

1. CALL TO ORDER

A regular meeting of the Board of Aldermen was convened at 7:06 p.m. at City Hall, 8880 Clark Avenue, Parkville, Missouri on August 17, 2021, and was called to order by Mayor Nanette K. Johnston. City Clerk Melissa McChesney called the roll as follows:

Present:

Ward 1 Alderman Philip Wassmer
Ward 2 Alderman Dave Rittman
Ward 2 Alderman Brian T. Whitley
Ward 3 Alderman Douglas Wylie
Ward 4 Alderman Marc Sportsman
Ward 4 Alderman Greg Plumb
Ward 1 Alderman Tina Welch - *joined meeting at 7:37 p.m.*

Absent:

Ward 3 Alderman Robert Lock - *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
Jeffery Rhodes, Assistant to the City Administrator
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

A. Proclaim August 26, 2021, as 19th Amendment Celebration Day

Mayor Johnston presented the proclamation to American Association of University Women Parkville Branch President Debra McArthur.

3. CONSENT AGENDA

- A. Approve the minutes for the August 3, 2021, regular meeting
- B. Receive and file the July Municipal Court report
- C. Receive and file the financial report for the month ending July 31, 2021
- D. Receive and file the crime statistics for January through June 2021

- E. Appoint Michael Gunn to the Board of Zoning Adjustment through May 2023
- F. Appoint Bryan Dehner as chair to the Ethics Commission through May 2026
- G. Approve a retail liquor by the drink picnic license for the Main Street Parkville Association for Parkville Microbrew Fest on October 16, 2021
- H. Approve the semi-annual financial report for the first half of 2021 and direct City Administration to publish
- I. Approve Work Authorization No. 2 with Shockey Consulting for communication services related to public information for the use tax referendum
- J. Approve Work Authorization No. 12B with George Butler Associates for engineering services during construction of the Route 9 (Highway 45 to Lakeview Drive) improvements
- K. Approve accounts payable from July 30 to August 12, 2021

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 6-0.

4. ACTION AGENDA

A. Review and approve the audit for fiscal year 2020 as prepared by Cochran, Head & Vick Co., P.C.

Finance/Human Resources Director Matthew Chapman stated that the City had an agreement with Cochran, Head, Vick & Co. to complete the 2020 audit.

Michael Keenan, Cochran, Head, Vick & Co., P.C. provided a summary of the 2020 audit; presentation attached as Exhibit A. He issued an unmodified/clean opinion which was the highest level they could give. He recommended a budget amendment related to the crossover refunding bonds. He recommended that the City work through unique transactions with them throughout the year.

Mayor Johnston thanked staff for their professionalism and said she spoke to Mr. Keenan about the sewer allocation study completed by Baker Tilly. He said they were a well-known firm that was respected for their studies. Discussion focused on how the City addressed recommendations from the 2019 audit when completing the 2020 audit.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO **APPROVE THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED DECEMBER 31, 2020.**

RESULT: MOTION PASSED 6-0.

B. Hold a public hearing and adopt an ordinance to approve the 2021 property tax levy for fiscal year 2022

Finance/Human Resources Director Matthew Chapman said the City received a pro forma from the State Auditor and the maximum amounts were adjusted. Since 2011, the Board had elected to maintain both levies at the maximum. He said the estimated increase in tax revenues due to maintaining both tax levies at the adjusted maximum level totaled \$124,312. City Administrator Joe Parente said the tax rate was decreasing because the property valuations increased. The City could only collect the Consumer Price Index increase and that, with the new construction added to the tax rolls, would result in increased revenue.

Mayor Johnston opened the public hearing. Hearing no comments, she closed the public hearing.

Alderman Welch joined at 7:37 p.m. and because she did not participate in the discussion she did not vote on the item.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3136, AN ORDINANCE SETTING THE 2021 GENERAL TAX LEVY AT \$.4400 PER \$100.00 OF ASSESSED VALUATION AND THE GENERAL-TEMP LEVY AT \$.1664 PER \$100.00 OF ASSESSED VALUATION, ON FIRST READING.

RESULT: MOTION PASSED 6-0.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3136, AN ORDINANCE SETTING THE 2021 GENERAL TAX LEVY AT \$.4400 PER \$100.00 OF ASSESSED VALUATION AND THE GENERAL-TEMP LEVY AT \$.1664 PER \$100.00 OF ASSESSED VALUATION, ON SECOND READING TO BECOME ORDINANCE NO. 8030.

RESULT: MOTION PASSED 6-0.

AYES: PHILIP WASSMER, DAVE RITTMAN, BRIAN T. WHITLEY, DOUGLAS WYLIE, MARC SPORTSMAN, GREG PLUMB

NOES: NONE

ABSTAIN: NONE

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

Mayor Johnston stated that the first reading was presented on August 3. City Administrator Joe Parente said that if approved, the City Clerk would certify the ballot question by the deadline of August 24. The new law updating the statewide use tax ballot language would become effective on August 28 and a special meeting was scheduled for August 31 to adopt an ordinance with the new ballot language. Following the special meeting, the city attorney would file a petition with the court to include the new language on the November ballot. The goal was to have the correct ballot language according to the law which would be less confusing to voters.

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 SECOND READING TO BECOME ORDINANCE NO. 3081.

RESULT: MOTION PASSED 7-0.

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

NOES: NONE

ABSTAIN: NONE

D. **Approve the second reading of an ordinance to grant a franchise to operate a natural gas distribution plant and system within the City to Spire Missouri, Inc.**

Mayor Johnston stated that the first reading was presented on July 6. No additional information was presented.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3128, AN ORDINANCE GRANTING A FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM WITHIN THE CITY TO SPIRE MISSOURI, INC., ON SECOND READING TO BECOME ORDINANCE NO. 3082.

RESULT: MOTION PASSED 7-0.

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

NOES: NONE

ABSTAIN: NONE

- E. Approve the second reading of an ordinance to grant Evergy Metro, Inc., its successors and assigns, a franchise and authorization to construct, operate and maintain all appropriate facilities for carrying on a light, heat and power business; granting the right to use the streets, alleys and all other public places within the present or future certified service territory of the company therefore; and prescribing the terms and conditions of such authorization

Mayor Johnston stated that the first reading was presented on July 6. No additional information was presented.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3129, AN ORDINANCE GRANTING EVERGY METRO, INC., ITS SUCCESSORS AND ASSIGNS, A FRANCHISE AND AUTHORIZATION TO CONSTRUCT, OPERATE AND MAINTAIN ALL APPROPRIATE FACILITIES FOR CARRYING ON A LIGHT, HEAT AND POWER BUSINESS; GRANTING THE RIGHT TO USE THE STREETS, ALLEYS AND ALL OTHER PUBLIC PLACES OF THE CITY WITHIN THE PRESENT OR FUTURE CERTIFICATED SERVICE TERRITORY OF THE COMPANY THEREFORE; AND PRESCRIBING THE TERMS AND CONDITIONS OF SUCH AUTHORIZATION, ON SECOND READING TO BECOME ORDINANCE NO. 3083.

RESULT: MOTION PASSED 7-0.

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

NOES: NONE

ABSTAIN: NONE

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

Mayor Johnston stated that the first reading was presented on August 3. No additional information was presented.

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 SECOND READING TO BECOME ORDINANCE NO. 3084.

RESULT: MOTION PASSED 7-0.

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

NOES: NONE

ABSTAIN: NONE

G. Approve a construction agreement with Mid States Forms for the Busch Drive cul-de-sac improvements

Public Works Director Alysén Abel said that the landscape island was located on Busch Drive near the former boat ramp in English Landing Park. Embassy Landscape created a design that was presented to the Community Land and Recreation Board (CLARB) who provided positive feedback on the project. Because only one bid was received and it was over budget, the Board of Aldermen rejected the bid and rebid the project, at which time two quotes were received.

Discussion focused on lighting, irrigation, a water feature, reallocating funds to increase the budget to ensure the final product was close to the design and a project with less long-term maintenance for City staff. Abel said that CLARB discussed the budget and Public Works Project Manager Chris Ashley was working on a scope to determine estimated costs for additional work to match the design. She noted that the wall was the first phase and the additional items would be the second phase. Staff would proceed as directed and provide a revised budget number to the Finance Committee and Board of Aldermen.

Barbara Loveless, 5221 NW Bluff Drive, noticed that the agreement did not include concrete testing and she recommended that the City make sure the improvements would withstand future floods. Abel responded that City's structural engineer reviewed the integrity of the wall. The original quote included a boilerplate template that excluded the retaining walls, but the agreement included construction of the retaining wall which would have fascia placed around the outside after it was built. The City would issue work authorizations for the on-call construction inspection staff to complete compression testing on the improvements. She noted that testing was completed on all public improvements for the City.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO **APPROVE A CONSTRUCTION AGREEMENT WITH MID STATES FORMS FOR THE BUSCH DRIVE CUL-DE-SAC IMPROVEMENTS IN THE AMOUNT OF \$46,505.90.**

RESULT: MOTION PASSED 7-0.

H. **Approve the second reading of an ordinance to amend Parkville Municipal Code sections 402.010, 405.020 and 405.040 to create provisions and guidelines for short-term rentals - Case No. PZ 2019-12 (postponed from the March 17, 2020 meeting)**

Community Development Director Stephen Lachky provided an overview of the discussions held regarding short-term rental guidelines; presentation attached as Exhibit B. He noted that seven public forums had been held since discussion on the topic began in September 2019. Notification of the neighboring properties was removed from the proposed Code because it was included in the conditional use permit process in which notice was provided to property owners within 185 feet of the property.

Discussion focused on the definition of short-term, code enforcement, short-term rentals without a conditional use permit, parking, time limits on permits, frequency of reviews and postponing the second reading to September 7 in order to provide residents an opportunity to comment. Lachky noted that the proposed code did not define short-term based on length but by being posted on Internet platforms. The conditional use permit would include guidelines for short-term rentals that could include parking, frequency of reviews, time limits and if the proposed property would work as a short-term rental.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO **POSTPONE THE SECOND READING TO SEPTEMBER 7, 2021.**

RESULT: MOTION PASSED 7-0.

I. **Approve the first reading of an ordinance to accept the street and storm sewer public improvements and associated maintenance bonds for Thousand Oaks 23rd and 24th plats and authorize staff to release up to 60 percent of the building permits**

Public Works Director Alysén Abel stated that the improvements for both plats were constructed, reviewed by City staff and determined to be in compliance with public works standards. As a condition of approval, two storm sewer culvert crossings needed to be built on River Road and the developer was in the process of constructing them. She recommended postponing acceptance of the improvements until they were installed and she also wanted to honor their request for the City to issue building permits for the lots within the plats. Staff recommended releasing 60 percent of the building permits prior to the improvements being accepted. The second reading would be presented once construction of the culvert crossings on River Road were completed.

ACTION: IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN RITTMAN TO APPROVE BILL NO. 3137, AN ORDINANCE ACCEPTING THE STREET AND STORM SEWER PUBLIC IMPROVEMENTS AND ASSOCIATED BONDS FOR THOUSAND OAKS 23RD AND 24TH PLATS, ON FIRST READING AND POSTPONE THE SECOND READING UNTIL THE

**SUCCESSFUL COMPLETION OF THE RIVER ROAD STORM
SEWER IMPROVEMENTS; AND AUTHORIZING STAFF TO
RELEASE 60 PERCENT OF THE BUILDING PERMITS.**

RESULT: MOTION PASSED 7-0.

5. STAFF UPDATES ON ACTIVITIES

A. Administration

1. City Hall Closed September 6 - Labor Day

Finance/Human Resources Director stated that City Hall would be closed on September 6 for Labor Day.

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

Alderman Wassmer requested the status of construction on Route 9 at Sixth Street and how it would affect Parkville Days. Public Works Director Alysén Abel said she instructed the contractors to complete their work on Friday so the areas were safe for the parade on Saturday.

Alderman Welch requested an update on public meetings regarding the Platte Landing Park ballfield project. City Administrator Joe Parente said that staff would present an agreement for design services and community engagement to the Finance Committee on August 30 and the Board of Aldermen on September 7.

Alderman Whitley said he received complaints about saw cutting on Main Street causing dust and Abel responded that she forwarded the complaints to the construction inspector who was going to reach out to the contractors to find alternate ways to do the work to reduce the impact to the neighbors. He also said there was a power outage in Riss Lake and requested the status of communications with Evergy. Parente responded that he was in contact with Evergy and was told their group that reviews power outages was reviewing the issue.

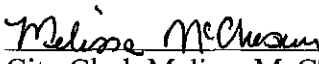
Alderman Sportsman asked about the location of the Parkville Microbrew Fest in October. Assistant to the City Administrator Jeffery Rhodes responded that the Main Street Parkville Association planned to use the open space in Platte Landing Park where they held the event in 2019 after the flooding.

7. ADJOURN

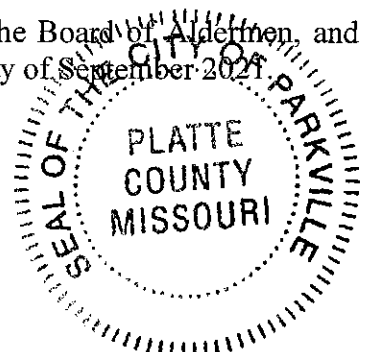
Mayor Johnston declared the meeting adjourned at 9:02 p.m.

The minutes for August 17, 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 7th day of September 2021.

Submitted by:


City Clerk Melissa McChesney

2021-097



**Report to
The Honorable Mayor
and Members of the Board of Aldermen**

City of Parkville, Missouri



**Financial and Compliance Audit
For the year ended December 31, 2020**

CHV

Certified Public Accountants

CHV

Certified Public Accountants

- Serving Missouri and Kansas since 1975.
- Peer Review – We have been awarded the highest rating given as a result of our peer review.
- Member of-
 - AICPA
 - AICPA Government Audit Quality Center
 - AICPA Employee Benefit Plan Audit Quality Center
 - BDO Alliance USA
 - Three (1) member of our governmental services audit team are members of the GFOA Special Review Committee
 - Licensed in Missouri, Kansas, and Nebraska

Scope of Audit

- We were engaged to perform an audit of the City's basic Financial Statements.

Our Responsibilities

- Conduct our audit in accordance with Generally Accepted Auditing Standards and Government Auditing Standards.
- Plan and perform our audit to obtain reasonable, not absolute, assurance that the basic financial statements are free of material misstatement.
- Report on internal controls over financial reporting and compliance with laws and regulations.

The Auditing Standards Board of the American Institute of Certified Public Accountants (AICPA) recommends that we communicate the following matters to the Governing Board:

City of Parkville, Missouri	
Illegal Acts – None came to our attention as a result of performing our audit procedures.	
Changes in Significant Accounting Policies - Governmental Accounting Standards Board No. 84, <i>Fiduciary Activities</i> , was adopted during the year.	
No difficulties or disagreements with management.	
Cooperation – Full access to books and records.	

Financial and Compliance Audit addresses three basic questions:

Question	Answers
Are the financial statements free of material misstatement?	We intend on issuing an unmodified opinion that the financial statements are fairly presented in all material respects.
Are internal controls over financial reporting adequately designed and operating effectively?	We identified a certain deficiency in internal control that we consider to be a material weakness. ➤ Financial Reporting
Did the City of Parkville, Missouri comply, in all material respects, with the finance-related laws and regulations?	No material noncompliance was noted with the finance-related laws and regulations that govern the City's operations.

Other Management Letter Comments

Other Management Letter Comments –
Contains suggestions for best practices and
possible improvements in internal control
noted in the conduct of the audit.

- Budgeting
- Future Accounting Pronouncements

CHV

Certified Public Accountants

**We appreciate the opportunity to serve as the auditor
for
the City of Parkville, Missouri**

Application for Text Amendment Short-Term Rentals

Summary of public meetings, forums
and hearings

Spring 2019

- Topic of Airbnbs was discussed at various Board meetings due to their increased popularity.
- Aldermen requested staff to research regulations on short-term rentals.

September 10, 2019

- Planning and Zoning Commission held a special workshop to discuss short-term rentals.
- Discussed research on state and local regulations, and Parkville considerations.

November 12, 2019

- Planning and Zoning Commission held its 1st public hearing to consider a text amendment.
- Suggested changes to language (“owner” and “resident”).
- Requested staff continue the hearing and notify all HOAs about the text amendment.

December 16, 2019

- Planning and Zoning Commission held its 2nd public hearing to consider a text amendment.
- Discussion ensued regarding illegal Airbnbs and staff's ability to enforce regulation through its Code Enforcement Officer.

January 7, 2020

- Board of Aldermen considered 1st reading of ordinance.
- Discussed benefits of having RDRs in a community in terms of maintenance/upkeep.
- Discussed having no duration / maximum length of stay requirement due to uniqueness of Park University, and improving overall quality of life.
- Decided to "take no action" and communicate with constituents about the proposal to receive additional comments/feedback.

February 4, 2020

- Explained how regulations apply specifically to residential properties, not commercial.
- Discussed requiring annual inspections for Airbnbs through the Conditional Use Permit process.
- Broader discussion on city-wide rental inspection program for ALL rental properties.

March 3, 2020

- Staff explained purpose of 5% Tourism Tax.
- City Attorney explained City's enforcement stance on HOA regulations, as well as ability to take proposal to a city-wide vote.
- Aldermen approved 1st reading of ordinance.

March 17, 2020

- No action was taken.
- Mayor postponed 2nd reading of ordinance due to the limitation of public gathering as a result of the COVID-19 pandemic.