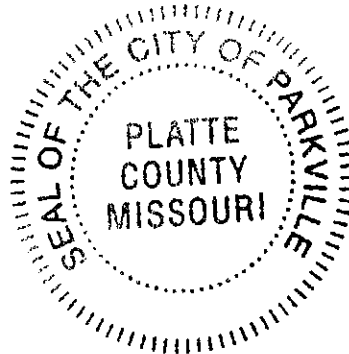
8. ADJOURN

Mayor Johnston declared the meeting adjourned at 9:08 p.m.

The minutes for August 3, 2021, having been read and considered by the Board of Aldermen, and having been found to be correct as written, were approved on this the 17th day of August 2021.

Submitted by:

Melissa McChesney
City Clerk Melissa McChesney



Use Tax Ordinance

Authorizing a ballot question to impose a local use tax
on out-of-state purchases



Ballot Language – Existing law until August 28, 2021

OFFICIAL BALLOT
ELECTION
CITY OF PARKVILLE, MISSOURI
November 2, 2021

Proposition A

Shall the City of Parkville, Missouri impose a local use tax at the same rate as the total sales tax rate, currently, two percent (2%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? Use tax shall not be required to be paid by persons whose purchases from out-of-state vendors do not exceed in total more than two thousand dollars (\$2,000.00) in any calendar year.

YES ☐

NO ☐

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."



Ballot Language – Effective on August 28, 2021

OFFICIAL BALLOT
ELECTION
CITY OF PARKVILLE, MISSOURI
November 2, 2021

Proposition A

Shall the City of Parkville, Missouri impose a local use tax at the same rate as the total local sales tax rate, provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? Approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.

YES ☐

NO ☐

If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."



What is a Use Tax?

- The City currently levies a local sales tax of 2%, but no local use tax.
- A Use Tax imposes the same 2% rate on the purchase of out of state goods, such as those made over the internet, and delivered to Parkville.
- A person does not pay both. They pay one or the other (maximum 2%)



Use Tax Benefit for Local Businesses

- Eliminates an advantage out of state retailers have over local retailers.
 - Local retailers pay all other city fees and taxes, such as licenses, sales tax, utility taxes, and property taxes.
 - Online and out of state retailers do not pay any taxes to the city.
 - Without a Use Tax, online sellers have an advantage because it makes their products cheaper to purchase



Use Tax Benefit for the City

- Out of State Retailers profits from sales within the city, but do not pay for:
 - Road maintenance for everyday delivery trucks in the community
 - Police Protection associated with traffic and package thefts
 - Other city services
- A Use Tax assures out of state businesses pay their fair share for street maintenance, police protection, and other city services



227 Missouri Municipalities have adopted a Use Tax by Voter Approval

Northland Communities:

Platte County
 Kansas City
 Riverside
 Gladstone
 Liberty
 Platte City

Smithville
 Northmoor
 Pleasant Valley
 Lake Waukomis
 Platte Woods
 Excelsior Springs



Ballot Correction Needed after Ordinance Adoption

- The City must certify the November 2, 2021 Ballot question by August 24, 2021, using the existing ballot language.
- The new ballot language does not become effective until August 28, 2021.
 - An ordinance with the current ballot language is required to be adopted at this time.
 - A Special Board of Aldermen meeting will be required on August 31, 2021 to adopt an ordinance with the revised ballot language.
 - The City has two weeks after the deadline for the ballot submission to file a court petition to correct the ballot language.



Use Tax Ordinance

Questions?

