



Municipal Officials Ethics Commission

Tentative Agenda **Amended**

Thursday, February 10, 2022

6:00 PM

City Hall Board Room

The Municipal Officials Ethics Commission will be meeting in person. Members of the public interested in this meeting are encouraged to [join the meeting via Zoom](#) or call (312) 626-6799, Meeting ID: 864 2936 7224, Passcode: 732465 – rather than appear at City Hall.

1. **Roll Call**
2. **Approval of Minutes from Previous Meetings.**
3. **Testimony of Mayor Nan Johnston**
4. **Discussion of affidavits received so far**
5. **Discussion of complaints not needing further investigation**
6. **Other Business**
 - a. Next meeting
 - b. Other
7. **Adjourn**



Municipal Officials Ethics Commission
DRAFT MINUTES
CITY OF PARKVILLE, MISSOURI
Wednesday, February 2, 2022 6:00 PM
by Zoom video conference

1. Roll Call

Roll was called by Bonnie Buckmaster, Public Works Assistant. A quorum of the commission was present via video conference.

Members in Attendance

Bryan Dehner, Chair

Gil Scott

Jerry Felker

Abby LacKamp

Michael Pearl - Joined after the approval of the minutes at 6:08 p.m.

Bonnie Buckmaster, Public Works Assistant, was present on behalf of the City, Joe Vanover, Attorney, was present on behalf of the Ethics Commission.

2. Approval of Minutes from Previous Meetings

A. January 31, 2022

ABBY LACKAMP MOVED TO APPROVE THE MINUTES FROM THE JANUARY 31, 2022 MEETING; JERRY FELKER SECONDED; MOTION PASSED 4-0.

3. Testimony of Witnesses

Attorney Joe Vanover informed the Commission that a letter had been received from Chris Williams, City Attorney. The letter mentioned that the guidance from the Board of Aldermen was to not subject staff and city officials to an open question forum. City officials and staff would instead provide affidavits which are sworn testimony to address the issues and questions. In the letter, Attorney Chris Williams emphasized that the City wishes to be cooperative with the Commission throughout the investigative process. Therefore, Joe Parente, Melissa McChesney, and David Rittman did not testify at this meeting.

A. Melissa McChesney

B. Joe Parente

C. Dave Rittman

4. Other Business

- A. Next meeting 2/10/22 in person at City Hall

Depending on if the affidavits are received and reviewed in time for the February 10th meeting, it may be changed from hybrid to zoom if there is to be no in-person testimony. There will be a notice posted at least 24 hours in advance of the meeting.

- B. Report of other investigation (if any)

Attorney Vanover discussed the information from Mr. Maki related to the destruction of public records.

Attorney Vanover found a YouTube video of an interview with KMBC and Chief Chrisman, where Chrisman stated he was never asked for anything. It was encouraged that the commissioners watch the video.

5. Adjourn

**JERRY FELKER MOVED TO ADJOURN AT 6:45 P.M., ABBY LACKAMP SECONDED;
MOTION PASSED 5-0.**

The minutes for February 2, 2022, having been read and considered by the Municipal Officials Ethics commission, were approved on the 10th day of February, 2022.

Bonnie Buckmaster, Public Works Assistant

Approval Date

AFFIDAVIT OF BRIAN WHITLEY

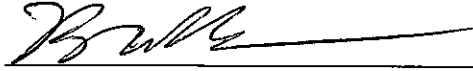
STATE OF MISSOURI)
) SS.
COUNTY OF PLATTE)

I, **BRIAN WHITLEY**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. I recall that one of the matters addressed during the executive session on September 3, 2019, was an update on continuing Open Records requests submitted by Mr. Jason Maki.
4. It was my understanding that City staff complied with the requirements of Missouri's Open Records Act.
5. It was my understanding that City staff would continue to comply with the Missouri's Open Records Act.
6. I do not recall any additional specifics of the content of the discussion related to the Open Records requests submitted by Mr. Jason Maki.
7. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.
8. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the


Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.



BRIAN WHITLEY

SUBSCRIBED AND SWORN TO before me a Notary Public, this 4 day of February 2022.



Notary Public



My Commission Expires: 12-15-2023

City Settles Lawsuit Over Records Requests

07/21/2021 By Administrator



Parkville, MO, July 22, 2021 – Mr. Maki has expressed a concern about a certain statement in the press release issued by the City of Parkville. Here is what the City’s press release states: “Additionally, as part of the settlement agreement, Mr. Maki stated that the City’s Custodian of Records properly fulfilled its obligations and did not violate the Missouri Open Records Act.”

Here is what the Settlement Agreement and Release signed by Mr. Maki states: “WHEREAS, at Mr. Maki’s request, the City acknowledges that the Custodian of Records for the City of Parkville properly fulfilled her obligations and did not violate the Missouri Open Records Act.”

The signed Settlement Agreement and Release speaks for itself.

PARKVILLE, MO, JULY 21, 2021 – The City of Parkville has entered into a settlement agreement regarding a civil lawsuit filed in 2020. The settlement resolves all current and future claims that could have been brought arising from the multiple Sunshine Law records requests that formed the basis of the lawsuit.

From 2018 to 2021, the City responded to 43 separate requests that included 142 categories of open records from Mr. Jason Maki, regarding various City of Parkville topics and public projects. The City responded to the requests and produced more than 110,000 public records during that time. Ultimately, Mr. Maki filed a lawsuit over alleged violations of the Missouri Sunshine Law that has been ongoing, expensive and contentious, but has now been resolved between Mr. Maki and the City.

In settling the lawsuit, the City believes it complied with the records requests and continues to deny any liability for the actions alleged in the lawsuit. Further, the settlement agreement specifically provides the City’s agreement does not constitute an admission of any liability. In considering the lawsuit’s dismissal, the City agreed to make a one-time payment to Mr. Maki for \$195,000. Additionally, as part of the settlement agreement, Mr. Maki stated that the City’s

Custodian of Records properly fulfilled its obligations and did not violate the Missouri Open Records Act.

The City settled the lawsuit in the best interests of the Citizens, both financially and operationally. The taxpayers' costs for continued litigation including the future legal expenses associated with depositions, a trial and potential appeals (even with a successful result for the City) are projected to exceed the settlement agreement payment. The litigation could have lasted several years with continued disruptions negatively impacting the City's officials and staff's work in providing the highest level of public services. For these reasons, the City believes it makes economic sense to move on for the benefit of the City taxpayers.

The City of Parkville recognizes the importance of Missouri's Sunshine Law Act and shares a commitment to openness in government. The City promotes transparency in government in various ways, including the way we communicate with citizens. We will continue to do this and always strive to find ways to improve. We look forward to continued dedication in serving the needs of our residents.

The Settlement Agreement and Release is a public record and is available from the City of Parkville, by request.

AFFIDAVIT OF DOUG WYLIE

STATE OF MISSOURI)
) SS.
COUNTY OF Platte)

I, **DOUG WYLIE**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. One of the matters addressed during executive session on September 3, 2019, was an update on continuing Open Records requests submitted by Mr. Jason Maki including whether records responsive to requests 17, 19, 20, 22, 23, 24, and 26 should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki provided that changing the City's position on the issue would not compromise the City's position legally in a manner that could expose it to liability.
4. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.
5. At no time during the meeting was a vote taken regarding Mr. Maki's requests.
6. At no time during the meeting was any mandate, directive, or order given by the Mayor, any particular Alderman, or the Board as a whole to withhold or release any particular records.

7. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.

8. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.

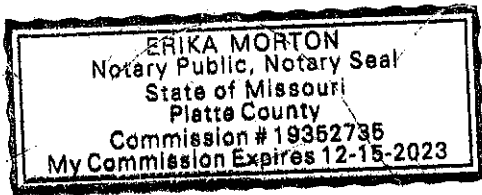
9. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

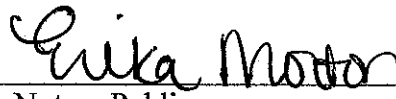
FURTHER AFFIANT SAYETH NOT.



DOUG WYLIE

SUBSCRIBED AND SWORN TO before me a Notary Public, this 4 day of February, 2022.





Notary Public

My Commission Expires: 12-15-2023

AFFIDAVIT OF GREG PLUMB

STATE OF MISSOURI)
) SS.
COUNTY OF Platte)

I, **GREG PLUMB**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. One of the matters addressed during executive session on September 3, 2019, was an update on continuing Open Records requests submitted by Mr. Jason Maki including whether records responsive to certain requests should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki provided that changing the City's position on the issue would not compromise the City's position legally in a manner that could expose it to liability.
4. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.
5. At no time during the meeting was a vote taken regarding Mr. Maki's requests.
6. I do not recall hearing any mandate, directive, or order given by the Mayor, any particular Alderman, or the Board as a whole to withhold or release any particular records, other than statements that we needed to follow what the law requires.

7. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.

8. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.


9. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.



GREG PLUMB

SUBSCRIBED AND SWORN TO before me a Notary Public, this 7th day of February 2022.



Notary Public

My Commission Expires: 2-26-22



TONI RIZZUTI HICKMAN
My Commission Expires
February 26, 2022
Platte County
Commission #15465569

AFFIDAVIT OF MARC SPORTSMAN

STATE OF MISSOURI)
) SS.
COUNTY OF Platte)

I, **MARC SPORTSMAN**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. One of the matters addressed during executive session on September 3, 2019, was an update on continuing Open Records requests submitted by Mr. Jason Maki including whether records responsive to requests 17, 19, 20, 22, 23, 24, and 26 should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki provided that changing the City's position on the issue would not compromise the City's position legally in a manner that could expose it to liability.
4. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.
5. At no time during the meeting was a vote taken regarding Mr. Maki's requests.
6. At no time during the meeting was any mandate, directive, or order given by the Mayor, any particular Alderman, or the Board as a whole to withhold or release any particular records.
7. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.
8. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.
9. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.

Marc Sportsman
MARC SPORTSMAN

SUBSCRIBED AND SWORN TO before me a Notary Public, this 7 day of February 2022.

Erika Morton
Notary Public
12-15-23
My Commission Expires:

ERIKA MORTON
Notary Public, Notary Seal
State of Missouri
Platte County
Commission # 19352736
My Commission Expires 12-15-2023

AFFIDAVIT OF PHILIP WASSMER

STATE OF MISSOURI)
) SS.
COUNTY OF Platte)

I, **PHILIP WASSMER**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. One of the matters addressed during executive session on September 3, 2019, was an update to the ongoing Missouri Open Records Act requests submitted by Mr. Jason Maki. There was discussion regarding how to deal with the unclaimed responses to the Missouri Open Records Act sitting at the front desk of city hall since there were also a number of later requested responses that had already been paid for and were ready to pick up as well. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki without payment as long as this would not change the City's standard process and comply with the City's position legally in a manner that would not expose it to liability.
4. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive and did not mandate that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due, as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.
5. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.

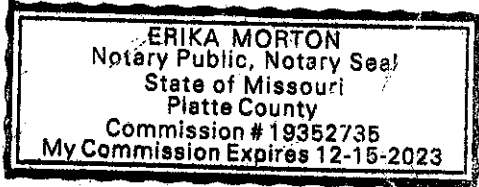
6. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.



PHILIP WASSMER

SUBSCRIBED AND SWORN TO before me a Notary Public, this 4 day of February, 2022.





Notary Public

My Commission Expires: 12-15-2023

AFFIDAVIT OF ROBERT LOCK

STATE OF MISSOURI)
) SS.
COUNTY OF Platte)

I, **ROBERT LOCK**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. One of the matters addressed during executive session on September 3, 2019, was an update on continuing Open Records requests submitted by Mr. Jason Maki including whether records responsive to requests 17, 19, 20, 22, 23, 24, and 26 should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki provided that changing the City's position on the issue would not compromise the City's position legally in a manner that could expose it to liability.
4. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.
5. At no time during the meeting was a vote taken regarding Mr. Maki's requests.
6. At no time during the meeting was any mandate, directive, or order given by the Mayor, any particular Alderman, or the Board as a whole to withhold or release any particular records.

7. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.

8. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.

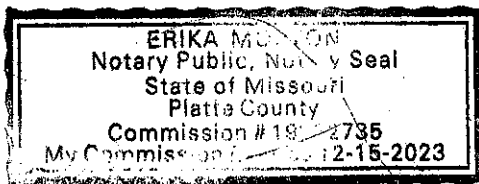
9. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

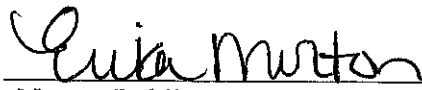
FURTHER AFFIANT SAYETH NOT.



ROBERT LOCK

SUBSCRIBED AND SWORN TO before me a Notary Public, this 4 day of February, 2022.





Notary Public

My Commission Expires: 12-15-2023

AFFIDAVIT OF TINA WELCH

STATE OF MISSOURI)
) SS.
COUNTY OF Platte)

I, **TINA WELCH**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. On September 3, 2019, I attended an executive session meeting of the Board of Alderman for the City of Parkville.
3. One of the matters addressed during executive session on September 3, 2019, was an update on continuing Open Records requests submitted by Mr. Jason Maki including whether several records responsive to requests should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki. I understood city staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the act.
4. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.
5. At no time during the meeting was a vote taken regarding Mr. Maki's requests.
6. At no time during the meeting was any mandate, directive, or order given by the Mayor, any particular Alderman, or the Board as a whole to withhold or release any particular records.

7. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.

8. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.

9. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.

Tina Welch
TINA WELCH

SUBSCRIBED AND SWORN TO before me a Notary Public, this 7 day of February, 2022.

Erika Morton
Notary Public

My Commission Expires: 12-15-23



10. I did not know Nan Johnston was charged with a DUI or that the traffic stop was related to alcohol until I returned to work on Monday, 9-28-2020.

11. I did not find the call to be unethical or an attempt to influence the outcome of any investigation.

12. I gave an interview with KMBC 9 news in October of 2020, regarding my recollection of what happened, which can be viewed for further information at: <https://www.kmbc.com/article/kmbc-9-investigates-parkville-mayor-police-chief-respond-to-mayors-dwi-arrest-video/34417026>.

FURTHER AFFIANT SAYETH NOT.

Kevin L Chrisman 2-7-2022
Kevin Chrisman

SUBSCRIBED AND SWORN TO before me a Notary Public, this 7th day of February 2022.

[Signature]
Notary Public

My Commission Expires: 2-26-22



TONI RIZZUTI HICKMAN
My Commission Expires
February 26, 2022
Platte County
Commission #15465569

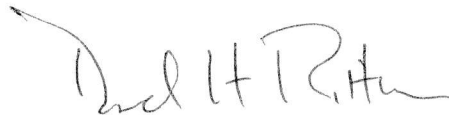
6. At no time during the meeting was any mandate, directive, or order given by the Mayor, any particular Alderman, or the Board as a whole to withhold or release any particular records.

7. I understood City staff was complying with the requirements of Missouri's Open Records Act and that staff would continue to act in compliance with the Act.

8. Although not directly relevant to the pending ethics complaint filed against the Mayor, with regard to the settlement of the Maki lawsuit, the City's legal counsel advised of the ongoing negotiations and from time to time presented the Board with options. The Board's decision to accept a settlement is best summarized in the attached statement previously released to the public.

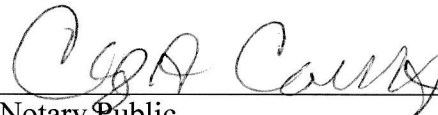
9. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.



DAVE RITTMAN

SUBSCRIBED AND SWORN TO before me a Notary Public, this 4 day of February, 2022.



Notary Public

My Commission Expires:

CHERYL A. CORNETT
Notary Public-Notary Seal
STATE OF MISSOURI
Commissioned for Platte County
My Commission Expires: July 29, 2022
ID. #14430853

AFFIDAVIT OF JOE PARENTE

STATE OF MISSOURI)
) SS.
COUNTY OF PLATTE)

I, **JOE PARENTE**, having been first duly sworn upon my oath, state as follows:

1. I am above the age of 18 and I am competent to testify as to the facts stated herein.
2. I understand the Ethics Commission would like to know the normal procedure followed for responding to requests for records made under the Missouri Open Records Act also known as the Sunshine Law.
3. Attached hereto as **EXHIBIT A** is the normal procedure followed when responding to requests for records made under the Missouri Open Records Act.
4. The attached procedure was followed in responding to Mr. Maki's requests for records.
5. At no time did I receive any direction, directive, or order from Mayor Nan Johnston that records were not to be provided to Mr. Maki or to withhold records for which payment was made.
6. At no time did I direct or otherwise instruct anyone that records were not to be provided to Mr. Maki or to withhold records for which payment was made.
7. I have no knowledge of there ever being a vote by the Board of Alderman to release records to Mr. Maki.
8. The Board of Aldermen met on September 3, 2019 in executive session and discussed legal issues regarding Mr. Maki's Sunshine Law requests including whether records responsive to requests 17, 19, 20, 22, 23, 24, and 26 should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board

discussed the possibility of releasing these records to Mr. Maki provided that changing the City's position on the issue would not compromise the City's position legally in a manner that could expose it to liability. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of Ms. McChesney's previous letters to Mr. Maki responding to these requests.

9. I have no knowledge of any directive, mandate, or order from the Mayor or a Board Member to withhold documents from Mr. Maki.

10. I have no knowledge of the destruction of any records responsive to requests made by Mr. Maki.

11. I have no knowledge of the deletion of any e-mail account.

12. I recall the Mayor told me she asked Ms. McChesney to discontinue sending paid notifications to the Landmark. She asked me to have Ms. McChesney stop sending press releases as well and to ask the Landmark to discontinue delivery to City Hall. Ms. McChesney instructed a city staff person to contact the Landmark and stop delivery. Ms. McChesney then approached me and I told her not to stop sending legal notices or press releases to them.

13. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.

Joe Parente

JOE PARENTE

SUBSCRIBED AND SWORN TO before me a Notary Public, this 7 day of February, 2022.

Erika Morton

Notary Public



My Commission Expires: 12-15-23

Parkville Administrative Process for Handling Records Requests

1. The City Clerk receives a request for records and establishes the three-day deadline for response.
2. She determines whether the records are available, and contacts the appropriate city department for assistance, if applicable. If records are not available or responsive, a letter is sent confirming that with the requester.
3. For requests that require assistance from the City Administrator, a copy of the request is forwarded to the City Administrator, along with the three-day deadline to provide a response.
4. The requests are reviewed and discussed between the City Clerk and City Administrator, and the City Attorney is contacted if needed. It is determined what records require a search based on the specific records request. A time period is determined to complete the records request.
5. A response letter is sent within the three-day period with either the requested records or if the city is not able to make the records available within the three-day period, the earliest date and time when the records will be made available. Included is the reason why the additional time is required along with a cost estimate (if requested by the requestor). The requestor is also notified that the city will provide records in advance of the deadline, if possible, based the completion of the various searches. Finally, the letter would address topics such as possible fees, clarification of the request if needed, and the way the records will be provided.
6. Based on a review of the request, for those that require the assistance of the city's IT consultant to search the city's email archive, search terms are developed for these requests and are sent to the IT consultant along with the deadline for providing the records to the requestor. For other electronic or paper records the city has in its possession, the process to retrieve these records is also initiated. This is referred to as a two-tiered approach of producing the records.
7. The IT consultant completes the search of the email archive system, and transfers the information onto the city's network Outlook Data Files containing all email communications that were produced by the search of the email archive system. He notifies the city when these records are available.
8. The emails provided by the IT provider are typically "bulk" emails that may include spam, emails that contain part of a search term but are not responsive to the records request, as well as responsive records. The City Clerk next conducts searches from the emails to sort out those that are not responsive to the Sunshine request. She separates emails found to be responsive to the request. Next, email communications that require a review by the City Attorney for Sunshine Law exemption as closed records are separated for review. After the City Clerk has completed the search and the copying / electronic transfer function, she notifies the City Administrator the task has been completed. The City Administrator then reviews the documents/folders to assure all responsive emails are included from the search, or designated to be reviewed by the City Attorney.

9. Emails that require City Attorney review for exemption as closed records are provided by the Clerk to the City Attorney. The City Attorney reviews the emails against the Sunshine Law exemption criteria, and provides to the Clerk emails that are closed, approved to be released, or released with required redactions.
10. The City Clerk determines the cost of the IT Consultant and the staff hours incurred to search for and copy the files for release. A letter to the requestor is drafted and reviewed by the City Administrator and City Attorney prior to release. The letter includes any cost owed, or if there is a refund forthcoming from any deposit paid and provides information to how the fee was determined. The letter is typically sent via email, along with attachments of responsive records, or a notice that the records have been placed on a Flash Drive and available for pickup at City Hall. The letter will also provide a response that generally describes the material exempted or closed.
11. This process is a general administrative procedure that does not require participation or direction from the Board or Mayor.

8. Between April 1, 2019, and June 26, 2019, similar letters were sent to Mr. Maki's attorney advising records responsive to requests 19, 20, 22, 23, 24 and 26 were available to be picked up once the outstanding balance was paid. *See letters attached as EXHIBITS D - I.*

9. Mr. Maki acknowledged the records were always available, but he refused to pay for them and pick them up because he disputed the charges requested by the City and wanted to preserve those claims. *For example, see July 20, 2020, letter from Jason Maki attached as EXHIBIT J.*

10. The Board of Aldermen met on September 3, 2019 in executive session and discussed legal issues regarding Mr. Maki's Sunshine Law requests including whether records responsive to requests 17, 19, 20, 22, 23, 24, and 26 should be released to Mr. Maki without requiring him to pay outstanding fees owed for his previous requests. The Mayor and Board discussed the possibility of releasing these records to Mr. Maki provided that changing the City's position on the issue would not compromise the City's position legally in a manner that could expose it to liability. At this meeting, the Mayor and Board of Aldermen did not vote or otherwise provide any directive or order mandating that the City change its position and release these records to Mr. Maki without him complying with the requirement to pay the outstanding balance of fees due as stated in each of my previous letters to Mr. Maki responding to these requests.

11. Mr. Maki paid the outstanding balance on July 31, 2020 and on August 3, 2020 picked up the records which had been available for pick up since March 2019, April 2019, and June 2019 (depending on the request).

12. I have no knowledge of there ever being a vote, directive, mandate, or order by the Board of Alderman or Mr. Parente to release records to Mr. Maki.

13. I have no knowledge of any directive, mandate, or order from the Mayor, any Board Member, or Mr. Parente to withhold documents from Mr. Maki.

14. I have no knowledge of the destruction of any records responsive to requests made by Mr. Maki.

15. I have no knowledge of the deletion of any City e-mail account.

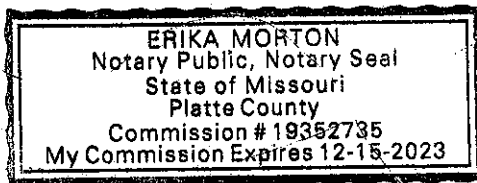
16. The City has in the past and continues to post legal notices in the Platte County Landmark.

17. This affidavit is not intended to be a waiver of any of my rights or privileges or those of the City of Parkville and is intended for the sole purpose of addressing questions by the Ethics Commission related to the ethics complaint regarding Mayor Nan Johnston. and to assist the Ethics Commission in their task of determining whether any ethics violation resulted from the actions of the Mayor.

FURTHER AFFIANT SAYETH NOT.


MELISSA MCCHESENEY

SUBSCRIBED AND SWORN TO before me a Notary Public, this 4 day of February, 2022.




Notary Public

My Commission Expires: 12-15-2023

Parkville Administrative Process for Handling Records Requests

1. The City Clerk receives a request for records and establishes the three-day deadline for response.
2. She determines whether the records are available, and contacts the appropriate city department for assistance, if applicable. If records are not available or responsive, a letter is sent confirming that with the requester.
3. For requests that require assistance from the City Administrator, a copy of the request is forwarded to the City Administrator, along with the three-day deadline to provide a response.
4. The requests are reviewed and discussed between the City Clerk and City Administrator, and the City Attorney is contacted if needed. It is determined what records require a search based on the specific records request. A time period is determined to complete the records request.
5. A response letter is sent within the three-day period with either the requested records or if the city is not able to make the records available within the three-day period, the earliest date and time when the records will be made available. Included is the reason why the additional time is required along with a cost estimate (if requested by the requestor). The requestor is also notified that the city will provide records in advance of the deadline, if possible, based the completion of the various searches. Finally, the letter would address topics such as possible fees, clarification of the request if needed, and the way the records will be provided.
6. Based on a review of the request, for those that require the assistance of the city's IT consultant to search the city's email archive, search terms are developed for these requests and are sent to the IT consultant along with the deadline for providing the records to the requestor. For other electronic or paper records the city has in its possession, the process to retrieve these records is also initiated. This is referred to as a two-tiered approach of producing the records.
7. The IT consultant completes the search of the email archive system, and transfers the information onto the city's network Outlook Data Files containing all email communications that were produced by the search of the email archive system. He notifies the city when these records are available.
8. The emails provided by the IT provider are typically "bulk" emails that may include spam, emails that contain part of a search term but are not responsive to the records request, as well as responsive records. The City Clerk next conducts searches from the emails to sort out those that are not responsive to the Sunshine request. She separates emails found to be responsive to the request. Next, email communications that require a review by the City Attorney for Sunshine Law exemption as closed records are separated for review. After the City Clerk has completed the search and the copying / electronic transfer function, she notifies the City Administrator the task has been completed. The City Administrator then reviews the documents/folders to assure all responsive emails are included from the search, or designated to be reviewed by the City Attorney.

9. Emails that require City Attorney review for exemption as closed records are provided by the Clerk to the City Attorney. The City Attorney reviews the emails against the Sunshine Law exemption criteria, and provides to the Clerk emails that are closed, approved to be released, or released with required redactions.
10. The City Clerk determines the cost of the IT Consultant and the staff hours incurred to search for and copy the files for release. A letter to the requestor is drafted and reviewed by the City Administrator and City Attorney prior to release. The letter includes any cost owed, or if there is a refund forthcoming from any deposit paid and provides information to how the fee was determined. The letter is typically sent via email, along with attachments of responsive records, or a notice that the records have been placed on a Flash Drive and available for pickup at City Hall. The letter will also provide a response that generally describes the material exempted or closed.
11. This process is a general administrative procedure that does not require participation or direction from the Board or Mayor.



March 8, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Sunshine Requests

Dear Mr. Alexander:

Documents in response to Mr. Maki's Thirteenth and Fourteenth Sunshine requests sent to me as the Custodian of Records for the City of Parkville on January 16, 2019, have been placed on a flash drive and will be available to be picked up at City Hall upon receipt of payment as noted below. The flash drive also includes additional documents responsive to requests Six, Nine and Ten. In total, the flash drive includes over 19,000 records and, along with the over 28,000 records previously provided, completes the City's response to requests One through Fourteen with the exception of those records being reviewed by the City's legal counsel. We anticipate any documents being reviewed by legal counsel that are open records will be provided within the next week along with a letter documenting the City's finalization of its response to those requests.

The City's response letters for requests One, Three through Six, and Eight through Fourteen included estimated costs associated with staff time (including research time and duplicating time) and for copies of documents responsive to the requests totaling \$4,310.00 which Mr. Maki has previously paid to the City. These response letters also noted that once the requests were completed, the City would invoice Mr. Maki for any additional copies and/or time used to provide the information. The total cost for staff time, IT consultant fees, and supplies (flash drives) for responding to these requests is \$7,067.67. As a result, the balance due from Mr. Maki is \$2,757.67. Please note that this amount does not include any cost associated with the City's legal counsel review of documents because the City is not charging for that expense. Upon receipt of payment of \$2,757.67, the flash drive including the records identified above in this letter will be provided to Mr. Maki. There will be no further charge when any records that are being reviewed by the City's legal counsel are made available because as previously noted, the City is not charging for costs associated with legal counsel review.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney". The signature is written in a cursive, slightly slanted style.

Melissa McChesney
City Clerk



March 28, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aaalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Seventeenth Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Seventeenth Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated January 23, 2019. As I noted in my initial response letter to you dated January 28, 2019, the City does not maintain lists of property ownerships but to the extent the City has general knowledge of ownerships of commercial properties in "Parkville Commons" and "Apex Plaza" due to information included in recent documents such as development applications, we would search for and provide those communications records. We did so and those open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests.

As the request stated, the City need not produce records already provided in response to Mr. Maki's previous requests and we have not done so. Additionally, my January 28, 2019, letter noted that if you identified the names of owners for whom you requested the City search for communications records, we would do so. No names of owners have been provided and, as a result, this completes our response to the Seventeenth Sunshine Request.

Please be advised that with regard to the records you requested, we have not provided copies of closed records related to confidential or privileged communications between the City's elected officials and staff and the City's legal counsel pursuant to Section 610.021(1) RSMo. In addition, your request asks that we provide you with a privilege log for records excluded by your request. Section 610.023.4 RSMo does not require the City to create such a log and, as a result, one has not been provided.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney".

Melissa McChesney
City Clerk



April 1, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Nineteenth Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Nineteenth Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated February 20, 2019. Open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests. Please note that no records were identified as responsive to item number 3 in the request regarding "[t]he number of such open records requests for which the City sought to collect fees for its legal counsel incurred in the course of responding to those requests, including the amount of legal counsel fees sought or collected" because as with Mr. Maki's requests, the City has not sought or collected any such legal counsel fees.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney". The signature is written in a cursive style.

Melissa McChesney
City Clerk



April 1, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Twentieth Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Twentieth Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated February 20, 2019. Open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests.

Please be advised that with regard to the records you requested, we have not provided copies of closed records related to confidential or privileged communications between the City's elected officials and staff and the City's legal counsel pursuant to Section 610.021(1) RSMo and closed records related to a negotiated contract pursuant to Section 610.021(12) RSMo. In addition, your request asks that we provide you with a privilege log for records excluded by your request. Section 610.023.4 RSMo does not require the City to create such a log and, as a result, one has not been provided.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney".

Melissa McChesney
City Clerk



June 26, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Twenty-Second Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Twenty-Second Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated February 26, 2019. Open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests.

Your request asks that we provide you with a privilege log for records excluded by your request. Section 610.023.4 RSMo does not require the City to create such a log and, as a result, one has not been provided.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney". The signature is written in a cursive, slightly slanted style.

Melissa McChesney
City Clerk



April 25, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Twenty-Third Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Twenty-Third Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated February 28, 2019. Open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests.

Please be advised that with regard to the records you requested, we have not provided copies of closed records related to confidential or privileged communications between the City's elected officials and staff and the City's legal counsel pursuant to Section 610.021(1) RSMo. In addition, your request asks that we provide you with a privilege log for records excluded by your request. Section 610.023.4 RSMo does not require the City to create such a log and, as a result, one has not been provided.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney".

Melissa McChesney
City Clerk



June 24, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Twenty-Fourth Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Twenty-Fourth Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated March 18, 2019. Open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests.

Please be advised that with regard to the records you requested, we have not provided copies of closed records related to confidential or privileged communications between the City's elected officials and staff and the City's legal counsel pursuant to Section 610.021(1) RSMo. In addition, your request asks that we provide you with a privilege log for records excluded by your request. Section 610.023.4 RSMo does not require the City to create such a log and, as a result, one has not been provided.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney". The signature is written in a cursive, slightly slanted style.

Melissa McChesney
City Clerk



June 12, 2019

VIA FIRST CLASS MAIL AND E-MAIL TO: aalexander@gravesgarrett.com

Andrew P. Alexander
Graves Garrett LLC
1100 Main Street, Suite 2700
Kansas City, Missouri 64105

RE: Jason Maki's Twenty-Sixth Sunshine Request

Dear Mr. Alexander:

This letter is in response to Jason Maki's Twenty-Sixth Sunshine Request for public records sent to me as the Custodian of Records for the City of Parkville dated May 10, 2019. Open records identified as responsive to your request have been compiled and placed on a flash drive that can be picked up at City Hall after we receive payment of the currently outstanding balance for costs associated with Mr. Maki's previous requests.

Please be advised that with regard to the records you requested, we have not provided copies of closed records related to confidential or privileged communications between the City's elected officials and staff and the City's legal counsel pursuant to Section 610.021(1) RSMo. In addition, your request asks that we provide you with a privilege log for records excluded by your request. Section 610.023.4 RSMo does not require the City to create such a log and, as a result, one has not been provided.

Sincerely,

A handwritten signature in black ink that reads "Melissa McChesney".

Melissa McChesney
City Clerk

July 20, 2020

VIA EMAIL

Steven F. Coronado
4600 Madison Avenue, Suite 210
Kansas City, MO 64112
scoronado@batyotto.com
pgordon@batyotto.com
lnichols@batyotto.com

Re: 13th & 14th Sunshine Requests, July 20 Response

Dear Mr. Coronado:

In response to your second email on July 16, 2020.

The City's course of conduct in responding to each of my Sunshine Requests is relevant to the lawsuit, including as to Requests 1-16.

In the lawsuit, I only seek relief on the Requests enumerated in my Petition.

I will communicate with you on Requests 1-33 unless advised otherwise. I trust that the information will be conveyed in a timely manner to City staff as appropriate.

To that end, please see the attached letter regarding my Request No. 29, for which I will pay the requested fee—while preserving my claim that those fees are impermissible—and receive the requested records. I will be going to City hall today, July 16, to obtain those records.

Sincerely,

/s/ Jason Maki_____

Jason Maki
6955 NW Scenic Drive
Kansas City, MO 64152
Jasonmaki5@gmail.com
612-306-7071

Plaintiff

July 20, 2020

Mr. Jason Maki
6955 NW Scenic Drive
Kansas City, MO 64152
612-306-7071
jasonmaki5@gmail.com

Via Email and Hand Delivery

Ms. Melissa McChesney
City Clerk and Custodian of Records
8880 Clark Avenue
Parkville, MO
mmcchesney@parkvillemo.gov
(816) 741-7676

Re: Non-waiver and Preservation of Claims against Impermissible Open Records fees.

Dear Ms. McChesney,

This letter serves as a Non-waiver and Preservation of Claims against the impermissible open records fees imposed by the City of Parkville for my Twenty Ninth Open Records Request.

In your letter dated October 14, 2019, the City stated that it required an additional \$396.36 in order for me to obtain access to the public records responsive to my Twenty Ninth Open Records Request. In a subsequent email dated October 14th, 2019 you indicated that \$385.57 of the fees related to this request were attributable to "research" and "review" time. Your additional fees are impermissible under Missouri Law.

Section 610.026.1(2) ("Subsection (2)") states:

Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the

public governmental body required for making copies and programming, if necessary, and the cost of the disk, tape, or other medium used for the duplication.

Gross v. Parson, No. WD83061 (Mo. Ct. App. May 26, 2020) addresses this issue directly in its May 26th, 2020 ruling:

The charge for staff time under Subsection (2) is limited to the amount of time staff needed to make copies or transfer electronic records at "the average hourly rate of pay for staff of the public governmental body required for making copies."

While a governmental body may desire or even believe it is required to have an attorney review certain electronic records before they are provided to a member of the public under the Sunshine Law, Subsection (2) makes no provision for "research" fees to be assessed to the requester. Instead, it provides for staff time for activities directly related to providing access to electronic records We find no authority in the language of the statute in Subsection (2), for a governmental body to assess research fees or attorney fees to a requester of records covered under Subsection (2).

As stated above, your additional fees are impermissible under Missouri Law.

While I will submit payment to obtain these records, I preserve my claims that the fees imposed by the City of Parkville for my Twenty Ninth Open Records Request are impermissible under RSMo 610.026. I do not waive any rights to my claim and reserve the right to seek a refund of these, and any other impermissible fees imposed by the City of Parkville, at a future date.

Sincerely,



Jason Maki
6955 NW Scenic Drive
Kansas City, MO 64152
jasonmaki5@gmail.com
612-306-7071

City Settles Lawsuit Over Records Requests

07/21/2021 By [Administrator](#)



Parkville, MO, July 22, 2021 – Mr. Maki has expressed a concern about a certain statement in the press release issued by the City of Parkville. Here is what the City’s press release states: “Additionally, as part of the settlement agreement, Mr. Maki stated that the City’s Custodian of Records properly fulfilled its obligations and did not violate the Missouri Open Records Act.”

Here is what the Settlement Agreement and Release signed by Mr. Maki states: “WHEREAS, at Mr. Maki’s request, the City acknowledges that the Custodian of Records for the City of Parkville properly fulfilled her obligations and did not violate the Missouri Open Records Act.”

The signed Settlement Agreement and Release speaks for itself.

PARKVILLE, MO, JULY 21, 2021 – The City of Parkville has entered into a settlement agreement regarding a civil lawsuit filed in 2020. The settlement resolves all current and future claims that could have been brought arising from the multiple Sunshine Law records requests that formed the basis of the lawsuit.

From 2018 to 2021, the City responded to 43 separate requests that included 142 categories of open records from Mr. Jason Maki, regarding various City of Parkville topics and public projects. The City responded to the requests and produced more than 110,000 public records during that time. Ultimately, Mr. Maki filed a lawsuit over alleged violations of the Missouri Sunshine Law that has been ongoing, expensive and contentious, but has now been resolved between Mr. Maki and the City.

In settling the lawsuit, the City believes it complied with the records requests and continues to deny any liability for the actions alleged in the lawsuit. Further, the settlement agreement specifically provides the City’s agreement does not constitute an admission of any liability. In considering the lawsuit’s dismissal, the City agreed to make a one-time payment to Mr. Maki for \$195,000. Additionally, as part of the settlement agreement, Mr. Maki stated that the City’s

Custodian of Records properly fulfilled its obligations and did not violate the Missouri Open Records Act.

The City settled the lawsuit in the best interests of the Citizens, both financially and operationally. The taxpayers' costs for continued litigation including the future legal expenses associated with depositions, a trial and potential appeals (even with a successful result for the City) are projected to exceed the settlement agreement payment. The litigation could have lasted several years with continued disruptions negatively impacting the City's officials and staff's work in providing the highest level of public services. For these reasons, the City believes it makes economic sense to move on for the benefit of the City taxpayers.

The City of Parkville recognizes the importance of Missouri's Sunshine Law Act and shares a commitment to openness in government. The City promotes transparency in government in various ways, including the way we communicate with citizens. We will continue to do this and always strive to find ways to improve. We look forward to continued dedication in serving the needs of our residents.

The Settlement Agreement and Release is a public record and is available from the City of Parkville, by request.

