



BOARD OF ALDERMEN
Regular Meeting Agenda
CITY OF PARKVILLE, MISSOURI
Tuesday, June 7, 2022 7:00 PM
City Hall Board Room

Next numbers: Bill No. 3191 / Ord. No. 3127

1. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

2. CITIZEN INPUT

- A. Proclaim June 10, 2022, as MARC 50 - Forward Day
- B. Proclaim June 15, 2022, as World Elder Abuse Awareness Day
- C. Present a Certificate of Recognition to Craig Hubbell

3. CONSENT AGENDA

- A. Approve the minutes for the May 17, 2022, regular meeting
- B. Approve the minutes for the May 17, 2022, executive session
- C. Receive and file the March sewer report
- D. Receive and file the April sewer report
- E. Appoint Gareld Butler to the Planning and Zoning Commission through May 2025
- F. Approve a retail liquor by the drink picnic license for the Main Street Parkville Association for Parkville Days August 19-21, 2022
- G. Declare a 2004 Ford Taurus as surplus and authorize staff to auction the vehicle through KCI Auto Auction
- H. Approve a purchase order with VLP Equipment Share for a Case backhoe for the Streets Division
- I. Approve accounts payable from May 13 to June 2, 2022

Please Note: All matters listed under "Consent Agenda" are considered to be routine by the Board of Aldermen and will be enacted upon under one motion without discussion. Any member of the Board of Aldermen may be allowed to request an item be pulled from the Consent Agenda for consideration under the regular agenda if debate and a separate motion are desired. Any member of the Board of Aldermen may be allowed to question or comment on an item on the Consent Agenda without a separate motion under the regular agenda. Items not removed from the Consent Agenda will stand approved upon motion made by any alderman, followed by a second and a voice vote to "Approve the consent agenda and recommended motions for each item as presented."

4. ACTION AGENDA

- A. Adopt an ordinance to amend Ordinance No. 3088 to revise a lease agreement with the Southern Platte Fire Protection District for the tornado siren located at Fire Station No. 3

Posted Date & Time: 6/3/22; 3:41 p.m.

By: MM

(Public Works)

- B. Approve the second reading of an ordinance to approve a partnership agreement with Mid-America Regional Council for the Regional Preventative Maintenance Program (Public Works)
- C. Approve the second reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 804 Main Street - Case No. PZ 2022-07; Taryn Klein, applicant (Community Development)
- D. Approve the second reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 11 W. 5th Street - Case No. PZ 2022-08; Jolene Jackson, applicant (Community Development)
- E. Approve the second reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 500 East Street - Case No. PZ 2022-08; Annette Lou Hagen, applicant (Community Development)
- F. Approve the first reading of an ordinance to rezone property at 6300 Highway 9 from "B-2" General Business District to "B-4-P" Planned Business District for Taylor Animal Hospital - Case No. PZ 2022-09; Tim Parsons, applicant (Community Development)

5. STAFF UPDATES ON ACTIVITIES

- A. Administration
 - 1. City Hall Closed June 20 - Juneteenth
- B. Community Development
 - 1. Development Updates
- C. Public Works
 - 1. Updates

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

7. ADJOURN

General Agenda Notes:

The agenda closed at noon on June 2, 2022. With the exception of emergencies or other urgent matters, any item requested after the agenda was closed will be placed on the next Board meeting agenda. The deadline to submit your name for Citizen Input is noon on June 7, 2022.



PROCLAMATION

MARC 50 – FORWARD DAY

Whereas, for half a century, local governments in the Kansas City region have come together through the Mid-America Regional Council (MARC) to partner on regional initiatives and develop innovative solutions; and

Whereas, the region consists of nine counties and 119 cities which benefit from working across boundaries on a wide variety of issues and coordinating with diverse disciplines and sectors, including cities, counties, nonprofit organizations, social services, educational systems and special districts; and

Whereas, the region's leaders engage in informed decision-making through insightful data analysis and participate in a problem-solving forum to positively impact progress; and

Whereas, each jurisdiction and individual has a role in creating a strong regional community and enabling everyone to come together to achieve positive change for the next 50 years; and

Whereas, MARC is an organization that promotes regional cooperation through leadership, planning and action, and is guided by the core values of integrity, innovation, collaboration, diversity and inclusion, excellence in performance, and service leadership; and

Whereas, the City of Parkville has participated or benefited from working across boundaries, allowing us to better serve residents because of our regional work regarding public safety, transportation, environment, early learning, aging and shared local government services; and

Now, therefore be it resolved, members of the City of Parkville Board of Aldermen celebrate the collaborative work that's been accomplished over the past 50 years and dedicate June 10, 2022, the day of MARC's annual Regional Assembly, as "MARC 50—Forward Day" in recognition of the enormous progress the region will continue to make over the next five decades; and

NOW, THEREFORE, I, Dean Katerndahl, Mayor of the City of Parkville, Missouri do hereby proclaim June 10, 2022, as "MARC 50—Forward Day" in Parkville and urge local leaders and community members to reflect on the great progress made in the past 50 years and join us in welcoming a future built upon strong regional collaboration, connections, relationships and accomplishments.

Signed and dated this 7th day of June 2022.

Mayor Dean Katerndahl



PROCLAMATION

WORLD ELDER ABUSE AWARENESS DAY

Whereas, Older adults deserve to be treated with respect and dignity to enable them to serve as leaders, mentors, volunteers and vital participating members of our communities; and

Whereas, in 2006, the International Network for the Prevention of Elder Abuse, in support of the United Nations International Plan of Action, proclaimed a day to recognize the significance of elder abuse as a public health and human rights issue; and

Whereas, 2022 marks the 17th Annual World Elder Abuse Awareness Day and its recognition will promote a better understanding of abuse and neglect of older adults; and

Whereas, the National Center on Elder Abuse and the City of Parkville recognize the importance of taking action to raise awareness, prevent and address elder abuse; and

Whereas, as our population lives longer, we are presented with an opportunity to think about our collective needs and future as a nation; and

Whereas, ageism and social isolation are major causes of elder abuse in the United States; and

Whereas, recognizing that it is up to all of us to ensure that proper social structures exist so people can retain community and societal connections, reducing the likelihood of abuse; and

Whereas, preventing abuse of older adults through maintaining and improving social supports like senior centers, human services and transportation will allow everyone to continue to live as independently as possible and contribute to the life and vibrancy of our communities; and

Whereas, where there is justice there can be no abuse; therefore, NCEA urges all people to restore justice by honoring older adults.

NOW, THEREFORE, I, Dean Katerndahl, Mayor of the City of Parkville, Missouri do hereby proclaim June 15, 2022, as World Elder Abuse Awareness Day and encourage our community to recognize and celebrate older adults and their ongoing contributions to the success and vitality of our country.

Signed and dated this 7th day of June 2022.

Mayor Dean Katerndahl



CERTIFICATE OF RECOGNITION

The Parkville Board of Aldermen presents this Certificate of Recognition to

Craig Hubbell

in honor of his 12 years of hard work and dedication to the City of Parkville and the Parkville Police Department.

Craig Hubbell graduated from the Kansas City, Missouri Police Academy and began his career in law enforcement in 1984. He spent 26 years with the Kansas City, Missouri Police Department, where he spent most of his time in specialized units including tactical, homicide, and bomb and arson.

After he retired from the KCPD, Craig was hired by the Parkville Police Department in 2010 as a full-time detective. In 2010, Parkville had a violent crime clearance rate of 83%, which was well above the National average, and had zero reported rapes. In 2021, Parkville had a clearance rate of 100% for violent crimes, 50% for burglary and took two rape reports, both of which were cleared.

Craig came to Parkville at the right time. In 2010, Chief Kevin Chrisman knew he needed an experienced investigator to carry the Police Department into the future. Craig was that person, and his performance was extraordinary.

Craig was promoted to Detective Sergeant in 2016 and since that time he has investigated and cleared nine rapes, six robberies and all three homicides.

Craig will retire after 12 years with the City of Parkville on June 10, 2022, and his Parkville City Hall family will miss him tremendously!

On behalf of the Mayor and Board of Aldermen of Parkville, Missouri, this Certificate of Recognition is presented to Craig Hubbell this 7th day of June 2022.

Mayor Dean Katerndahl

1. CALL TO ORDER

A regular meeting of the Board of Aldermen was convened at 7:08 p.m. at City Hall, 8880 Clark Avenue, Parkville, Missouri on May 17, 2022, and was called to order by Mayor Dean Katerndahl. City Clerk Melissa McChesney called the roll as follows:

Present:

Ward 1 Alderman Tina Welch
Ward 1 Alderman Philip Wassmer
Ward 2 Alderman Brian T. Whitley
Ward 2 Alderman Bob Bennett
Ward 3 Alderman Douglas Wylie
Ward 3 Alderman Stephen Melton
Ward 4 Alderman Greg Plumb
Ward 4 Alderman Michael Lee

Absent:

None

A quorum of the Board of Aldermen was present.

The following staff was also present:

Alexa Barton, 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 Katerndahl led the Board in the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN INPUT

A. Proclaim May as Older Americans Month

Mayor Katerndahl presented the proclamation to Debra Gwin, Platte County Senior Fund Executive Director.

B. Proclaim May 15-21, 2022, as National Public Works Week

Mayor Katerndahl presented the proclamation to Public Works Director Alysen Abel, Director of Operations Richard Wilson and Project Manager Chris Ashley.

C. Recognize Friends of Parkville Nature Sanctuary Photo Contest Winners

Mayor Katerndahl and Parkville Nature Sanctuary Director Kristen Bontrager recognized the January through April winners of the Friends of Parkville Nature Sanctuary (FOPNS) monthly photo contest winners. FOPNS vice chair Brent Frazee presented a certificate to Doug Thomas for his winning photo.

3. CONSENT AGENDA

In regards to Item 3G, Mayor Katerndahl stated that he received a letter from a resident suggesting that when there was an opening on a board or commission that it be opened up to everyone. He noted that he believed the appointee demonstrated the capacity to carry out the position and his expertise was valuable to the Commission.

- A. Approve the minutes for the May 3, 2022, regular meeting
- B. Approve the minutes for the May 3, 2022, executive session
- C. Receive and file the April Municipal Court report
- D. Receive and file the financial report for the month ending April 30, 2022
- E. Receive and file the crime statistics for January through March 2022
- F. Appoint Alderman Greg Plumb as a voting member to the Parkville Economic Development Council
- G. Reappoint Michael Wright to the Planning and Zoning Commission through May 2026
- H. Designate Alderman Philip Wassmer as a City representative to the Parkville Old Towne Market Community Improvement District Board of Directors
- I. Approve Resolution No. 22-009 to amend the Personnel Manual to add Juneteenth as a paid City holiday
- J. Approve a reimbursement to the Platte County Regional Sewer District for Brush Creek Interceptor maintenance
- K. Approve accounts payable from April 29 to May 12, 2022

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

RESULT: MOTION PASSED 8-0.

4. ACTION AGENDA

- A. Approve a professional services agreement with Lauber Municipal Law for city attorney services

City Administrator Alexa Barton said she received notice from Chris Williams that he was stepping down as the city attorney and provided 60 days' notice. She added that she previously worked with Rich Wood and said he had experience in municipal law.

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO **APPROVE A PROFESSIONAL SERVICES**

AGREEMENT WITH LAUBER MUNICIPAL LAW, WITH RICH WOOD AS LEAD, FOR CITY ATTORNEY SERVICES AT AN HOURLY RATE OF \$195, EFFECTIVE MAY 18, 2022.

RESULT: MOTION PASSED 8-0.

B. Approve the first reading of an ordinance to approve a partnership agreement with Mid-America Regional Council for the Regional Preventative Maintenance Program

Public Works Director Alysén Abel stated that COVID funding was available for road infrastructure for a regional overlay program, which would be led by the Mid-America Regional Council (MARC), and was structured so smaller cities could receive up to \$50,000 in funding. The project would be under construction in 2023 or 2024 and MARC was working on the bid documents, would be the manager and would approve the contractor.

Discussion focused on one engineering firm that would help cities select the overlay project, site selection, survey, design, interactive mapping, matching funds from the City would not be required and the work could not be lumped into the annual mill and overlay program.

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO APPROVE BILL NO. 3187, AN ORDINANCE **APPROVING A PARTNERSHIP AGREEMENT WITH THE MID-AMERICA REGIONAL COUNCIL TO PARTICIPATE IN THE REGIONAL PREVENTATIVE MAINTENANCE PROGRAM.**

RESULT: MOTION PASSED 8-0.

C. Approve the first reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 804 Main Street - Case No. PZ 2022-07; Taryn Klein, applicant

Community Development Director Stephen Lachky provided an overview of the adoption of the short-term rental code, noting that the benefit of having standards was that the City had some control. The Planning and Zoning Commission held special workshops and public hearings over several months and the recommendation was to allow owners in residential areas the ability to have short-term rentals provided a public hearing was held and a conditional use permit was approved by ordinance by the Board of Aldermen. He added that a majority of residences were in subdivisions with home owners associations that prohibited them.

Lachky stated that if the Board of Aldermen approved the three conditional use permits, he recommended that they each be for six-month terms because updates to the code were possible in the near future to address questions that were unknown when the code was adopted.

Discussion focused on giving staff and the Board time to address the questions and update the code, if needed; public hearings that were required by the Planning and Zoning Commission and the Board had final approval.

In regards to the application for 804 Main Street, Lachky said the single-family dwelling

was located at the northwest corner of Main and 8th streets and had been operating since December 2021. He said there were no incidents reported to the Police Department, the back suite was a short-term rental and the property had two private parking spaces and public parking on Main Street. A public hearing was held on May 10 and no public comments were received. The Planning and Zoning Commission recommended approval. Lachky added that the guests took care of snow removal and the conditional use permit could not be transferred to a different property owner.

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO APPROVE BILL NO. 3188, AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW A LODGING – SHORT-TERM RENTAL USE AT 804 MAIN STREET, SUBJECT TO CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION, ON FIRST READING AND POSTPONE THE SECOND READING TO JUNE 7, 2022.

RESULT: MOTION PASSED 8-0.

D. **Approve the first reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 11 W. 5th Street - Case No. PZ 2022-08; Jolene Jackson, applicant**

Community Development Director Stephen Lachky stated that the home was located at 11 W. 5th Street and had been operating since spring 2020. Parking was available in front of the building and each renter typically had only one vehicle. A public hearing was held on May 10 and the Planning and Zoning Commission recommended approval for a six-month period.

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO APPROVE BILL NO. 3189, AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW A LODGING – SHORT-TERM RENTAL USE AT 11 W. 5TH STREET, SUBJECT TO CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION, ON FIRST READING AND POSTPONE THE SECOND READING TO JUNE 7, 2022.

RESULT: MOTION PASSED 8-0.

E. **Approve the first reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 500 East Street - Case No. PZ 2022-08; Annette Lou Hagen, applicant**

Community Development Director Stephen Lachky said that the multi-family home was located on the northwest corner of 5th Street and Route 9 and one of the four units had been operating since November 2021. A public hearing was held on May 10 and the Planning and Zoning Commission recommended approval for a six-month period. He added that since the property had four units, only one could be a short-term rental, which was identical to the standards in Kansas City, Missouri.

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO APPROVE BILL NO. 3190, AN ORDINANCE **APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW A *LODGING – SHORT-TERM RENTAL* USE AT 500 EAST STREET, SUBJECT TO CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION,** ON FIRST READING AND POSTPONE THE SECOND READING TO JUNE 7, 2022.

RESULT: MOTION PASSED 8-0.

5. STAFF UPDATES ON ACTIVITIES

A. Administration

City Administrator Alexa Barton said that the new process for staff updates included reports attached to the agenda for citizens and the Board of Aldermen to review, which would be seen at every Board meeting. She noted that updates would be shown at the top of the reports to highlight the changes made since the previous report was presented.

Barton recognized outgoing city attorney Chris Williams and thanked him for his service to the City.

1. City Hall Closed May 30 - Memorial Day

B. Community Development

1. Development Updates

C. Public Works

1. Household Hazardous Waste Collection Event - May 21
2. Electronics Recycling and Paper Shredding Events - June 4
3. Parks Updates

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

Alderman Wassmer said that the Banneker School Foundation was starting a fundraising campaign that would kick off on June 18 at the West Shelter in English Landing Park.

Alderman Whitley thanked Public Works Director Alysén Abel for following up on a resident's report of an unknown substance which turned out to be paint that went into the storm drain.

Public Works Director Alysén Abel provided an update on the Route 9 improvements, noting that milling would begin later in the week and the following week the overlay would begin, depending upon the weather. The road would be one lane with flaggers and staff was in the process of replacing the light poles. Abel noted that she anticipated that the project would be

substantially completed in early June.

Alderman Wassmer thanked Police Chief Kevin Chrisman and Public Works Director Alysén Abel for their staff's assistance to remove a downed tree.

7. ADJOURN

Mayor Katerndahl declared the meeting adjourned at 8:10 p.m.

The minutes for May 17, 2022, having been read and considered by the Board of Aldermen, and having been found to be correct as written, were approved on this the seventh day of June 2022.

Submitted by:

City Clerk Melissa McChesney



EXECUTIVE SESSION MINUTES
BOARD OF ALDERMEN
CITY OF PARKVILLE
May 17, 2022

1. Call to Order

Mayor Katerndahl called the May 17, 2022, executive session to order at 5:34 p.m. in the Board Conference Room to discuss attorney-client matters pursuant to RSMo 610.021(1), real estate matters pursuant to RSMo 610.021(2), personnel matters pursuant to RSMo 610.021(3) and (13) and negotiated contract matters pursuant to RSMo 610.021(12). City Clerk Melissa McChesney called the roll as follows:

Present:

Ward 1 Alderman Tina Welch
Ward 1 Alderman Philip Wassmer
Ward 2 Alderman Brian T. Whitley
Ward 2 Alderman Bob Bennett
Ward 3 Alderman Douglas Wylie
Ward 3 Alderman Stephen Melton
Ward 4 Alderman Greg Plumb
Ward 4 Alderman Michael Lee

Absent:

None

Also in attendance:

Alexa Barton, City Administrator
Alysen Abel, Public Works Director
Stephen Lachky, Community Development Director
Chris Williams, City Attorney
Melissa McChesney, City Clerk

2. Motion to Enter into Executive Session

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ATTORNEY-CLIENT MATTERS PURSUANT TO RSMO 610.021(1), REAL ESTATE MATTERS PURSUANT TO RSMO 610.021(2), PERSONNEL MATTERS PURSUANT TO RSMO 610.021(3) AND 13 AND NEGOTIATED CONTRACT MATTERS PURSUANT TO RSMO 610.021(12) AND WHEN FINISHED THAT WE ADJOURN THIS MEETING FROM THE EXECUTIVE SESSION.

RESULT: MOTION PASSED 8-0.

AYES: TINA WELCH, PHILIP WASSMER, BRIAN T. WHITLEY, BOB BENNETT, DOUGLAS WYLIE, STEPHEN MELTON, GREG PLUMB, MICHAEL LEE

NOES: NONE

ABSTAIN: NONE

3. Attorney-client Matters pursuant to RSMo 610.021(1), Real Estate Matters pursuant to RSMo 610.021(2), Personnel Matters pursuant to RSMo 610.021(3) and RSMo 610.021(13) and Negotiated Contract Matters pursuant to RSMo 610.021(12)

Discussion was limited to attorney-client, real estate, personnel and negotiated contract matters. No action was taken.

4. Motion to Recess Executive Session

5. Motion to Reconvene Executive Session

6. Motion to Close Executive Session

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO **CLOSE THE EXECUTIVE SESSION.**

RESULT: MOTION PASSED 8-0.

AYES: TINA WELCH, PHILIP WASSMER, BRIAN T. WHITLEY, BOB BENNETT, DOUGLAS WYLIE, STEPHEN MELTON, GREG PLUMB, MICHAEL LEE

NOES: NONE

ABSTAIN: NONE

7. Motion to Adjourn

ACTION: IT WAS MOVED BY ALDERMAN WHITLEY AND SECONDED BY ALDERMAN WYLIE TO **ADJOURN THE EXECUTIVE SESSION AT 6:58 P.M.**

RESULT: MOTION PASSED 8-0.

AYES: TINA WELCH, PHILIP WASSMER, BRIAN T. WHITLEY, BOB BENNETT, DOUGLAS WYLIE, STEPHEN MELTON, GREG PLUMB, MICHAEL LEE

NOES: NONE

ABSTAIN: NONE

The executive session minutes for May 17, 2022, having been read and considered by the Board of Aldermen, and having been found to be correct as written, were approved on this the seventh day of June 2022.

Submitted by:

City Clerk Melissa McChesney

OUR MISSION

We partner with communities to deliver the finest water and wastewater services available at a competitive price. We are committed to keeping water safe and clean while serving people and taking care of communities with improved technical operations, careful management and financial oversight, and ensured regulatory compliance.

Alliance Water Resources, Inc.

**206 S. Keene St.
Columbia, MO
65201**

(573)874-8080

OPERATIONS REPORT – PARKVILLE DIVISION March 2022

Wastewater Treatment Plant Operations

- The Wastewater plant received 4.4 inches of precipitation.
- The plant removal efficiency for the month:
 - o BOD 94.1
 - o TSS 73.9
- The average daily flow was 467,310 Gallons.

Wastewater Laborator Analysis

- Staff performed 408 recorded lab tests.
- The following samples were delivered to Keystone Labs for analysis: NH₃-N (4).
- Monthly and daily laboratory equipment maintenance and calibrations were performed according to the manufacturer's guidelines.
- Staff performed QA/QC on the laboratory analysis performed at the WWTF.

Wastewater Treatment Plant Compliance

- Mo DNR contacted to report lower TSS removal than permitted.

Wastewater Treatment Plant Maintenance

- Nothing to report.

Collection System Operations

- Staff conducted 1 sewer inspection.
- Staff completed 192 locates for the month of May.
- Staff performed normal maintenance and monitoring.

Bio-solids

- Staff did not land apply biosolids in March.

Safety

- Staff monthly safety meeting subjects:
 - o Slips Trips and Falls
 - o Back Injury Prevention

OPERATIONS REPORT – PARKVILLE DIVISION

Loading

Hydraulic	467,310 gallons per day
Organic	50 lbs. of BOD per day (1,556 lbs. per month)
Non-Organic	158 lbs. of TSS per day (4,901 lbs. per month)

NPDES Effluent Permit Parameters

Parameter	Monthly Average	Permit Limit
pH	6.7 Min. and 7.0 Max	6.5 - 9.0
TSS	40.6.0 mg/L	30 mg/L
BOD ₅	12.89 mg/L	25 mg/L
NH ₃ -N	0.23 mg/L	3.0 mg/L
E. coli Coliform	Sample not required this month	206 #/100 mL
O & G	Sample not required this month	10.0 mg/L (quarterly)
T. Phosphorus	Sample not required this month	Monitoring Only (quarterly)
T. Nitrogen	Sample not required this month	Monitoring Only (quarterly)
SM1 T. Phosphorus	Sample not required this month	Monitoring Only (quarterly)
SM1 T. Nitrogen	Sample not required this month	Monitoring Only (quarterly)

Removal Efficiency

<u>Parameter</u>	<u>Monthly Average</u>	<u>Permit Limit</u>
<u>Organic</u>	<u>94.1%</u>	<u>85 %</u>
<u>Non-Organic</u>	<u>73.9 %</u>	<u>85 %</u>

Biosolids

Report Period	Year to Date	
Quantity Applied	0 dry tons	0 dry tons
Acres Applied	0 acres	0 acres



MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
Discharge Monitoring Report For Municipal Wastewater Treatment Plants

NAME OF FACILITY					LOCATION ADDRESS & CITY								COUNTY/REGION	
Parkville Extended Aeration WWTF					12303 NW FF Highway, Parkville, MO 64152								Platte/ KCRO	
MONTH/YEAR		PERMIT NUMBER			OUTFALL NUMBER		TYPE TREATMENT FACILITY							
Mar-22		MO-0113085			#001		Extended Air-Activated Sludge							
INFLUENT					EFFLUENT								% Removal	
DATE	pH UNITS	BOD mg/L	TSS mg/L	TEMP °C	FLOW GPD	pH UNITS	BOD mg/L	TSS mg/L	Ammonia as N mg/l	DO mg/L	E. coli COLFRM #/100 ML	TEMP °C	BOD mg/L	TSS mg/L
1	7.30			13.0	434,000	6.80			<0.10			13.5		
2	7.14			13.4	410,000	6.80			<0.10			14.1		
3	7.34	276.3	177	13.0	401,000	6.85	12.6	18		8.25		13.3	95.5	89.8
4	7.34			13.1	428,000	6.83						14.5		
5					371,000									
6					407,000									
7	7.29			14.1	396,000	6.80						13.5		
8	7.32			13.4	435,000	6.79			<0.10			13.6		
9	7.22			13.5	450,000	6.78						14.4		
10	7.42	167.5	139	11.9	414,000	6.87	14.1	20.3				11.8	91.6	85.4
11	7.23			14.8	409,000	6.76						14.0		
12					416,000									
13					430,000									
14	7.22			16.1	437,000	6.82						14.2		
15	7.33			13.1	430,000	6.87			<0.10			13.8		
16	7.33			13.4	385,000	6.93						14.7		
17	7.30	333.6	183	15.2	419,000	6.99	12.9	11.2				14.7	96.1	93.9
18	7.24			13.5	397,000	6.91				7.87		11.0		
19					430,000									
20					464,000									
21	7.23			17.0	449,000	6.77						15.9		
22	7.24			13.8	525,000	6.71			<0.10			16.5		
23	7.54		163	13.5	745,000	6.86		140				13.9		14.1
24	7.50			14.9	1,001,000	6.98						13.7		
25	7.51		129	13.00	672,000	7.04		30.75				12.4		76.2
26					632,000									
27					569,000									
28	7.09			15.5	529,000	6.96						13.8		
29	7.32			14.9	478,000	6.99			<0.10			14.4		
30	7.39			13.9	590,000	6.88						14.6		
31	7.46	182	144	14.6	1,099,000	7.05	11.98	23.2		7.82		13.3	93.4	83.9
Total	23	4	6	23	13,552,000	23	4	6	0	3	0	23		
Avg		240	156	14.0	467,310		12.89	40.6	#DIV/0!	7.98	0.0	13.9	94.1	73.9
Min	7.09	168	129	11.9	371,000	6.71	11.98	11.2	0.0	7.82	0.0	11.0	91.6	14.1
Max	7.54	334	183	17.0	1,099,000	7.05	14.1	140.0	0.0	8.25	0.0	16.5	96.1	93.9

OPERATIONAL CONTROLS/LABORATORY TEST REQUIRED FOR "ACTIVATED SLUDGE" PROCESSES

DATE		#1 Aeration Basin					#2 Aeration Basin					Weather Conditions			Time
	SLUDGE DRY TONS	MIXED LIQUOR					MIXED LIQUOR					Temp ° F	Weather	*RAIN inches	
		pH	DO	MLSS	Settleability		pH	DO	MLSS	Settleability					
					30 min ml	Temp ° C				30 min ml	Temp ° C				
UNITS	mg/l	mg/l	ml	° C	UNITS	mg/l	mg/l	ml	° C	Temp ° F					
1		6.72	0.65	3,950	1000	14.1	6.74	6.80	4,310	1000	13.8	39	C	0	6:45
2		6.74	0.50	4,060	1000	14.2	6.75	7.69	4,100	1000	14.0	43	C	0	6:50
3		6.77	1.63	3,910	1000	13.4	6.78	6.86	3,880	1000	13.7	37	C	0	7:04
4		6.74	0.97	3,340	1000	14.3	6.77	6.72	3,330	1000	13.9	36	O	0	6:55
5												64	O	0	10:52
6												40	C	0	9:30
7		6.64	0.45	4,150	1000	15.0	6.69	7.33	4,000	1000	15.3	23	O	0	7:00
8		6.76	0.41	4,310	1000	13.3	6.74	6.63	5,960	1000	13.2	20	C	0	7:00
9		6.68	0.60	3,940	1000	15.2	6.67	7.43	4,090	1000	14.8	28	C	0	7:10
10		6.74	0.34	4,180	1000	13.7	6.75	7.76	4,220	1000	12.9	25	S	0	7:14
11		6.67	0.15	4,020	1000	14.3	6.67	8.25	3,920	1000	13.5	22	O	0	7:00
12												21	C	0	10:42
13												45	C	0	10:04
14		6.75	0.26	3,910	1000	15.9	6.74	7.67	3,410	1000	15.2	48	C	0	7:00
15		6.83	0.33	4,000	1000	13.9	6.80	7.97	4,000	1000	14.2	41	C	0	6:55
16		6.86	0.10	3,470	1000	15.3	6.85	7.96	3,600	1000	14.4	43	C	0	6:56
17		6.83	0.24	4,120	1000	15.3	6.83	6.74	4,020	1000	16.0	57	C	0	6:43
18		6.72	0.22	4,440	890	14.9	6.71	6.15	4,280	1000	14.7	41	R	0.30	7:05
19												50	C	0.25	11:40
20												56	C	0	10:00
21		6.62	0.18	4,340	1000	17.6	6.63	4.40	4,170	1000	17.2	60	O	0	7:00
22		6.65	3.05	3,990	1000	16.6	6.66	5.44	3,680	1000	15.6	52	R	1.5	7:00
23		6.78	4.56	3,770	1000	14.4	6.80	6.92	3,700	1000	14.1	36	R	0.75	7:00
24		6.85	4.29	3,360	1000	14.9	6.81	7.02	4,190	1000	15.4	40	R	0	7:00
25		6.88	2.16	4,100	1000	12.7	6.87	6.35	4,120	1000	12.7	36	C	0.1	8:00
26												46	C	0	11:00
27												38	O	0	10:00
28		6.74	0.21	4,080	1000	15.1	6.73	5.10	4,590	1000	16.7	38	C	0	7:00
29		6.71	0.12	4,370	1000	15.7	6.71	5.00	4,530	1000	14.9	46	O	0	7:00
30		6.74	5.16	3,300	390	16.2	6.74	7.33	1,680	400	15.1	50	R	1.5	7:00
31		6.85	3.09	4,140	1000	15.9	6.85	6.71	4,160	1000	14.3	36	O	0	7:00
Total	-											40.55		4.40	

COMMENTS:

TESTS PERFORMED BY (PRINT)

Robert W Heckroot

SIGNATURE

PHONE #

DATE

816-891-0003

REPORT APPROVED BY (PRINT)

Karla Pierce

SIGNATURE

PHONE #

DATE

816-891-0003

OUR MISSION

We partner with communities to deliver the finest water and wastewater services available at a competitive price. We are committed to keeping water safe and clean while serving people and taking care of communities with improved technical operations, careful management and financial oversight, and ensured regulatory compliance.

Alliance Water Resources, Inc.

206 S. Keene St.
Columbia, MO
65201

(573)874-8080

OPERATIONS REPORT – PARKVILLE DIVISION APRIL 2022

Wastewater Treatment Plant Operations

- The Wastewater plant received 0.7 inches of precipitation.
- The plant removal efficiency for the month:
 - o BOD 97.5
 - o TSS 94.4
- The average daily flow was 475,000 Gallons.
- U.V. system started in compliance with DNR regulation.
- New Local Manager started April 4th.
- Two plant tours completed.

Wastewater Laborator Analysis

- Staff performed all required monitoring and process control lab tests.
- The following samples were delivered to Keystone Labs for analysis: NH₃-N (4).
- Annual sludge testing performed in preparation to land apply.
- Monthly and daily laboratory equipment maintenance and calibrations were performed according to the manufacturer's guidelines.
- Staff performed QA/QC on the laboratory analysis performed at the WWTF.

Wastewater Treatment Plant Compliance

- All regulatory testing completed.

Wastewater Treatment Plant Maintenance

- UV bank 1 controller and ballasts repaired.
- Aeration basin 1 blower evaluated for lower output.
- Aeration basin 1 mixer installed.
- McAfee pump station floats repaired.

Collection System Operations

- Staff conducted 7 sewer inspection.
- Staff completed 220 locates.
- Staff performed normal maintenance and monitoring.

Bio-solids

- Staff did not land apply biosolids in April.

Safety

- Staff monthly safety meeting subjects:
 - o Distracted Driving Prevention
 - o Hazardous Driving Conditions
 - o Vehicle Backing Safety

OPERATIONS REPORT – PARKVILLE DIVISION

Loading

Hydraulic	475,000 gallons per day
Organic	25.8 lbs. of BOD per day (776 lbs. per month)
Non-Organic	50.3 lbs. of TSS per day (1,509 lbs. per month)

NPDES Effluent Permit Parameters

Parameter	Monthly Average	Permit Limit
pH	6.6 Min. and 7.0 Max	6.5 - 9.0
TSS	12.7 mg/L	30 mg/L
BOD ₅	6.5 mg/L	25 mg/L
NH ₃ -N	<0.01 mg/L	3.0 mg/L
E. coli Coliform	14.7 #/100 mL	206 #/100 mL
O & G	Sample not required this month	10.0 mg/L (quarterly)
T. Phosphorus	Sample not required this month	Monitoring Only (quarterly)
T. Nitrogen	Sample not required this month	Monitoring Only (quarterly)
SM1 T. Phosphorus	Sample not required this month	Monitoring Only (quarterly)
SM1 T. Nitrogen	Sample not required this month	Monitoring Only (quarterly)

Removal Efficiency

<u>Parameter</u>	<u>Monthly Average</u>	<u>Permit Limit</u>
<u>Organic</u>	<u>97.5 %</u>	<u>85 %</u>
<u>Non-Organic</u>	<u>94.4 %</u>	<u>85 %</u>

Biosolids

Report Period	Year to Date	
Quantity Applied	0 dry tons	0 dry tons
Acres Applied	0 acres	0 acres



MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
Discharge Monitoring Report For Municipal Wastewater Treatment Plants

NAME OF FACILITY					LOCATION ADDRESS & CITY									COUNTY/REGION	
Parkville Extended Aeration WWTF					12303 NW FF Highway, Parkville, MO 64152									Platte/ KCRO	
MONTH/YEAR		PERMIT NUMBER			OUTFALL NUMBER		TYPE TREATMENT FACILITY								
Apr-22		MO-0113085			#001		Extended Air-Activated Sludge								
INFLUENT					EFFLUENT								% Removal		
DATE	pH UNITS	BOD mg/L	TSS mg/L	TEMP °C	FLOW GPD	pH UNITS	BOD mg/L	TSS mg/L	Ammonia as N mg/l	DO mg/L	E. coli COLFRM #/100 ML	TEMP °C	BOD mg/L	TSS mg/L	
1	7.46			13.0	623,000	7.04						10.9			
2					605,000										
3					546,000										
4	7.31			15.6	530,000	6.90						14.5			
5	7.33			15.6	486,000	6.96			< 0.10			14.6			
6	7.35	241	143	15.1	476,000	6.93	5.29	3.00				12.8	97.8	97.9	
7	7.27			13.6	525,000	6.92				7.87	13.0	14.4			
8	7.39			13.7	449,000	6.91						14.2			
9					452,000										
10					487,000										
11	7.13			15.9	487,000	6.85						15.7			
12	7.21			15.9	476,000	6.87			< 0.10			15.6			
13	7.36	233.8	484	15.7	419,000	6.76	8.02	30.75				15.6	96.6	93.6	
14	7.35			14.7	477,000	6.77				8.01	10.6	14.4			
15	7.30			15.2	480,000	6.72						15.1			
16					460,000										
17					447,000										
18	7.22			14.6	427,000	6.73						11.8			
19	7.24			15.1	467,000	6.68			< 0.10			13.5			
20	7.15	295.0	194.0	15.7	414,000	6.72	8.86	14.5				15.9	97.0	92.5	
21	7.18			15.7	411,000	6.61				6.50	20.0	16.1			
22	7.27			15.9	388,000	6.65						17.6			
23					423,000										
24					462,000										
25	7.14			16.0	527,000	6.77						16.3			
26	7.26			15.5	453,000	6.83			< 0.10			15.9			
27	7.23	256.2	90.0	17.4	432,000	6.78	3.93	2.50				16.6	98.5	97.2	
28	7.20			17.00	429,000	6.75				8.51	15.2	17.8			
29	7.26			17.2	421,000	6.76						17.4			
30					567,000										
31															
Total		1,026.0	911.0	324.1	14,246,000		26.10	50.75	0.20	30.89	58.8	316.7			
Avg		256.5	227.8	15.4	474,867		6.53	12.69	< 0.10	7.72	14.7	15.1	97.5	94.4	
Min	7.13	233.8	90.0	13.0	388,000	6.61	3.93	2.50	< 0.10	6.50	10.6	10.9	96.6	92.5	
Max	7.46	295.0	484.0	17.4	623,000	7.04	8.86	30.8	< 0.10	8.51	20.0	17.8	98.5	97.9	

OPERATIONAL CONTROLS/LABORATORY TEST REQUIRED FOR "ACTIVATED SLUDGE" PROCESSES

DATE		#1 Aeration Basin					#2 Aeration Basin					Weather Conditions			Time
	SLUDGE DRY TONS	MIXED LIQUOR					MIXED LIQUOR					Temp ° F	Weather	*RAIN inches	
		pH	DO	MLSS	Settleability		pH	DO	MLSS	Settleability					
					30 min ml	Temp ° C				30 min ml	Temp ° C				
UNITS	mg/l	mg/l			UNITS	mg/l	mg/l			Temp ° F					
1		6.80	1.87	2,020	1000	14.4	6.80	6.79	2,060	1000	14.9	28	C	0.0	7:00
2												48	C	0.0	8:30
3												50	C	0.0	9:00
4		6.67	0.24	2,000	1000	16.1	6.68	5.12	2,110	1000	15.3	46	C	0.0	7:00
5		6.76	0.39	2,090	700	15.5	6.71	5.20	2,610	1000	16.8	50	O	0.0	7:00
6		6.73	0.20	1,930	1000	14.9	6.73	5.54	2,040	1000	15.5	52	C	0.0	6:50
7		6.72	0.11	2,240	990	15.0	6.71	5.57	2,100	980	15.3	50	PC	0.0	6:50
8		6.67	0.22	1,990	1000	14.9	6.69	6.08	2,100	1000	14.5	39	R	0.0	6:50
9												30	C	0.0	7:00
10												58	PC	0.0	8:00
11		6.59	0.12	1,990	1000	16.7	6.61	5.69	1,880	700	17.1	52	O	0.0	6:45
12		6.60	0.28	2,070	1000	16.5	6.61	4.97	2,140	780	16.4	60	O	0.0	6:45
13		6.53	0.26	1,970	1000	16.8	6.55	4.64	1,780	1000	16.3	50	O	0.2	7:00
14		6.54	0.17	2,120	900	15.2	6.51	4.95	2,430	770	16.0	46	C	0.0	7:09
15		6.45	0.31	2,010	950	16.4	6.46	4.91	1,880	760	16.7	50	O	0.0	7:00
16												52	C	0.0	11:02
17												50	O	0.0	11:15
18		6.44	2.20	2,160	1000	15.9	6.44	4.85	2,000	1000	15.7	40	O	0.2	7:00
19		6.44	0.19	2,250	990	16.3	6.47	4.50	2,330	850	16.6	34	O	0.0	7:00
20		6.52	0.20	2,520	1000	16.9	6.49	3.26	2,190	920	16.3	54	O	0.0	9:34
21		6.46		2,250	1000	15.6	6.49		2,960	950	15.9	50	C	0.0	7:29
22		6.43	0.19	2,770	1000	16.1	6.44	3.79	2,280	1000	16.0	70	C	0.0	7:45
23												72	O	0.0	7:50
24												59	PC	0.3	9:45
25		6.55	0.10	1,980	800	17.6	6.55	3.67	2,060	650	17.6	48	C	0.0	7:00
26		6.57	0.22	2,170	750	16.9	6.59	3.78	2,060	650	17.3	40	C	0.0	7:00
27		6.54	0.18	2,300	920	17.7	6.53	2.96	2,200	780	17.7	56	C	0.0	7:00
28		6.46	0.05	2,110	900	17.6	6.44	2.28	2,150	780	18.0	68	O	0.0	7:00
29		6.46	0.13	2,360	880	17.2	6.44	2.14	2,250	770	17.9	60	O	0.0	7:00
30												66	O	0.8	7:00
31															
Total	-											50.93		1.5	

COMMENTS:

TESTS PERFORMED BY (PRINT)

Wes Heckroot

SIGNATURE

Wes Heckroot by

PHONE #

816-891-0003

DATE

REPORT APPROVED BY (PRINT)

Jason Brown

SIGNATURE

PHONE #

816-891-0003

DATE

**CITY OF PARKVILLE
Policy Report**

Date: May 31, 2022

Prepared By:

Melissa McChesney, City Clerk

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Appoint Gareld Butler to the Planning and Zoning Commission through May 2025

BACKGROUND:

Parkville Municipal Code Section 110.140 states the Mayor, with the consent of the Board of Aldermen, shall make appointments to City commissions, committees and boards. The Planning and Zoning Commission was created under the provisions of RSMo. Chapter 89. It consists of nine members who serve staggered, four-year terms.

Mayor Katerndahl nominated Gareld Butler for appointment to the Planning & Zoning Commission to fill a vacant position. Because Michael Lee was elected as Ward 4 Alderman he had to resign from the Commission, leaving the position vacant. The term will be through May 2025.

BUDGET IMPACT:

There is no impact to the budget.

ALTERNATIVES:

1. Appoint Gareld Butler to the Planning Commission through May 2025.
2. Reject the Mayor's nomination and request an alternative nomination.
3. Postpone action.

FINANCE COMMITTEE RECOMMENDATION:

Appointments are not reviewed by the Finance Committee.

STAFF RECOMMENDATION:

Staff does not make recommendations on appointments.

POLICY:

Parkville Municipal Code Section 110.140 states the Mayor, with consent and approval of the Board of Aldermen, shall make appointments to City commissions, committees and boards.

SUGGESTED MOTION:

I move to reappoint Gareld Butler to the Planning and Zoning Commission through May 2025.

ATTACHMENTS:

1. Application



CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Appointed Boards, Commissions and Committees

Select the boards, commissions and committees in which you are interested in serving as a member:

- | | |
|---|--|
| ☐ Board of Zoning Adjustment | ☐ Community Land & Recreation Board |
| ☐ Diversity & Inclusion Commission | ☐ Municipal Officials Ethics Commission |
| ☐ Industrial Development Authority | ☒ Planning & Zoning Commission |
| ☐ Tax Increment Financing Commission | |

Name: Gareld Butler E-mail: gbutler01@earthlink.net

Home Address (required): 6400 N Whitetail Way, Parkville MO 64152

Mailing Address (if different than above): _____

Are you a resident of the City of Parkville? ☒ Yes ☐ No *Applicants must be residents of Parkville.*

Phone (day): (314) 369-6028 Phone (evening): (314) 369-6028

Current Employer: retired Title: _____

How did you learn about Parkville boards and commissions?

☒ Internet ☒ Community Group/Organization ☒ Mayor/Alderman ☐ Other

Why are you interested in serving on a Parkville board or commission?

I am interested in the growth of our community. I was a trustee for our previous subdivision in St. Louis and enjoyed the experience. As a retired engineer, I believe my analytical skills and detailed approach would be useful.

Have you ever served on a Parkville board or commission? ☐ Yes ☒ No

If yes, which ones? _____ Dates Served: _____

Do you belong to any community organizations or professional groups?

No

Return to: Parkville City Hall
8880 Clark Avenue
Parkville, Missouri 64152
E-mail: cityhall@parkvillemo.gov

Please submit a resume or short biography with your application.

I declare that all statements in this application are true and correct to the best of my knowledge. I further declare that if I am appointed, I will serve fairly, impartially, and to the best of my ability. I acknowledge that information contained in this application is public record and may be subject to public inspection pursuant to Missouri Sunshine Laws.

Applicant Signature: Gareld Butler Date: 05/05/2022

Appointments to boards, committees and commissions are approved annually by the Board of Aldermen in May and terms vary depending on the board/commission. Applications are accepted throughout the year by the City Clerk. Appointments are made by the Mayor with the consent of the Board of Aldermen.



GARELD BUTLER

PROFILE

CONTACT

PHONE:
314-369-6028

EMAIL:
gbutler01@earthlink.net

HOBBIES

Golf
Skiing
Travel

EDUCATION

University of Nebraska - Lincoln
Bachelor of Science in Mechanical Engineering

EXPERIENCE

Emerson Project Management Sr. Technical Consultant
1988–2019

Sales Pursuit, Quotation Prep, and leading Project Execution teams for large control system projects ranging from \$200,000 to \$20,000,000 in size. Worked with a variety of industries from oil refineries, chemical plants, paper mills, semi-conductor fabrication to brewing and pharmaceutical manufacturing in sites around the world. Helped staff and train new employees in offices in India and Costa Rica

Shell Oil Company Project Engineer
1977–1988

Led a variety of projects in a large oil refinery.

Trustee for 200+ home HOA in west St. Louis County
2011–2016

I have lived in the Thousand Oaks sub-division in Parkville since 2016.

SKILLS

I have been involved in many projects of many different sizes. I am used to sorting out the details and issues and getting them resolved quickly. I have experience in writing and reviewing contract documents and construction drawings. I enjoy working with a team of people to achieve successful outcomes and understand the communication required to make that happen.

ITEM 3.F.

For 6/7/2022

Board of Aldermen Meeting

**CITY OF PARKVILLE
Policy Report**

Date: June 2, 2022

Prepared By:

Melissa McChesney, City Clerk

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Approve a retail liquor by the drink picnic license for the Main Street Parkville Association for Parkville Days August 19-21, 2022

BACKGROUND:

The Main Street Parkville Association is a non-profit organization that will be selling liquor during Parkville Days August 19-21, 2022. In order for a non-profit organization to sell intoxicating liquor at an event (picnic, bazaar, fair or similar gathering), the State of Missouri requires an approval letter from the City for a retail by the drink picnic license for up to seven days.

Following approval of the picnic license, the City Clerk will provide the Main Street Parkville Association the City's approval letter which the organization will then submit to the Missouri Division of Alcohol and Tobacco Control. A copy of the City's approval letter will be on file in the City Clerk's Office.

BUDGET IMPACT:

There is no fee associated with a picnic license and therefore there is no impact to the budget.

ALTERNATIVES:

1. Approve the picnic license for MSPA for Parkville Days.
2. Deny the picnic license.
3. Postpone the item.

FINANCE COMMITTEE RECOMMENDATION:

The item was not presented to the Finance Committee, but is being taken directly to the Board of Aldermen for consideration.

STAFF RECOMMENDATION:

Staff recommends approving a retail liquor by the drink picnic license for the Main Street Parkville Association for Parkville Days August 20-22, 2021

POLICY:

RSMo 311.482 and Parkville Municipal Code Section 600.070(8) authorize the sale of liquor by the drink at retail for consumption on premises limited non-profit organizations.

SUGGESTED MOTION:

I move to approve a retail liquor by the drink picnic license for the Main Street Parkville Association for Parkville Days August 19-21, 2022.

ATTACHMENTS:

1. Request Letter



June 1, 2022

Board of Aldermen
City of Parkville
8880 Clark Avenue
Parkville, Missouri 64152

Dear Parkville Board of Aldermen:

Main Street Parkville Association is planning for the annual Parkville Days festival to be held in downtown Parkville and English Landing Park. Festival dates/times:

- Friday, August 19 6:00 pm – 10:00 pm
- Saturday, August 20 12:00 pm – 10:00 pm
- Sunday, August 21 12:00 pm – 5:00 pm

We are requesting permission from the City of Parkville to obtain a retail liquor by the drink picnic license from the State of Missouri so that we can host a Beer Tent at the festival. Proceeds from the beer tent help support some of the event expenses. The Beer Tent will be located southeast of the McKeon Stage, on Bush Drive.

Thank you for your support of this annual festival and community event!

Respectfully,

Kelly Putnam, Executive Director
Kalynn Guffey, Event Coordinator
Main Street Parkville Association
104 Main Street – 2nd Floor
Parkville, MO 64152

**CITY OF PARKVILLE
Policy Report**

Date: May 25, 2022

Prepared By:

Stephen Lachky, Community Development
Director

Reviewed By:

Melissa McChesney, City Clerk

ISSUE:

Declare a 2004 Ford Taurus as surplus and authorize staff to auction the vehicle through KCI Auto Auction

BACKGROUND:

The Community Development Department has three motor vehicles for staff to utilize to conduct on-site building inspections, code enforcement investigation, and other travel. This includes a 2004 Ford Taurus sedan (30,082 miles), 2015 Ford Escape sport utility vehicle, and 2016 Ford Focus sedan.

Earlier this year on March 24, 2022, our Code Enforcement Officer was rear-ended while driving the 2004 Ford Taurus sedan along MO-45 Hwy. Following the accident, the vehicle was inspected by Good Time Auto Body, Inc., and a \$6,869.02 estimate was provided for costs associated with parts and labor to repair the vehicle (see Attachments 1 and 2). According to Edmunds — an online resource for automotive inventory and information — the estimated value of the vehicle is \$539-2,897. As a result, it's in the best interest of the City to dispose of the vehicle via auction. An insurance claim was submitted to Midwest Public Risk, and they concur with the assessment to total the vehicle. The city will receive a check in the amount of \$4,717.50 for the 2004 Taurus. The city will replace this vehicle with a truck/SUV (AWD) for use by city codes/inspections.

BUDGET IMPACT:

Revenue collected from the sale of the motor vehicle will be added to the General Fund as revenue for purchase of replacement vehicle.

ALTERNATIVES:

1. Declare the 2004 Ford Taurus sedan as surplus and authorize staff to auction the vehicle through KCI Auto Auction.
2. Repair the vehicle through Good Time Auto Body, Inc.
3. Provide staff alternate direction.
4. Postpone this item.

FINANCE COMMITTEE RECOMMENDATION:

This item was not presented to the Finance Committee, but is being taken directly to the Board of Aldermen for consideration.

STAFF RECOMMENDATION:

Staff recommends that the 2004 Ford Taurus sedan be declared as surplus and authorize staff to auction the vehicle through KCI Auto Auction.

POLICY:

Per the Purchasing Policy, Resolution No. 17-016, the Board of Aldermen must declare an item surplus prior to disposal if the cost to the City at the time of purchase was \$2,500 or more.

SUGGESTED MOTION:

I move to declare the Community Development Department's 2004 Ford Taurus sedan as surplus and authorize staff to auction the vehicle through KCI Auto Auction.

ATTACHMENTS:

1. Damage Report
2. Preliminary Estimate

GOOD TIMES AUTO BODY, INC.
9906 NW 45 Highway, Kansas City, MO 64152
Phone: (816) 741-4727, Fax: (816) 741-0147

Image Report

Owner:	CITY OF PARKVILLE	Insurance:		Estimator:	Justin Gentry	Vehicle Out:	
Job Number:		Claim Number:					
Year:	2004	Color:	OLIVE	License Plate:	24	Production Date:	9/2003
Make:	FORD	Body Style:	4D SED	State:	MO	Mileage In:	30,082
Model:	Taurus SE	Engine:	6-3.0L Gasoline S...	VIN:	1FAFP53U84G107074	Condition:	Good



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:

GOOD TIMES AUTO BODY, INC.
9906 NW 45 Highway, Kansas City, MO 64152
Phone: (816) 741-4727, Fax: (816) 741-0147

Image Report

Owner:	CITY OF PARKVILLE	Insurance:		Estimator:	Justin Gentry	Vehicle Out:	
Job Number:		Claim Number:					
Year:	2004	Color:	OLIVE	License Plate:	24	Production Date:	9/2003
Make:	FORD	Body Style:	4D SED	State:	MO	Mileage In:	30,082
Model:	Taurus SE	Engine:	6-3.0L Gasoline S...	VIN:	1FAFP53U84G107074	Condition:	Good



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:



3/31/2022 E01
Comments:

GOOD TIMES AUTO BODY, INC.
9906 NW 45 Highway, Kansas City, MO 64152
Phone: (816) 741-4727, Fax: (816) 741-0147

Image Report

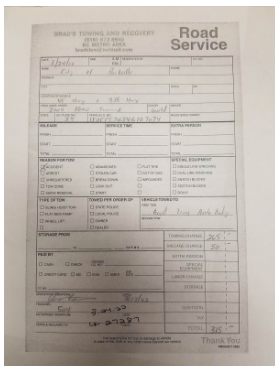
Owner:	CITY OF PARKVILLE	Insurance:		Estimator:	Justin Gentry	Vehicle Out:	
Job Number:		Claim Number:					
Year:	2004	Color:	OLIVE	License Plate:	24	Production Date:	9/2003
Make:	FORD	Body Style:	4D SED	State:	MO	Mileage In:	30,082
Model:	Taurus SE	Engine:	6-3.0L Gasoline S...	VIN:	1FAFP53U84G107074	Condition:	Good



3/31/2022 E01
 Comments:



3/31/2022 E01
 Comments:



3/31/2022 E01
 Comments:

GOOD TIMES AUTO BODY, INC.

9906 NW 45 Highway, Kansas City, MO 64152

Phone: (816) 741-4727

FAX: (816) 741-0147

Workfile ID: d70099c6

PartsShare: 6HY6hs

Federal ID: 43-1641119

State ID: 10714171

Preliminary Estimate**Customer: CITY OF PARKVILLE****Job Number:**

Written By: Justin Gentry

Insured: CITY OF PARKVILLE

Policy #:

Claim #:

Type of Loss:

Date of Loss:

Days to Repair: 0

Point of Impact: 06 Rear

Owner:

CITY OF PARKVILLE

(947) 415-3662 Business

Inspection Location:

GOOD TIMES AUTO BODY, INC.

9906 NW 45 Highway

Kansas City, MO 64152

Repair Facility

(816) 741-4727 Day

Insurance Company:**VEHICLE**

2004 FORD Taurus SE 4D SED 6-3.0L Gasoline SMPI OLIVE

VIN: 1FAPF53U84G107074

Interior Color: TAN

Mileage In: 30,082

Vehicle Out:

License: 24

Exterior Color: OLIVE

Mileage Out:

State: MO

Production Date: 9/2003

Condition: Good

Job #:

TRANSMISSION

Automatic Transmission

Overdrive

POWER

Power Steering

Power Brakes

Power Windows

Power Locks

Power Mirrors

DECOR

Dual Mirrors

Body Side Moldings

Tinted Glass

Console/Storage

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Cruise Control

Rear Defogger

Keyless Entry

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

Cassette

SAFETY

Drivers Side Air Bag

Passenger Air Bag

SEATS

Cloth Seats

Reclining/Lounge Seats

WHEELS

Wheel Covers

Locking Wheels

PAINT

Clear Coat Paint

OTHER

Power Trunk/Liftgate

Get live updates at www.carwise.com/e/4dAnQJ

Preliminary Estimate

Customer: CITY OF PARKVILLE

Job Number:

2004 FORD Taurus SE 4D SED 6-3.0L Gasoline SMPI OLIVE

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1	EMISSION SYSTEM						
open	Repl	Vapor canister	4F1Z9D653BA	1	275.29 m	0.6 M	
3	PILLARS, ROCKER & FLOOR						
4	R&I	RT Rocker molding front				0.3	
5	R&I	LT Rocker molding front				0.3	
6	R&I	RT Rocker molding rear				0.3	
7	R&I	LT Rocker molding rear				0.3	
8	REAR BODY & FLOOR						
open	Repl	Rear body panel	YF1Z5440320CA	1	323.58	Incl.	1.2
10		Add for Clear Coat					0.5
11		Add for Inside					0.6
open	Repl	Rear floor pan	3F1Z5411215AA	1	1,266.15	21.0	2.0
13	TRUNK LID						
14	*	Repl LKQ lift gate +30%	3F1Z5440110AA	1	273.00	2.8	3.2
15		Overlap Major Non-Adj. Panel					-0.2
16		Add for Clear Coat					0.6
17		Refn lift gate underside					1.0
open	Repl	Nameplate "TAURUS SE"	4F1Z5442528BA	1	23.60	0.2	
19	REAR LAMPS						
20	*	Repl LKQ RT Tail lamp assy +30%	5F1Z13404A	1	65.00	<u>0.4</u>	
21	REAR BUMPER						
22		O/H rear bumper				2.0	
23	** <>	Repl A/M CAPA Bumper cover	4F1Z17K835CA	1	227.00	Incl.	3.0
24		Overlap Major Non-Adj. Panel					-0.2
25		Add for Clear Coat					0.6
26	#	Subl Hazardous waste removal		1	5.00 X		
27	#	Repl Cover car		1		0.5	
28	#	Repl Corrosion protection primer		1	10.00	0.5	
29	#	Setup time & measure		1		1.5	
30	#	Rpr Unibody structural repair				5.0 F	
open	*	Repl Impact bar	YF1Z17906AB	1	114.30	Incl.	<u>0.0</u>
open		Repl RT Bumper cover support	3F1Z17D948AA	1	18.73	Incl.	
open		Repl LT Bumper cover support	3F1Z17D995BA	1	38.25	Incl.	
open		Repl RT Energy absorber	5F1Z17A750AA	1	188.32	Incl.	
35	**	Repl A/M NSF Isolator	4F1Z17787AA	1	46.00	Incl.	
36	#	Color tint / color match		1			1.0
37		OTHER CHARGES					
38	#	Towing		1	315.00		
SUBTOTALS					3,189.22	35.7	13.3

NOTES

Preliminary Estimate

Customer: CITY OF PARKVILLE

Job Number:

2004 FORD Taurus SE 4D SED 6-3.0L Gasoline SMPI OLIVE

Estimate Notes:

Hidden damage possible. Vehicle needs to be disassembled to identify all damages.

ESTIMATE TOTALS

Category	Basis			Rate	Cost \$
Parts					2,869.22
Body Labor	30.1 hrs	@		\$ 62.00 /hr	1,866.20
Paint Labor	13.3 hrs	@		\$ 62.00 /hr	824.60
Mechanical Labor	0.6 hrs	@		\$ 95.00 /hr	57.00
Frame Labor	5.0 hrs	@		\$ 80.00 /hr	400.00
Paint Supplies	13.3 hrs	@		\$ 40.00 /hr	532.00
Miscellaneous					5.00
Other Charges					315.00
Subtotal					6,869.02
Grand Total					6,869.02
INSURANCE PAY					6,869.02

MyPriceLink Estimate ID / Quote ID:

938844430188683264 / 103234655

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR DISTRIBUTOR RATHER THAN BY THE MANUFACTURER OF YOUR VEHICLE.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AN AUTOMOBILE PART(S) NOT MADE BY THE ORIGINAL EQUIPMENT MANUFACTURER. PARTS USED IN THE REPAIR OF YOUR VEHICLE BY OTHER THAN THE ORIGINAL MANUFACTURER ARE REQUIRED TO BE AT LEAST EQUAL IN KIND AND QUALITY IN TERMS OF FIT, QUALITY, AND PERFORMANCE TO THE ORIGINAL MANUFACTURER PARTS THEY ARE REPLACING. ALL AFTERMARKET PARTS INSTALLED ON THE VEHICLE SHALL BE CLEARLY IDENTIFIED ON THE REPAIR ESTIMATE.

Customer: CITY OF PARKVILLE

Job Number:

2004 FORD Taurus SE 4D SED 6-3.0L Gasoline SMPI OLIVE

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DE2JN00, CCC Data Date 04/15/2022, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2022 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Intelligent Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Preliminary Estimate

Customer: CITY OF PARKVILLE

Job Number:

2004 FORD Taurus SE 4D SED 6-3.0L Gasoline SMPI OLIVE

PARTS SUPPLIER LIST

Line	Supplier	Description	Price
14	Midway Auto Parts - Team PRP 4210 GARDNER AVE. KANSAS CITY MO 64120 (816) 241-0500	#DU2015 LKQ lift gate +30% 5P1 PLASTIC PART ABOVE TAG BROKEN Quote: CCC-109230720 Expires: 04/10/22	\$ 210.00
20	Midway Auto Parts - Team PRP A TEAM PRP FACILITY, 4210 GARDNER AVE KANSAS CITY MO 64120 (816) 241-0500	#02107521 LKQ RT Tail lamp assy +30% 000 Quote: CCC-109231347 Expires: 04/10/22	\$ 50.00
23	Keystone 555 RIVER PARK DRIVE KANSAS CITY KS 66105 (913) 982-4448	#FO1100355PP A/M CAPA Bumper cover Quote: 1226633542 Expires: 05/15/22	\$ 227.00
35	Keystone 555 RIVER PARK DRIVE KANSAS CITY KS 66105 (913) 982-4448	#FO1170114N A/M NSF Isolator Quote: 1226648809 Expires: 05/15/22	\$ 46.00

**CITY OF PARKVILLE
Policy Report**

Date: May 31, 2022

Prepared By:

Alysen Abel, Public Works Director

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Approve a purchase order with VLP Equipment Share for a Case backhoe for the Streets Division

BACKGROUND:

The Streets Division of Public Works currently has a Case backhoe that is used daily to perform a variety of operations around the City. The backhoe was purchased in 2013 and has required several repairs over the past two years. Components of a backhoe have major failure at 3,500 hours. The city's backhoe has 4,500 hours. Instead of spending more money on costly repairs to extend the life of the equipment a few more years, staff is interested in replacing the backhoe.

In February 2022, staff presented lease options from VLP Equipment Share for a 60-month lease. Based on feedback from the Finance Committee, staff prepared a bid package to solicit multiple bids. The bid request was released in April and in May, two companies responded with pricing for purchase and lease options for the backhoe. VLP Equipment Share provided the low bid for both the purchase and lease options determining a five-year lease to be the best transaction for the city.

VLP Equipment Share provided a lease price of \$1,005.28 per month for five years, which includes the trade-in value of \$25,000 for the existing backhoe. At the end of the five-year period, the City would have the option to purchase the backhoe for \$43,082.95, typically an \$80,000+ piece of equipment.

BUDGET IMPACT:

There is funding available in the Transportation Fund to cover this expense.

ALTERNATIVES:

1. Approve a five-year lease with VLP Equipment Share for the Case backhoe.
2. Approve the purchase of a Case backhoe with VLP Equipment Share.
3. Provide direction to staff related to the backhoe.
4. Postpone this item.

FINANCE COMMITTEE RECOMMENDATION:

At the meeting on May 23, 2022, the Finance Committee, by a vote of 4-0, recommended that the Board of Aldermen approve a purchase order with VLP Equipment Share for a five-year lease for a Case 580 Super N Backhoe for the Streets Division of Public Works.

STAFF RECOMMENDATION:

Staff recommends that the City enter into a lease agreement with VLP Equipment Share for a five-year period.

POLICY:

The Purchasing Policy, Resolution No. 17-016, requires Board of Aldermen approval for all purchases above \$10,000 upon recommendation of the Finance Committee.

SUGGESTED MOTION:

I move to approve a purchase order with VLP Equipment Share for a five-year lease for a Case 580 Super N Backhoe for the Streets Division of Public Works.

ATTACHMENTS:

1. Bid Tabulation
2. Purchase Order

BID TABULATION

CASE 580 Super N Backhoe Loader

Bid Opening Wednesday, May 11, 2022
10:05 a.m., Public Works Conference Room

Bidder: VLP, KCMO

	Cost - (Per Month)	Total
Case 580SN (Standard Purchase)		\$111,280.00
Alt. 1 - (5 yr. Lease-Purchase Option) - Case 580SN	\$1,005.28 per month Residual amount \$43,082.95 *No warranty included	\$103,399.75
Alt. 2 - (Trade-in Value Option) 2013 Case 580 Super N	\$25,000.00	\$86,280.00

Bidder: FOLEY EQUIPMENT, KCMO

*Note that bidder bid CAT equipment and a revised P.O.

	Cost - (Per Month)	Total
CAT 420-07 Loader (Standard Purchase)		\$117,087.00 *No Ext. Warranty, No CVA
Alt. 1 - (5 yr. Lease-Purchase Option) - CAT 420-07 Loader	\$1,341.75	
Alt. 2 - (Trade-in Value Option) 2013 Case 580 Super N	\$31,000.00	\$104,284.00 *Includes Premier Warranty & CVA w/Trade

(*) Recommended Award of Purchase

PURCHASE ORDER
(non-construction)

CITY OF PARKVILLE (PURCHASER)
8880 Clark Avenue
(816) 741-7676

Date: June 7, 2022

Upon proper acceptance, we agree to purchase from you upon terms and conditions set forth below and on the attached pages hereto.

VENDOR VLP EquipmentShare Company

4100 Gardner Ave

Kansas City, MO 64120

Phone: 816-241-9290 Fax: _____

SHIP TO: 9300 NW 45 Hwy, Parkville, MO 64152

INVOICE TO: Alysen Abel, 8880 Clark Ave., Parkville, MO 64152

ALL MATERIAL SHALL BE DELIVERED TO PURCHASER FREIGHT PREPAID, UNLESS OTHERWISE SPECIFIED BELOW.

Vendor agrees to furnish following goods in accordance with the terms and provisions of this Purchase Order Agreement consisting of 6 pages including attachments. Purchaser agrees to pay in accordance with the lease agreement for such materials, subject to any additions or deductions agreed upon in writing. **Freight charges are included in purchase price and sales taxes will not be charged to the Purchaser as a tax exempt entity. Purchaser will provide Vendor with a Tax Exemption Certificate upon request.** Payment is to be made within thirty days after delivery of goods and receipt of invoice. This purchase order is only valid approximately through June 30, 2027.

ITEMS:

Case / 580SN
4x4 , extend a hole, heat & air, 24" rear tooth
bucket Hyd thumb (NMC773153)

5 Year Lease-Purchase Option with Trade in:

Cost Per Month - \$1,005.28
Trade in Amount - \$25,000.00
Residual Amount - \$43,082.95

Total: \$103,399.75

See Attachment "A" – Terms and Conditions
See Attachment "B" – Insurance Requirements
See Attachment "C" – Specifications

SCHEDULE OF DELIVERY:

Purchaser address: 8880 Clark Ave., Parkville, MO 64152

The City will order equipment approximately June 7, 2022

F.O.B. Streets Department, 9300 NW 45 Hwy, Parkville, MO

NOTE: All Terms and Conditions for Purchase Order attached hereto are incorporated herein by reference and made a part of this Purchase Order. Vendor's signature and return of this document as presented, or its delivery of any of the items covered by this Purchase Order, shall constitute acceptance of all of its terms and conditions. If this Purchase Order is not signed and returned to Purchaser within ten (10) days of the date stated on page 1 above, however, it may be deemed voidable at the option of Purchaser. Payment shall not be due until Vendor has furnished Purchaser, with the required Certificates of Insurance and any other documents required by Purchaser.

All terms in any offer, bid, order acknowledgement or other document that are inconsistent with the terms stated herein are explicitly rejected and not a part of this Purchase Order.

CITY OF PARKVILLE, MISSOURI. ("Purchaser")

VLP EquipmentShare Company ("Vendor")

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

ITEM 3.I.*For 6/7/2022**Board of Aldermen Meeting***CITY OF PARKVILLE
Policy Report**Date: May 31, 2022Prepared By:

Jeffery Rhodes, Asst. to City Administrator

Reviewed By:Matthew Chapman, Finance/HR Director
Erika MortonISSUE:

Approve accounts payable from May 13 to June 2, 2022

BACKGROUND:

Attached are the statements of approved payments, per the City's Purchasing Policy, for the period from May 13 to June 2, 2022. All disbursements must be reviewed and approved by the Board of Aldermen prior to the release of City funds.

BUDGET IMPACT:

Accounts Payable	\$876,638.80
876Insurance Payments	
1 st of the Month	
EFT Payments	
Processing Fees	
Payroll	\$70,861.30
TOTAL:	\$947,500.10

ALTERNATIVES:

1. Approve the release of funds.
2. Deny the release of funds and provide further direction to City Administration.
3. Deny any portion of the release of funds and provide further direction to City Administration.

FINANCE COMMITTEE RECOMMENDATION:

The item was not presented to the Finance Committee, but is being taken directly to the Board of Aldermen for consideration.

STAFF RECOMMENDATION:

Staff recommends the release of funds as summarized in the attached statements.

POLICY:

All disbursements must be reviewed and approved by the Board of Aldermen prior to the release of City funds.

SUGGESTED MOTION:

I move to appropriate \$ 947,500.10 of City funds to pay salaries and accounts.

ATTACHMENTS:

1. AP Report

PACKET: 07528 06/07/2022

VENDOR SET: 01

BANK : AP Pooled Cash Regular AP

**** CHECK LISTING ****

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
00002	A & M Printing I-71024	Sanitary Sewers Repairs 2022	R	6/03/2022		32.40CR	044022	32.40
00051	Galls, Inc. I-021032365 I-021077698 I-021143762	Trauma plate kevlar vest-PD Vest Carrier Hill- PD Vest and Carriers Fryer- PD	R	6/03/2022 6/03/2022 6/03/2022		40.00CR 153.00CR 818.10CR	044023 044023 044023	 1,011.10
00062	Tyler Techonologies, Inc I-025-379766	Maint Agreement 22-23 Finance	R	6/03/2022		6,462.11CR	044024	6,462.11
00084	McConnell & Associates Co I-2205-056206 I-2205-056563	Tack Coat/Bruches -Streets Marking Paint-Streets	R	6/03/2022 6/03/2022		82.56CR 65.88CR	044025 044025	 148.44
00107	Platte Rental & Supply I-88537-1 I-88658-1 I-88756-1 I-88967 I-89174-1	Tank/gloves/safety glasses/oil New Blower Backpack Streets Repairs for Blower-Streets Platte Rental & Supply Parts- Nature Sanctuary	R	6/03/2022 6/03/2022 6/03/2022 6/03/2022 6/03/2022		205.95CR 468.11CR 40.00CR 106.37CR 14.99CR	044026 044026 044026 044026 044026	 835.42
00137	Kansas City Life Insuranc I-23307-A	Adjustments May 2022 Billing	R	6/03/2022		243.03CR	044027	243.03
00156	Dave's Foreign Car Repair LLC I-0146726 I-0146758	Oil Change V601-PD Oil Change V604-PD	R	6/03/2022 6/03/2022		45.00CR 45.00CR	044028 044028	 90.00
00332	Midwest Public Risk - Workers Comp I-WC20220510.38	FY 22-23 WC Contributions	R	6/03/2022		151,164.86CR	044029	151,164.86
00483	ADH Rental & Sales I-144796 I-144812	Auger Bit Hitch Pin	R	6/03/2022 6/03/2022		55.00CR 10.00CR	044030 044030	 65.00
00494	Holliday Sand & Gravel Co I-1500365492 I-1500365497	Watkins Park Improvements Watkins Park Improvements	R	6/03/2022 6/03/2022		51.62CR 55.75CR	044031 044031	 107.37
00838	The Work Zone, Inc. I-04112070	Post for Signs-Streets	R	6/03/2022		99.40CR	044032	99.40

PACKET: 07528 06/07/2022

VENDOR SET: 01

BANK : AP Pooled Cash Regular AP

**** CHECK LISTING ****

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
00977	Curious Eye Productions							
	I-008-022	Tech consult/production	R	6/03/2022		1,250.00CR	044033	
	I-014-022	Tech Consult/Production	R	6/03/2022		1,075.00CR	044033	
	I-023-022	Tech Consult/Production	R	6/03/2022		1,012.50CR	044033	3,337.50
01016	FTC Equipment							
	I-15373	WWTF RAS Pumps	R	6/03/2022		650.00CR	044034	
	I-15374	Pinecrest Pump Station	R	6/03/2022		1,286.82CR	044034	1,936.82
01083	UMB Bank, N.A.							
	I-June2022-2004C	June2022-Sewer SRF Payment	R	6/03/2022		14,754.79CR	044035	14,754.79
01181	Four Star Electric							
	I-31421	Park Fountain	R	6/03/2022		141.25CR	044036	141.25
01216	MPH INDUSTRIES							
	I-6017571	Radar Repair V602- PD	R	6/03/2022		103.29CR	044037	103.29
01394	Homestead Landscaping LLC							
	I-1117983-01	Watkins Park Playground Mulch	R	6/03/2022		1,395.00CR	044038	
	I-262159	Watkins Park Playground Mulch	R	6/03/2022		100.00CR	044038	1,495.00
01486	Ewing Irrigation Products, INC							
	I-9983310	Fertilizer-Parks	R	6/03/2022		656.21CR	044039	656.21
01573	Urban Tree Specialists							
	I-22574	Tree Removal-Streets	R	6/03/2022		1,400.00CR	044040	
	I-22605	Tree Removal -Streets	R	6/03/2022		750.00CR	044040	
	I-22627	Tree Removal-Streets	R	6/03/2022		2,575.00CR	044040	4,725.00
01777	Keller Fire & Safety							
	I-291616	2022 Fire Ext. Inspections	R	6/03/2022		625.61CR	044041	625.61
01794	Fred Pryor Seminars							
	I-20-27838396	Registration Renewal- PW	R	6/03/2022		299.00CR	044042	299.00
01879	Midwest Public Risk - Deductible							
	I-PL20220510.61	FY Property and Liability Cont	R	6/03/2022		142,957.08CR	044043	142,957.08
01888	Kevin Chrisman							
	I-0512-05262022	MOIA Per Diem	R	6/03/2022		111.50CR	044044	111.50

PACKET: 07528 06/07/2022

VENDOR SET: 01

**** CHECK LISTING ****

BANK : AP Pooled Cash Regular AP

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
01909	Toni Rizzuti I-TR2022-Phones	Rizutti Phone Reimb-Court	R	6/03/2022		120.00CR	044045	120.00
01982	Rejis Commission I-484615	May Rejis Bill-PD	R	6/03/2022		108.20CR	044046	108.20
02018	Ace ImageWear I-08055130 I-1177976	Shop Rags- Streets Shop Towels	R	6/03/2022 6/03/2022		73.57CR 28.65CR	044047 044047	102.22
02021	KAT Wholesale Outdoor I-SI-233165	Perennial Grasses-Parks	R	6/03/2022		245.00CR	044048	245.00
02054	Matthew Chapman I-05192022 I-GFOA Conference	Sam's Club Membership GFOA Conference-Chapman	R	6/03/2022 6/03/2022		45.00CR 318.88CR	044049 044049	363.88
02175	eNet I-6594	CIP	R	6/03/2022		7,195.61CR	044050	7,195.61
02207	Mission Communications, LLC I-1064488	Pinerest Pump Station	R	6/03/2022		359.40CR	044051	359.40
02210	Melissa McChesney I-MM2022-Phones	McChesney Phone - City Clerk	R	6/03/2022		120.00CR	044052	120.00
02228	Metro Rolloff Container Services LLC I-21386-Reissue I-21387-Reissue I-21388-Reissue I-23079 I-23096 I-23097 I-23098	PLP Restroom Cleanout-Parks ELP Portapotty Rental-Parks Farmers Market Portapotty Rent PLP Restroom Vault Pump Portable Toilets- Parks Portable Toilets- Parks Portable Toilets-Parks	R	6/03/2022 6/03/2022 6/03/2022 6/03/2022 6/03/2022 6/03/2022 6/03/2022		100.45CR 185.45CR 100.45CR 500.00CR 320.00CR 605.00CR 320.00CR	044053 044053 044053 044053 044053 044053 044053	2,131.35
02253	TooBaRoo I-parkvillemo.gov104 I-parkvillemo.gov105 I-parkvillemo.gov106	April We Hosting-Admin May Web Hosting-Admin June Web Hosting	R	6/03/2022 6/03/2022 6/03/2022		35.00CR 35.00CR 35.00CR	044054 044054 044054	105.00
02348	Sumner Tire I-6811	Uniloader Tire Repair-Parks	R	6/03/2022		200.22CR	044055	200.22

PACKET: 07528 06/07/2022

VENDOR SET: 01

BANK : AP Pooled Cash Regular AP

**** CHECK LISTING ****

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
02409	UniFirst Corporation I-2290033311	Floor Mats 05/24/22	R	6/03/2022		120.02CR	044056	120.02
02527	FP Mailing Solutions I-RI105337736	Postage Machine Lease	R	6/03/2022		165.00CR	044057	165.00
02530	Government Finance Officers Association-National I-GFOABudget2022	Submission of GFOA Budget Doc	R	6/03/2022		345.00CR	044058	345.00
02531	City Wide Facility Solutions I-32001026666	June Janitorial Services	R	6/03/2022		960.00CR	044059	960.00
02591	ProServ I-241186	Small Administration Copier	R	6/03/2022		8.89CR	044060	8.89
02632	MEI Total Elevator Solutions I-965382	June-August Quarterly Service	R	6/03/2022		181.58CR	044061	181.58
02678	Happy Signs I-05252022NS I-179391	Signs- Nature Sanctuary No Dumping Sign-Parks	R R	6/03/2022 6/03/2022		57.48CR 44.99CR	044062 044062	 102.47
02772	Advanced Turf Solutions I-S01001536.2	Fertilizer-Parks	R	6/03/2022		730.13CR	044063	730.13
02808	HK Hydro Klean I-077878	2022 CCTV Program-Sewer	R	6/03/2022		6,873.25CR	044064	6,873.25
02838	Broski Fence., LLC I-22140	1st Street Fence Repair	R	6/03/2022		1,987.00CR	044065	1,987.00
02871	Chris Ashley I-04072022	Mileage Reimbursement- PW	R	6/03/2022		93.60CR	044066	93.60
02908	Ashley Mantooth I-05172022	Nature Camp	R	6/03/2022		800.00CR	044067	800.00
02916	Renaissance Infrastructure Consulting I-22-0330 I-22-0361	Route 9 Inspections Pocket Park Retaining Wall	R R	6/03/2022 6/03/2022		19,749.90CR 2,250.00CR	044068 044068	 21,999.90
02917	Lloyd Harold LLC I-1603	Pinecrest Pump Station-Sewer	R	6/03/2022		3,129.00CR	044069	3,129.00

PACKET: 07528 06/07/2022

VENDOR SET: 01

BANK : AP Pooled Cash Regular AP

**** CHECK LISTING ****

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
02935	Equipment Share.com, Inc I-1721485-000	Coil pin for backhoe-Streets	R	6/03/2022		9.30CR	044070	9.30
02964	SGI I-PAYAPP#3	Pocket Park Stairs	R	6/03/2022		74,986.30CR	044071	74,986.30
03004	Leigh Ann Valverde I-21-0571	Restitution deductible-Courts	R	6/03/2022		500.00CR	044072	500.00
03005	Midway USA Collision Center I-R900030721	Repair of Parks Plow Truck	R	6/03/2022		12,358.41CR	044073	12,358.41
03006	Lawrence Glass & Mirror Inc I-12845	Admin Glass Enclosure	R	6/03/2022		2,885.00CR	044074	2,885.00
03008	Pilot Rock/RJ Thomas Mfg I-252755	Watkins Shelter House Grill	R	6/03/2022		399.00CR	044075	399.00

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	54	0.00	471,086.91	471,086.91
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	54	0.00	471,086.91	471,086.91

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

VENDOR	NAME / I.D.	DESC	CHECK	CHECK	DISCOUNT	AMOUNT	CHECK	CHECK
			TYPE	DATE			NO#	AMOUNT

** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT

10	6/2022	336,940.70CR
30	6/2022	27,144.35CR
40	6/2022	7,018.04CR
41	6/2022	79,433.92CR
60	6/2022	800.00CR
95	6/2022	19,749.90CR
=====		
ALL		471,086.91CR

PACKET: 07530 Regular Payments#2-06/07/22

VENDOR SET: 01

BANK : AP Pooled Cash Regular AP

**** CHECK LISTING ****

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
02925	ServPro of Olathe/Lenexa I-4957277	Farmers Market Roof Testing	R	6/03/2022		233.59CR	044081	233.59
03009	Leigh & O'Kane I-16710	Parkville Farmers Market Struc	R	6/03/2022		507.55CR	044082	507.55
03010	Freeman Martin McKee I-863	Employee Handbook Review2022	R	6/03/2022		4,000.00CR	044083	4,000.00
02407	Gunter Construction Company I-2022-PayApp#18	Rt. 9 Construction #18	R	6/07/2022		291,904.29CR	044077	291,904.29
01005	Parkville Rotary Club I-Q3-2022-Rotary	Parkville Membership-Board	R	6/07/2022		170.75CR	044079	170.75
00107	Platte Rental & Supply I-88290-1	FM Lift Rental/DebrisRmve-INS	R	6/07/2022		385.00CR	044080	385.00

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	6	0.00	297,201.18	297,201.18
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	6	0.00	297,201.18	297,201.18

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

PACKET: 07530 Regular Payments#2-06/07/22

VENDOR SET: 01

**** CHECK LISTING ****

BANK : AP Pooled Cash Regular AP

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
10	6/2022	5,296.89CR
95	6/2022	291,904.29CR
=====		
ALL		297,201.18CR

PACKET: 07514 Direct Payables-06/07/22

VENDOR SET: 01 City Vendors *** DRAFT/OTHER LISTING ***

BANK: AP Pooled Cash Regular AP

VENDOR	I.D.	NAME	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
02592		Wexbank (QT)						
	I-78467592	Wexbank (QT) Feb2022	D	3/01/2022		2,857.51	000000	2,857.51
02592		Wexbank (QT)						
	I-79418199	Wexbank (QT) March 2022	D	4/01/2022		4,152.89	000000	4,152.89
00159		Missouri American Water						
	I-May 2022-3099	8880 Clark Ave CMCTR-Admin	D	4/14/2022		79.03	000000	
	I-May 2022-9321	8875 Clark Ave Spklr- Admin	D	4/14/2022		30.54	000000	109.57
00159		Missouri American Water						
	I-May 2022-3174	8880 Clark Ave FIRE- Admin	D	4/26/2022		56.82	000000	56.82
02592		Wexbank (QT)						
	I-80240985	Wexbank (QT) April 2022	D	5/01/2022		1,855.41	000000	1,855.41
00159		Missouri American Water						
	I-May 2022-2235	10325 Magnolia Ln PMPSTU-PW	D	5/02/2022		9.89	000000	9.89
00159		Missouri American Water						
	I-May 2022-4314	102 E First St Irrg	D	5/05/2022		9.89	000000	
	I-May 2022-5869	102 E 12th St Irrg- Admin	D	5/05/2022		9.44	000000	
	I-May2022-6841	8602 NW 62nd - Pinecrest	D	5/05/2022		28.33	000000	47.66
00159		Missouri American Water						
	I-May 2022-1203	25 W Main St-Parks	D	5/06/2022		72.48	000000	
	I-May 2022-2453	East St. Fount3-Parks	D	5/06/2022		9.89	000000	
	I-May 2022-3333	East St Hydt- Parks	D	5/06/2022		30.54	000000	
	I-May 2022-8413	1 & Main St- Parks	D	5/06/2022		10.57	000000	
	I-May2022-2187	East St FountN2 Parks	D	5/06/2022		26.27	000000	
	I-May2022-8321	9701 River Park-Fount-Parks	D	5/06/2022		74.08	000000	223.83
00159		Missouri American Water						
	I-May 2022-2095	East St Fount1-Parks	D	5/09/2022		10.57	000000	
	I-May 2022-2538	East St. Fount4-Parks	D	5/09/2022		9.89	000000	
	I-May 2022-6548	S Main St- Parks	D	5/09/2022		44.20	000000	64.66
02522		Wex Bank (Phillips)						
	I-80645461-Reissue	April 2022- Fleet Fuel PD	D	5/20/2022		3,123.04	000000	3,123.04
00159		Missouri American Water						
	I-June2022-6841	8602 NW 62nd St - Pinecrest	D	6/03/2022		13.30	000000	13.30

PACKET: 07514 Direct Payables-06/07/22

VENDOR SET: 01 City Vendors *** DRAFT/OTHER LISTING ***

BANK: AP Pooled Cash Regular AP

VENDOR	I.D.	NAME	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
00159		Missouri American Water						
	I-June 2022-1203	25 W Main St- Parks	D	6/06/2022		81.35	000000	
	I-June 2022-2095	East St Fount1	D	6/06/2022		9.89	000000	
	I-June 2022-2187	East St Fount2	D	6/06/2022		9.89	000000	
	I-June 2022-2235	10325 Magnolia Ln PMPSTU-PW	D	6/06/2022		9.89	000000	
	I-June 2022-2453	East St. Fount3-Parks	D	6/06/2022		9.89	000000	
	I-June 2022-2538	East St. Fount4-Parks	D	6/06/2022		11.26	000000	
	I-June 2022-3099	8880 Clark Ave CMCTR-Admin	D	6/06/2022		111.79	000000	
	I-June 2022-3174	8880 Clark Ave FIRE- Admin	D	6/06/2022		56.82	000000	
	I-June 2022-3333	East St Hydt-Parks	D	6/06/2022		30.54	000000	
	I-June 2022-4314	102 E First St Irrg- Parks	D	6/06/2022		28.33	000000	
	I-June 2022-5869	102 E 12th St Irrg- Parks	D	6/06/2022		9.44	000000	
	I-June 2022-6548	S Main St- Parks	D	6/06/2022		44.20	000000	
	I-June 2022-8413	1 & ain St Seasn- Parks	D	6/06/2022		11.26	000000	
	I-June 2022-9321	8875 Clark Ave SPKLR- Admin	D	6/06/2022		30.54	000000	
	I-June2022-8321	8701 River Park-Fount-Parks	D	6/06/2022		96.61	000000	551.70

* * B A N K T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	0	0.00	0.00	0.00
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	12	0.00	13,066.28	13,066.28
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
BANK TOTALS:	12	0.00	13,066.28	13,066.28

PACKET: 07514 Direct Payables-06/07/22

VENDOR SET: 01 City Vendors *** DRAFT/OTHER LISTING ***

BANK: ALL

** REGISTER GRAND TOTALS *

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	0	0.00	0.00	0.00
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	12	0.00	13,066.28	13,066.28
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	12	0.00	13,066.28	13,066.28

** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT

10	3/2022	550.35CR
10	4/2022	474.08CR
10	5/2022	3,872.12CR
10	6/2022	555.11CR
30	3/2022	101.06CR
30	4/2022	118.84CR
30	5/2022	154.92CR
30	6/2022	9.89CR
40	3/2022	2,206.10CR
40	4/2022	3,726.36CR
40	5/2022	1,297.45CR
=====		
ALL		13,066.28CR

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

PACKET: 07521 EOM Benefits - 5/27/22

VENDOR SET: 01

**** CHECK LISTING ****

BANK : PY Pooled Cash PY Related AP

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
00005	AFLAC							
	I-AFP202205054387	AFLAC PRETAX	R	5/27/2022		12.05CR	044018	
	I-AFP202205194388	AFLAC PRETAX	R	5/27/2022		12.05CR	044018	24.10
00137	Kansas City Life Insuranc							
	I-ADD202205054387	ADD on KC Life Bill	R	5/27/2022		11.75CR	044019	
	I-ADD202205194388	ADD on KC Life Bill	R	5/27/2022		12.05CR	044019	
	I-LIF202205054387	BC/BS Life Insurance	R	5/27/2022		210.76CR	044019	
	I-LIF202205194388	BC/BS Life Insurance	R	5/27/2022		240.86CR	044019	
	I-LTD202205054387	Long Term Disability	R	5/27/2022		96.39CR	044019	
	I-LTD202205194388	Long Term Disability	R	5/27/2022		105.33CR	044019	677.14
01807	City of Parkville/Flex Plan							
	I-FLX202205054387	Flex Plan	R	5/27/2022		704.82CR	044020	
	I-FLX202205194388	Flex Plan	R	5/27/2022		740.11CR	044020	1,444.93
Guardi	Guardian Life Insurance Company							
	I-GRD202205054387	Voluntary Insurance	R	5/27/2022		158.81CR	044021	
	I-GRD202205194388	Voluntary Insurance	R	5/27/2022		205.79CR	044021	364.60

5/27/2022 10:39 AM

A / P CHECK REGISTER

PAGE: 2

PACKET: 07521 EOM Benefits - 5/27/22

VENDOR SET: 01

*** DRAFT/OTHER LISTING ***

BANK : PY Pooled Cash PY Related AP

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
00136	State of Missouri							
	I-T2 202205054387	State Withholdings	D	5/27/2022		3,157.00CR	000924	
	I-T2 202205194388	State Withholdings	D	5/27/2022		3,334.00CR	000924	6,491.00
01711	BCBSKC							
	I-BCC202205054387	BCBS Insurance	D	5/27/2022		514.32CR	000925	
	I-BCC202205194388	BCBS Insurance	D	5/27/2022		514.32CR	000925	
	I-BCE202205054387	BCKSKC Insurance	D	5/27/2022		686.67CR	000925	
	I-BCE202205194388	BCKSKC Insurance	D	5/27/2022		915.56CR	000925	
	I-BCF202205054387	BCBS Insurance	D	5/27/2022		809.45CR	000925	
	I-BCF202205194388	BCBS Insurance	D	5/27/2022		809.45CR	000925	
	I-BCS202205054387	BCBS Insurance	D	5/27/2022		1,093.80CR	000925	
	I-BCS202205194388	BCBS Insurance	D	5/27/2022		1,093.80CR	000925	
	I-BVC202205054387	Vision w/h	D	5/27/2022		17.74CR	000925	
	I-BVC202205194388	Vision w/h	D	5/27/2022		17.74CR	000925	
	I-BVE202205054387	Vision w/h	D	5/27/2022		57.60CR	000925	
	I-BVE202205194388	Vision w/h	D	5/27/2022		62.40CR	000925	
	I-BVF202205054387	Vision w/h	D	5/27/2022		117.53CR	000925	
	I-BVF202205194388	Vision w/h	D	5/27/2022		117.53CR	000925	
	I-BVS202205054387	Vision w/h	D	5/27/2022		34.52CR	000925	
	I-BVS202205194388	Vision w/h	D	5/27/2022		34.52CR	000925	
	I-DNC202205054387	BCBS Dental Insurance	D	5/27/2022		164.00CR	000925	
	I-DNC202205194388	BCBS Dental Insurance	D	5/27/2022		164.00CR	000925	
	I-DNF202205054387	BCBS Dental Insurance	D	5/27/2022		527.40CR	000925	
	I-DNF202205194388	BCBS Dental Insurance	D	5/27/2022		527.40CR	000925	
	I-DNP202205054387	DENTAL PRETAX	D	5/27/2022		292.60CR	000925	
	I-DNP202205194388	DENTAL PRETAX	D	5/27/2022		308.00CR	000925	
	I-DNS202205054387	Delta Dental Insurance	D	5/27/2022		154.25CR	000925	
	I-DNS202205194388	Delta Dental Insurance	D	5/27/2022		154.25CR	000925	
	I-HDE202205054387	BCBS Insurance	D	5/27/2022		1,063.65CR	000925	
	I-HDE202205194388	BCBS Insurance	D	5/27/2022		1,063.65CR	000925	
	I-HDF202205054387	Health Insurance	D	5/27/2022		1,504.72CR	000925	
	I-HDF202205194388	Health Insurance	D	5/27/2022		1,504.72CR	000925	
	I-HDS202205054387	BCBS Insurance	D	5/27/2022		1,016.80CR	000925	
	I-HDS202205194388	BCBS Insurance	D	5/27/2022		1,016.80CR	000925	
	I-HSE202205054387	BCBS Insurance	D	5/27/2022		775.52CR	000925	
	I-HSE202205194388	BCBS Insurance	D	5/27/2022		775.52CR	000925	
	I-HSF202205054387	BCBS Insurance	D	5/27/2022		1,371.16CR	000925	
	I-HSF202205194388	BCBS Insurance	D	5/27/2022		1,371.16CR	000925	
	I-HSS202205054387	BCBS Insurance	D	5/27/2022		463.16CR	000925	
	I-HSS202205194388	BCBS Insurance	D	5/27/2022		463.16CR	000925	
	I-S3F202205054387	BCBS Insurance	D	5/27/2022		666.73CR	000925	
	I-S3F202205194388	BCBS Insurance	D	5/27/2022		666.73CR	000925	
	I-S3S202205054387	BCBS Insirance	D	5/27/2022		901.00CR	000925	
	I-S3S202205194388	BCBS Insirance	D	5/27/2022		901.00CR	000925	
	I-SPC202205054387	BCBS Insurance	D	5/27/2022		1,888.16CR	000925	
	I-SPC202205194388	BCBS Insurance	D	5/27/2022		1,888.16CR	000925	
	I-SPE202205054387	BCBS Insurance	D	5/27/2022		630.12CR	000925	
	I-SPE202205194388	BCBS Insurance	D	5/27/2022		630.12CR	000925	
	I-SPF202205054387	BCBS Insurance	D	5/27/2022		2,228.01CR	000925	
	I-SPF202205194388	BCBS Insurance	D	5/27/2022		2,228.01CR	000925	34,206.91

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PACKET: 07521 EOM Benefits - 5/27/22

VENDOR SET: 01

*** DRAFT/OTHER LISTING ***

BANK : PY Pooled Cash PY Related AP

			ITEM	PAID				ITEM	ITEM
VENDOR	NAME / I.D.	DESC	TYPE	DATE	DISCOUNT	AMOUNT	NO#	AMOUNT	
01730	LAGERS								
	I-CSR202205054387	LAGERS RETIREMENT	D	5/27/2022		7,270.38CR	000926		
	I-CSR202205194388	LAGERS RETIREMENT	D	5/27/2022		7,125.00CR	000926		
	I-R%P202205054387	City/PD Ret Contribution	D	5/27/2022		6,036.45CR	000926		
	I-R%P202205194388	City/PD Ret Contribution	D	5/27/2022		6,569.18CR	000926	27,001.01	
02517	NueSynergy, Inc								
	I-HSU202205054387	HSA Contribution	D	5/27/2022		305.25CR	000927		
	I-HSU202205194388	HSA Contribution	D	5/27/2022		305.25CR	000927	610.50	

* * T O T A L S * *		NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:		4	0.00	2,510.77	2,510.77
HANDWRITTEN CHECKS:		0	0.00	0.00	0.00
PRE-WRITE CHECKS:		0	0.00	0.00	0.00
DRAFTS:		4	0.00	68,309.42	68,309.42
VOID CHECKS:		0	0.00	0.00	0.00
NON CHECKS:		0	0.00	0.00	0.00
CORRECTIONS:		0	0.00	0.00	0.00
REGISTER TOTALS:		8	0.00	70,820.19	70,820.19
TOTAL ERRORS: 0		TOTAL WARNINGS: 0			

PACKET: 07521 EOM Benefits - 5/27/22

VENDOR SET: 01

*** DRAFT/OTHER LISTING ***

BANK : PY Pooled Cash PY Related AP

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
10	5/2022	69,694.39CR
30	5/2022	1,125.80CR
=====		
ALL		70,820.19CR

VENDOR	NAME / I.D.	DESC	ITEM	PAID	DISCOUNT	AMOUNT	ITEM	ITEM
			TYPE	DATE			NO#	AMOUNT
00044	Park Bank							
	I-T1 202206024389	Federal Withholding	D	6/03/2022		9,717.46CR	000928	
	I-T3 202206024389	FICA W/H	D	6/03/2022		11,966.28CR	000928	
	I-T4 202206024389	Medicare W/H	D	6/03/2022		2,798.50CR	000928	24,482.24

* * T O T A L S * *		NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:		0	0.00	0.00	0.00
HANDWRITTEN CHECKS:		0	0.00	0.00	0.00
PRE-WRITE CHECKS:		0	0.00	0.00	0.00
DRAFTS:		1	0.00	24,482.24	24,482.24
VOID CHECKS:		0	0.00	0.00	0.00
NON CHECKS:		0	0.00	0.00	0.00
CORRECTIONS:		0	0.00	0.00	0.00
REGISTER TOTALS:		1	0.00	24,482.24	24,482.24

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

PACKET: 07526 Federal Withholdings - 6/3/22

VENDOR SET: 01 *** DRAFT/OTHER LISTING ***

BANK : PY Pooled Cash PY Related AP

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
10	6/2022	24,184.74CR
30	6/2022	297.50CR
=====		
ALL		24,482.24CR

**CITY OF PARKVILLE
Policy Report**

Date: May 31, 2022

Prepared By:

Alysen Abel, Public Works Director

Reviewed By:

Melissa McChesney, City Clerk

ISSUE:

Adopt an ordinance to amend Ordinance No. 3088 to revise a lease agreement with the Southern Platte Fire Protection District for the tornado siren located at Fire Station No. 3 (Public Works)

BACKGROUND:

The City maintains four tornado sirens, which are part of the Platte County Emergency Management system, in various locations around Parkville. The City is responsible for the maintenance of sirens located within the city limits.

With the expansion of Fire Station No. 3, located along Highway 45 near National Drive, the existing tornado siren needed to be relocated. With the relocation, staff discovered that the siren is not currently in service. Since the siren is located on the property owned by the Southern Platte Fire Protection District (SPFPD), it is necessary to enter into a lease agreement for the tornado siren. The SPFPD paid approximately \$4,500 to relocate the siren as part of their expansion project.

The City staff and legal counsel have been working directly with the SPFPD leadership to discuss a solution associated with the tornado siren lease agreement. Modifications to the lease agreement were presented to the SPFPD leadership and accepted. The proposed agreement includes a \$150 monthly fee for a term of 2.5 years; the monthly fee would expire when the \$4,500 is paid.

Due to the need to activate the tornado siren immediately, staff recommends that both readings be held at the same meeting.

BUDGET IMPACT:

There is funding in the General Fund to cover the additional expense through the end of the year. Additional funding will be programmed into the 2022 budget to cover this additional expense.

ALTERNATIVES:

1. Adopt an ordinance revising the lease agreement with Southern Platte Fire Protection District for the tornado siren at Fire Station No. 3.
2. Provide guidance to staff related to the tornado siren.
3. Do not approve the lease agreement
4. Postpone the item.

FINANCE COMMITTEE RECOMMENDATION:

At the meeting on May 23, 2022, the Finance Committee, by a vote of 4-0, recommended that the Board of Aldermen approve a lease agreement with Southern Platte Fire Protection District for the tornado siren located at Fire Station No. 3.

STAFF RECOMMENDATION:

Staff recommends entering into a lease agreement with SPFPD for the tornado siren at Fire Station No. 3.

POLICY:

Intergovernmental agreements require an ordinance.

SUGGESTED MOTION:

I move to approve Bill No. 3191, an ordinance amending Ordinance No. 3088 revising the lease agreement with the Southern Platte Fire Protection District for the tornado siren located at Fire Station No. 3, on first reading.

I move to approve Bill No. 3191, an ordinance amending Ordinance No. 3088 revising the lease agreement with the Southern Platte Fire Protection District for the tornado siren located at Fire Station No. 3, on second reading to become Ordinance No. ____.

ATTACHMENTS:

1. Ordinance
2. Lease Agreement

AN ORDINANCE AMENDING ORDINANCE NO. 3088 REVISING THE LEASE AGREEMENT WITH SOUTHERN PLATTE FIRE PROTECTION DISTRICT FOR THE TORNADO SIREN AT FIRE STATION NO. 3

WHEREAS, the Southern Platte Fire Protection District owns the property associated with Fire Station No. 3 located at 10811 NW Highway 45 in Parkville; and

WHEREAS, the City of Parkville is responsible for maintaining tornado siren located within the city limits; and

WHEREAS, the Southern Platte Fire Protection District recently upgraded Fire Station No. 3, which required the relocation of a tornado siren located at the fire station; and

WHEREAS, the City desires to enter into a lease agreement with Southern Platte Fire Protection to allow the tornado siren to remain on their property; and

WHEREAS, the City approved Ordinance No 3088 on September 7, 2021, approving a lease agreement with the Southern Platte Fire Protection District for the tornado siren at Fire Station No. 3; and

WHEREAS, following adoption of the ordinance, the lease agreement was not fully executed by the parties; and

WHEREAS, staff worked with the District to revise the lease agreement; and

WHEREAS, the revised agreement outlines the responsibilities related to the maintenance of the tornado siren located at Fire Station No. 3.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI AS FOLLOWS:

Section 1. The Mayor is hereby authorized to sign the tornado siren lease agreement, attached hereto as Exhibit A, with Southern Platte Fire Protection District outlining the maintenance responsibilities associated with the tornado siren located at Fire Station No. 3.

Section 2. This ordinance shall be in effect immediately upon its passage and approval.

PASSED and APPROVED this 7th day of June 2022.

Mayor Dean Katerndahl

ATTESTED:

City Clerk Melissa McChesney

TORNADO SIREN LEASE AGREEMENT

This Agreement, made this 18 day of May, 2022, by and between the SOUTHERN PLATTE FIRE PROTECTION DISTRICT, with its principal office at 8795 NW Highway N., Kansas City, MO 64153, hereinafter designated LESSOR, and CITY OF PARKVILLE, MISSOURI, with its principal office at 8880 Clark Ave., Parkville, MO 64152, hereinafter designated LESSEE. The LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

RECITALS

In consideration of the mutual covenants contained herein and intending to be legally bound hereby, the Parties hereto agree as follows:

1. **PREMISES.** LESSOR hereby leases to the LESSEE a portion of that certain space on the LESSOR's current Premises, hereinafter referred to as the "Premises", located at **10811 NW Highway 45, Parkville, MO 64152** together with the non-exclusive right (the "Right of Way") for ingress and egress to and from the Premises upon reasonable notice to LESSOR, for foot or motor vehicle traffic, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along a twenty foot (20') wide right-of-way extending from the nearest public right of way; and together with any further rights of way (the "Further Rights of Way") over and through the Premises, for the installation and maintenance of utility wires, poles, cables, conduits, and pipes. The space is made a part hereof demised premises and are collectively referred to hereinafter as the "Premises".

LESSOR hereby grants permission to LESSEE to install, maintain and operate the Tornado siren as well as all equipment and appurtenances necessary for use of the siren.

LESSEE reserves the right to replace the aforementioned equipment with similar and comparable equipment.

2. **TERM; RENTAL DOCUMENTATION; ELECTRICAL.**

a. This Agreement shall be effective as of the date of execution by both Parties, provided, however, the initial term shall be for two and one half (2.5) years and shall commence on the Commencement Date (as hereinafter defined) at which time rental payments shall commence and be due a monthly rental and electricity consumption payment of One-hundred Fifty Dollars (\$150.00) to be paid on the first day of the month, to LESSOR, or to such other person, firm or place as LESSOR may, from time to time, designate in writing at least thirty (30) days in advance of any rental payment date by notice given in accordance with Paragraph 19, below. The Agreement shall commence based upon the date LESSEE commences

installation of the equipment on the Premises, or on the first day of June, 2022, whichever occurs first. If the date of commencing installation of equipment is determinative and such date falls between the 1st and 15th of the month, the Agreement shall commence on the 1st of that month and if such date falls between the 16th and 31st of the month, then the Agreement shall commence on the 1st day of the following month (either of the foregoing or June 1, 2022, if applicable, being the "**Commencement Date**"). LESSOR and LESSEE agree that they shall acknowledge in writing the Commencement Date if the Commencement Date is based upon the date LESSEE commences installation of the equipment on the Premises. If the Commencement Date is the fixed date set forth above, there shall be no written acknowledgement required. LESSOR and LESSEE acknowledge and agree that initial rental payment(s) shall not actually be sent by LESSEE until thirty (30) days after the Commencement Date or after a written acknowledgement confirming the Commencement Date, if such an acknowledgement is required. By way of illustration of the preceding sentence, if the Commencement Date is December 1 and no written acknowledgement confirming the Commencement Date is required, LESSEE shall send to the LESSOR the rental payments for December 1 by December 1, and if the Commencement Date is February 1 and a required written acknowledgement confirming the Commencement Date is dated February 14, LESSEE shall send to the LESSOR the rental payments for December 1 by December 13.

Upon agreement of the Parties, LESSEE may pay rent by electronic funds transfer and in such event, LESSOR agrees to provide to LESSEE bank routing information for such purpose upon request of LESSEE.

b. LESSOR hereby agrees to provide to LESSEE certain documentation (the "**Rental Documentation**") evidencing LESSOR's interest in, and right to receive payments under, this Agreement, including without limitation: (i) documentation, acceptable to LESSEE in LESSEE's reasonable discretion, evidencing LESSOR's good and sufficient title to and/or interest in the Premises and right to receive rental payments and other benefits hereunder; (ii) a complete and fully executed Internal Revenue Service Form W-9, or equivalent, in a form acceptable to LESSEE, for any party to whom rental payments are to be made pursuant to this Agreement; and (iii) other documentation requested by LESSEE in LESSEE's reasonable discretion. From time to time during the Term of this Agreement and within thirty (30) days of a written request from LESSEE, LESSOR agrees to provide updated Rental Documentation in a form reasonably acceptable to LESSEE. The Rental Documentation shall be provided to LESSEE in accordance with the provisions of and at the address given in Paragraph 19. Delivery of reasonably requested Rental Documentation to LESSEE shall be a prerequisite for the payment of any rent by LESSEE and notwithstanding anything to the contrary herein, LESSEE shall have no obligation to make any rental payments until Rental Documentation has been supplied to LESSEE as provided herein.

Within fifteen (15) days of obtaining an interest in the Premises or this Agreement, any assignee(s), transferee(s) or other successor(s) in interest of LESSOR shall provide to LESSEE Rental Documentation in the manner set forth in the preceding paragraph. From time to time during the Term of this Agreement and within thirty (30) days of a written request from LESSEE, any assignee(s) or

transferee(s) of LESSOR agrees to provide updated Rental Documentation in a form reasonably acceptable to LESSEE. Delivery of Rental Documentation to LESSEE by any assignee(s), transferee(s) or other successor(s) in interest of LESSOR shall be a prerequisite for the payment of any rent by LESSEE to such party and notwithstanding anything to the contrary herein, LESSEE shall have no obligation to make any rental payments to any assignee(s), transferee(s) or other successor(s) in interest of LESSOR until Rental Documentation has been supplied to LESSEE as provided herein.

c. LESSOR shall, at all times during the Term, allow electrical service access within the Premises. If permitted by the local utility company servicing the Premises, LESSOR shall allow LESSEE, at LESSEE'S option and at its cost, to install an electrical meter at the Premises for the measurement of electrical power used by LESSEE's installation. In the alternative, if permitted by the local utility company servicing the Premises, LESSEE, at its option and at its sole cost and expense, shall furnish and install an electrical sub-meter at the Premises for the measurement of electrical power used by LESSEE's installation. In the event such sub-meter is installed, the LESSEE shall pay the utility directly for its power consumption, if billed by the utility, and if not billed by the utility, then the LESSEE shall pay the LESSOR thirty (30) days after receipt of an invoice from LESSOR indicating the usage amount based upon LESSOR's reading of the sub-meter. LESSOR must send all invoices for power consumption, which invoices must include the site name and number. LESSEE shall be permitted at any time during the Term, to install, maintain and/or provide access to and use of, as necessary (during any power interruption at the Premises), a temporary power source, and all related equipment and appurtenances within the Premises, or elsewhere on the Premises in such locations as reasonably approved by LESSOR. LESSEE shall have the right to install conduits connecting the temporary power source and related appurtenances to the Premises.

3. **EXTENSIONS.** This Agreement shall automatically be extended for an additional two (2) year term unless LESSEE terminates it at the end of the then current term by giving LESSOR written notice of the intent to terminate at least sixty (60) days prior to the end of the then current term. The terms of the extension are an annual lease payment of \$300.

4. **ADDITIONAL EXTENSIONS.** If at the end of the initial two (2) year extension the term this Agreement has not been terminated by either Party by giving to the other written notice of an intention to terminate it at least sixty (60) days prior to the end of such term, this Agreement shall continue in force upon the same covenants, terms and conditions for a one year (1) term and successive one (1) year terms thereafter until terminated by either Party by giving to the other written notice of its intention to so terminate at least three (3) months prior to the end of any such term. Annual rental for the first additional one (1) year term shall be equal to the annual rental payable with respect to the immediately preceding two (2) year term plus five percent (5%). Rental for any subsequent one (1) year term(s) shall increase by five percent (5%) over the immediately preceding term. The initial term and all extensions shall be collectively referred to hereafter as the "Term".

5. **TAXES.** LESSOR is a political subdivision which does not pay taxes on its real estate or personal Premises. LESSEE shall have the responsibility to pay any applicable personal Premises, real estate taxes, assessments, or charges owed on the Premises that relate to LESSEE'S ownership or use.

LESSEE shall have the right, at its sole option and at its sole cost and expense, to appeal, challenge or seek modification of any tax assessment or billing for which LESSEE is wholly or partly responsible for payment.

6. **USE; GOVERNMENTAL APPROVALS.** LESSEE shall use the Premises for the purpose of installing, maintaining, repairing and operating a tornado siren. All improvements, equipment, antennas, fiber and conduits shall be at LESSEE's expense and their installation shall be at the discretion and option of LESSEE, performed by or on behalf of LESSEE, at LESSEE's sole cost and expense. LESSEE shall have the right to replace, repair, add or otherwise modify its utilities, equipment, and/or conduits or any portion thereof, whether the equipment, fiber, or conduits are specified or not on any exhibit attached hereto, during the Term. However, prior to attaching any improvements, equipment, or conduits to LESSOR's existing facility, LESSEE must obtain LESSOR's written consent, which consent shall not be unreasonably delayed, conditioned or withheld. It is understood and agreed that LESSEE's ability to use the Premises is contingent upon its obtaining after the execution date of this Agreement all of the certificates, permits and other approvals (collectively the "**Governmental Approvals**") that may be required by any Federal, State or Local authorities which will permit LESSEE use of the Premises as set forth above. LESSOR shall reasonably cooperate with LESSEE in its effort to obtain such approvals and shall take no action which would adversely affect the status of the Premises with respect to the proposed use thereof by LESSEE. If (i) any of such applications for such Governmental Approvals should be finally rejected; (ii) any Governmental Approval issued to LESSEE is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority; (iii) LESSEE determines that such Governmental Approvals may not be obtained in a timely manner; (iv) LESSEE determines that any soil boring tests or structural analysis is unsatisfactory; (v) LESSEE determines that the Premises is no longer technically or structurally compatible for its use, or (vi) LESSEE, in its sole discretion, determines that the use the Premises is obsolete or unnecessary, LESSEE shall have the right to terminate this Agreement. Notice of LESSEE's exercise of its right to terminate shall be given to LESSOR in writing by certified mail, return receipt requested, and shall be effective upon the mailing of such notice by LESSEE, or upon such later date as designated by LESSEE. All rentals paid to said termination date shall be retained by LESSOR. Upon such termination, this Agreement shall be of no further force or effect except to the extent of the representations, warranties and indemnities made by each Party to the other hereunder. Otherwise, the LESSEE shall have no further obligations for the payment of rent to LESSOR.

7. **INDEMNIFICATION.** Subject to Paragraph 9 below, to the extent permitted by law, each Party shall indemnify and hold the other harmless against

any claim of liability or loss from personal injury or Premises damage resulting from or arising out of the negligence or willful misconduct of the indemnifying Party, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the other Party, or its employees, contractors or agents.

8. **INSURANCE.** LESSEE shall obtain and keep in force during the Term a policy or policies insuring against loss or damage to the Siren, pole, and any electrical equipment or wiring related thereto at full replacement cost, as the same shall exist from time to time without a coinsurance feature. LESSEE's policy or policies shall insure against all risks of direct physical loss or damage (except the perils of flood and earthquake unless required by a lender or included in the base premium), including coverage for any additional costs resulting from debris removal and reasonable amounts of coverage for the enforcement of any ordinance or law regulating the reconstruction or replacement of any undamaged sections of the Siren required to be demolished or removed by reason of the enforcement of any building, zoning, safety or land use laws as the result of a covered loss, but not including plate glass insurance.

9. **LIMITATION OF LIABILITY.** Except for indemnification pursuant to paragraphs 7 and 25, neither Party shall be liable to the other, or any of their respective agents, representatives, employees for any lost revenue, lost profits, loss of technology, rights or services, incidental, punitive, indirect, special or consequential damages, loss of data, or interruption or loss of use of service, even if advised of the possibility of such damages, whether under theory of contract, tort (including negligence), strict liability or otherwise.

10. **ACCESS TO SIREN.** LESSOR agrees the LESSEE shall have access to the Siren, upon providing LESSOR prior notice (notice must be given pursuant to the emergency notice provisions of Paragraph 25, below), which access is limited to the purpose of installing, maintaining or removing LESSEE's equipment. LESSOR shall furnish LESSEE with necessary means of access for the purpose of ingress and egress to this site and Siren location. It is agreed, however, that only authorized engineers, employees or properly authorized contractors of LESSEE or persons under their direct supervision will be permitted to enter said premises.

11. **REMOVAL AT END OF TERM.** LESSEE shall, upon expiration of the Term, or within ninety (90) days after any earlier termination of the Agreement, remove its building(s), antenna(s), equipment, conduits, fixtures and all personal Premises and restore the Premises to its original condition, reasonable wear and tear and casualty damage excepted. LESSOR agrees and acknowledges that all of the equipment, conduits, fixtures and personal Premises of LESSEE shall remain the personal Premises of LESSEE and LESSEE shall have the right to remove the same at any time during the Term, whether or not said items are considered fixtures and attachments to real Premises under applicable Laws. If such time for removal causes LESSEE to remain on the Premises after termination of this Agreement, LESSEE shall pay two hundred percent (200%) of rent at the then existing monthly rate until

such time as the removal of its building(s), antenna(s), equipment, conduits, fiber, fixtures and all personal Premises are completed.

12. **HOLDOVER.** LESSEE has no right to retain possession of the Premises or any part thereof beyond the expiration of that removal period set forth in Paragraph 11 herein, unless the Parties are negotiating a new lease or lease extension in good faith. In the event that the Parties are not in the process of negotiating a new lease or lease extension in good faith, LESSEE holds over in violation of Paragraph 11 and this Paragraph 12, then the rent then in effect payable from and after the time of the expiration or earlier removal period set forth in Paragraph 11 shall be equal to the rent applicable during the month immediately preceding such expiration or earlier termination.

13. **RIGHTS UPON SALE.** Should LESSOR, at any time during the Term decide (i) to sell or transfer all or any part of the Premises to a purchaser other than LESSEE, or (ii) to grant to a third party by easement or other legal instrument an interest in and to that portion of the Premises occupied by LESSEE, or a larger portion thereof, such sale or grant of an easement or interest therein shall be under and subject to this Agreement and any such purchaser or transferee shall recognize LESSEE's rights hereunder under the terms of this Agreement. To the extent that LESSOR grants to a third party by easement or other legal instrument an interest in and to that portion of the Siren and/or Premises occupied by LESSEE for the purpose of operating and maintaining communications facilities or the management thereof and in conjunction therewith or assigns this Agreement to that third party, LESSOR shall be released from its obligations to LESSEE under this Agreement, and LESSEE shall not have the right to look to LESSOR for the full performance of this Agreement.

14. **QUIET ENJOYMENT.** LESSOR covenants that LESSEE, on paying the rent and performing the covenants herein, shall peaceably and quietly have, hold and enjoy the Premises.

15. **TITLE.** LESSOR represents and warrants to LESSEE as of the execution date of this Agreement, and covenants during the Term that LESSOR is seized of good and sufficient title and interest to the Premises and has full authority to enter into and execute this Agreement. LESSOR further covenants during the Term that there are no liens, judgments or impediments of title on the Premises, or affecting LESSOR's title to the same and that there are no covenants, easements or restrictions which prevent or adversely affect the use or occupancy of the Premises by LESSEE as set forth above.

16. **INTEGRATION.** It is agreed and understood that this Agreement contains all agreements, promises and understandings between LESSOR and LESSEE and that no verbal or oral agreements, promises or understandings shall be binding upon either LESSOR or LESSEE in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing signed by the Parties or in a written

acknowledgment in the case provided in Paragraph 2. In the event any provision of the Agreement is found to be invalid or unenforceable, such finding shall not affect the validity and enforceability of the remaining provisions of this Agreement. The failure of either Party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights under the Agreement shall not waive such rights and such Party shall have the right to enforce such rights at any time and take such action as may be lawful and authorized under this Agreement, in law or in equity

17. **GOVERNING LAW.** This Agreement and the performance thereof shall be governed, interpreted, construed and regulated by the Laws of the State of Missouri with the parties hereto consenting to the exclusive venue and jurisdiction of the Circuit Court of Platte County, Missouri for all purposes relating to this Agreement.

18. **ASSIGNMENT.** This Agreement may not be sold, assigned or transferred by the LESSEE without any approval or consent of the LESSOR to the LESSEE, or to any entity which acquires all or substantially all of LESSEE's assets by reason of a merger, acquisition or other reorganization. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of the LESSOR, which such consent will not be unreasonably withheld, delayed or conditioned. No change of interest or control of LESSEE or transfer upon dissolution of LESSEE shall constitute an assignment hereunder.

19. **NOTICES.** Except as otherwise provided herein, all notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: Southern Platte Fire Protection District
8795 NW Highway N
Kansas City, Missouri 64153
(816) 640-2752

LESSEE: City of Parkville, Missouri
8880 Clark Ave.
Parkville, MO 64152

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

Under the provisions of Paragraphs 13 and 29 of this Agreement, notice may be given to the appropriate Party by telephone, as follows:

LESSOR: Southern Platte Fire Protection District
Fire Chief

(816) 741-2900 ext. 4200

LESSEE: City of Parkville, Missouri
Public Works Director
(816) 741-7676

20. **SUCCESSORS.** This Agreement shall extend to and bind the heirs, personal representative, successors and assigns of the Parties hereto.

21. **SUBORDINATION AND NON-DISTURBANCE.** At LESSOR's option, this Agreement shall be subordinate to any future master lease, ground lease, mortgage, deed of trust or other security interest (a "**Mortgage**") by LESSOR which from time to time may encumber all or part of the Premises, Siren or right-of-way; provided, however, as a condition precedent to LESSEE being required to subordinate its interest in this Agreement to any future Mortgage covering the Siren or Premises, LESSOR shall obtain for LESSEE's benefit a non-disturbance and attornment agreement for LESSEE's benefit in the form reasonably satisfactory to LESSEE, and containing the terms described below (the "**Non-Disturbance Agreement**"), and shall recognize LESSEE's right to remain in occupancy of and have access to the Premises as long as LESSEE is not in default of this Agreement beyond applicable notice and cure periods. The Non-Disturbance Agreement shall include the encumbering party's ("**Lender's**") agreement that, if Lender or its successor-in-interest or any purchaser of Lender's or its successor's interest (a "**Purchaser**") acquires an ownership interest in the Siren or Premises, Lender or such successor-in-interest or Purchaser will: (1) honor all of the terms of the Agreement, (2) fulfill LESSOR's obligations under the Agreement, and (3) promptly cure all of the then-existing LESSOR defaults under the Agreement. Such Non-Disturbance Agreement must be binding on all of Lender's participants in the subject loan (if any) and on all successors and assigns of Lender and/or its participants and on all Purchasers. In return for such Non-Disturbance Agreement, LESSEE will execute an agreement for Lender's benefit in which LESSEE: (1) confirms that the Agreement is subordinate to the Mortgage or other real Premises interest in favor of Lender, (2) agrees to attorn to Lender if Lender becomes the owner of the Siren or Premises and (3) agrees accept a cure by Lender of any of LESSOR's defaults, provided such cure is completed within the deadline applicable to LESSOR. If LESSOR defaults in the payment and/or other performance of any mortgage or other real Premises interest encumbering the Premises, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default, and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or other real Premises interest and LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

22. **RECORDING.** LESSOR agrees to execute a Memorandum of this Agreement, the form of which shall be reasonably determined by LESSOR, which LESSEE may record with the appropriate recording officer. The date set forth in the Memorandum of Lease is for recording purposes only and bears no reference to commencement of either the Term or rent payment(s).

23. DEFAULT.

- a. If there is a breach by LESSEE with respect to any of the provisions of this Agreement or its obligations under it, including the payment of rent, LESSOR shall give LESSEE written notice of such breach. After receipt of such written notice, LESSEE shall have fifteen (15) days in which to cure any monetary breach and thirty (30) days in which to cure any non-monetary breach, provided LESSEE shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and LESSEE commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. LESSOR may not maintain any action or effect any remedies for default against LESSEE unless and until LESSEE has failed to cure the breach within the time periods provided in this Paragraph. Notwithstanding the foregoing to the contrary, it shall be a default under this Agreement if LESSEE fails, within five (5) days after receipt of the emergency notice of such breach outlined in Paragraph 25, above, to perform an obligation required to be performed by LESSEE if the failure to perform such an obligation interferes with LESSOR's ability to conduct its business on the Premises; provided, however, that if the nature of LESSEE's obligation is such that more than five (5) days after such notice is reasonably required for its performance, then it shall not be a default under this Agreement if performance is commenced within such five (5) day period and thereafter diligently pursued to completion.
- b. If there is a breach by LESSOR with respect to any of the provisions of this Agreement or its obligations under it, LESSEE shall give LESSOR written notice of such breach. After receipt of such written notice, LESSOR shall have thirty (30) days in which to cure any such breach, provided LESSOR shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and LESSOR commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. LESSEE may not maintain any action or effect any remedies for default against LESSOR unless and until LESSOR has failed to cure the breach within the time periods provided in this Paragraph. Notwithstanding the foregoing to the contrary, it shall be a default under this Agreement if LESSOR fails, within five (5) days after receipt of the emergency notice of such breach outlined in Paragraph 25, above, to perform an obligation required to be performed by LESSOR if the failure to perform such an obligation interferes with LESSEE's ability to conduct its business on the Premises; provided, however, that if the nature of LESSOR's obligation is such that more than five (5) days after such notice is reasonably required for its performance, then it shall not be a default under this Agreement if performance is commenced within such five (5) day period and thereafter diligently pursued to completion.

24. REMEDIES. Upon a default and compliance with default provisions of this Agreement, the non-defaulting Party may at its option (but without obligation to do so), perform the defaulting Party's duty or obligation on the defaulting Party's behalf, including but not limited to the obtaining of reasonably required insurance

policies. The costs and expenses of any such performance by the non-defaulting Party shall be due and payable by the defaulting Party upon invoice therefor. In the event of a default by either Party with respect to a material provision of this Agreement, without limiting the non-defaulting Party in the exercise of any right or remedy which the non-defaulting Party may have by reason of such default, the non-defaulting Party may terminate the Agreement and/or pursue any remedy now or hereafter available to the non-defaulting Party under the Laws or judicial decisions of the state in which the Premises are located; provided, however, LESSOR shall use reasonable efforts to mitigate its damages in connection with a default by LESSEE.

25. ENVIRONMENTAL.

a. LESSOR will be responsible for all obligations of compliance with any and all environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, that are or were in any way related to activity now conducted in, on, or in any way related to the Siren or Premises, unless such conditions or concerns are caused by the specific activities of LESSEE in the Premises.

b. To the extent permitted by law, LESSOR shall hold LESSEE harmless from and assume all duties, responsibility and liability for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding which is in any way related to: a) failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene concerns or conditions as may now or at any time hereafter be in effect, unless such non-compliance results from conditions caused by LESSEE; and b) any environmental or industrial hygiene conditions arising out of or in any way related to the condition of the Siren or Premises or activities conducted thereon, unless such environmental conditions are caused by LESSEE.

c. To the extent permitted by law, LESSEE shall hold LESSOR harmless from and assume all duties, responsibility and liability for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding which is in any way related to: a) failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene concerns or conditions as may now or at any time hereafter be in effect, unless such non-compliance results from conditions caused by LESSOR; and b) any environmental or industrial hygiene conditions arising out of or in any way related to the condition of the Siren or Premises or activities conducted thereon, unless such environmental conditions are caused by LESSOR.

26. **CASUALTY.** In the event of damage by fire or other casualty to the Premises that cannot reasonably be expected to be repaired within forty-five (45) days following same or, if the Premises is damaged by fire or other casualty so that such damage may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days, then LESSEE may, at any time following such fire or other casualty, provided LESSOR has not completed the restoration required to permit LESSEE to resume its operation at the Premises, terminate this Agreement upon fifteen (15) days prior written notice to LESSOR. Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the Parties shall make an appropriate adjustment, as of such termination date, with respect to payments due to the other under this Agreement. Notwithstanding the foregoing, the rent shall abate during the period of repair following such fire or other casualty in proportion to the degree to which LESSEE's use of the Premises is impaired.

27. **CONDEMNATION.** In the event of any condemnation of all or any portion of the Premises, this Agreement shall terminate as to the part so taken as of the date the condemning authority takes title or possession, whichever occurs first. If as a result of a partial condemnation of the Premises or Siren, LESSEE, in LESSEE's sole discretion, is unable to use the Premises for the purposes intended hereunder, or if such condemnation may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days, LESSEE may, at LESSEE's option, to be exercised in writing within fifteen (15) days after LESSOR shall have given LESSEE written notice of such taking (or in the absence of such notice, within fifteen (15) days after the condemning authority shall have taken possession) terminate this Agreement as of the date the condemning authority takes such possession. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to the equipment, conduits, fixtures, its relocation costs and its damages and losses (but not for the loss of its leasehold interest). Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the Parties shall make an appropriate adjustment as of such termination date with respect to payments due to the other under this Agreement. If LESSEE does not terminate this Agreement in accordance with the foregoing, this Agreement shall remain in full force and effect as to the portion of the Premises remaining, except that the rent shall be reduced in the same proportion as the rentable area of the Premises taken bears to the total rentable area of the Premises. In the event that this Agreement is not terminated by reason of such condemnation, LESSOR shall promptly repair any damage to the Premises caused by such condemning authority.

28. **SUBMISSION OF AGREEMENT / PARTIAL INVALIDITY / AUTHORITY.** The submission of this Agreement for examination does not constitute an offer to lease the Premises and this Agreement becomes effective only upon the full execution of this Agreement by the Parties. If any provision herein is invalid, it shall be considered deleted from this Agreement and shall not invalidate

the remaining provisions of this Agreement. Each of the Parties hereto warrants to the other that the person or persons executing this Agreement on behalf of such Party has the full right, power and authority to enter into and execute this Agreement on such Party's behalf and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Agreement.

29. **APPLICABLE LAWS.** During the Term, LESSOR shall maintain the Premises and all structural elements of the Premises in compliance with all applicable laws, rules, regulations, ordinances, directives, covenants, easements, zoning and land use regulations, and restrictions of record, permits, and building codes, and the requirements of any applicable fire insurance underwriter or rating bureau, now in effect or which may hereafter come into effect (including, without limitation, the Americans with Disabilities Act and laws regulating hazardous substances) (collectively "Laws"). LESSEE shall, in respect to the condition of the Premises and at LESSEE's sole cost and expense, comply with (a) all Laws relating solely to LESSEE's specific and unique nature of use of the Premises (other than general office use); and (b) all building codes requiring modifications to the Premises due to the improvements being made by LESSEE in the Premises.

30. **SURVIVAL.** The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement. Additionally, any provisions of this Agreement which require performance subsequent to the termination or expiration of this Agreement shall also survive such termination or expiration.

31. **RELOCATION.** In the event the Parties mutually agree, in writing, that relocation of the siren from the premises is required, due to any cause, including a change in Lessor's operations, such relocation shall be at the sole expense of Lessee.

32. **CAPTIONS.** The captions contained in this Agreement are inserted for convenience only and are not intended to be part of the Agreement. They shall not affect or be utilized in the construction or interpretation of the Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement through their duly authorized officers the day and year first above written.

LESSOR:

**Southern Platte Fire Protection
District**

By: Nelson Hopper
Name: NELSON HOPPER
Title: Pres. Board
Date: May 18, 2022

LESSEE:

City of Parkville, Missouri

By: _____
Name: _____
Title: _____
Date: _____

**CITY OF PARKVILLE
Policy Report**

Date: June 1, 2022

Prepared By:

Alysen Abel, Public Works Director

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Approve the second reading of an ordinance to approve a partnership agreement with Mid-America Regional Council for the Regional Preventative Maintenance Program (Public Works)

BACKGROUND:

Through the Coronavirus Response and Relief Supplemental Appropriations Act, several Missouri communities will receive an opportunity to participate in the Regional Preventative Maintenance Program. This program includes federal funding that is distributed through the Mid-America Regional Council (MARC) and the Missouri Department of Transportation. As a small community of over 7,000 residents, Parkville will receive up to \$50,000 to spend on an asphalt overlay without a commitment for a local match. This regional effort involves hiring a consulting engineer to work directly with the communities and developing a consolidated bid document. The overlay program is planned to span over two budget years (2023 and 2024).

This program requires the City to enter into a partnership agreement with MARC to participate. Since this is an agreement with another local intergovernmental entity, approval via ordinance by the Board of Aldermen is required.

BUDGET IMPACT:

There is no budget impact associated with this agreement. The City will receive the benefit of \$50,000 for the regional overlay program.

ALTERNATIVES:

1. Adopt an ordinance approving the partnership agreement with MARC for the Regional Preventative Maintenance Program.
2. Provide feedback to staff related to the Regional Preventative Maintenance Program.
3. Do not approve the item.
4. Postpone the item.

FINANCE COMMITTEE RECOMMENDATION:

At the meeting on May 9, 2022, the Finance Committee, by a vote of 5-0, recommended that the Board of Aldermen approve an ordinance approving a partnership agreement with the Mid-America Regional Council to participate in the Regional Preventative Maintenance Program.

STAFF RECOMMENDATION:

Staff recommends the approval of the partnership agreement with MARC for the Regional Preventative Maintenance Program.

POLICY:

The Purchasing Policy, Resolution No. 17-016, requires Board of Aldermen approval for all purchases above \$10,000 upon recommendation of the Finance Committee.

SUGGESTED MOTION:

I move to approve Bill No. 3187, an ordinance approving a partnership agreement with the Mid-America Regional Council to participate in the Regional Preventative Maintenance Program, on second reading to become Ordinance No. ____.

ATTACHMENTS:

1. Ordinance
2. Partnership Agreement

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE MID-AMERICA REGIONAL FOR THE REGIONAL PREVENTATIVE MAINTENANCE PROGRAM

WHEREAS, Coronavirus Response and Relief Supplemental Appropriations Act funding is available to Missouri cities and counties located within the Kansas City metropolitan area; and

WHEREAS, funds received will be used to conduct a regional roadway maintenance program; and

WHEREAS, the City of Parkville will receive an allocation to participate in the Regional Preventative Maintenance Program in an amount not to exceed \$50,000; and

WHEREAS, the Mid-America Regional Council will provide program management, for the partners in the region, including preliminary design, inspection and contract administration.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI AS FOLLOWS:

Section 1. The Mayor is hereby authorized to sign an intergovernmental agreement, attached hereto and incorporated herein by reference, with the Mid-America Regional Council for the Regional Preventative Maintenance Program.

Section 2. This ordinance shall be in effect immediately upon its passage and approval.

PASSED and APPROVED this 7^h day of June 2022.

Mayor Dean Katerndahl

ATTESTED:

City Clerk Melissa McChesney

REGIONAL PREVENTIVE MAINTENANCE PROGRAM

AGREEMENT

- PARTIES:** **City of Parkville, Missouri**, hereinafter referred to as the “Partner”
- Mid-America Regional Council**, hereinafter referred to as “MARC”
- PURPOSE:** The Regional Preventive Maintenance program (here in after known as “RPM”) will use Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA) funds to support preventive maintenance activities on local roadways to address deferred maintenance needs for area cities and counties located within the Kansas City metropolitan planning area in Missouri. Funds received will be used to conduct Mill & Overlay and/or Micro Surfacing maintenance on roadways as detailed in Article I.
- The program is intended to facilitate the following objectives:
- Maximize federal funds at 100% participation to the extent possible;
 - Use CRRSAA funds for program administration, preliminary engineering, preventive maintenance activities and construction engineering;
 - Focusing on local roadways not on the Federal Aid Highway system to provide maximum flexibility in implementing the program;
 - Focusing on routes that connect neighboring jurisdictions, where practical;
 - Grouping multiple jurisdictions’ roadways into a small set of consolidated preventive maintenance contracts for economies of scale;
 - Offering options for both Mill & Overlay and Micro Surfacing contracts as needed.
- EFFECTIVE** Parties mutually agree to Articles I, II, and III in accordance with this Agreement from the (start date) until the (end date).

ARTICLE I

PARTNER AGREES:

1. To provide a primary project contact and coordinate with MARC’s project manager and the project’s preliminary and construction engineering teams.
2. To participate in the RPM program management and provide MARC all required technical assistance, data and any other necessary information needed to successfully manage and comply with federal/state requirements regarding the RPM project.
3. To identify roadways within their jurisdiction to be included in the RPM in consultation with MARC, avoiding route(s) that will require costly retrofits under Americans With Disabilities Act requirements or completing required ADA upgrades with local funds.
4. Avoid routes:
 - a. Assumed or deemed controversial.

- b. Require purchasing rights of way that is beyond the customary practice/cost of similar preventive maintenance projects
 - c. Requiring public engagement that is beyond public engagement practices of similar preventive maintenance projects.
 - d. Requiring extensive base or pavement repair
 - e. That are existing locally funded projects requiring completion.
- 5. To select local roadways not on the Federal Aid Highway system.
- 6. To select a Mill & Overlay and/or Micro Surfacing preventive maintenance solution as appropriate.
- 7. To allow RPM project work in their jurisdiction to be bundled or combined into bid packages and contracts including work in other jurisdictions.
- 8. To use common specifications and mix designs to reduce cost and program complexity.
- 9. To reimburse MARC for any project cost within the Partner's jurisdiction above and beyond the Partner's CRRSAA allocation in Article III.
- 10. Any change order, rights of way purchase, extensive/additional public engagement or request for additional services must be submitted through MARC to the contracted contractor. If the resulting change order or request for additional services requires additional funding, payment shall be the responsibility of the Partner.
- 11. Partner is aware that any rights of way and public engagement cost are attributed to their CRRSAA allocation. The balance of the allocation minus any additional cost will be used as the Partners preventive maintenance program's allocation.
- 12. To waive any and all permit expenses in connection to the RPM project.
- 13. To provide final approval of project deliverables.
- 14. Final selection of proposed route(s) is vested in MARC in consultation with the Partner.
- 15. To the extent allowed by law, the Partner shall defend, indemnify, and hold harmless MARC and any of its agents, officials, officers and employees from and against all claims, damages, liability, losses, costs and expenses, including reasonable attorney fees, arising out of or resulting from any negligent acts or omissions in connection with the services performed by the Partner under this Agreement, caused by the Partner, its employees, agents, subcontractors, or caused by others for whom the Partner is liable. Notwithstanding the foregoing, the Partner is not required under this section to indemnify MARC for the negligent acts of MARC or any of its agencies, officials, officers, or employees.

ARTICLE II

MARC AGREES:

- 1. To provide a project manager, conduct project and program management.
- 2. To work with MoDOT to secure funding for administration, preliminary engineering, construction inspection and preventive maintenance contracts.
- 3. To work with MoDOT and Partner jurisdictions to procure engineering and construction services,
- 4. MARC shall comply with and shall require its Private Firms to comply with all federal, state and local laws, ordinances and regulations applicable to the work and this Agreement.
- 5. To ensure RPM partners' agreements adequately cover program terms and costs,

6. To allocate CRRSAA funds for RPM program activities within the Partner's jurisdiction as shown in Exhibit A.
7. To manage RPM project development activities and requirements,
8. To conduct RPM project lettings,
9. To manage construction inspection and federal grant reporting activities, as needed.
10. To ensure that RPM project consultants and contractors follow federal, state and local laws for engineering and job site safety and construction.
11. To accept project completion only with Partner approval.
12. To the extent allowed by law, MARC shall defend, indemnify, and hold harmless the Partner and any of its agents, officials, officers and employees from and against all claims, damages, liability, losses, costs and expenses, including reasonable attorney fees, arising out of or resulting from any negligent acts or omissions in connection with the services performed by MARC under this Agreement, caused by MARC, its employees, agents, subcontractors, or caused by others for whom MARC is liable. Notwithstanding the foregoing, MARC is not required under this section to indemnify the Partner for the negligent acts of the Partner or any of its agencies, officials, officers, or employees.
13. MARC shall procure and maintain, and shall require its contractors to procure and maintain, in effect throughout the duration of this Agreement, insurance coverage not less than the types and amounts specified below. MARC shall ensure that the Partner is named as an additional insured.

1. Commercial General Liability Insurance: with limits of \$2,000,000 per occurrence and \$2,000,000 aggregate, written on an "occurrence" basis. The policy shall be written or endorsed to include the following provisions:
 - a. Severability of Interests Coverage applying to Additional Insureds
 - b. Contractual Liability,
 - c. Per Project Aggregate Liability Limit or, where not available, the aggregate limit shall be \$2,000,000.
 - d. No Contractual Liability Limitation Endorsement,
 - e. Additional Insured Endorsement, ISO form CG2010, current edition, or its equivalent.
2. Workers' Compensation Insurance: as required by statute, including Employers Liability with limits of:
 - a. Workers' Compensation Statutory
 - b. Employers' Liability with limits of:
 - i. \$100,000 each accident
 - ii. \$500,000 disease –policy limit
 - iii. \$100,000 disease - each employee
3. Commercial Automobile Liability Insurance: with a limit of \$2,000,000 per occurrence, covering owned, hired, and non-owned automobiles. Coverage provided shall be on an "any auto" basis and written on an "occurrence" basis. This insurance will be written on a Commercial Business Auto form, or acceptable equivalent, and will protect against claims arising out of the operation of motor vehicles, as to acts done in connection with this Cooperative Agreement.

4. If applicable, Professional Liability Insurance with limits per claim and annual aggregate of \$ 2,000,000.

Regardless of any approval by the Partner, it is the responsibility of MARC to ensure that the required insurance coverage is procured and maintained in effect at all times. In the event MARC fails to ensure that the required insurance is procured and maintained in effect, or that Partner is named as an additional insured, the Partner may order that the construction of the Improvements immediately stop and, upon ten (10) days' notice and an opportunity to cure, may pursue its remedies for breach of this Agreement as provided for herein and by law.

ARTICLE III

BOTH PARTIES MUTUALLY AGREE:

1. The Partner will receive a CRRSAA allocation to participate in the RPM program in an amount up to but will not exceed \$50,000.
2. The RPM Program is funded completely by CRRSAA funding and local match participation is not required.
3. Any cost beyond the Partner's CRRSAA allocation is the responsibility of the Partner.
4. This Agreement and all contracts entered into under provisions of this Agreement shall be binding upon the Partner and MARC.
5. This Agreement is pursuant to the authority set forth in Article VI, Section 16 of the Missouri Constitution and Section 70.210 et. Seq.
6. No provision of this Agreement shall be constructed to create any type of joint ownership of any property, any partnership or joint venture, or create any other rights or liabilities except as may be otherwise expressly set forth herein.
7. Parties to this Agreement may terminate this Agreement by giving 180 days' notice to the other Party. Financial obligations will be honored up to the effective date of termination.
8. No third-party beneficiaries are intended to be created by this Agreement, nor do parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to terms or provisions of this Agreement.

IN WITNESS WHEREOF: the parties hereto have caused this Agreement to be signed by their authorized officers on the day and year first above written.

Mid-America Regional Council

City of Parkville, Missouri

David Warm
Executive Director

Name

Title

Date: _____

Date: _____

Attest: _____

Exhibit A
2020 Census Population Data by City by County

Missouri Cities and Counties in the Metropolitan Planning Area

	2020 Population (1)	Pop %	Minimum Allocation (2)	Pop Allocation (3)	Total Allocation
MARC MPO (Missouri)	1,140,568	100.0%	\$ 350,000	\$ 6,364,666	\$ 6,714,666
Cass County	107,824	9.5%			\$ -
Belton	23953	2.1%		\$ 133,664	\$ 133,664
Harrisonville	10121	0.9%		\$ 56,478	\$ 56,478
Kansas City (pt.)	104	0.0%	\$ -	\$ 580	\$ 580
Lee's Summit (pt.)	2670	0.2%	\$ -	\$ 14,899	\$ 14,899
Peculiar	5621	0.5%	\$ 50,000		\$ 50,000
Pleasant Hill (pt.)	8766	0.8%	\$ 50,000		\$ 50,000
Raymore	22941	2.0%		\$ 128,017	\$ 128,017
Balance of Cass County (4)	33,648	3.0%		\$ 187,765	\$ 187,765
County Subtotal	93,437	8.2%	\$ 100,000	\$ 521,403	\$ 621,403
Clay County	253,335	22.2%			\$ -
Excelsior Springs (pt.)	10372	0.9%		\$ 57,878	\$ 57,878
Gladstone	27063	2.4%		\$ 151,019	\$ 151,019
Independence (pt.)	0	0.0%	\$ -	\$ -	
Kansas City (pt.)	138178	12.1%		\$ 771,069	\$ 771,069
Kearney	10404	0.9%		\$ 58,057	\$ 58,057
Liberty	30167	2.6%		\$ 168,340	\$ 168,340
North Kansas City	4467	0.4%	\$ 50,000		\$ 50,000
Smithville (pt.)	10406	0.9%		\$ 58,068	\$ 58,068
Balance of Clay County (4)	22,278	2.0%		\$ 124,317	\$ 124,317
County Subtotal	248,868	21.8%	\$ 50,000	\$ 1,388,748	\$ 1,438,748
Jackson County	717,204	62.9%			\$ -
Blue Springs	58603	5.1%		\$ 327,020	\$ 327,020
Grain Valley	15627	1.4%		\$ 87,203	\$ 87,203
Grandview	26209	2.3%		\$ 146,253	\$ 146,253
Greenwood (pt.)	5700	0.5%	\$ 50,000		\$ 50,000
Independence (pt.)	123011	10.8%		\$ 686,433	\$ 686,433
Kansas City (pt.)	316456	27.7%		\$ 1,765,907	\$ 1,765,907
Lee's Summit (pt.)	98438	8.6%		\$ 549,310	\$ 549,310
Oak Grove (pt.)	8058	0.7%	\$ 50,000		\$ 50,000
Pleasant Hill (pt.)	11	0.0%		\$ -	\$ -
Raytown	30012	2.6%		\$ 167,475	\$ 167,475
Balance of Jackson County (4)	35,090	3.1%		\$ 195,811	\$ 195,811
County Subtotal	703,446	61.7%	\$ 100,000	\$ 3,925,412	\$ 4,025,412
Platte County	106,718	9.4%			\$ -
Kansas City (pt.)	53352	4.7%		\$ 297,718	\$ 297,718
Parkville	7117	0.6%	\$ 50,000		\$ 50,000
Platte City	4784	0.4%	\$ 50,000		\$ 50,000
Balance of Platte County (4)	41,465	3.6%		\$ 231,385	\$ 231,385
County Subtotal	94,817	8.3%	\$ 100,000	\$ 529,104	\$ 629,104
Multi-County Cities:					
Kansas City	508,090	44.5%	\$ -	\$ 2,835,274	\$ 2,835,274
Lee's Summit	101,108	8.9%	\$ -	\$ 564,209	\$ 564,209
Pleasant Hill	8,777	0.8%	\$ 50,000		\$ 50,000

Notes:

- (1) Source US Census Bureau.
- (2) Minimum \$50,000 allocation to cities with population between 5,000 to 9,999.
- (3) Allocation by % population to cities over 10,000 population.
- (4) Counties to receive remaining population funding that is not allocated to cities above 5,000 population.

**CITY OF PARKVILLE
Policy Report**

Date: June 1, 2022

Prepared By:

Stephen Lachky, Community Development
Director

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Approve the second reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 804 Main Street - Case No. PZ 2022-07; Taryn Klein, applicant (Community Development)

BACKGROUND:

Growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities. And due to the increased popularity of RDRs across the United States, the topic of how to regulate them has been discussed at various City commission and Board of Aldermen meetings over the years. In 2019, the Board of Aldermen requested that City staff research and explore the adoption of short-term RDR regulations in Parkville.

On September 10, 2019, the Planning and Zoning Commission held a special workshop to discuss short-term RDRs, state and local provisions and communities in the metropolitan region who've enacted RDR regulations. Based on feedback provided by the Commission, staff proposed a text amendment to 1) create provisions for short-term RDRs; 2) create a use for *Lodging -- Short-Term Rental* in our Development Code; and 3) codify additional standards (e.g., Application for Conditional Use Permit requirements, on site-regulations). The proposed text amendment was then formally taken before the City's Planning and Zoning Commission and Board of Aldermen for adoption, and the following meetings / public forums were held to discuss the matter:

- November 12, 2019 – regular meeting of the Planning and Zoning Commission
- December 16, 2019 – regular meeting of the Planning and Zoning Commission
- January 7, 2020 – regular meeting of the Board of Aldermen
- February 4, 2020 – regular meeting of the Board of Aldermen
- March 3, 2020 – regular meeting of the Board of Aldermen
- March 17, 2020 – regular meeting of the Board of Aldermen
- August 17, 2021 – regular meeting of the Board of Aldermen
- September 7, 2021 – regular meeting of the Board of Aldermen

On September 7, 2021, the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals.

APPLICATION:

Applicant Taryn Klein proposes to operate a *Lodging – Short-Term Rental* use in the “R-4” Mixed-Density Residential district at 804 Main Street. The subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-016-001.000) containing 0.27 acres, more or less. The property is generally located near the northwest corner of the intersection of N. Main Street and W 8th Street. The owner has been successfully operating an Airbnb short-term RDR use at this location since December 2021 and would like to be compliant with City regulations via approval of an Application for Conditional Use Permit. Per Table 405-2: Use Table of the City’s Development Code, the applicant has to obtain a conditional use permit in order to operate the use in a residentially-zoned district of the City.

The subject property was constructed in 1912 and is currently a single-family dwelling unit (2 bedrooms, 1 bath) with two private parking spaces via a private driveway on the property, as well as public parking out front along Main Street. The owner is currently renovating the main part of the house and rents out the back suite via Airbnb. Because just one unit is being rented out, usually there is just one motorized vehicle being parked by guests at a time.

PUBLIC COMMENTS:

Staff did not receive any public comments on this application prior to the May 10, 2022, regular meeting of the Planning and Zoning Commission. A public hearing was held at the meeting and no members of the public spoke.

BUDGET IMPACT:

With the exception of application and permit fees collected, there is no immediate budget impact. Long-term impacts would be realized from changes in property taxes and sales taxes collected from the site and proposed development and impacts to the same for area properties and other businesses.

ALTERNATIVES:

1. Adopt an ordinance approving the conditional use permit, subject to conditions recommended by the Planning and Zoning Commission
2. Adopt an ordinance approving the conditional use permit, subject to changes directed by the Board of Aldermen.
3. Postpone consideration of the item, and in the meantime review and discuss Ordinance No. 3087 (adopted September 7, 2021) and potential impacts on the community.
4. Deny the conditional use permit.

FINANCE COMMITTEE RECOMMENDATION:

This item was not brought before the Finance Committee.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On May 10, 2022, the Planning and Zoning Commission held a public hearing to consider the Application for Conditional Use Permit. The Commission discussed the merits of the application; consistency with the Master Plan; compliance with requirements of the Development Code and whether additional site-specific conditions were needed to mitigate potential impacts; impact on the public realm; adequacy of utilities and other public facilities; compatibility with character of the area in terms of design, hours of operation, visible impacts, and traffic patterns; duration of use; neighboring properties; long-range plans; and the recommendations of professional staff or other technical

reviews.

Commissioner Barbara Wassmer said how the neighboring property owner shares the private driveway with 804 Main Street, and commented how there have been issues in the past with snow removal, specifically Airbnb guests not shoveling the driveway. The applicant stated how this was a problem in the past, but she was made aware of the issue and it has since been resolved.

Community Development Director Stephen Lachky noted concerns by elected officials and members of the public regarding the current standards of Ordinance No. 3087 and suggested an initial length of six months for the conditional use permit in order to allow time for City staff and elected officials to review and discuss the standards. After discussion, the Commission voted (5-0) to recommend approval of the Application for Conditional Use Permit, subject to conditions:

- *Snow removal of the private driveway shall be taken care of by guests of the short-term rental unit.*
- *The Conditional Use Permit shall not be transferrable to a different property owner.*
- The length of the Conditional Use Permit shall be six months.

Conditions shown in italics are additional conditions recommended by the Planning and Zoning Commission at their May 10, 2022 meeting.

STAFF RECOMMENDATION:

Staff recommends the Board of Aldermen approve the second reading of an ordinance approving an application for a conditional use permit to allow a *Lodging – Short-Term Rental* use at 804 Main Street, subject to conditions recommended by the Planning and Zoning Commission.

POLICY:

Per Parkville Municipal Code Section 405.050, *Lodging – Short-Term Rental* uses may be approved as conditional uses subject to the review process in Section 403.050. Conditional use permits must be approved by the Board of Aldermen, following a public hearing, review and a recommendation by the Planning and Zoning Commission as outlined in Table 403-1.

The Board of Aldermen must approve two readings of the ordinance to become effective. Rule 5, *Agendas*, of the Board's adopted Rules of Order, states "*The first reading of an ordinance will be read on the action agenda and the second and final reading will be read the next subsequent meeting on the consent agenda, unless the item is a time-sensitive matter in which it may be approved during the same meeting.*"

SUGGESTED MOTION:

I move to approve Bill No. 3188, an ordinance approving an application for a conditional use permit to allow a *Lodging – Short-Term Rental* use at 804 Main Street, subject to conditions recommended by the Planning and Zoning Commission, on second reading to become Ordinance No. ____.

ATTACHMENTS:

1. Ordinance
2. Application
3. Narrative
4. Subject Area Property Map
5. Photos of Subject Property

6. Staff Analysis
7. Ordinance No. 3087
8. Summary of Public Meetings
9. Summary of Public Comments
10. Standards Removed from Section 405.040

AN ORDINANCE APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT TO ALLOW A LODGING – SHORT-TERM RENTAL USE AT 804 MAIN STREET

WHEREAS, the growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities; and

WHEREAS, per the request of the Board of Aldermen, staff explored adopting regulations for short-term RDRs in Parkville by researching issues raised including City permitting, Homeowner Association (HOA) regulations, time duration, guest policies, on-site regulation, and enforcement; and

WHEREAS, on between 2019 and 2021 the City of Parkville held a total of nine meetings / public forums — a special workshop, two public hearings at regular meetings of the Planning and Zoning Commission, and six regular meetings of the Board of Aldermen — to discuss provisions for short-term RDRs and codifying such standards; and

WHEREAS, on September 7, 2021 the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals; and

WHEREAS, applicant Taryn Klein submitted an Application for Conditional Use permit to allow a *Lodging – Short-Term Rental* use at 804 Main St. in Parkville, Missouri (Case No. PZ 2022-07); and

WHEREAS, the subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-016-001.000) containing 0.27 acres, more or less, is generally located near the northwest corner of the intersection of N Main St. and W 8th St; and the owner has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit; and

WHEREAS, Parkville Municipal Code Section 405.050 permits *Lodging – Short-Term Rental* uses via the conditional use permit process outlined in Section 403.050; and

WHEREAS, notice of a public hearing to be held before the Planning and Zoning Commission was published, mailed and posted in accordance with Parkville Municipal Code Title IV – Development Code, Section 403.010; and

WHEREAS, City staff reviewed the application according to Parkville Municipal Code Title IV – Development Code, Section 403.050 and determined their findings and conclusions; and

WHEREAS, on May 10, 2022, the Parkville Planning and Zoning Commission held a public hearing to consider the Application for Conditional Use Permit and recommended approval of the application by a vote of 5 to 0, subject to conditions; and

WHEREAS, the Board of Aldermen concurs with staff's conclusions and the recommendation by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. The Application for a Conditional Use Permit to allow a *Lodging – Short-Term Rental* use at 804 Main St. in Parkville, Missouri (Case No. PZ 2022-07) is hereby approved, subject to conditions:

- Snow removal of the private driveway shall be taken care of by guests of the short-term rental unit.
- The Conditional Use Permit shall not be transferrable to a different property owner.

SECTION 2. The Conditional Use Permit shall be effective for six months from the effective date.

SECTION 3. This ordinance shall be effective immediately upon its passage.

PASSED and APPROVED this 7th day of June 2022.

Mayor Nanette K. Johnston

ATTESTED:

City Clerk Melissa McChesney



Application #: _____
Date Submitted: _____
Public Hearing: _____
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Conditional Use Permit

Pre-application meeting required per Parkville Municipal Code, Title IV, Section 403.010, Subsection C

1. Applicant/Contact Information

Applicant(s)

Name: Taryn Klein
Address: 804 Main St
City, State: Parkville, Missouri
Phone: (660) 221-8234 Fax: _____
E-mail: klein.taryn@gmail.com

Engineer/Surveyor(s) preparing plans & legal desc.

Name: N/A
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

Owner(s), if different from applicant(s)

Name: N/A
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

Contact Person, if different from applicant(s)

Name: N/A
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that conditional use in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) Taryn Klein

Digitally signed by Taryn Klein
Date: 2022.04.04 16:55:46 -05'00'

Date: 4/4/2022

Property Owner's Signature (Required) Taryn Klein

Digitally signed by Taryn Klein
Date: 2022.04.04 16:56:05 -05'00'

Date: 4/4/2022

2. Proposed Conditional Use (see also Checklist of required submittals)

Proposed use: Short Term Rental Requested length of permit 10 years
Description: Short term rental property, available for rent via platforms such as AirBnb & VRBO
Proposed days and hours of operation: 24 hrs, 7 days a week

3. Property Information (see also Checklist of required submittals)

Property address / general location: 804 Main St, Parkville, MO 64152
Parcel ID Number: 20-7.0-35-100-016-001.000 Zoning: "R-4" Mixed-Density Residential
Present use of the property: Single family residence
Length of use (or vacancy): I've owned the property since 3/31/21

4. Neighboring land uses and zoning

Describe the existing land use and zoning on the surrounding properties:

Existing Land UseExisting Zoning

North: Multi-Family Residential

North: "R-4" Mixed-Density Residential

South: Multi-Family Residential

South: "R-4" Mixed-Density Residential

East: Single Family Residential

East: "R-4" Mixed-Density Residential

West: Single Family Residential

West: "R-4" Mixed-Density Residential

Attach a narrative addressing:

1. How the application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.
2. Compliance of any proposed development with the requirements of this code.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or mitigate any other potential impacts that are specific to the proposed use.
4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.
9. How the application will not prevent development and use of the neighboring property in accordance with the applicable development regulations
10. How the long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
11. Any other information relevant to the application

5. Checklist of required submittals

- ☒ Completed application, including all required details and supporting data.
- ☒ Nonrefundable application fee of \$300.00. Separately, the applicant will be billed to recover costs for required publication, posted and mailed notice per Parkville Municipal Code, Title IV, Section 403.010, Subsection E.
- ☒ Complete written and graphical legal description of subject property in paper and electronic formats, an area map showing the subject property and surrounding major features including roads.
- ☐ Three (3) copies 24" x 36" size, or larger sets, and one (1) electronic set (PDF format) of the site plan showing property boundaries, existing and proposed topography, structures, parking utilities, landscaping, signage, facades and other site features related to the proposed CUP.
- ☒ Authorized signature of the applicant and property owner.

For Office Use OnlyApplication accepted as complete by: _____
Name/Title _____ Date _____

Application fee payment: Check # _____ Amount \$ _____

Final reimbursable costs paid (if applicable). Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

6. Conditional Use Permit checklist for staff review for site plans**1. Basic Information**

- a. Name of the development
- b. Name, address, contact information of person or firm that prepared the plan
- c. Date plan was prepared, including any revision dates
- d. Graphic, engineering scale
- e. North arrow
- f. Vicinity map identifying boundaries and location of property in relation to City

2. Development Summary Table | *Provided on site plan in chart format*

- a. Existing zoning and proposed zoning if applicable
- b. Total land area in square feet and acres
- c. Proposed use or uses of each building and/or structure
- d. Height above grade of buildings and structures and number of stories of each building and/or structure
- e. Gross floor area per floor and total for each building/structure
- f. Residential buildings shall also include residential building type and total number of dwelling units. Residential development shall identify gross and net density
- g. Building coverage and floor area ratio
- h. Ratio of required number of parking spaces for each use and amount of proposed parking spaces

3. Plan Drawing

- a. Property lines and lot dimensions
- b. Proposed building footprint with lines
- c. Building(s) with dimensions and distance to property lines
- d. Cross-sections of the site detailing the height of buildings/structures, distances, and relationship to existing topography, and if applicable, proposed topography
- e. Existing and proposed rights-of-way improvements (curb/gutter/sidewalk/driveways, etc.) and easements
- f. All radii, acres, points of tangency, central angles and lengths of curves
- g. Existing and proposed topography, with major contour lines at intervals of 10 feet, and minor contour lines at an interval of 2 feet
- h. Indication of FEMA Special Flood Hazard Areas (SFHA) if applicable
- i. Location and identification of any proposed and any existing site features to be retained, including detention areas, retaining walls, existing mature trees, and other pertinent site features
- j. Identification of proposed or existing use or uses within each building, building entrances and exits, docks or other service entrances, utility entrances and screening to them, trash enclosures if applicable, outdoor storage and sales areas, and other paved areas.
- k. Architectural renderings of the completed project be provided, including elevations of each side of each structure and delineation of building materials.

4. Parking and Circulation

- a. Location and dimensions of the widths of existing or proposed private vehicular access into the property from perimeter streets and location of existing or approved accesses on properties adjacent or opposite the property
- b. Location of proposed or existing parking spaces, aisles, and drives with setback dimensions from proposed streets right-of-way and adjacent property lines; typical width and length of parking spaces; number of parking spaces per row; and width of parking and drive aisles
- c. Illustration of AutoTURN vehicular movements for emergency vehicle access to development, specifically a Pierce Velocity fire truck (duel axle type w/ 110 ft. ladder; vehicle specifications are 43.3 ft. length X 8 ft. width)
- d. Location of proposed trash enclosures if applicable
- e. Identification of all public and private existing and proposed sidewalks, trails, bicycle facilities, and/or open space areas (Tracts A, B, C, etc.)
- f. Indication of compliance with access and parking standards per City Code (Chapter 408)

5. Landscaping and Screening

- a. A plan for landscaping design and screening in conformance with City Code (Section 407.020 and 407.030)
- b. A lighting plan in conformance with City Code (Section 407.040)
- c. A stormwater management plan in conformance with City Code (Section 407.050)
- d. A landscape schedule showing compliance with City Code (Chapter 407)

6. Other Requirements

- a. All survey monuments and benchmarks, together with their description
- b. Show windows and entrances
- c. Label all materials
- d. Show canopies and awnings if proposed
- e. Information regarding signage if proposed, in compliance with City Code (Chapter 409)

Note: Submissions of conditional use permits to the Planning and Zoning Commission that do not conform to the above checklist may, at the discretion of the Planning and Zoning Commission, be subject to delay until unfulfilled items are complied with.

Conditional Use Permit Narrative

804 Main St
Parkville, MO 64152
Owner: Taryn Klein

1. How the application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.

The proposed zoning district is Lodging - Short-Term Rental and the abutting districts are Mixed-Density Residential. The property will be available for rent through AirBnb & VRBO. The use as a short-term rental falls in line with the expected use of Lodging - Short-Term Rental as defined in Parkville Municipal Code Section 402.010: The rental of a property, a dwelling unit, or portion thereof, conducted on a third-party platform or network that facilitates the listing, marketing, or rental of short-term rentals. This use will not conflict with the day to day use or development of the adjacent district.

2. Compliance of any proposed development with the requirements of this code.

The short-term rental will meet all requirements of Parkville Municipal Code Section 405.040.

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or mitigate any other potential impacts that are specific to the proposed use.

There are no additional requirements necessary to meet this code,

4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.

The impact on the public realm is positive. As a short-term rental, curb appeal is important. The overall aesthetic of the building and streetscape will remain the same, but general upkeep of the property will be improved.

5. The adequacy of drainage, utilities and other public facilities.

There will be no change in drainage, utilities, and other public facilities.

6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.

There will be no change in building scale, building form, or landscape and site design.

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

The operating characteristics of a short-term rental are compatible with mixed-density residential. Guests will be coming and going in similar fashion to neighboring residents. Guests are also asked to observe quiet hours and respect the atmosphere of the neighborhood. Parking will be accommodated through both on-site parking and street parking, but will not impact neighboring residents.

8. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.

The condition of this area as a Multi-Density Residential district is long-standing, therefore there should be no need to assess the use against this aspect. Provided all other code requirements are met, I see no need to limit duration of use or ensure reporting. That being said, I'm unfamiliar with typical Conditional Use Permit durations and am open to having a conversation on this topic.

9. How the application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

The use of this property as a short term rental should not have any impact on the development of adjacent properties.

10. How the long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

The use of this property as a short-term rental will not change the character or the surrounding neighborhood. It will provide lodging for visitors to the historic downtown Parkville area.

11. Any other information relevant to the application

Thank you for considering this Conditional Use Permit. A short-term rental at this location will add value to the community by providing safe, clean, & affordable accommodations for visitors to our area.



Aerial Map



Facade of House

Subject Area Property Map





Exterior photos of
804 Main St.

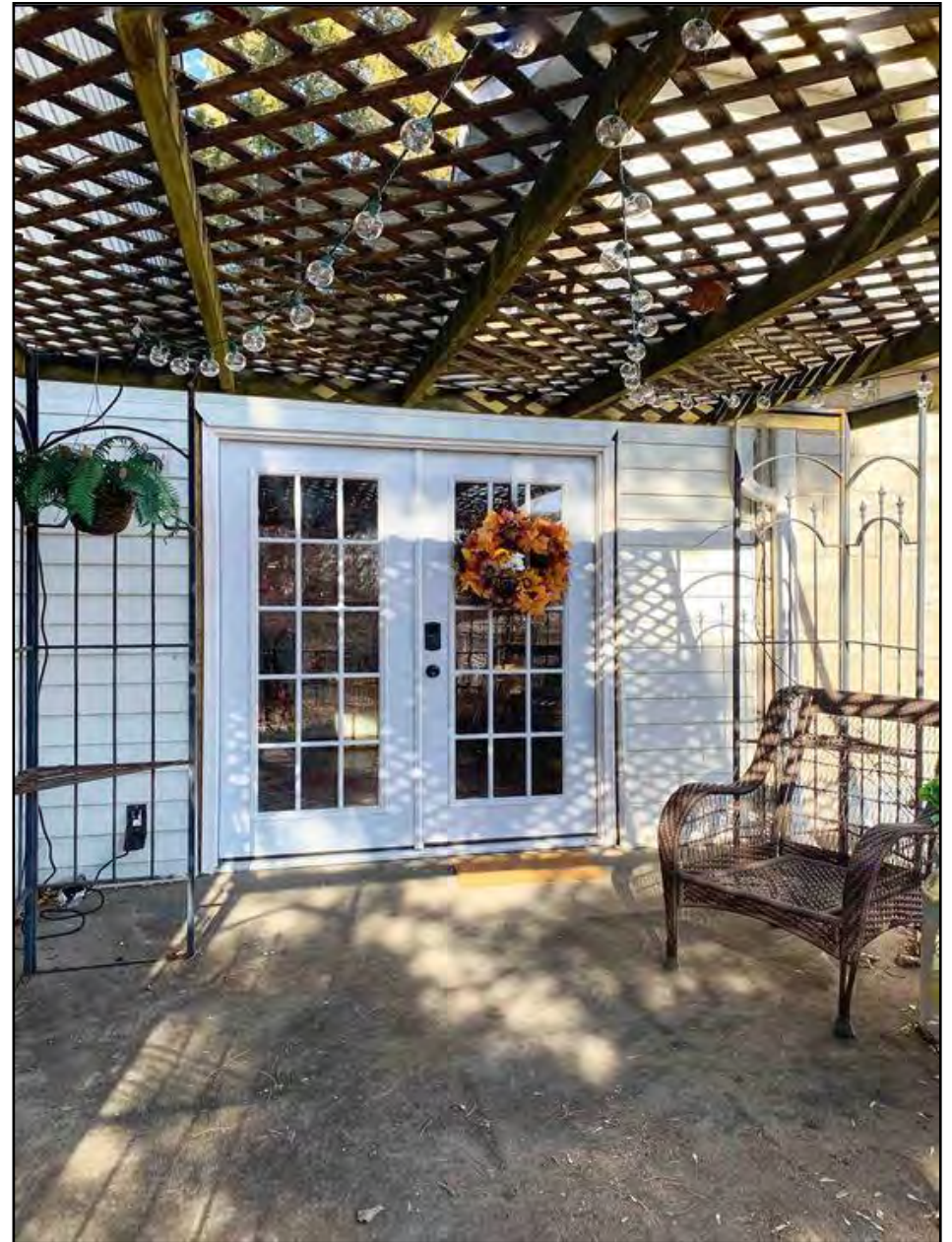




Interior photos of
804 Main St.









Staff Analysis

<u>Agenda Item:</u>	5.A
<u>Proposal:</u>	An application for a Conditional Use Permit (CUP) to allow a <i>Lodging – Short-Term Rental</i> use at 804 Main St. in Parkville, MO, in the “R-4” Mixed-Density Residential District on parcel no. 20-7.0-35-100-016-001.000 (0.27 acres, more or less), generally located near the northwest corner of the intersection of N Main St. and W 8 th St.
<u>Case No:</u>	PZ 2022-07
<u>Applicant:</u>	Taryn Klein
<u>Owners:</u>	Taryn Klein
<u>Location</u>	804 Main St.; generally located near the northwest corner of the intersection of N Main St. and W 8 th St.
<u>Zoning:</u>	“R-4” Mixed-Density Residential
<u>Parcel #:</u>	#20-7.0-35-100-016-001.000
<u>Exhibits:</u>	A. This Staff Analysis B. Application for Conditional Use Permit 1. Completed application form 2. Narrative attachment C. Subject Area Property Map D. Photos of subject property E. Additional exhibits as may be presented at the public hearing
<u>By Reference:</u>	A. Parkville Municipal Code, Title IV – Development Code in its entirety (http://parkvillemo.gov/download/ZoningCodeUpdate_FinalDraft.pdf) 1. Section 403.050 Conditional Use Permit 2. Section 405.050 Conditional Uses B. Parkville Master Plan (http://parkvillemo.gov/departments/community-development-department/master-plan/) C. Notice of Public Hearing mailed certified mail to owners within 185 ft. of the subject property D. Hearing notice published in The Platte County Citizen newspaper on April 20, 2022. E. Summary of Public Hearing posted on Parkville City webpage (http://parkvillemo.gov/public-hearings/) F. Hearing notice published on the Parkville City webpage (http://parkvillemo.gov/government/public-hearings/)

- G. Short-Term Residential Dwelling Rental presentation (dated September 10, 2019; prepared by Zackary Martin, Community Development Intern)
- H. Summary of Public Meetings, Forums and Hearings for Case No. PZ 2019-12
- I. Minutes and video recording of the August 17, 2021 regular meeting of the Board of Aldermen (<https://vimeo.com/588633645>)
- J. Ordinance No. 3087 (adopted September 7, 2021) – An ordinance amending Parkville Municipal Code, Sections 402.010, 405.020 and 405.040 to create provisions and guidelines for short-term residential dwelling rentals.

Comments

Received: The Community Development Department did not receive any public comments prior to the completion of this staff analysis report.

Background

Growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities. And due to the increased popularity of RDRs across the United States, the topic of how to regulate them was discussed at various City Commission and Board of Aldermen meetings over the years. In 2019, the Board of Aldermen requested that City staff research and explore adoption of short-term RDR regulation in Parkville.

On September 10, 2019 the Planning and Zoning Commission held a special workshop to discuss short-term RDRs, state and local provisions, and communities in the metropolitan region who've enacted RDR regulations. Based on feedback provided by the Commission, staff proposed a text amendment to 1) create provisions for short-term RDRs; 2) create a use for *Lodging — Short-Term Rental* in our Title IV – Development Code; and 3) codify additional standards (e.g., Application for Conditional Use Permit requirements, on site-regulations). The proposed text amendment was then formally taken before the City's Planning and Zoning Commission and Board of Aldermen for adoption, and the following meetings / public forums were held to discuss the matter:

- November 12, 2019 – regular meeting of the Planning and Zoning Commission
- December 16, 2019 – regular meeting of the Planning and Zoning Commission
- January 7, 2020 – regular meeting of the Board of Aldermen
- February 4, 2020 – regular meeting of the Board of Aldermen
- March 3, 2020 – regular meeting of the Board of Aldermen
- March 17, 2020 – regular meeting of the Board of Aldermen
- August 17, 2021 – regular meeting of the Board of Aldermen
- September 7, 2021 – regular meeting of the Board of Aldermen

On September 7, 2021 the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals (see Exhibit J by Reference).

The applicant proposes to operate a *Lodging – Short-Term Rental* use in the “R-4” Mixed-Density Residential district at 804 Main St., Parkville, MO 64152. The subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-016-001.000) containing 0.27 acres, more or less. The property is generally located near the northwest corner of the intersection of N Main St. and W 8th St. The owner has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit.



Table 405-2 of the Development Code notes that *Lodging – Short-Term Rental* is a Conditional Use in the “R-4” Mixed-Density Residential district subject to the discretionary review process detailed in Section 403.050 of the Development Code. The application seeks to comply with the provisions adopted on September 7, 2021 via Ordinance No. 3087 pertaining to the allowance of short-term RDRs in residential zoning districts.

CUP Matters for Consideration

Per Parkville Municipal Code, Title IV, Section 403.050, a conditional use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses. Further, due to the varying design and operational characteristics of the use or due to conditions in the area where the use is proposed, these uses may not be appropriate in that district, but require a case-specific review to determine the compatibility in a specific context and location. Table 405-2 lists *Lodging – Short-Term Rental* as a use enabled through the discretionary review process outlined in Section 403.050.

This application has been reviewed against the City of Parkville’s Development Code, including the applicable general requirements in Table 403-1, Section 403.010 and Section 403.050, Subsection B. Per these requirements, notice of the public hearing has been published in a newspaper in general circulation in the City, The Platte County Citizen newspaper on April 20, 2022; a sign announcing the time, place and nature of the public hearing was placed on the subject property within view from public right of way; and mailed notice via certified mail was provided to all property owners within 185 ft. of the subject properties. As of the date of the completion of this staff analysis report, the Community Development Department has not received any public comments.

General Review and Analysis

Parkville Municipal Code, Section 403.050, Subsection B. provides review criteria for how the Planning and Zoning Commission shall determine if a conditional use permit is appropriate. The following are staff’s findings and conclusions.

- 1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.**

The property is located in the “R-4” Mixed-Density Residential district. This district seeks to provide residential living in a medium-density neighborhood setting and compact, walkable character; as well as primarily detached houses and integrates a range of small-scale, civic and multi-unit building types at strategic locations. Staff finds the Application for Conditional Use Permit furthers the intent of the “R-4” district by adding to the variety of existing residential dwelling unit stock and types along Main Street; and that the proposed short-term RDR use could blend in with the character of the “R-4” district.

The *Parkville 2040 Master Plan’s* (adopted May 11, 2021) Future Land Use map labels the subject property as “Low-Density Residential”. This proposed use provides single-family residential detached, single-family residential bi-attached, single-family residential +1 accessory dwelling unit, civic uses, schools and churches; with an ideal density between 1 to 5 dwelling units per acre, and an average density of 3 dwelling units per acre. The proposed short-term RDR use would be suited to an existing single-family residential detached dwelling unit, and wouldn’t conflict with the desired uses of the “Low-Density Residential” future land use projection, or its density ranges.

2. Compliance of any proposed development with the requirements of this code.

Per Table 405-2 of the Title IV – Development Code, *Lodging – Short-Term Rental* uses are permitted in residential zoning districts, including the “R-4” Mixed-Density Residential district, via a conditional use permit via a conditional use permit enabled through the discretionary review process outlined in Section 403.050. The applicant has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit. No changes would be needed to the existing building in order to accommodate the proposed use.

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of the Development Code and the intent or design objectives of any applicable subsections of the Development Code, or mitigate any other potential impacts that are specific to the proposed use.

When considering an Application for Conditional Use Permit, staff considers a variety of factors, including how the proposed use would impact the public health, safety and welfare. For short-term RDR uses, staff evaluates hours of operation, noise, odor, traffic/parking, and other potential negative impacts on adjacent properties.

With regard to 804 Main St., the existing building meets all “R-4” lot size requirements (e.g., minimum area, width, building coverage) and building standards (e.g., front-yard setbacks, side-yard setbacks, rear-yard setbacks, maximum height). As a result, staff doesn’t foresee any issues pertaining to noise; and since the lodging itself would occur within the building, staff doesn’t foresee any issues pertaining to odor. Section 408.030 Required Parking, Table 408-5: Required Parking requires 2 parking spaces per dwelling unit. The subject property not only has at least 2 parking spaces via a private driveway entrance off of W 8th St., but there is also 3 public parking spaces along Main St. directly adjacent to 804 Main St. Furthermore, this doesn’t account for additional public parking along Main St. within 600 feet of the subject property (it should be noted that Section 408.030 Required Parking, Subsection C.4 allows public parking credit for any property within 600 ft. of public parking spaces; and this provision allows the reduction of 1 required space for every 2 public parking spaces available).



View of on-street public parking along 804 Main St.

4. **The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.**
Staff finds the proposed short-term RDR use would have little-to-no impact on the public realm, specifically the design of streetscapes and site elements to the streetscape, as no changes are being proposed to the existing building itself at 804 Main St. The applicant has noted in their narrative that curb appeal is important for their RDR; thus, general upkeep will be improved, and the overall aesthetics of the building and streetscape will remain the same (see Exhibit B.1).
5. **The adequacy of drainage, utilities and other public facilities.**
Although the single-family detached home on the subject property was constructed in 1912, it's currently served by all required public utilities (e.g., electrical, water, sewer). There are currently no Property Maintenance Code violations on the subject property pertaining to stormwater drainage. Moreover, the Application for Conditional Use Permit does not appear to significantly impact the ability for the City or other governmental agencies to respond with public and emergency services; this includes police, fire, and the ability to maintain the peace.
6. **Compatibility with the character of the area in terms of building scale, building form, landscape and site design.**
The character of the neighborhood surrounding the subject parcel is old town / historic residential. Adjacent and surrounding property parcels are all zoned "R-4" Mixed-Density Residential. The existing building located on the subject property is compatible with the "R-4" building typologies and character of the area in terms of building scale, form, and

landscape and site design. The proposed short-term RDR use should not negatively impact the character of the surrounding area.

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

In terms of hours of operation, short-term RDR uses are not restricted to specific hours of the day or days of the week, unless dictated as a conditional of approval enabled through the discretionary review process outlined in Section 403.050. The Parkville Police Department confirmed there has not been any noise complaints received for the subject property since April 6, 2021 when the current owner acquired the property and began use of it as a short-term RDR shortly thereafter. The applicant has noted that guests will be arriving and going in similar fashion to neighboring residents. Guests are also asked to observe quiet hours and respect the atmosphere of the neighborhood. As noted in review criteria #3 above, staff doesn't foresee any issues / adverse impacts to adjacent properties pertaining to visible impacts, audible impacts, or traffic patterns.

8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.

The discretionary review process outlined in Section 403.050 allows a reasonable time limit be placed on approval of the conditional use permit on a case-by-case basis. This is in order to assess the intensity and potential impacts of the use against changing conditions in the area over time. While staff has not recommended a specific length of time for the duration of the Application for Conditional Use Permit, staff is open to the opinion and input from the Planning and Zoning Commission on this matter. In the past, common Conditional Use Permit time limitations have included 5 years, 10 years, 15 years and 20 years.

9. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Approval of the Application for Conditional Use Permit should not prevent development and use of neighboring properties in accordance with the applicable regulations of the Title IV – Development Code. The existing building on the subject property is compliant with both “R-4” lot size requirements (e.g., minimum area, width, building coverage) and building standards (e.g., front-yard setbacks, side-yard setbacks, rear-yard setbacks, maximum height).

10. The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

The *Parkville 2040 Master Plan* projects “Low-Density Residential” future land use for the subject property and immediately adjacent properties. This projection provides single-family residential detached, single-family residential bi-attached, single-family residential +1 accessory dwelling unit, civic uses, schools and churches; with an ideal density between 1 to 5 dwelling units per acre, and an average density of 3 dwelling units per acre. Staff finds the proposed short-term RDR use would be complimentary to the existing single-family residential detached dwelling units; and wouldn't negatively impact long-range plans applicable to the site and surrounding area, including the desired vision of the “Low-Density Residential” future land use or its ideal density ranges.

11. The recommendations of professional staff or other technical reviews associated with the application.

Aside from staff's analysis and recommendations contained within the *Parkville 2040 Master Plan*, no other recommendations of professional staff or other technical reviews associated with the application are referenced.

Staff Conclusion and Recommendation

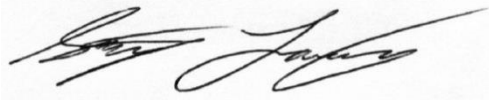
Staff concludes that: With the exceptions noted above, the application meets or exceeds the minimum applicable standards and regulations; the proposed use of *Lodging – Short-Term Rental* does not conflict with the intent of any abutting districts and can be consistent with the adopted Parkville Master Plan; the proposed use can meet the requirements of the Development Code; the proposed use should not negatively impact the public realm, design and functions of streetscapes; existing drainage, utilities and other public facilities should be adequate for the proposed use; the existing building is compatible with the character of the area; hours of operation, visible and audible impacts and traffic patterns are compatible with the area; no specific time duration for the Application for Conditional Use Permit is recommended by staff due to the low-impact nature of the proposed use, but staff is open to the opinion and input from the Planning and Zoning Commission on the matter; the proposed use will not prevent development and use of neighboring properties; and the long-range plans to the site and surrounding area will not be negatively impacted by the proposed use.

Following review, staff recommends approval of the Application for Conditional Use Permit for the subject property based on the merits of the application and the findings and conclusions in this report. It should be noted that the recommendation contained in this report is made without knowledge of facts, public comments or any additional information which may be presented during the public hearing. For that reason, the conclusions herein are subject to change as a result of evaluating additional information; additionally, staff reserves the right to modify or confirm the conclusions and recommendations herein based on consideration of any additional information that may be presented.

Necessary Action

Following consideration of the Application for Conditional Use Permit, supporting information, associated exhibits, factors discussed above, and any testimony presented during the public hearing, the Planning and Zoning Commission should recommend approval, approval with conditions, denial, or postpone the application for further consideration. If approved subject to conditions, the conditions should be noted for the record. Unless postponed, the Planning Commission's action will be forwarded to the Board of Aldermen on May 17, 2022 for final action.

End of Memorandum



Stephen Lachky, AICP, CPM, CFM
Community Development Director

05-04-2022

Date

AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTIONS 402.010, 405.020 AND 405.040 TO CREATE PROVISIONS AND GUIDELINES FOR SHORT-TERM RESIDENTIAL DWELLING RENTALS

WHEREAS, the growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities; and

WHEREAS, the American Planning Association has outlined a path forward for cities with a three-part process: 1) establish a baseline level of safety and accountability; 2) move past "yes or no", meaning a debate on whether or not RDRs should be allowed to creating regulations that are best suited to the community; and 3) ensure enforcement; and

WHEREAS, currently, no official statewide policies have been enacted through the Missouri General Assembly and a number of Missouri municipalities have been proactive and enacted regulations for short-term RDRs; and

WHEREAS, per the request of the Board of Aldermen, staff explored adopting regulations for short-term RDRs in Parkville by researching issues raised including City permitting, Homeowner Association (HOA) regulations, time duration, guest policies, on-site regulation, and enforcement; and

WHEREAS, on September 10, 2019, a special workshop was held with the Planning and Zoning Commission to discuss short-term RDRs; and

WHEREAS, on November 12, 2019, a public hearing was held at the regular meeting of the Planning and Zoning Commission where staff presented background information and research to the Commission and members of the Commission provided comments and questions to staff; the Commission recommended (by a vote of 6-0) postponing their recommendation for the text amendment to their next regular meeting; and

WHEREAS, following the November 12, 2019, regular meeting of the Planning and Zoning Commission, staff reached out to all HOA presidents, contacts and representatives on file, notifying them about the proposed text amendment and upcoming public hearing on December 16, 2019; and

WHEREAS, on December 16, 2019, the Planning and Zoning Commission reconvened at their special meeting, held another public hearing to receive public comment and discuss the text amendment further, and recommended (by a vote of 7-0) approval of the text amendment; and

WHEREAS, the Board of Aldermen concurs with the conclusions of the Planning and Zoning Commission and accepts their recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

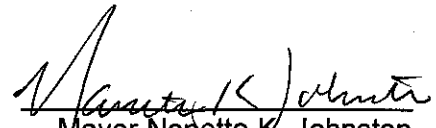
SECTION 1. Parkville Municipal Code Section 402.010 is hereby amended, as shown in Exhibit A which is attached hereto and incorporated herein by reference.

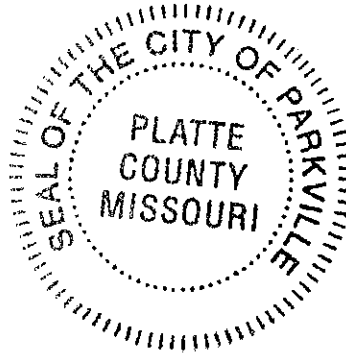
SECTION 2. Parkville Municipal Code Section 405.020 is hereby amended, as shown in Exhibit B which is attached hereto and incorporated herein by reference.

SECTION 3. Parkville Municipal Code Section 405.040 is hereby amended, as shown in Exhibit C which is attached hereto and incorporated herein by reference.

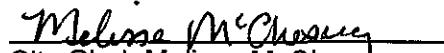
SECTION 4. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 7th day of September 2021.


Mayor Nanette K. Johnston



ATTESTED:


City Clerk Melissa McChesley

Section 402.010. Definitions

- A. **Defined Terms.** All terms used in these regulations shall have their commonly accepted meaning based upon the context of their use within code. The following terms shall have the meaning given below, unless more specifically described, limited or qualified within the standards of this.

Lodging — Short-Term Rental | The rental of a property, a dwelling unit, or portion thereof, conducted on a third-party platform or network that facilitates the listing, marketing, or rental of short-term rentals.

Table 405-2: Use Table

Key:

P: Permitted Use

C: Use allowed through conditional review

Blank: Use not allowed

Highlighted: Proposed amendment to use table

Use																
Office/Service Uses	R-1	R-2	R-3	R-4	R-5	OTD	B-1	B-2	B-4-p	BP	P-EC	I-1	I-2	I-3	PLCD	U-1
<i>Office – Home Occupation</i>	P	P	P	P			P	P								P
<i>Office – Limited</i>						P	P	P	P	P		P	P	P		P
<i>Office – General</i>								P	P	P		P	P	P		P
<i>Service – Limited</i>						P	P	P	P	P		P	P	P		P
<i>Service - General</i>								P	P	P		P	P	P		P
<i>Animal Care or Clinic – Limited</i>							P	P	P	P		P				
<i>Animal Care or Clinic – General</i>									P	P		P				
<i>Lodging – Bed-and-Breakfast</i>				C		P	P	P	P							
<i>Lodging – Short-Term Rental</i>	C	C	C	C	C	P	P	P	P							
<i>Lodging – Inn</i>						P	P	P	P	P						
<i>Lodging – Hotel/Motel</i>								P	P	P						
<i>Recreation – Indoor, Limited</i>						C	P	P	P	P						P
<i>Recreation – Indoor, General</i>								P	P	P						P
<i>Recreation – Outdoor, Limited</i>						C		P	P	P						
<i>Recreation – Outdoor, General</i>								P	P							

<i>Residential Care – Limited</i>					P		P	P								
<i>Residential Care – General</i>					C		C	P								
<i>Residential Care – Institutional Living</i>								P								
<i>Vehicle Service/Repair – Limited</i>							P	P	P	P			P	P	P	
<i>Vehicle Service/Repair – General</i>								P	P	P			P	P	P	
<i>Vehicle Service/Repair – Heavy</i>													C	P	P	

405.040 Standards Applicable to Specific Uses

In addition to the general use and development standards applicable to all districts, the following standards are specific to particular uses. These standards shall be met whether the use is a generally permitted use or a conditional use according to Table 405-2. The uses in this section many involve more specific types of formats of the uses generally enabled in Table 405-2.

K. Lodging – Short-Term Rentals | Lodging – short-term rentals shall meet the following additional standards:

1. Approved spaces for short-term rentals may include:
 - a. Individual bedrooms in the principal building on the property, sharing common entrance, kitchen facilities, and living areas with the present/non-present residents.
 - b. Completed areas of the principal dwelling, such as a basement or upstairs space, with a separate entrance, facilities, and living areas from the primary residents.
 - c. Approved accessory buildings on the property.
2. The rental unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
3. No exterior evidence that the property is being used as a short-term rental is allowed, including signage.
4. Where applicable, the regulations of a Homeowners' Association (HOA) shall be considered as a relevant factor in determining whether the use of a specific property for short-term rental is compatible with the surrounding area, including its potential impacts on adjacent property.
5. All short-term rentals shall adhere to the hosting responsibilities / safety standards listed by the respective third-party vendor (Airbnb, VRBO, etc.) — as well as all federal, state and local laws, including compliance with all City Codes — including, but not limited to the approved owner/non-owner applicant providing in each short-term rental dwelling:
 - a. A working fire extinguisher.
 - b. A working battery-powered portable flashlight/lantern or other emergency lighting device suitable for an electrical power outage.
 - c. A map displaying evacuation routes from the building in case of an emergency.
 - d. Working smoke and carbon-monoxide detectors.
 - e. Contact information for the host (owner/non-owner applicant) and local emergency services.
6. All short-term rentals in the City of Parkville are to be charged the five percent (5%) Tourism Tax – Guest Room Tax paid by transient guests of hotels, motels, bed and breakfast inns, and other short-term rental spaces of similar use, per [Section 160.045](#) of the Parkville Municipal Code.
7. Complaints or any other issues received by the host, either through the third-party vendor platform, neighbors, etc. shall be recorded and resolved by the host.
8. Permits and business licenses may be denied, suspended or revoked when the rental fails to meet or uphold any of the above standards, or any other provisions of the Parkville Municipal Code.

Commented [SL1]: These standards were common in many local ordinances around the State of Missouri.

Commented [SL2]: This standard was recommended by the Planning and Zoning Commission.

Commented [SL3]: These standards were common in many local ordinances around the State of Missouri.

Commented [SL4]: These items are included because they are listed on Airbnb's "Guidelines / Hosting Standards" webpage, as well as on VRBO's "Safety Recommendations" webpage.

Commented [SL5]: This standard was recommended by City staff.

Summary of Public Meetings, Forums and Hearings

Application for Text Amendment (Case No. PZ 2019-12)

Spring-Fall 2019

- Aldermen stated (at various Board of Aldermen meetings) how short-term rentals through online platforms such as Airbnb, HomeAway and VRBO are been becoming more popular nationwide, and it's only a matter of time before they are common throughout the City of Parkville.
- Aldermen requested staff to conduct research and codify regulations for short-term dwelling rentals in our Municipal Code.

September 10, 2019 special workshop with the Planning and Zoning Commission

- Zackary Martin (Planning Intern) presented an overview of the short-term rental services, research on Missouri State and local regulation, and considerations the City should consider if enacting regulation.

November 12, 2019 meeting of the Planning and Zoning Commission

- First public hearing to consider a text amendment to the Development Code to create provisions for short-term rentals in residential districts.
- P&Z Commission suggested changing the language "owner" and "resident" to "host" (owner/non-owner applicant) and "non-resident guest"
- P&Z Commission suggested allowing a greater number of units in a multi-family structure be eligible for short-term rentals.

December 16, 2019 meeting of the Planning and Zoning Commission

- A continued public hearing at the request of residents wanting staff to notify all neighborhood HOAs and re-notice the hearing via the City's communications and social media.
- Bills were proposed through the Missouri General Assembly (to prohibit municipalities from enacting regulations) by they died.
- Staff can utilize its Property Maintenance Code and fine properties up to \$500/day for illegally operating Airbnbs in non-conforming zoning districts.

January 7, 2020 meeting of the Board of Aldermen

- Discussed differences between long-term leases and short-term rentals (as well as how some cities have official rental inspection programs)
- Discussed benefits of having short-term residential rentals in the community in terms of property maintenance upkeep, and how the platforms' rating system naturally regulates itself.
- Aldermen felt there should be no duration/maximum length of stay requirement, as Parkville is unique with Park University in our city limits and this would be a detriment for students desiring to stay in town during the summer and winter breaks. Aldermen also felt the overall quality of life would be improved without a time restriction.
- Aldermen decided to "take no action" at this meeting; and spend time between now and next month's regular meeting communicating with their constituents about the proposed text amendment in order to receive comments/feedback.

February 4, 2020 meeting of the Board of Aldermen

- Recapped last meeting and explained how the proposed regulations only apply to RESIDENTIAL zoning districts (as all Lodging uses are currently permitted in all COMMERCIAL zoning districts).
 - Aldermen explained how this was a point of confusion with some of their constituents.
- Discussed how the Board of Aldermen has discretion to require annual inspections for Airbnbs as part of the Conditional Use Permit conditions of approval.
 - If this occurs, Chris Williams explained how a conditional use permit can automatically renew each year if the owner provides proof of certified inspection.
 - This led to a broader discussion on how some larger communities have a city-wide rental inspection program for ALL residential properties, not just for Airbnbs.

Summary of Public Meetings, Forums and Hearings

Application for Text Amendment (Case No. PZ 2019-12)

- Jeremy Jordan (Second Door, Airbnb Management Kansas City) spoke during public comments, stating he manages more than 30 properties in the Kanas City metropolitan. When asked (in his experience) whether short-term rentals or long-term rentals are better maintained, he stated short-term rentals are because their business wouldn't thrive on poor reviews.

March 3, 2020 meeting of the Board of Aldermen

- Staff clarified the purpose of the 5% Tourism Tax, which would apply to all short-term rentals; and explained how it's not a new tax, but was passed via a citywide vote on November 19, 2002 in order to fund the promotion of tourism.
- City Attorney explained that cities cannot enforce Homeowner Association (HOA) rules/regulations, but can take them into consideration when considering an Application for Conditional Use Permit.
 - For example, if an HOA prohibits Airbnbs, staff will likely recommend denial of all applications in that neighborhood. And if for some reason staff, the Planning and Zoning Commission and Board of Aldermen all recommend approval, the HOA can still deny the short-term rental and take them to court.
- Elaine Kellerman (5243 NW Bluffs Circle) asked if the City could put the proposed text amendment for short-term rentals on a ballot for citywide vote. City Attorney explained how Missouri 4th Class Cities are limited to what they can put on the ballot by Missouri Statutes.
- Aldermen stated they were pleased with the revisions to the text amendment and voted to approve the first reading of an ordinance creating provisions for short-term rentals.

March 17, 2020 meeting of the Board of Aldermen

- No action was taken.
- Mayor stated the 2nd reading of an ordinance for the text amendment would be postponed to a future meeting due to the limiting of public gathering as a result of the COVID-19 pandemic.

August 17, 2021 meeting of the Board of Aldermen

- Staff provided a PowerPoint presentation recapping the proposed text amendment, and providing a summary of all public meeting, forums and hearings regarding Case No. PZ 2019-12.
- Staff responded to an e-mail from a resident, explaining why a specific proposed standard for Section 405.040 was removed.
- Aldermen decided to "take no action" at this meeting. Recommended reconsidering the proposed text amendment at next month's regular meeting; and in the meantime have staff provide notification to all City residents who may be interested.

Summary of Public Comments

Application for Text Amendment (Case No. PZ 2019-12)

Required public hearing notices were published and a public hearing was held at the regular meeting of the Planning and Zoning Commission on November 12, 2019. While staff did not receive any written letters or e-mails prior to the November 12, 2019, meeting, comments were provided by Elaine Kellerman (5243 NW Bluffs Circle, Parkville, MO) at the public hearing. Elaine said that she was not aware that Parkville had any Airbnb's and stated her preference for not allowing them in the community under any circumstance. She said the City did a great job announcing the meeting, but was disappointed by the lack of people in the audience; and stated she is not the only person who feels this strongly against Airbnb's. Elaine said that HOAs can regulate Airbnb's and said that she is speaking out for the residents of Parkville who are located in neighborhoods that do not have an HOA. She said she wished that communities in the Kansas City region were more proactive in prohibiting Airbnb's because they are prevalent and said she wished there was more of a way to get a community sense about this issue. She also said she would not want her property values to decline as a result of an Airbnb next door to her house.

Following the November 12, 2019, meeting, staff received a voicemail from Elaine Kellerman; she wanted staff to be aware of the organization Second Door, a short-term dwelling rental management company based out of Kansas City that assists property owners with listing, managing and operating their rentals. This includes handling all guest communication, restocking supplies, cleaning and linen service after each stay, keyless guest entry with keypad door locks to ensure safety, etc. Second Door currently manages the commercial dwelling rentals in downtown Parkville.

Staff re-published notices for a public hearing to be held at the December 16, 2019, special meeting of the Planning and Zoning Commission. At the public hearing, comments were provided by Elaine Kellerman (5243 NW Bluffs Circle, Parkville, MO). Elaine said she hadn't heard much follow-up from residents. She asked how staff contacted HOAs and advertised for the December public hearing and said she didn't see any notification on the Nextdoor social networking service. Stephen Lachky, Community Development Director, responded that staff drafted a letter to all HOA presidents, contacts and representatives the City had on-file (see Attachment 7), republished notice through The Platte County Citizen newspaper (see Attachment 10 by Reference), as well as on the City's public hearing webpage (see Attachment 11 by Reference). Elaine questioned that more notification could have been done. Dean Katerndahl, Chair of the Planning and Zoning Commission, responded that some aldermen had reached out to residents and notified them via e-mail, but said the aldermen don't have every one of their constituents' e-mails. Stephen Lachky added that there were three weeks of time until the January 7, 2020, Board of Aldermen meeting where the 1st reading of the text amendment would be discussed and suggested that staff could do additional outreach until that time. Elaine asked if there was additional opportunity for concerned residents to voice their concerns and Stephen responded that the Mayor has allowed additional public comment on items presented before them in the past.

At the January 7, 2020 Board of Aldermen meeting, Elaine Kellerman provided public comments on her views against allowing short-term rentals in Parkville, and said she does not want property values to decline as a result of their allowance. She also talked about HOA regulations which prompted discussion by the Board of Aldermen, and per feedback provided staff reached out to primary contacts for all Parkville subdivision HOAs to see what, if any, short-term dwelling rental regulations are currently in place (see Attachment 8).

Summary of Public Comments

Application for Text Amendment (Case No. PZ 2019-12)

At the February 4, 2020 Board of Aldermen meeting, Elaine Kellerman provide additional public comments, and said she doesn't feel the Board of Aldermen adequately debated on whether or not RDRs should be allowed in the community in the first place. Doug Bias (8515 NW 62nd Terrace, Parkville, MO) asked how many short-term RDRs are currently in Parkville. Stephen Lachky, Community Development Director, showed there are two RDRs listed on Airbnb and one listed on Booking.com, which is the Main Street Inn bed & breakfast at 504 Main St. permitted via a Conditional Use Permit. Doug also asked about specific HOA regulations and how the City enforces compliance with short-term RDR regulations. Doug said he appreciated the Board of Aldermen's discussion regarding mandating annual inspections for rental properties throughout the community, and said he would be supportive of such regulations. He felt that platforms like Airbnb would self-regulate maintenance unlike other rental properties around the City. Jeremy Jordan (Second Door, Airbnb Management Kansas City) stated he manages more than 30 properties in the Kanas City metropolitan. When asked (in his experience) whether short-term rentals or long-term rentals are better maintained, he stated short-term rentals are because their business wouldn't thrive on poor reviews.

At the March 3, 2020 Board of Aldermen meeting, Elaine Kellerman asked if the City could put the proposed text amendment for short-term dwelling rentals on a ballot for citywide vote. Chris Williams, City Attorney, explained how Missouri 4th Class Cities are limited to what they can put on the ballot by Missouri Statutes, and said how zoning matters are supposed to go through the Planning and Zoning Commission and Board of Aldermen. Chris also explained that cities cannot enforce HOA regulations, but can take them into consideration when considering an Application for Conditional Use Permit.

At the March 17, 2020 Board of Aldermen meeting, public comment was postponed to a future meeting due to the limiting of public gathering as a result of the COVID-19 pandemic.

Prior to the August 17, 2021 Board of Aldermen meeting, staff received an e-mail from Elaine Kellerman asking why a proposed standard for Section 405.040 was removed — requiring short-term rental applicants to provide notice to neighboring units. Staff answered the reasoning at the Board meeting, explaining how it's a duplicate requirement already contained in Section 403.010, Subsection E. Elaine also expressed there is a lot of interest in a city-wide program for all rental properties.

The following standards were at one time included in the proposed text amendment to Section 405.040 Standards Applicable to Specific Uses, Subsection K. Lodging – Short-Term Rentals, but have since been removed:

1. Where applicable, the regulations of a Homeowners' Association (HOA) will take precedent in deciding whether a property can be used as a short-term rental.
2. Approved properties in residential zoning districts may not be rented for more than 30 consecutive days.
3. For owner-occupied properties in residential zoning districts, the owner must occupy the property for a minimum of 270 days per calendar year.
4. No more than 8 guests may occupy the rental at any given time.
5. While not present, the owner/non-owner applicant may not enter a contract with more than one party during any given period. If/while present, the owner/non-owner applicant may enter into a contact with two parties, provided there is at least one bedroom in the dwelling for each resident.
6. No food service may be provided for the owner/non-owner applicant.
7. Additional regulations for non-owner occupied properties:
 - a. Proof of consent from the owner of the property or structure, if not the owner/non-owner applicant, confirming that the dwelling may be utilized for short-term rental prior to the application being submitted to the City, as well as proof of notice to neighboring units that the dwelling may be utilized as a short-term rental.
 - b. In a multi-family structure, only 10% of all units, whichever is greater, may be used for short-term rental.
 - c. In a multi-family structure, the same owner/non-owner applicant may not have more than 4 short-term rental units in the same structure.

Commented [SL1]: Language was modified at the request of our City Administrator to read, "...shall be considered as a relevant factor in determining whether the use of a specific property for short-term rental is compatible with the surrounding area, including its potential impacts on adjacent property."

Commented [SL2]: This standard was requested to be removed by Aldermen Wassmer at the January 7, 2020 Board of Aldermen meeting.

Commented [SL3]: This standard was requested to be removed by Aldermen Wassmer at the January 7, 2020 Board of Aldermen meeting.

Commented [SL4]: This standard was removed by staff following the February 4, 2020 Board of Aldermen meeting as it will be difficult for staff to monitor and enforce compliance of this standard as booking through online third-party platforms are done via a single user and not multiple parties. Additionally, staff believes it is unlikely that an owner/non-owner applicant would voluntarily host more than 8 guests at a time since the booking fee is a set price and does not fluctuate based on the number of guests interested. Furthermore, staff believes the rating/review system on online third-party platforms will discourage patterns such as users with too many guests occupying rentals.

Commented [SL5]: This standard was removed by staff following the February 4, 2020 Board of Aldermen meeting as it will be difficult for staff to monitor and enforce compliance of this standard. Additionally, staff believes it is unlikely that an owner/non-owner applicant would voluntarily host more than two parties in the same dwelling unit as it would likely result in a negative rating/review for them.

Commented [SL6]: This standard was requested to be removed by Aldermen Rittman at the February 4, 2020 Board of Aldermen meeting.

Commented [SL7]: Because this standard is already a requirement on the City's Application for Conditional Use Permit, there is no need to duplicate it in Section 405.040.

Commented [SL8]: These standards were requested to be removed by Aldermen Rittman at the February 4, 2020 Board of Aldermen meeting.

**CITY OF PARKVILLE
Policy Report**

Date: June 1, 2022

Prepared By:

Stephen Lachky, Community Development
Director

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Approve the second reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 11 W. 5th Street - Case No. PZ 2022-08; Jolene Jackson, applicant (Community Development)

BACKGROUND:

Growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities. And due to the increased popularity of RDRs across the United States, the topic of how to regulate them was discussed at various City commission and Board of Aldermen meetings over the years. In 2019, the Board of Aldermen requested that City staff research and explore adoption of short-term RDR regulation in Parkville.

On September 10, 2019, the Planning and Zoning Commission held a special workshop to discuss short-term RDRs, state and local provisions and communities in the metropolitan region who've enacted RDR regulations. Based on feedback provided by the Commission, staff proposed a text amendment to 1) create provisions for short-term RDRs; 2) create a use for *Lodging -- Short-Term Rental* in our Development Code; and 3) codify additional standards (e.g., Application for Conditional Use Permit requirements, on site-regulations). The proposed text amendment was then formally taken before the City's Planning and Zoning Commission and Board of Aldermen for adoption, and the following meetings / public forums were held to discuss the matter:

- November 12, 2019 – regular meeting of the Planning and Zoning Commission
- December 16, 2019 – regular meeting of the Planning and Zoning Commission
- January 7, 2020 – regular meeting of the Board of Aldermen
- February 4, 2020 – regular meeting of the Board of Aldermen
- March 3, 2020 – regular meeting of the Board of Aldermen
- March 17, 2020 – regular meeting of the Board of Aldermen
- August 17, 2021 – regular meeting of the Board of Aldermen
- September 7, 2021 – regular meeting of the Board of Aldermen

On September 7, 2021, the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals (see Attachments 6-9 of previous agenda item).

APPLICATION:

Applicant Jolene Jackson proposes to operate a *Lodging – Short-Term Rental* use in the “R-4” Mixed-Density Residential district at 11 W. 5th Street. The subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-029-004.000) containing 0.10 acres, more or less. The property is generally located along W 5th Street west of N. Main Street. The owner has been successfully operating an Airbnb short-term RDR use at this location since spring of 2020 and would like to be compliant with City regulations via approval of an Application for Conditional Use Permit. Per Table 405-2: Use Table of the City’s Development Code, the applicant has to obtain a conditional use permit in order to operate a *Lodging – Short-Term Rental* use in a residentially-zoned district of the City.

The subject property was constructed in 1906 (with a 600 foot attached garage addition constructed in 2007) and is currently a single-family dwelling unit (5 bedrooms, 5 baths), with two private parking spaces via the attached garage on the property, as well as public parking out front along W. 5th Street. The owner currently lives on the property and rents out the master suite via Airbnb. Eventually, the owner would like to transition her residence into a bed and breakfast use in the future (as allowed by a separate conditional use permit and would entail a separate application process); however, for today, the applicant is just applying to use her property as a short-term RDR.

PUBLIC COMMENTS:

Staff received one public comment on this application prior to the May 10, 2022, regular meeting of the Planning and Zoning Commission, a phone call from resident Soheil Anderson (6 W. 5th Street) stating how on-street public parking is limited along W. 5th Street and that residents often have to walk long distances to their homes.

Soheil Anderson commented that there are 14 houses along W. 5th Street and on-street parking is severely limited due to a lack of driveways and garages for residential dwelling units along the street. She said she’s experienced no noise issues from the property operating as an Airbnb use; however, she has concerns about traffic overflow due to issues resulting from special events held at the property. Commissioner Michael Wright asked if the traffic overflow issue was specific to a holiday or special event and the applicant clarified that the traffic overflow issue was due to a yoga retreat / party held at the property and not due to an Airbnb guest; and said she believed it’s her right as a resident to host private parties from time-to-time on her property.

Carolyn Elwess (9 W. 5th Street) commented that there is a public alleyway that runs between the property she lives at and the property proposed for a short-term RDR use. She said her biggest concern with the use is parking along W. 5th Street and that private parking once existed in the back of 11 W. 5th Street before the attached garage was constructed. Public Works Director Alysén Abel stated that the alleyway is a public alleyway. Carolyn Elwess commented that issues arise when individuals park in the alleyway. The applicant stated that she utilized the attached private parking garage on her property and that she directs her Airbnb guests to utilize public parking along W. 5th Street.

BUDGET IMPACT:

With the exception of application and permit fees collected, there is no immediate budget impact. Long-term impacts would be realized from changes in property taxes and sales taxes collected from

the site and proposed development, and impacts to the same for area properties and other businesses.

ALTERNATIVES:

1. Adopt an ordinance approving the conditional use permit, subject to conditions recommended by the Planning and Zoning Commission
2. Adopt an ordinance approving the conditional use permit, subject to changes directed by the Board of Aldermen.
3. Postpone consideration of the item, and in the meantime review and discuss Ordinance No. 3087 (adopted September 7, 2021) and potential impacts on the community.
4. Deny the conditional use permit.

FINANCE COMMITTEE RECOMMENDATION:

This item was not brought before the Finance Committee.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On May 10, 2022, the Planning and Zoning Commission held a public hearing to consider the Application for Conditional Use Permit. The Commission discussed the merits of the application; consistency with the Master Plan; compliance with requirements of the Development Code and whether additional site-specific conditions were needed to mitigate potential impacts; impact on the public realm; adequacy of utilities and other public facilities; compatibility with character of the area in terms of design, hours of operation, visible impacts, and traffic patterns; duration of use; neighboring properties; long-range plans; and the recommendations of professional staff or other technical reviews.

Commissioner Barbara Wassmer commented how she lives along W. 5th Street and because it's a one-way street it's often filled with parked cars. That said, Barbara stated she would have concerns if the owner applies for a separate conditional use permit to transition her property into a bed and breakfast use in the future. The applicant replied that there are numerous multi-family dwelling units along W. 5th Street that contribute to the majority of parking overflow onto the street.

The Commissioners then discussed whether or not a required condition should be to limit on-street parking to no more than two guest vehicles. The applicant stated she has a three-guest limit and has never had any guests who have traveled in more than two vehicles. Commission Allyson Berberich stated that she would be against the parking condition since — from her experience using Airbnb — most guests are respectful of the owners' rules, the subject property has not had any issues reported by the Parkville Police Department and she prefers not to decide on parking stipulations for one property over another.

Community Development Director Stephen Lachky noted concerns by elected officials and members of the public regarding the current standards of Ordinance No. 3087 and suggested an initial length of six months for the conditional use permit in order to allow time for City staff and elected officials to review and discuss the standards. After discussion, the Commission voted (5-0) to recommend approval of the Application for Conditional Use Permit, subject to conditions:

- The length of the conditional use permit shall be six months.

STAFF RECOMMENDATION:

Staff recommends the Board of Aldermen approve the second reading of an ordinance approving an application for a conditional use permit to allow a *Lodging – Short-Term Rental* use at 11 W. 5th Street, subject to conditions recommended by the Planning and Zoning Commission.

POLICY:

Per Parkville Municipal Code Section 405.050, *Lodging – Short-Term Rental* uses may be approved as conditional uses subject to the review process in Section 403.050. Conditional use permits must be approved by the Board of Aldermen, following a public hearing, review and a recommendation by the Planning and Zoning Commission as outlined in Table 403-1.

The Board of Aldermen must approve two readings of the ordinance to become effective. Rule 5, *Agendas*, of the Board's adopted Rules of Order, states "*The first reading of an ordinance will be read on the action agenda and the second and final reading will be read the next subsequent meeting on the consent agenda, unless the item is a time-sensitive matter in which it may be approved during the same meeting.*"

SUGGESTED MOTION:

I move to approve Bill No. 3189, an ordinance approving an application for a conditional use permit to allow a *Lodging – Short-Term Rental* use at 11 W. 5th Street, subject to conditions recommended by the Planning and Zoning Commission, on second reading to become Ordinance No. ____.

ATTACHMENTS:

1. Ordinance
2. Application
3. Narrative
4. Subject Area Property Map
5. Photos of Subject Property
6. Staff Analysis

AN ORDINANCE APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT TO ALLOW A LODGING – SHORT-TERM RENTAL USE AT 11 W 5TH STREET

WHEREAS, the growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities; and

WHEREAS, per the request of the Board of Aldermen, staff explored adopting regulations for short-term RDRs in Parkville by researching issues raised including City permitting, Homeowner Association (HOA) regulations, time duration, guest policies, on-site regulation, and enforcement; and

WHEREAS, on between 2019 and 2021 the City of Parkville held a total of nine meetings / public forums — a special workshop, two public hearings at regular meetings of the Planning and Zoning Commission, and six regular meetings of the Board of Aldermen — to discuss provisions for short-term RDRs and codifying such standards; and

WHEREAS, on September 7, 2021 the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals; and

WHEREAS, applicant Jolene Jackson submitted an Application for Conditional Use permit to allow a *Lodging – Short-Term Rental* use at 11 W 5th St. in Parkville, Missouri (Case No. PZ 2022-08); and

WHEREAS, the subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-029-004.000) containing 0.10 acres, more or less, is generally located along W 5th St. west of N Main St.; and the owner has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit; and

WHEREAS, Parkville Municipal Code Section 405.050 permits *Lodging – Short-Term Rental* uses via the conditional use permit process outlined in Section 403.050; and

WHEREAS, notice of a public hearing to be held before the Planning and Zoning Commission was published, mailed and posted in accordance with Parkville Municipal Code Title IV – Development Code, Section 403.010; and

WHEREAS, City staff reviewed the application according to Parkville Municipal Code Title IV – Development Code, Section 403.050 and determined their findings and conclusions; and

WHEREAS, on May 10, 2022, the Parkville Planning and Zoning Commission held a public hearing to consider the Application for Conditional Use Permit and recommended approval of the application by a vote of 5 to 0, subject to conditions; and

WHEREAS, the Board of Aldermen concurs with staff's conclusions and the recommendation by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. The Application for a Conditional Use Permit to allow a *Lodging – Short-Term Rental* use at 11 W 5th St. in Parkville, Missouri (Case No. PZ 2022-08) is hereby approved, subject to conditions (see Section 2).

SECTION 2. The Conditional Use Permit shall be effective for six months from the effective date.

SECTION 3. This ordinance shall be effective immediately upon its passage.

PASSED and APPROVED this 7th day of June 2022.

Mayor Nanette K. Johnston

ATTESTED:

City Clerk Melissa McChesney



Application #: P220-11
Date Submitted: 3-17-20
Public Hearing: _____
Date Approved: _____

CITY OF PARKVILLE • 8890 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Conditional Use Permit

Pre-application meeting required per Parkville Municipal Code, Title IV, Section 403.010, Subsection C

1. Applicant/Contact Information

Applicant(s)

Name: Jolene Jackson

Address: 11 W 5th Street

City, State: Parkville, MO

Phone: 785-230-491 Fax: _____

E-mail: jolenejackson33@gmail.com

Engineer/Surveyor(s) preparing plans & legal desc.

Name: _____

Address: _____

City, State: _____

Phone: _____ Fax: _____

E-mail: _____

Owner(s), if different from applicant(s)

Name: _____

Address: _____

City, State: _____

Phone: _____ Fax: _____

E-mail: _____

Contact Person, if different from applicant(s)

Name: _____

Address: _____

City, State: _____

Phone: _____ Fax: _____

E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that conditional use in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) Jolene Jackson Date: 3-17-20

Property Owner's Signature (Required) Jolene Jackson Date: 3-17-20

2. Proposed Conditional Use (see also Checklist of required submittals)

Proposed use: Intermittent rental Requested length of permit: Indefinitely

Description: Air BNB- will rent out 2 of the 5 spaces in my home.

Proposed days and hours of operation: Likely weekends and sparingly during the week.

3. Property Information (see also Checklist of required submittals)

Property address / general location: 11 W 5th Street Parkville, MO

Parcel ID Number: 20-7.0-35-100-029-004.000 Zoning: Mixed residential

Present use of the property: Residential

Length of use (or vacancy): _____

4. Neighboring land uses and zoning

Describe the existing land use and zoning on the surrounding properties:

Existing Land UseExisting Zoning

North: Mixed residential

North: Mixed residential

South: Mixed residential

South: Mixed residential

East: Mixed residential

East: Mixed residential

West: Mixed residential

West: Mixed residential

Attach a narrative addressing:

1. How the application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.
2. Compliance of any proposed development with the requirements of this code.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or mitigate any other potential impacts that are specific to the proposed use.
4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.
9. How the application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.
10. How the long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
11. Any other information relevant to the application.

5. Checklist of required submittals

- ☐ Completed application, including all required details and supporting data.
- ☐ Nonrefundable application fee of \$300.00. Separately, the applicant will be billed to recover costs for required publication; posted and mailed notice per Parkville Municipal Code, Title IV, Section 403.010, Subsection E.
- ☐ Complete written and graphical legal description of subject property in paper and electronic formats, an area map showing the subject property and surrounding major features including roads.
- ☐ Three (3) copies 24" x 36" size, or larger sets, and one (1) electronic set (PDF format) of the site plan showing property boundaries, existing and proposed topography, structures, parking utilities, landscaping, signage, facades and other site features related to the proposed CUP.
- ☐ Authorized signature of the applicant and property owner.

For Office Use Only

Application accepted as complete by: _____ Name/Title _____ Date _____

Application fee payment: Check # _____ Amount \$ 300.00

Final reimbursable costs paid (if applicable): _____ Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

1. The intent of the district I live in is *to provide residential living in a medium density neighborhood setting and compact, walkable character. The district provides primarily detached houses and integrates a range of small scale civic and multi-unit building types at strategic locations. This district should have strong connections to a broad range of amenities, retail needs, and support services to promote walkable patterns.*

Now: To quote the Main Street Parkville Association's website, "Downtown Parkville is a charming historic town that's perfect for a day of local dining, unique shopping and enjoying the beautiful scenery alongside the Missouri River." My house has amazing character. I recently learned that it was once owned by Park College and was a women's dormitory in the early 1900s. I would love to promote the space around that charming character and promote healthy living initiatives such as walking to the guests.

Future Hope: While I do believe I am going to run into some walls that will hinder the fullness of the vision, I hope to turn this space into a Holistic Bed and Breakfast. I intentionally chose Parkville for its river walk, nature sanctuary, quaint downtown, and overall charming vibe. Here is the mission and vision of the future possible Holistic Bed and Breakfast.

Mission: The Serenity House is a sanctuary for holistic living. Your mind, body and spirit is fully nourished by our earthy-elegant accommodations, organic and nourishing food, and soulful experiences. We honor and support local farmers, artisans, and practitioners. We are committed to deeply connecting people to self, others, their natural environment, and The Infinite. Our space provides what is uniquely needed for you: love, transformation, joy, rest, aliveness, peace, creativity, healing, and infinitely more.

Vision: Love wins.

2. N/A

3. I have read through all of the proposed policies 405.040 Standards K. Lodging- Short-Term Rentals and will operate from what is articulated in that document until I come back to propose the future use as a B&B. I live in the property and will continue to live here. I will ensure there isn't negative impact in any way. My hope is that the house add to the charm of the community and brings honor to the community.

4. See attached pictures of the home.

5. I suppose there could be an impact on parking; however, most homes and multi-unit dwellings have their own drive or parking lot. The space I am proposing to rent at this time would likely only put 1-2 additional cars in the area. I am proposing to rent 2 of the 5 spaces. In the future, this may impact future guests and street parking. I stay at a B&B in Weston often and street parking is at a premium there as well, but everyone makes well with it. Additionally, as far as I can see, there isn't one home or multi-unit dwelling that doesn't have private parking.

6. This is not a new addition; therefore, I am not sure question six is relevant to me; however, I will say that because I need to remain attractive to guests, I will seek to always keep my home in impeccable condition. I can see that in this part of town, there is a large discrepancy in how well the homes have been taken care of. This property is deeded as 1904. A lot of renovations have been put in place, and I intend to maintain and upkeep the integrity of the home and work with my neighbors in ensuring their desires for our neighborhood are met and how my home might hinder or forward their goals.

7. People will come and go just like they live in the neighborhood/home.

8. N/A

9. N/A

10. As an Air B&B, I do not see any negative impact to the area. I will adhere to the proposed policies as written in 405.040 Standards K. Lodging- Short-Term Rentals.

11. None at this time.







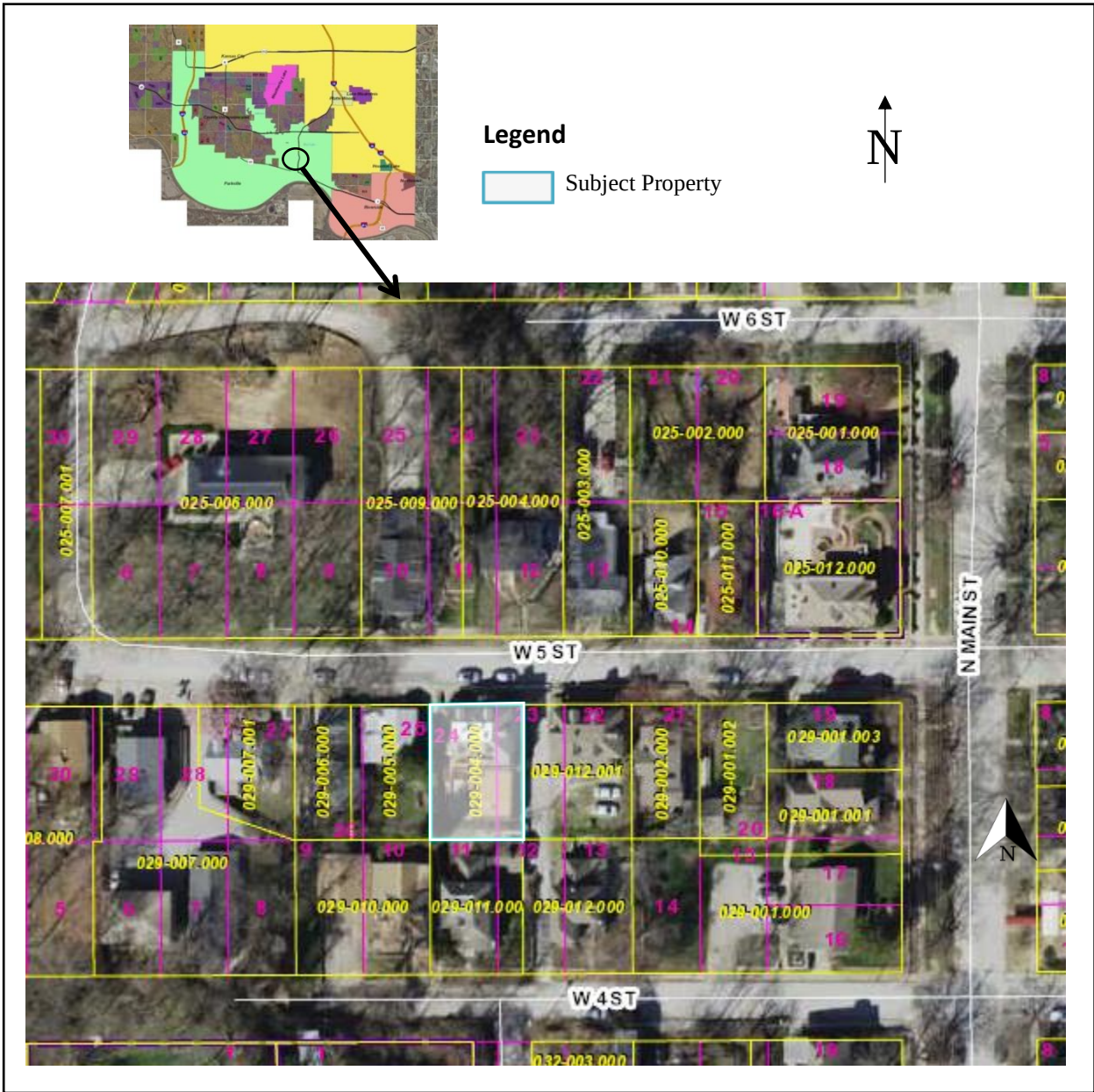








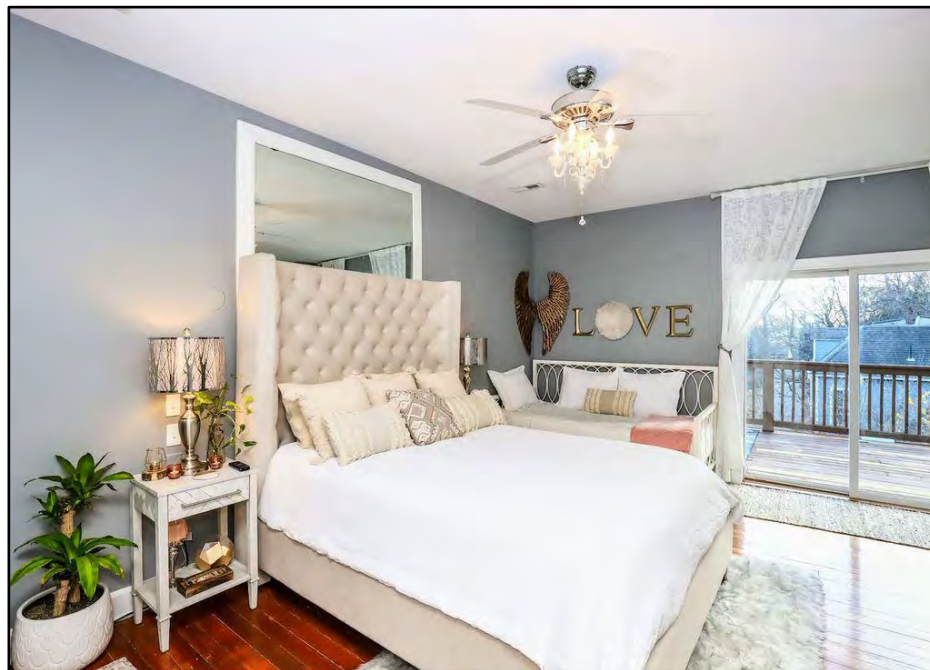
Subject Area Property Map





Exterior photos of
11 W 5th St.





Interior photos of
11 W 5th St.







Staff Analysis

<u>Agenda Item:</u>	5.B
<u>Proposal:</u>	An application for a Conditional Use Permit (CUP) to allow a <i>Lodging – Short-Term Rental</i> use at 11 W 5 th St. in Parkville, MO, in the “R-4” Mixed-Density Residential District on parcel no. 20-7.0-35-100-029-004.000 (0.10 acres, more or less), generally located along W 5 th St. west of N Main St.
<u>Case No:</u>	PZ 2022-08
<u>Applicant:</u>	Jolene Jackson
<u>Owners:</u>	Jolene Jackson
<u>Location</u>	11 W 5 th St.; generally located along W 5 th St. west of N Main St.
<u>Zoning:</u>	“R-4” Mixed-Density Residential
<u>Parcel #:</u>	#20-7.0-35-100-029.004.000
<u>Exhibits:</u>	A. This Staff Analysis B. Application for Conditional Use Permit 1. Completed application form 2. Narrative attachment C. Subject Area Property Map D. Photos of subject property E. Additional exhibits as may be presented at the public hearing
<u>By Reference:</u>	A. Parkville Municipal Code, Title IV – Development Code in its entirety (http://parkvillemo.gov/download/ZoningCodeUpdate_FinalDraft.pdf) 1. Section 403.050 Conditional Use Permit 2. Section 405.050 Conditional Uses B. Parkville Master Plan (http://parkvillemo.gov/departments/community-development-department/master-plan/) C. Notice of Public Hearing mailed certified mail to owners within 185 ft. of the subject property D. Hearing notice published in The Platte County Citizen newspaper on April 20, 2022 E. Summary of Public Hearing posted on Parkville City webpage (http://parkvillemo.gov/public-hearings/) F. Hearing notice published on the Parkville City webpage (http://parkvillemo.gov/government/public-hearings/)

- G. Short-Term Residential Dwelling Rental presentation (dated September 10, 2019; prepared by Zackary Martin, Community Development Intern)
- H. Summary of Public Meetings, Forums and Hearings for Case No. PZ 2019-12
- I. Minutes and video recording of the August 17, 2021 regular meeting of the Board of Aldermen (<https://vimeo.com/588633645>)
- J. Ordinance No. 3087 (adopted September 7, 2021) – An ordinance amending Parkville Municipal Code, Sections 402.010, 405.020 and 405.040 to create provisions and guidelines for short-term residential dwelling rentals.

Comments

Received: The Community Development Department received one public comment regarding unsatisfactory parking conditions along W 5th St. prior to the completion of this staff analysis report.

Background

Growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities. And due to the increased popularity of RDRs across the United States, the topic of how to regulate them was discussed at various City Commission and Board of Aldermen meetings over the years. In 2019, the Board of Aldermen requested that City staff research and explore adoption of short-term RDR regulation in Parkville.

On September 10, 2019 the Planning and Zoning Commission held a special workshop to discuss short-term RDRs, state and local provisions, and communities in the metropolitan region who've enacted RDR regulations. Based on feedback provided by the Commission, staff proposed a text amendment to 1) create provisions for short-term RDRs; 2) create a use for *Lodging — Short-Term Rental* in our Title IV – Development Code; and 3) codify additional standards (e.g., Application for Conditional Use Permit requirements, on site-regulations). The proposed text amendment was then formally taken before the City's Planning and Zoning Commission and Board of Aldermen for adoption, and the following meetings / public forums were held to discuss the matter:

- November 12, 2019 – regular meeting of the Planning and Zoning Commission
- December 16, 2019 – regular meeting of the Planning and Zoning Commission
- January 7, 2020 – regular meeting of the Board of Aldermen
- February 4, 2020 – regular meeting of the Board of Aldermen
- March 3, 2020 – regular meeting of the Board of Aldermen
- March 17, 2020 – regular meeting of the Board of Aldermen
- August 17, 2021 – regular meeting of the Board of Aldermen
- September 7, 2021 – regular meeting of the Board of Aldermen

On September 7, 2021 the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals (see Exhibit J by Reference).

Overview

The applicant proposes to operate a *Lodging – Short-Term Rental* use in the “R-4” Mixed-Density Residential district at 11 W 5th St., Parkville, MO 64152. The subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-029-004.000) containing 0.10 acres, more or less. The property is generally located along W 5th St. west of N Main St. The owner has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit. Eventually, at some point in the future, the owner would like to transition the short-term RDR use into a bed & breakfast use via an Application for Conditional Use Permit.

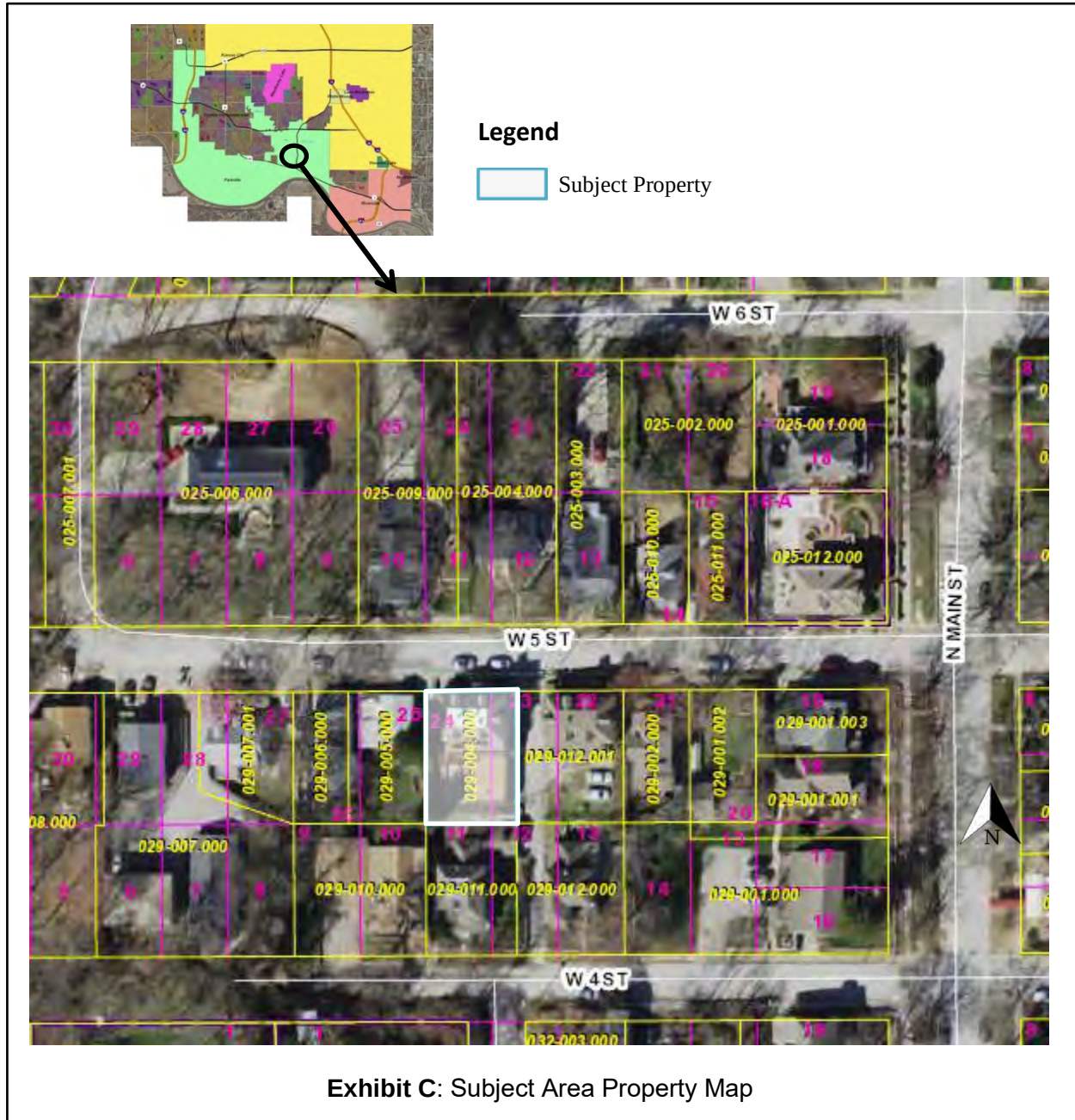


Table 405-2 of the Development Code notes that *Lodging – Short-Term Rental* is a Conditional Use in the “R-4” Mixed-Density Residential district subject to the discretionary review process detailed in Section 403.050 of the Development Code. The application seeks to comply with the provisions adopted on September 7, 2021 via Ordinance No. 3087 pertaining to the allowance of short-term RDRs in residential zoning districts.

CUP Matters for Consideration

Per Parkville Municipal Code, Title IV, Section 403.050, a conditional use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses. Further, due to the varying design and operational characteristics of the use or due to conditions in the area where the use is proposed, these uses may not be appropriate in that district, but require a case-specific review to determine the compatibility in a specific context and location. Table 405-2 lists *Lodging – Short-Term Rental* as a use enabled through the discretionary review process outlined in Section 403.050.

This application has been reviewed against the City of Parkville’s Development Code, including the applicable general requirements in Table 403-1, Section 403.010 and Section 403.050, Subsection B. Per these requirements, notice of the public hearing has been published in a newspaper in general circulation in the City, The Platte County Citizen newspaper on April 20, 2022; a sign announcing the time, place and nature of the public hearing was placed on the subject property within view from public right of way; and mailed notice via certified mail was provided to all property owners within 185 ft. of the subject properties. As of the date of the completion of this staff analysis report, the Community Development Department has received one public comment regarding unsatisfactory parking conditions along W 5th St.

General Review and Analysis

Parkville Municipal Code, Section 403.050, Subsection B. provides review criteria for how the Planning and Zoning Commission shall determine if a conditional use permit is appropriate. The following are staff’s findings and conclusions.

- 1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.**

The property is located in the “R-4” Mixed-Density Residential district. This district seeks to provide residential living in a medium-density neighborhood setting and compact, walkable character; as well as primarily detached houses and integrates a range of small-scale, civic and multi-unit building types at strategic locations. Staff finds the Application for Conditional Use Permit furthers the intent of the “R-4” district by adding to the variety of existing residential dwelling unit stock and types along W 5th Street; and that the proposed short-term RDR use could blend in with the character of the “R-4” district.

The *Parkville 2040 Master Plan’s* (adopted May 11, 2021) Future Land Use map labels the subject property as “Low-Density Residential”. This proposed use provides single-family residential detached, single-family residential bi-attached, single-family residential +1 accessory dwelling unit, civic uses, schools and churches; with an ideal density between 1 to 5 dwelling units per acre, and an average density of 3 dwelling units per acre. The proposed short-term RDR use would be suited to an existing single-family residential detached dwelling unit, and wouldn’t conflict with the desired uses of the “Low-Density Residential” future land use projection, or its density ranges.

2. Compliance of any proposed development with the requirements of this code.

Per Table 405-2 of the Title IV – Development Code, *Lodging – Short-Term Rental* uses are permitted in residential zoning districts, including the “R-4” Mixed-Density Residential district, via a conditional use permit via a conditional use permit enabled through the discretionary review process outlined in Section 403.050. The applicant has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit. No changes would be needed to the existing building in order to accommodate the proposed use. Eventually, at some point in the future, the owner would like to transition the proposed *Lodging – Short-Term Rental* use into a *Lodging – B&B* use.

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of the Development Code and the intent or design objectives of any applicable subsections of the Development Code, or mitigate any other potential impacts that are specific to the proposed use.

When considering an Application for Conditional Use Permit, staff considers a variety of factors, including how the proposed use would impact the public health, safety and welfare. For short-term RDR uses, staff evaluates hours of operation, noise, odor, traffic/parking, and other potential negative impacts on adjacent properties.

With regard to 11 W 5th St., the existing building is currently legally-nonconforming to both the “R-4” lot size requirements (e.g., minimum area, width, building coverage) and building standards (e.g., front-yard setbacks, side-yard setbacks, rear-yard setbacks, maximum height). The Title IV – Development Code defines “nonconforming structures” as, *Structures that were legally constructed prior to the adoption or amendment of this code, but which could not be constructed under the current terms of this Code and may continue to exist subject to the following:*

1. *Rehabilitation or expansion of the structure that increases the degree of non-conformity is prohibited. Other rehabilitation or expansions may occur, provided that they comply with all other requirements of this code, are not detrimental to the purposes, intent and objectives of the standards, and do not negatively impact development in conformance with this code on adjacent property.*
2. *If destroyed by fire, natural disaster, accident, or any other cause by less than fifty percent (50%) of its fair market value, the structure may be restored to its original condition if the restoration is started within one (1) year. If destroyed by fifty percent (50%) or more of the fair market value, or if not restored within one (1) year, then the right to maintain the non-conformance shall terminate.*
3. *If the structure is determined obsolete or substandard by virtue of any applicable code beyond this Title, and the cost of improvement or restoration is fifty percent (50%) or more of the fair market value of the structure, then the right to maintain the non-conformance shall terminate.*

It should be noted that ALL of the subject properties along W 5th St. — as well as dozens of residential properties throughout the Old Town Residential neighborhoods north of the downtown — are currently legally nonconforming, as many of the lots were platted in the late 1800s a grid-like fashion as 40 ft. X 80 ft. lots (3,200 sq. ft.). For reference, the smallest configuration of lot size area permitted in the “R-4” district is 3,500 sq. ft.; and the subject property of 11 W 5th St. is a 50 ft. X 80 ft. lot (4,000 sq. ft.). It should be noted

the existing building was constructed in 1906 and added to over the years, most recently with a 600 sq. ft. attached garage in 2007.

While the existing building on the property meets the “R-4” district’s 5 ft. side-yard setback standards, it does not meet the 10 ft. front-yard or 25 ft. rear-yard setback standards. Despite this, staff doesn’t foresee any issues pertaining to noise; and since the lodging itself would occur within the building, staff doesn’t foresee any issues pertaining to odor. Section 408.030 Required Parking, Table 408-5: Required Parking requires 2 parking spaces per dwelling unit. The subject property not only has 3 parking spaces via garages off its adjacent private alleyway, but there are also 2 public parking spaces along W 5th St. directly adjacent to 11 W 5th St. Furthermore, this doesn’t account for additional public parking along Main St. within 600 feet of the subject property (it should be noted that Section 408.030 Required Parking, Subsection C.4 allows public parking credit for any property within 600 ft. of public parking spaces; and this provision allows the reduction of 1 required space for every 2 public parking spaces available).



View of garage parking along 11 W 5th St. private alleyway.



View of on-street public parking along 11 W 5th St.

4. **The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.**
Staff finds the proposed short-term RDR use would have little-to-no impact on the public realm, specifically the design of streetscapes and site elements to the streetscape, as no changes are being proposed to the existing building itself at 11 W 5th St., and the overall aesthetics of the building and streetscape will remain the same.
5. **The adequacy of drainage, utilities and other public facilities.**
Although the single-family detached home on the subject property was constructed in 1906, it's currently served by all required public utilities (e.g., electrical, water, sewer). There are currently no Property Maintenance Code violations on the subject property pertaining to stormwater drainage. Moreover, the Application for Conditional Use Permit does not appear to significantly impact the ability for the City or other governmental agencies to respond with public and emergency services; this includes police, fire, and the ability to maintain the peace.
6. **Compatibility with the character of the area in terms of building scale, building form, landscape and site design.**
The character of the neighborhood surrounding the subject parcel is old town / historic residential. Adjacent and surrounding property parcels are all zoned "R-4" Mixed-Density Residential. As noted in review criteria #3 above, the existing building on the subject property is currently a legally non-conforming structure in terms of building scale & form with the "R-4" district's Detached Home building typologies. However, the existing building is compatible with the character of the area in terms of landscape and site design. The proposed short-term RDR use should not negatively impact the character of the surrounding area. The applicant has noted in their narrative submission that they

intent to maintain and upkeep the integrity of the home and its impact on the neighborhood (see Exhibit B.2).

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

In terms of hours of operation, short-term RDR uses are not restricted to specific hours of the day or days of the week, unless dictated as a conditional of approval enabled through the discretionary review process outlined in Section 403.050. The Parkville Police Department confirmed there has not been any noise complaints received for the subject property since February 20, 2020 when the current owner acquired the property and began use of it as a short-term RDR shortly thereafter. The applicant has noted that guests will be arriving and going in similar fashion to neighboring residents. Guests are also asked to observe quiet hours and respect the atmosphere of the neighborhood. As noted in review criteria #3 above, staff doesn't foresee any issues / adverse impacts to adjacent properties pertaining to visible impacts, audible impacts, or traffic patterns.

8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.

The discretionary review process outlined in Section 403.050 allows a reasonable time limit be placed on approval of the conditional use permit on a case-by-case basis. This is in order to assess the intensity and potential impacts of the use against changing conditions in the area over time. While staff has not recommended a specific length of time for the duration of the Application for Conditional Use Permit, staff is open to the opinion and input from the Planning and Zoning Commission on this matter. In the past, common Conditional Use Permit time limitations have included 5 years, 10 years, 15 years and 20 years.

9. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Approval of the Application for Conditional Use Permit should not prevent development and use of neighboring properties in accordance with the applicable regulations of the Title IV – Development Code. While the existing building on the subject property is legally non-conforming in terms of the “R-4” front-yard setback and rear-yard setback building standards, it's compliant with the side-yard setback standards, as well as the “R-4” minimum lot size requirements. See review criteria #3 above for more detail.

10. The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

The *Parkville 2040 Master Plan* projects “Low-Density Residential” future land use for the subject property and immediately adjacent properties. This projection provides single-family residential detached, single-family residential bi-attached, single-family residential +1 accessory dwelling unit, civic uses, schools and churches; with an ideal density between 1 to 5 dwelling units per acre, and an average density of 3 dwelling units per acre. Staff finds the proposed short-term RDR use would be complimentary to the existing single-family residential detached dwelling units; and wouldn't negatively impact long-range plans applicable to the site and surrounding area, including the desired vision of the “Low-Density Residential” future land use or its ideal density ranges.

11. The recommendations of professional staff or other technical reviews associated with the application.

Aside from staff's analysis and recommendations contained within the *Parkville 2040 Master Plan*, no other recommendations of professional staff or other technical reviews associated with the application are referenced.

Staff Conclusion and Recommendation

Staff concludes that: With the exceptions noted above, the application meets or exceeds the minimum applicable standards and regulations; the proposed use of *Lodging – Short-Term Rental* does not conflict with the intent of any abutting districts and can be consistent with the adopted Parkville Master Plan; the proposed use can meet the requirements of the Development Code; the proposed use should not negatively impact the public realm, design and functions of streetscapes; existing drainage, utilities and other public facilities should be adequate for the proposed use; the existing building is compatible with the character of the area; hours of operation, visible and audible impacts and traffic patterns are compatible with the area; no specific time duration for the Application for Conditional Use Permit is recommended by staff due to the low-impact nature of the proposed use, but staff is open to the opinion and input from the Planning and Zoning Commission on the matter; the proposed use will not prevent development and use of neighboring properties; and the long-range plans to the site and surrounding area will not be negatively impacted by the proposed use.

Following review, staff recommends approval of the Application for Conditional Use Permit for the subject property based on the merits of the application and the findings and conclusions in this report. It should be noted that the recommendation contained in this report is made without knowledge of facts, public comments or any additional information which may be presented during the public hearing. For that reason, the conclusions herein are subject to change as a result of evaluating additional information; additionally, staff reserves the right to modify or confirm the conclusions and recommendations herein based on consideration of any additional information that may be presented.

Necessary Action

Following consideration of the Application for Conditional Use Permit, supporting information, associated exhibits, factors discussed above, and any testimony presented during the public hearing, the Planning and Zoning Commission should recommend approval, approval with conditions, denial, or postpone the application for further consideration. If approved subject to conditions, the conditions should be noted for the record. Unless postponed, the Planning Commission's action will be forwarded to the Board of Aldermen on May 17, 2022 for final action.

End of Memorandum



Stephen Lachky, AICP, CPM, CFM
Community Development Director

05-04-2022

Date

**CITY OF PARKVILLE
Policy Report**

Date: June 1, 2022

Prepared By:

Stephen Lachky, Community Development
Director

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Approve the second reading of an ordinance to approve a conditional use permit to allow a short-term rental use at 500 East Street - Case No. PZ 2022-08; Annette Lou Hagen, applicant (Community Development)

BACKGROUND:

Growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities. And due to the increased popularity of RDRs across the United States, the topic of how to regulate them was discussed at various City commission and Board of Aldermen meetings over the years. In 2019, the Board of Aldermen requested that City staff research and explore adoption of short-term RDR regulation in Parkville.

On September 10, 2019, the Planning and Zoning Commission held a special workshop to discuss short-term RDRs, state and local provisions and communities in the metropolitan region who've enacted RDR regulations. Based on feedback provided by the Commission, staff proposed a text amendment to 1) create provisions for short-term RDRs; 2) create a use for *Lodging ¾ Short-Term Rental* in our Title IV – Development Code; and 3) codify additional standards (e.g., Application for Conditional Use Permit requirements, on site-regulations). The proposed text amendment was then formally taken before the City's Planning and Zoning Commission and Board of Aldermen for adoption, and the following meetings / public forums were held to discuss the matter:

- November 12, 2019 – regular meeting of the Planning and Zoning Commission
- December 16, 2019 – regular meeting of the Planning and Zoning Commission
- January 7, 2020 – regular meeting of the Board of Aldermen
- February 4, 2020 – regular meeting of the Board of Aldermen
- March 3, 2020 – regular meeting of the Board of Aldermen
- March 17, 2020 – regular meeting of the Board of Aldermen
- August 17, 2021 – regular meeting of the Board of Aldermen
- September 7, 2021 – regular meeting of the Board of Aldermen

On September 7, 2021, the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals (see Attachments 6-9 on Item 4C).

APPLICATION:

Applicant Annette Lou Hagen proposes to operate a *Lodging – Short-Term Rental* use in the “R-4” Mixed-Density Residential district at 500 East Street. The subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-026-003.000) containing 0.15 acres, more or less. The property is generally located at the northwest corner of the intersection of Highway 9 and E. 5th Street. The owner has been successfully operating an Airbnb short-term RDR use at this location since November 2021 and would like to be compliant with City regulations via approval of an Application for Conditional Use Permit. Per Table 405-2: Use Table of the City’s Development Code, the applicant has to obtain a conditional use permit in order to operate a *Lodging – Short-Term Rental* use in a residentially-zoned district of the City.

The subject property was constructed in 1968 and is currently a four-plex dwelling unit (8 bedrooms), with private parking (staff estimates at least six motor vehicles can comfortably park in this area), as well as public parking out front along W. 5th Street and in the City’s public parking lot directly across the street at the southern end of 603 East Street (16 permanent public parking spaces). The applicant has been renting out the property to tenants via long-term leases since 1999, but since November 2021 has been renting out one of the four dwelling units as a short-term RDR; She would like flexibility and approval to be able to operate all four dwelling units as short-term RDR’s if needed in the instance she’s unable to lease them out to tenants long-term.

PUBLIC COMMENTS:

Staff did not receive any public comments on this application prior to the May 10, 2022, regular meeting of the Planning and Zoning Commission. A public hearing was held at that meeting.

The applicant stated she lets Airbnb guests know that her private parking lot is only available for her long-term tenants (1 parking space per tenant), but that public parking is available across the street in the City’s public parking lot. She also noted she lets her Airbnb guests know that no parties or events are allowed. Annette also said that local taxes are collected via Airbnb.com and that she’s spoken with Finance/Human Resources Director Matthew Chapman to ensure the platform provides revenues to the City. Commissioner Michael Wright inquired about trash collection; the applicant responded that a dumpster is located on the property and that she pays for trash collection. Community Development Director Stephen Lachky presented a picture exhibit of the subject property showing the location of the dumpster.

Ann McDonough, 503 Main Street, commented that she did not have any issues with the applicant’s long-term renters over the years, but had concerns about the number of potential Airbnbs that could be approved by the City, asking the question, “How much is too much?” Community Development Director Stephen Lachky replied that he was recommending the initial length of short-term RDR conditional use permits be six months in order to allow time for City staff and elected officials to review and discuss this question.

Ann McDonough also said there was some spillover parking from the renters of 500 East Street that have to park along 5th Street, and their vehicles compete with other vehicles parked for the commercial businesses in the area, such as Wines by Jennifer and Meyers Funeral Chapel. She also asked how security is currently addressed at 500 East Street and throughout downtown Parkville. The applicant responded that she had lived at 500 East Street off and on over the past 23 years — most recently 2018 — and stated she never had any issues where the police had to be contacted.

BUDGET IMPACT:

With the exception of application and permit fees collected, there is no immediate budget impact. Long-term impacts would be realized from changes in property taxes and sales taxes collected from the site and proposed development, and impacts to the same for area properties and other businesses.

ALTERNATIVES:

1. Adopt an ordinance approving the conditional use permit, subject to conditions recommended by the Planning and Zoning Commission
2. Adopt an ordinance approving the conditional use permit, subject to changes directed by the Board of Aldermen.
3. Postpone consideration of the item, and in the meantime review and discuss Ordinance No. 3087 (adopted September 7, 2021) and potential impacts on the community.
4. Deny the conditional use permit.

FINANCE COMMITTEE RECOMMENDATION:

This item did not go before the Finance Committee for consideration.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On May 10, 2022, the Planning and Zoning Commission held a public hearing to consider the Application for Conditional Use Permit. The Commission discussed the merits of the application; consistency with the Master Plan; compliance with requirements of the Development Code and whether additional site-specific conditions were needed to mitigate potential impacts; impact on the public realm; adequacy of utilities and other public facilities; compatibility with character of the area in terms of design, hours of operation, visible impacts, and traffic patterns; duration of use; neighboring properties; long-range plans; and the recommendations of professional staff or other technical reviews.

Community Development Director Stephen Lachky noted concerns by elected officials and members of the public regarding the current standards of Ordinance No. 3087 and suggested an initial length for the conditional use permit be six months in order to allow time for City staff and elected officials to review and discuss the standards. Commissioner Barbara Wassmer commented that she would like to restrict the short-term RDR use to only one of the four units for now until City staff and elected officials have had adequate time to review and discuss the City's current standards. After discussion, the Commission voted (5-0) to recommend approval of the Application for Conditional Use Permit, subject to conditions:

- The Lodging – Short-Term Rental use shall be restricted to one of the four dwelling units.
- The length of the Conditional Use Permit shall be six months.

STAFF RECOMMENDATION:

Staff recommends the Board of Aldermen approve the second reading of an ordinance approving an application for a conditional use permit to allow a *Lodging – Short-Term Rental* use at 500 East St. in Parkville, Missouri, subject to conditions recommended by the Planning and Zoning Commission, on first reading, and postpone the second reading to June 7, 2022.

POLICY:

Per Parkville Municipal Code Section 405.050, *Lodging – Short-Term Rental* uses may be approved as conditional uses subject to the review process in Section 403.050. Conditional use permits must be approved by the Board of Aldermen, following a public hearing, review and a recommendation by the Planning and Zoning Commission as outlined in Table 403-1.

The Board of Aldermen must approve two readings of the ordinance to become effective. Rule 5, *Agendas*, of the Board's adopted Rules of Order, states "*The first reading of an ordinance will be read on the action agenda and the second and final reading will be read the next subsequent meeting on the consent agenda, unless the item is a time-sensitive matter in which it may be approved during the same meeting.*"

SUGGESTED MOTION:

I move to approve Bill No. 3190, an ordinance approving an application for a conditional use permit to allow a *Lodging – Short-Term Rental* use at 500 East Street, subject to conditions recommended by the Planning and Zoning Commission, on second reading to become Ordinance No. ____.

ATTACHMENTS:

1. Ordinance
2. Application
3. Subject Property Area Map
4. Staff Analysis

AN ORDINANCE APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT TO ALLOW A LODGING – SHORT-TERM RENTAL USE AT 500 EAST STREET

WHEREAS, the growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities; and

WHEREAS, per the request of the Board of Aldermen, staff explored adopting regulations for short-term RDRs in Parkville by researching issues raised including City permitting, Homeowner Association (HOA) regulations, time duration, guest policies, on-site regulation, and enforcement; and

WHEREAS, on between 2019 and 2021 the City of Parkville held a total of nine meetings / public forums — a special workshop, two public hearings at regular meetings of the Planning and Zoning Commission, and six regular meetings of the Board of Aldermen — to discuss provisions for short-term RDRs and codifying such standards; and

WHEREAS, on September 7, 2021 the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals; and

WHEREAS, applicant Annette Hagen submitted an Application for Conditional Use permit to allow a *Lodging – Short-Term Rental* use at 500 East St. in Parkville, Missouri (Case No. PZ 2022-13); and

WHEREAS, the subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-026-003.000) containing 0.15 acres, more or less, is generally located at the northwest corner of the intersection of Missouri Hwy 9 and E 5th St.; and the owner has been successfully operating an Airbnb short-term RDR use at this location for some time, and would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit; and

WHEREAS, Parkville Municipal Code Section 405.050 permits *Lodging – Short-Term Rental* uses via the conditional use permit process outlined in Section 403.050; and

WHEREAS, notice of a public hearing to be held before the Planning and Zoning Commission was published, mailed and posted in accordance with Parkville Municipal Code Title IV – Development Code, Section 403.010; and

WHEREAS, City staff reviewed the application according to Parkville Municipal Code Title IV – Development Code, Section 403.050 and determined their findings and conclusions; and

WHEREAS, on May 10, 2022, the Parkville Planning and Zoning Commission held a public hearing to consider the Application for Conditional Use Permit and recommended approval of the application by a vote of 5 to 0, subject to conditions; and

WHEREAS, the Board of Aldermen concurs with staff's conclusions and the recommendation by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. The Application for a Conditional Use Permit to allow a *Lodging – Short-Term Rental* use at 500 East St. in Parkville, Missouri (Case No. PZ 2022-13) is hereby approved, subject to conditions:

- The Lodging – Short-Term Rental use shall be restricted to one of the four dwelling units.

SECTION 2. The Conditional Use Permit shall be effective for six months from the effective date.

SECTION 3. This ordinance shall be effective immediately upon its passage.

PASSED and APPROVED this 7th day of June 2022.

Mayor Nanette K. Johnston

ATTESTED:

City Clerk Melissa McChesney



Application #: PZ 2022-13
Date Submitted: April 15, 2022
Public Hearing: May 10, 2022
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Conditional Use Permit

Pre-application meeting required per Parkville Municipal Code, Title IV, Section 403.010, Subsection C

1. Applicant/Contact Information

Applicant(s)

Name: Annette L. Hagen
Address: 4727 N. Cliff Hill Circle
City, State: Kansas City, Mo. 64152
Phone: 816-536-5336 Fax: _____
E-mail: ahagen103@gmail.com

Engineer/Surveyor(s) preparing plans & legal desc.

Name: _____
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

Owner(s), if different from applicant(s)

Name: _____
Address: Same
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

Contact Person, if different from applicant(s)

Name: _____
Address: Same
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that conditional use in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required)

Annette L. Hagen

Date: 4-15-22

Property Owner's Signature (Required)

Annette L. Hagen

Date: 4-15-22

2. Proposed Conditional Use (see also Checklist of required submittals)

Proposed use: Short Term Rental Requested length of permit _____
Description: Short Term Rental for Airbnb
Proposed days and hours of operation: Monday-Sunday All Day

3. Property Information (see also Checklist of required submittals)

Property address / general location: 500 EAST STREET, Parkville, Mo. 64152
Parcel ID Number: 20-7.0-35-100-026-003.000 Zoning: (R-4)
Present use of the property: Rental Property
Length of use (or vacancy): 2.3 years

Neighboring land uses and zoning

Describe the existing land use and zoning on the surrounding properties:

Existing Land UseExisting Zoning

North:

North:

South:

South:

East:

East:

West:

West:

Attach a narrative addressing:

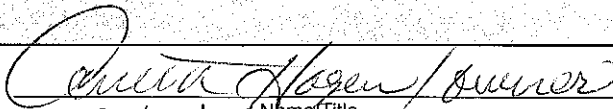
1. How the application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.
2. Compliance of any proposed development with the requirements of this code.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or mitigate any other potential impacts that are specific to the proposed use.
4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.
9. How the application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.
10. How the long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
11. Any other information relevant to the application.

5. Checklist of required submittals

- ☐ Completed application, including all required details and supporting data.
- ☐ Nonrefundable application fee of \$300.00. Separately, the applicant will be billed to recover costs for required publication, posted and mailed notice per Parkville Municipal Code, Title IV, Section 403.010, Subsection E.
- ☐ Complete written and graphical legal description of subject property in paper and electronic formats, an area map showing the subject property and surrounding major features including roads.
- ☐ Three (3) copies 24" x 36" size, or larger sets, and one (1) electronic set (PDF format) of the site plan showing property boundaries, existing and proposed topography, structures, parking utilities, landscaping, signage, facades and other site features related to the proposed CUP.
- ☐ Authorized signature of the applicant and property owner.

For Office Use Only

Application accepted as complete by:



4/20/2022

Date

Application fee payment: Check # 2066 Amount \$ 300.00 paid 4/20/22

Final reimbursable costs paid (if applicable). Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Subject Property Area Map





Staff Analysis

<u>Agenda Item:</u>	5.C
<u>Proposal:</u>	An application for a Conditional Use Permit (CUP) to allow a <i>Lodging – Short-Term Rental</i> use at 500 East St. in Parkville, MO, in the “R-4” Mixed-Density Residential District on parcel no. 20-7.0-35-100-026-003.000 (0.15 acres, more or less), generally located at the northwest corner of the intersection of Missouri Hwy 9 and E 5 th St.
<u>Case No:</u>	PZ 2022-13
<u>Applicant:</u>	Annette Lou Hagen
<u>Owners:</u>	Annette Lou Hagen
<u>Location</u>	500 East St.; generally located at the northwest corner of the intersection of Missouri Hwy 9 and E 5 th St.
<u>Zoning:</u>	“R-4” Mixed-Density Residential
<u>Parcel #:</u>	#20-7.0-35-100-026-003.000
<u>Exhibits:</u>	A. This Staff Analysis B. Application for Conditional Use Permit C. Subject Area Property Map D. Photos of subject property E. Additional exhibits as may be presented at the public hearing
<u>By Reference:</u>	A. Parkville Municipal Code, Title IV – Development Code in its entirety (http://parkvillemo.gov/download/ZoningCodeUpdate_FinalDraft.pdf) 1. Section 403.050 Conditional Use Permit 2. Section 405.050 Conditional Uses B. Parkville Master Plan (http://parkvillemo.gov/departments/community-development-department/master-plan/) C. Notice of Public Hearing mailed certified mail to owners within 185 ft. of the subject property D. Hearing notice published in The Platte County Citizen newspaper on April 20, 2022. E. Summary of Public Hearing posted on Parkville City webpage (http://parkvillemo.gov/public-hearings/) F. Hearing notice published on the Parkville City webpage (http://parkvillemo.gov/government/public-hearings/)

- G. Short-Term Residential Dwelling Rental presentation (dated September 10, 2019; prepared by Zackary Martin, Community Development Intern)
- H. Summary of Public Meetings, Forums and Hearings for Case No. PZ 2019-12
- I. Minutes and video recording of the August 17, 2021 regular meeting of the Board of Aldermen (<https://vimeo.com/588633645>)
- J. Ordinance No. 3087 (adopted September 7, 2021) – An ordinance amending Parkville Municipal Code, Sections 402.010, 405.020 and 405.040 to create provisions and guidelines for short-term residential dwelling rentals.

Comments

Received: The Community Development Department did not receive any public comments prior to the completion of this staff analysis report.

Background

Growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities. And due to the increased popularity of RDRs across the United States, the topic of how to regulate them was discussed at various City Commission and Board of Aldermen meetings over the years. In 2019, the Board of Aldermen requested that City staff research and explore adoption of short-term RDR regulation in Parkville.

On September 10, 2019 the Planning and Zoning Commission held a special workshop to discuss short-term RDRs, state and local provisions, and communities in the metropolitan region who've enacted RDR regulations. Based on feedback provided by the Commission, staff proposed a text amendment to 1) create provisions for short-term RDRs; 2) create a use for *Lodging — Short-Term Rental* in our Title IV – Development Code; and 3) codify additional standards (e.g., Application for Conditional Use Permit requirements, on site-regulations). The proposed text amendment was then formally taken before the City's Planning and Zoning Commission and Board of Aldermen for adoption, and the following meetings / public forums were held to discuss the matter:

- November 12, 2019 – regular meeting of the Planning and Zoning Commission
- December 16, 2019 – regular meeting of the Planning and Zoning Commission
- January 7, 2020 – regular meeting of the Board of Aldermen
- February 4, 2020 – regular meeting of the Board of Aldermen
- March 3, 2020 – regular meeting of the Board of Aldermen
- March 17, 2020 – regular meeting of the Board of Aldermen
- August 17, 2021 – regular meeting of the Board of Aldermen
- September 7, 2021 – regular meeting of the Board of Aldermen

On September 7, 2021 the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals (see Exhibit J by Reference).

Overview

The applicant proposes to operate a *Lodging – Short-Term Rental* use in the “R-4” Mixed-Density Residential district at 500 East St., Parkville, MO 64152. The subject property contains one parcel (Platte County parcel no. 20-7.0-35-100-026-003.000) containing 0.15 acres, more or less. The property is generally located at the northwest corner of the intersection of Missouri Hwy 9 and E 5th St. The owner acquired the subject property in 1999 and has successfully been renting out the units via long-term leases to tenants. In November 2021 one of the tenants moved out, and the owner transitioned that unit to a short-term RDR use. Since it’s been renting successfully as an Airbnb short-term use, the owner would like to transition her other units to the same use; and as a result, would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit.

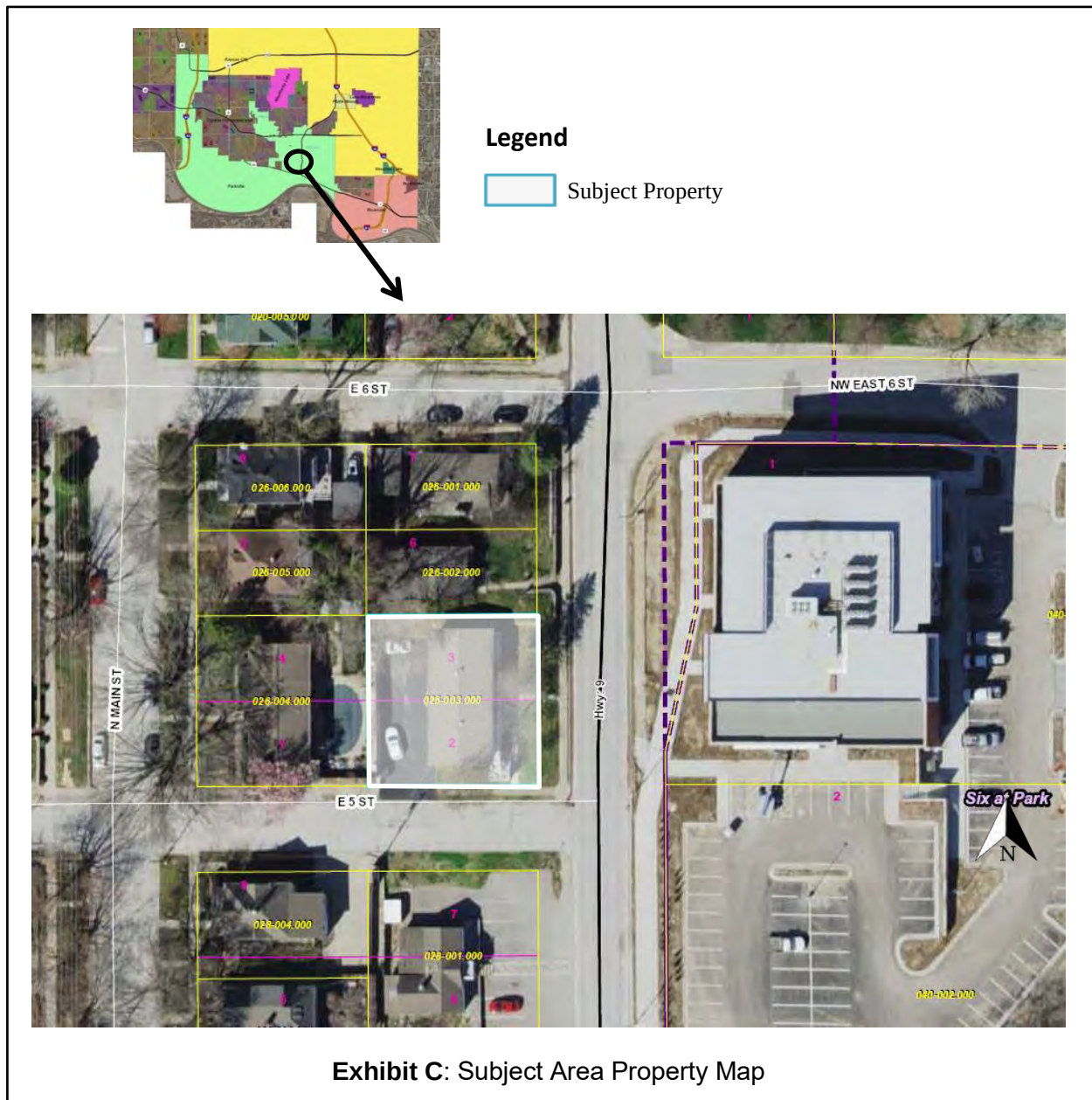


Table 405-2 of the Development Code notes that *Lodging – Short-Term Rental* is a Conditional Use in the “R-4” Mixed-Density Residential district subject to the discretionary review process detailed in Section 403.050 of the Development Code. The application seeks to comply with the provisions adopted on September 7, 2021 via Ordinance No. 3087 pertaining to the allowance of short-term RDRs in residential zoning districts.

CUP Matters for Consideration

Per Parkville Municipal Code, Title IV, Section 403.050, a conditional use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses. Further, due to the varying design and operational characteristics of the use or due to conditions in the area where the use is proposed, these uses may not be appropriate in that district, but require a case-specific review to determine the compatibility in a specific context and location. Table 405-2 lists *Lodging – Short-Term Rental* as a use enabled through the discretionary review process outlined in Section 403.050.

This application has been reviewed against the City of Parkville’s Development Code, including the applicable general requirements in Table 403-1, Section 403.010 and Section 403.050, Subsection B. Per these requirements, notice of the public hearing has been published in a newspaper in general circulation in the City, The Platte County Citizen newspaper on April 20, 2022; a sign announcing the time, place and nature of the public hearing was placed on the subject property within view from public right of way; and mailed notice via certified mail was provided to all property owners within 185 ft. of the subject properties. As of the date of the completion of this staff analysis report, the Community Development Department has not received any public comments.

General Review and Analysis

Parkville Municipal Code, Section 403.050, Subsection B. provides review criteria for how the Planning and Zoning Commission shall determine if a conditional use permit is appropriate. The following are staff’s findings and conclusions.

- 1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan.**

The property is located in the “R-4” Mixed-Density Residential district. This district seeks to provide residential living in a medium-density neighborhood setting and compact, walkable character; as well as primarily detached houses and integrates a range of small-scale, civic and multi-unit building types at strategic locations. Staff finds the Application for Conditional Use Permit furthers the intent of the “R-4” district by adding to the variety of existing residential dwelling unit stock and types along East Street; and that the proposed short-term RDR use could blend in with the character of the “R-4” district.

The *Parkville 2040 Master Plan’s* (adopted May 11, 2021) Future Land Use map labels the subject property as “Downtown Mixed-Use”. This projected use is a special mixed-use district for downtown Parkville, and provides retail and office on first-floor and residential uses on the second or third stories; with an ideal floor-to-area ration (FAR) of 0.75 for retail / office uses, and an ideal density of 8 dwelling units per acre. The proposed short-term RDR use would be suited within an existing multi-family residential 4-plex rental units (four single-family rental units), and wouldn’t conflict with the desired

uses of the “Downtown Mixed-Use” future land use projection or its density ranges, other than the fact the first-floor of the building is residential uses.

2. Compliance of any proposed development with the requirements of this code.

Per Table 405-2 of the Title IV – Development Code, *Lodging – Short-Term Rental* uses are permitted in residential zoning districts, including the “R-4” Mixed-Density Residential district, via a conditional use permit via a conditional use permit enabled through the discretionary review process outlined in Section 403.050. The applicant has been successfully operating one of the four residential dwelling units as an Airbnb short-term use since November 2021, and would eventually like to transition her other units to the same use. As a result, the owner would like to be compliant with City of Parkville regulations via approval of an Application for Conditional Use Permit. No changes would be needed to the existing building in order to accommodate the proposed use.

3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of the Development Code and the intent or design objectives of any applicable subsections of the Development Code, or mitigate any other potential impacts that are specific to the proposed use.

When considering an Application for Conditional Use Permit, staff considers a variety of factors, including how the proposed use would impact the public health, safety and welfare. For short-term RDR uses, staff evaluates hours of operation, noise, odor, traffic/parking, and other potential negative impacts on adjacent properties.

With regard to 500 East St., the existing building meets all “R-4” lot size requirements (e.g., minimum area, width, building coverage) and building standards (e.g., front-yard setbacks, side-yard setbacks, rear-yard setbacks, maximum height). As a result, staff doesn’t foresee any issues pertaining to noise; and since the lodging itself would occur within the building, staff doesn’t foresee any issues pertaining to odor. Section 408.030 Required Parking, Table 408-5: Required Parking requires 2 parking spaces per dwelling unit. The subject property has a rear parking lot that can accommodate approximately 6 motor vehicles; nevertheless, there is also 2 public parking spaces along E 5th St. directly adjacent to 500 East St. Furthermore, this doesn’t account for additional public parking within 600 feet of the subject property, including the City’s public parking lot at the southern end of 603 East St. which contains 16 public parking spaces (it should be noted that Section 408.030 Required Parking, Subsection C.4 allows public parking credit for any property within 600 ft. of public parking spaces; and this provision allows the reduction of 1 required space for every 2 public parking spaces available). The owner has indicated that tenants renting out the dwelling units at 500 East St. have not had any issues in terms of adequate parking available.



View of 500 East St. (looking towards the west) from Missouri Hwy 9



View of private parking lot at 500 East St.



View of on-street public parking along W 5th St.



View towards public parking lot spaces at 603 East St.

4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.

Staff finds the proposed short-term RDR use would have little-to-no impact on the public realm, specifically the design of streetscapes and site elements to the streetscape, as no changes are being proposed to the existing building itself at 500 East St. It should be noted that the Six At Park Class-A commercial office building directly across the street at 603 East St. has several *Lodging – Short-Term Rental* dwelling units available for rent.

5. The adequacy of drainage, utilities and other public facilities.

Although the multi-family residential 4-plex building on the subject property was constructed in 1968, it's currently served by all required public utilities (e.g., electrical, water, sewer). There are currently no Property Maintenance Code violations on the subject property pertaining to stormwater drainage. Moreover, the Application for Conditional Use Permit does not appear to significantly impact the ability for the City or other governmental agencies to respond with public and emergency services; this includes police, fire, and the ability to maintain the peace.

6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.

The character of the neighborhood surrounding the subject parcel is old town / historic residential, old town district commercial, business commercial and Park University campus. Adjacent and surrounding property parcels to the north and west are all zoned "R-4" Mixed-Density Residential, parcels to the south are zoned "OTD" Old Town District, parcels to the east are zoned "B-2-P" General Business District, and parcels to the northeast are zoned "P-EC" Planned Educational Campus District. The existing building located on the subject property is compatible with the "R-4" building typologies and character of the area in terms of building scale, form, and landscape and site design. The proposed short-term RDR use should not negatively impact the character of the surrounding area, as their uses are generally higher-intensity commercial business uses, all of which permit *Lodging – Short-Term Rental* uses by-right without needing to obtain a conditional use permit.



Aerial view of property parcels and their respective zoning district designations

7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

In terms of hours of operation, short-term RDR uses are not restricted to specific hours of the day or days of the week, unless dictated as a conditional of approval enabled through the discretionary review process outlined in Section 403.050. The Parkville Police Department confirmed the subject property had one minor noise complaint in 2008, but there has not been any noise complaints received for the subject property since November 2021 when the owner transitioned the use of one of her units to a short-term RDR. The applicant has noted that guests will be arriving and going in similar fashion to neighboring residents. As noted in review criteria #3 above, staff doesn't foresee any issues / adverse impacts to adjacent properties pertaining to visible impacts, audible impacts, or traffic patterns. It should be noted that the Six At Park Class-A commercial office building directly across the street at 603 East St. has several *Lodging – Short-Term Rental* dwelling units available for rent.

8. Whether a limited time period for the permit is reasonable necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.

The discretionary review process outlined in Section 403.050 allows a reasonable time limit be placed on approval of the conditional use permit on a case-by-case basis. This is

in order to assess the intensity and potential impacts of the use against changing conditions in the area over time. While staff has not recommended a specific length of time for the duration of the Application for Conditional Use Permit, the applicant has requested the length of the permit be 23 years. Staff is open to the opinion and input from the Planning and Zoning Commission on this matter. In the past, common Conditional Use Permit time limitations have included 5 years, 10 years, 15 years and 20 years.

9. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.

Approval of the Application for Conditional Use Permit should not prevent development and use of neighboring properties in accordance with the applicable regulations of the Title IV – Development Code. The existing building on the subject property is compliant with both “R-4” lot size requirements (e.g., minimum area, width, building coverage) and building standards (e.g., front-yard setbacks, side-yard setbacks, rear-yard setbacks, maximum height).

10. The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

The *Parkville 2040 Master Plan* projects “Downtown Mixed-Use” future land use for the subject property and immediately adjacent properties. This projected use is a special mixed-use district for downtown Parkville, and provides retail and office on first-floor and residential uses on the second or third stories; with an ideal floor-to-area ratio (FAR) of 0.75 for retail / office uses, and an ideal density of 8 dwelling units per acre. Staff finds the proposed short-term RDR use would be complimentary to the existing multi-family residential 4-plex rental units (four single-family rental units); and wouldn’t negatively impact long-range plans applicable to the site and surrounding area, including the desired vision of the “Downtown Mixed-Use” future land use or its ideal density ranges.

11. The recommendations of professional staff or other technical reviews associated with the application.

Aside from staff’s analysis and recommendations contained within the *Parkville 2040 Master Plan*, no other recommendations of professional staff or other technical reviews associated with the application are referenced.

Staff Conclusion and Recommendation

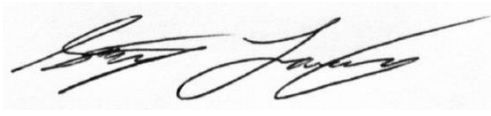
Staff concludes that: With the exceptions noted above, the application meets or exceeds the minimum applicable standards and regulations; the proposed use of *Lodging – Short-Term Rental* does not conflict with the intent of any abutting districts and can be consistent with the adopted Parkville Master Plan; the proposed use can meet the requirements of the Development Code; the proposed use should not negatively impact the public realm, design and functions of streetscapes; existing drainage, utilities and other public facilities should be adequate for the proposed use; the existing building is compatible with the character of the area; hours of operation, visible and audible impacts and traffic patterns are compatible with the area; no specific time duration for the Application for Conditional Use Permit is recommended by staff due to the low-impact nature of the proposed use, but staff is open to the opinion and input from the Planning and Zoning Commission on the matter; the proposed use will not prevent development and use of neighboring properties; and the long-range plans to the site and surrounding area will not be negatively impacted by the proposed use.

Following review, staff recommends approval of the Application for Conditional Use Permit for the subject property based on the merits of the application and the findings and conclusions in this report. It should be noted that the recommendation contained in this report is made without knowledge of facts, public comments or any additional information which may be presented during the public hearing. For that reason, the conclusions herein are subject to change as a result of evaluating additional information; additionally, staff reserves the right to modify or confirm the conclusions and recommendations herein based on consideration of any additional information that may be presented.

Necessary Action

Following consideration of the Application for Conditional Use Permit, supporting information, associated exhibits, factors discussed above, and any testimony presented during the public hearing, the Planning and Zoning Commission should recommend approval, approval with conditions, denial, or postpone the application for further consideration. If approved subject to conditions, the conditions should be noted for the record. Unless postponed, the Planning Commission's action will be forwarded to the Board of Aldermen on May 17, 2022 for final action.

End of Memorandum



05-04-2022

Stephen Lachky, AICP, CPM, CFM
Community Development Director

Date

**CITY OF PARKVILLE
Policy Report**

Date: June 1, 2022

Prepared By:

Brad Stanton, Planner

Reviewed By:

Stephen Lachky, Community Development
Director

ISSUE:

Approve the first reading of an ordinance to rezone property at 6300 Highway 9 from "B-2" General Business District to "B-4-P" Planned Business District for Taylor Animal Hospital - Case No. PZ 2022-09; Tim Parsons, applicant (Community Development)

BACKGROUND:

The applicant (Tim Parsons, TWC, Inc.) proposes to rezone the existing parcel for the Taylor Animal Hospital from "B-2" General Business District to "B-4-P" Planned Business District in order to construct a planned 1,840 sq. ft. building addition. This zoning map amendment would bring the current legal, non-conforming "animal clinic - general" use into compliance, allow for the proposed building addition, and clean up the zoning designations for a lot merge with property to the west. On May 10, 2022, the Planning and Zoning Commission approved the major site plan for the building addition (Case No. PZ 2022-10).

BUDGET IMPACT:

There is no impact to the budget.

ALTERNATIVES:

1. Approve the first reading of the ordinance.
2. Approve the first reading of an ordinance, subject to changes directed by the Board of Aldermen.
3. Deny the application.
4. Postpone the item.

FINANCE COMMITTEE RECOMMENDATION:

The item was not presented to the Finance Committee, but is being taken directly to the Board of Aldermen for consideration.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission considered the application during a public hearing held on May 10, 2022. No public comments were received. The Planning and Zoning Commission made a motion and recommended approval of the application for zoning map amendment (vote 5-0).

STAFF RECOMMENDATION:

Staff recommends the Board of Aldermen approve the first reading of an ordinance to rezone Taylor Animal Hospital.

POLICY:

Per Parkville Municipal Code, Title IV, Table 403-1, a public hearing is required (distinguished from a public meeting generally open to the public) to consider Zoning Map Amendment applications by the Planning and Zoning Commission review body, with the Board of Aldermen as the “decision making authority” for such applications following review and recommending authority by the Planning and Zoning Commission.

Per RSMo 89.050 and Parkville Municipal Code Section 403.030, the Board of Aldermen shall not consider a request prior to the lapse of the 15 day protest period. Per Parkville Municipal Code Section 403.030, Subsection C, if a written protest against a proposed zoning change is filed in the office of the City Clerk within 15 days of the date of the conclusion of the Planning Commission public hearing, signed by the owners of record of 30 percent or more of any real property proposed to be rezoned, or by the owners of record of 30 percent or more of the total area required to be notified by this Code of the proposed rezoning of a specific property (excluding streets and public ways), the ordinance adopting such amendment shall not be passed except by at least a 2/3 vote of all of the members of the Board of Aldermen. Without a valid protest petition, the proposed rezoning may be approved by a simple majority of five votes.

The Board of Aldermen must approve two readings of the ordinance to become effective. Rule 5, Agendas, of the Board’s adopted Rules of Order, states “The first reading of an ordinance will be read on the action agenda and the second and final reading will be read the next subsequent meeting on the consent agenda, unless the item is a time-sensitive matter in which it may be approved during the same meeting.”

SUGGESTED MOTION:

I move to approve Bill No. 3192, an ordinance rezoning property at 6300 Highway 9 from "B-2" General Business District to "B-4-P" Planned Business District for Taylor Animal Hospital, on first reading and postpone the second reading to June 21, 2022.

ATTACHMENTS:

1. Ordinance
2. Application
3. Legal Description
4. Staff Report

AN ORDINANCE REZONING PROPERTY AT 6300 HIGHWAY 9 FROM “B-2” GENERAL BUSINESS DISTRICT TO “B-4-P” PLANNED BUSINESS DISTRICT FOR TAYLOR ANIMAL HOSPITAL

WHEREAS, the applicant (Tim Parsons, TWC, Inc.) proposed to rezone the existing parcel for the Taylor Animal Hospital from “B-2” General Business District to “B-4-P” Planned Business District via an application for zoning map amendment (Case No. PZ2022-09); and

WHEREAS, the subject property is generally located west of Highway 9 and 250’ south of Highway 45, and is legally described in Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, notice of a public hearing to be held before the Planning and Zoning Commission was published, mailed and posted in accordance with Parkville Municipal Code Title IV, Section 403.010; and

WHEREAS, all property owners within 185 feet of the subject property parcels were given proper notice and allowed their right to protest said rezoning; and

WHEREAS, City staff reviewed the application according to Parkville Municipal Code Title IV, Section 403.030 and determined their findings and conclusions; and

WHEREAS, on May 10, 2022, the Planning and Zoning Commission held a public hearing to consider the application for Zoning Map Amendment and recommended approval of the zoning map amendment by a vote of 5-0; and

WHEREAS, the Board of Aldermen reviewed and considered staff’s conclusions and recommendation, the information provided to the Planning and Zoning Commission, the Planning and Zoning Commission’s recommendation and information presented to the Board of Aldermen, and desires to approve the application.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. Approval of the rezoning of one (1) parcel of land generally located to the west of Highway 9 and 250’ south of Highway 45, from “B-2” General Business District to “B-4-P” Planned Business District, as depicted in Exhibit A.

SECTION 2. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 21st day of June 2022.

Mayor Dean Katerndahl

ATTESTED:

City Clerk Melissa McChesney



Application #: _____
Date Submitted: _____
Public Hearing: _____
Date Approved: _____

CITY OF PARKVILLE • 8880 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0013

Application for Zoning Map Amendment

Pre-application meeting required per Parkville Municipal Code Title IV, Section 403.010, Subsection C

1. Applicant / Contact Information

Applicant(s)

Name: Tim Parsons
Address: 1550 Willmar Ave. SE
City, State: Willmar, MN
Phone: _____ Fax: _____
E-mail: tparsons@twcinc.com

Engineer/Surveyor(s) preparing legal description

Name: Patrick Cassity
Address: 5015 NW. Canal St. Suite 100
City, State: Riverside, MO
Phone: (816) 800-0950 Fax: _____
E-mail: pcassity@ric-consult.com

Owner(s), if different from applicant(s)

Name: Dr. Todd Smith Taylor
Address: 6300 MO 9 HWY
City, State: Parkville, MO
Phone: (816) 441-4252 Fax: _____
E-mail: _____

Contact Person, if different from applicant(s)

Name: Same as Applicant
Address: _____
City, State: _____
Phone: _____ Fax: _____
E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that rezoning in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) timothy parsons

Digitally signed by timothy parsons
Date: 2022.04.07 11:47:53 -05'00'

Date: _____

Property Owner's Signature (Required) _____

Date: 07-Apr-22

2. Property Information

Legal description: Attach a separate sheet with complete writing and graphical legal description of the subject property.

Property address / general location:

6300 MO 9 Hwy.

Parcel ID Number 20-7.0-26-100-002-002.000

Present zoning B-2

Proposed zoning B-4-P

Present use of the property:

Automobile Parking

Length of use:

Permanent

3. Neighboring land uses and zoning

Describe the existing land use and zoning on the surrounding properties:

Existing Land UseExisting Zoning

North: Automobile Repair/Mechanic

North: B2

South: Private Drive
Liquor Store South of Private Drive

South: B4

East: Veterinary Clinic

East: B4

West: Library

West: B2

Attach a narrative addressing:

1. How the application is consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan. In particular, the relationship of land uses within the proposed district and the relationship with uses existing or anticipated in surrounding districts.
2. The character of the neighborhood, including design of the streets, civic spaces and other open spaces; the scale, pattern and design of buildings; the zoning of property and compatibility of potential future uses; and the operation and uses of land and buildings.
3. How the application furthers the intent of the proposed zoning district and supports that of any abutting zoning districts, in particular, the building form, site design, and other development patterns and urban design aspects of the proposed project in furthering the intent.
4. Compliance of any proposed development with the requirements of the development code, and the intent or design objectives associated with any specific standards.
5. The ability of the City or other government agencies to provide any services, facilities or programs that might be required if the application were approved.
6. The effect of approval on the condition or value of property in the city or in the vicinity, including the likelihood of surrounding areas to be developed in accordance with the Master Plan.
7. The consistency of the application with other adopted policies of the City, including any other relevant implications of the change beyond any specific proposed project.
8. The recommendations of professional staff or other technical reviews associated with the application.

4. Checklist of required submittals

- ☐ Completed application, including all required details and supporting data.
- ☐ Nonrefundable application fee of \$300.00. Applicant will be billed to recover costs for required publication, posted and mailed notice per Parkville Municipal Code, Title IV, Section 403.010, Subsection E.
- ☐ Complete written and graphical legal description of subject property in paper and electronic formats, an area map showing the subject property and surrounding major features including roads.
- ☐ If the proposed rezoning is for a Master Planned Development (i.e., "planned" district) such as a "B-4-P" *Planned Business District*, a complete site plan/development plan is required per Parkville Municipal Code, Title IV.
- ☐ Notarized affidavit of ownership and authorized signature of the applicant and owner of record of the property.

For City Use OnlyApplication accepted as complete by: _____
Name/Title _____ Date _____

Application fee payment: Check # _____ M.O. _____ Cash

Final reimbursable costs paid (if applicable). Date of Action: _____

Planning Commission Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

Board of Aldermen Action: ☐ Approved ☐ Approved with Conditions ☐ Denied Date of Action: _____

Conditions if any: _____

A tract of land in Lot 2, REPLAT OF TRACT K, a subdivision of land in the City of Parkville, Platte County, Missouri, as described by Steve E. Roberts, Missouri PS #2496 and more particularly described as follows:

Beginning at the northernmost Northwest corner of said Lot 2, thence South $89^{\circ}11'30''$ East and along the North line of said Lot 2 a distance of 135.76 feet to the Northeast corner thereof and a point on the West Right of Way line of Missouri Highway No. 9 as it now exists; thence South $06^{\circ}47'20''$ West, along the East line of said Lot 2 and Right of Way line, a distance of 102.37 feet to the easternmost Southeast corner of said Lot 2; the following 3 courses will follow the South line of said Lot 2; thence North $89^{\circ}05'55''$ West, a distance of 28.52 feet; thence South $00^{\circ}56'42''$ West, a distance of 12.16 feet; thence North $89^{\circ}03'18''$ West, a distance of 99.06 feet to the intersection of said South line and the southerly extension of the original East line of Tract K of PARKVILLE COMMONS, SECOND PLAT, a subdivision in said City of Parkville; thence North $01^{\circ}26'49''$ East along the said East line, a distance of 84.43 feet to the Northeast corner of said Tract K, and being a point on the North line of said Lot 2; the following 2 courses will follow the North line of said Lot 2; thence South $89^{\circ}00'52''$ East, a distance of 1.33 feet; thence North $01^{\circ}16'12''$ East, a distance of 29.28 feet to the Point of Beginning. Containing 14,613 sq. ft. or 0.335 acres.



Staff Analysis

Agenda Item: 5.D & 6.A

Proposal: Application for Major Site Plan and Zoning Map Amendment for Taylor Animal Hospital, a planned expansion to an existing animal clinic on 0.46 acres, more or less, generally located west of Highway 9 and 250' south of Highway 45.

Staff
Recommendation: Approval

Case No: PZ22-09 (Zoning Map Amendment) & PZ22-10 (Major Site Plan)

Applicant: Time Parsons, Terwisscha Construction, Inc.

Owners: Dr. Todd Smith Taylor, Taylor TS Investments, LLC

Location: 6300 Highway 9, Generally located west of Highway 9 and 250' south of Highway 45

Zoning: Current: "B-2" General Business District & "B-4-P" Planned Business District

Proposed: "B-4-P" Planned Business District

Parcel #s: Platte County parcel # 20-7.0-26-100-002-002.000 and part of Platte County parcel # 20-7.0-26-100-002-041.000

Exhibits:

- A. This Staff Analysis
- B. Application for Zoning Map Amendment
- C. Application for Major Site Plan
- D. Subject Area Property Map
- E. Major Site Plan (prepared by Renaissance Infrastructure Consulting; dated April 8, 2022, revised April 28, 2022)
- F. Rezoning Legal Description (Submitted by Applicant)
- G. Stormwater Memo (Submitted by Applicant)
- H. Additional exhibits as may be presented during the regular meeting

By Reference:

- A. Parkville Municipal Code, Title IV – Development Code in its entirety (http://parkvillemo.gov/download/ZoningCodeUpdate_FinalDraft.pdf)
 - 1. Section 403.030 Zoning Map Amendment
 - 2. Section 403.060 Major Site Plan
 - 3. Chapter 404 Subdivision Regulations
 - 4. Section 405.010 Zoning Districts Established
 - 5. Section 405.020 Districts & Uses

- 6. Section 405.030 Standards Applicable to All Districts
- B. Parkville Master Plan (<http://parkvillemo.gov/departments/community-development-department/master-plan/>)
- C. Notice of Public Hearing mailed to owners within 185 ft. of the subject property
- D. Hearing notice published in The Platte County Citizen newspaper on April 20, 2022.

Overview

The applicant proposes a zoning map amendment and a major site plan for Taylor Animal Hospital, generally located west of Highway 9 and 250' south of Highway 45. The applicant is proposing to expand the existing animal clinic onto a portion of an existing parking lot to the west. The existing animal clinic is on a lot that is zoned "B-2" General Business District, while the lot where expansion is planned is zoned "B-4-P" Planned Business District. The applicant seeks to rezone the entirety of the property to "B-4-P" Planned Business District. The applicant also proposes a major site plan for a 1,840 sq. ft. addition including animal boarding, grooming, and outdoor exercise areas.



Background

Taylor Animal Hospital currently operates a legal, non-conforming *animal clinic – general* use at property addressed as 6300 Highway 9. *Animal clinic – general* uses are defined in Section 402.010 as “a service use for the medical care of small domestic animals where outdoor pens or kennels are only used for exercise and recreational purposes, and no animals are kept outside. Examples include large veterinary offices, large grooming facilities, animal hospitals, commercial kennels.” *Animal clinic – general* uses are only allowed by-right in “B-4-P”, “BP”, and “I-1” zoning districts. The applicant proposes to rezone existing property from “B-2” General Business District to “B-4-P” Planned Business District to allow the *animal clinic – general* use.

Review and Analysis

The Zoning Map amendment process provides review of changes to the boundary of zoning districts (rezoning) that may be necessary to account for changed conditions in the general area or a change in public policies with respect to future development.

The major site plan process coordinates development projects with the public realm and with adjacent sites, and specifically demonstrates how new projects meet the development and design standards of this code regarding compatible arrangement of buildings, pedestrian and vehicle access, site design, lighting and landscaping.

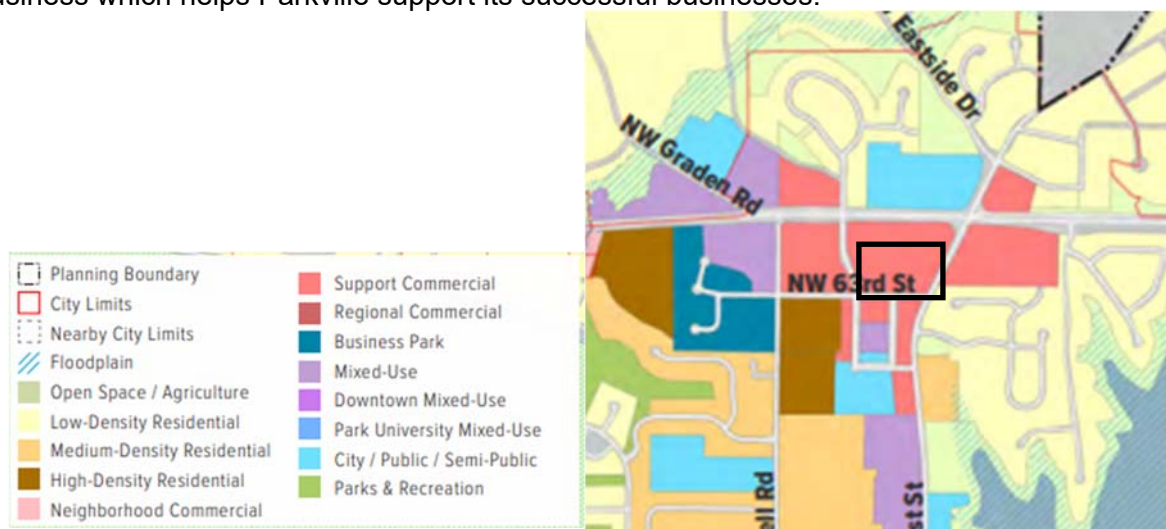
Zoning Map Amendment Application (PZ21-53)

Parkville Municipal Code, Section 403.030 provides criteria for how the Planning and Zoning Commission shall determine if a zoning map amendment is appropriate. The following are staff’s findings and conclusions for the zoning map amendment.

- 1. The application is consistent with the Master Plan and any official plan or program developed under the guidance of the Master Plan, and in particular the relationship of land uses within the proposed district and the relationship with uses existing or anticipated in surrounding districts.**

Parkville Master Plan

The Parkville Master Plan projects Support Commercial uses for this property. Support Commercial uses are typically medium scale retail, office, and auto-oriented uses. Additionally, this zoning map amendment is proposed to allow for expansion of a local business which helps Parkville support its successful businesses.



Future Land Use Map from *Parkville 2040 Master Plan*

2. **The character of the neighborhood, including the design of streets, civic spaces and other open spaces; the scale, pattern and design of buildings; the zoning of property and compatibility of potential future uses; and the operation and uses of land and buildings.**

The subject property is surrounded by commercial zoning districts and uses and a major roadway (9 Highway). The Parkville Commons commercial development to the south and west is zoned "B-4-P" and has similar character to the existing and proposed development on the subject property. Staff has received no complaints about the existing animal clinic use on this property.

3. **The application furthers the intent of the proposed zoning district and supports that of any abutting zoning districts, and in particular the building form, site design, and other development patterns and urban design aspects of the proposed project in furthering the intent.**

The location of the subject property is compatible with a "B-4-P" zoning district as it has direct access to 9 Highway and is surrounded by other commercial development. The existing and proposed building form and site design are compatible with the proposed "B-4-P" zoning district.

4. **Compliance of any proposed development with the requirements of the Development Code, and the intent or design objectives associated with any specific standards.**

The current *animal care – general* use is considered legal, non-conforming on this property. Rezoning this property from "B-2" to "B-4-P" will allow the existing and proposed development on this site to be in compliance with the Code requirements for an *animal care – general* use.

5. **The ability of the City or other government agencies to provide any services, facilities or programs that might be required if the application were approved.**

The proposed rezoning does not appear to significantly impact the ability for the City or other governmental agencies to respond with public and emergency services; this includes police, fire and the ability to maintain the peace. Additionally, staff coordinated with Dean Cull, SPFPD Fire Marshall, who has reviewed the major site plan to determine if adequate fire protection can be provided. The City has received no complaints regarding providing services for the current use of this property.

6. **The effect of approval on the condition or value of property in the City or in the vicinity, including the likelihood of surrounding areas to be developed in accordance with the Master Plan.**

Staff expects minimal effect of approval on properties in the City, beyond increased valuation in expanding an existing building. Much of the surrounding area is also commercial and already developed.

7. **The consistency of the application with other adopted policies of the City, including any other relevant implications of the change beyond any specific proposed project.**

This application is consistent with other adopted policies of the City including the Parkville Municipal Code, the "B-4-P" zoning district regulations, the *Parkville 2040 Master Plan* and the future land use map of the Master Plan.

8. **The recommendations of professional staff or other technical reviews associated with the application.**

Staff recommends approval of the Application for Zoning Map Amendment for Taylor Animal Hospital.

Major Site Plan Application (PZ22-10)

Parkville Municipal Code, Section 403.060, Subsection B. provides criteria for how the Planning and Zoning Commission shall determine if a major site plan is appropriate. The following are staff's findings and conclusions for the major site plan:

1. In general, any site plan in compliance with all requirements of this code shall be approved.

Staff concludes the site plan conforms to use allowances permitted in the "B-4-P" Planned Business District. In addition, the site plan is in compliance with the City's subdivision regulations (i.e., block and lot arrangement), site and landscape design standards (i.e., planting requirements, buffer/screening requirements, outdoor lighting, and stormwater management), and access and parking regulations (i.e., access and circulation standards, required parking counts, and parking specifications).

2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:

- a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by this code and will not negatively impact the function and design of rights-of-way or adjacent property.**

"B-4-P" Height, Area and Bulk Standards (Section 405.030.A.)

The subject property is currently zoned "B-4-P" Planned Business District. Development standards for the "B-4-P" Planned Business District are set by the master planned development process as established in Section 403.040 of the Municipal Code. Staff, by convention, uses the height, area, and bulk standards of the "B-2" General Business District as a guide for site plans within the "B-4-P" zoning district. Table 1 below shows the Code requirements and site plan proposal.

Table 1. Height, Area, and Bulk Standards

	Code	Proposed
Lot Size		
Area (sq. ft.)	7,500	20,113
Width (ft.)	60	102.37
Depth (ft.)	100	192.7
Building Standards		
Front Setback (ft.)	25	>25 (existing)
Side Setback (ft.)	20	2.8
Rear Setback (ft.)	20	36.9
Height (ft./stories)	45 / 3	10 / 1

The proposed development meets the height, area, and bulk standards except for the required side setback. The existing building currently has a 0' setback towards the rear. The "B-4-P" Planned Business District zoning district allows for the Planning Commission to have discretion on setback standards. Staff feels the 2.8 foot setback is appropriate given the existing building and built conditions.

"B-4-P" Use Standards (Section 405.020)

The proposed *animal care - general* use is allowed by right in the "B-4-P" Planned Business District. *Animal care - general* uses are "a service use for the medical care of small domestic animals where outdoor pens or kennels are only used for exercise and recreational purposes, and no animals are kept outside. Examples include large veterinary offices, large grooming facilities, animal hospitals, commercial kennels."

Access (Section 408.020)

Access is provided to the site through existing internal access drives for the development. Exhibit E contains AutoTURN movements for emergency vehicle traffic.

Parking Requirements (Section 408.030)

Section 408.030 requires three (3) parking spaces for every 1000 sq. ft. of building. The applicant has not met this requirement of 17 spaces, providing a total of 15 parking spaces on the subject property. The applicant has noted that a shared parking agreement exists between the proposed site and the adjacent property. This allows the proposed expansion to share the additional spaces in the adjacent parking lot. Section 408.030 C.5. allows for shared parking reductions in this manner. Staff finds with the provided parking as well as the existing shared parking agreement, the proposed site is able to meet the parking requirements of the Code.

Table 2. Parking Requirements

	Code Requirement	Proposed	Difference	Shared
3 stalls per 1000 sq. ft.	17 stalls	15 stalls	-2 stalls	+2 stalls

Parking Layout Design (Section 408.050)

The parking stall dimensions detailed on the major site plan (see Exhibit E) are 90-degree stalls measuring 20 ft. length by 10 ft. width, with an aisle width of greater than 26 ft. This meets the parking layout design requirements of Table 408-10: Parking Dimensions.

Signage (Section 409)

The applicant has included proposed. **All proposed signage will require approval of an Application for Sign Permit in accordance with the City's "B-4-P" Planned Business District signage standards for size, height and area allowance as listed on Table 409-2: Sign Allowances.**

Outdoor Lighting (Section 407.040)

The applicant is not proposing any new exterior lighting.

- b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.

Building Location

The building location on the site allows for appropriate parking and vehicle flow/access.

Landscape Design (Section 407.020)

The applicant has submitted a landscape plan that meets the requirements of Section 407.020.

Stormwater Management (Section 407.050)

Per our Development Code requirements, the Public Works Department can require a Stormwater Management Analysis study be submitted for review and approval. The Applicant has provided a Stormwater Memo (see Exhibit G) that has been reviewed by City Staff.

- c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.

Architectural Design, Materials and Style

The architectural design of the proposed expansion is similar to the existing building.



View of expansion from the southwest (Submitted by Applicant)

Proportion, Massing and Scale

In terms of proportion, massing and scale, the proposed 1,840 sq. ft. expansion to the existing 4,040 sq. ft. building is appropriate considering the context of the subject property, adjacent development, and allowances per the “B-4-P” General Business District.

- d. **The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.**

Location Compatibility

The proposed expansion is compatible with the existing building as well as adjacent development.

Open Spaces and Natural Features

The subject property and the surrounding area are highly developed with few natural features. The submitted landscape plan provides detailing for the natural areas of the site.

- e. **Whether any additional site-specific conditions are necessary to meet the intent of the zoning district or the intent and design objectives of any of the applicable development standards.**

No site-specific conditions are necessary to meet the applicable “B-4-P” requirements of the Development Code.

3. **The application meets the criteria for all other reviews needed to build the project as proposed.**

Staff finds the application able to meet the criteria for all other reviews needed to build the project.

4. **The recommendations of professional staff**

Staff recommends approval of the application as presented, with the conditions noted below.

Staff Conclusion and Recommendation

Staff recommends approval of the Application for Major Site Plan and recommends approval of the Application for Zoning Map Amendment for Taylor Animal Hospital based on the merits of the application and the findings and conclusions in the report.

Additionally, staff recommends approval of the application, subject to the following conditions:

1. Approval is based on the representations of the drawings presented as part of this application and does not waive any requirement or development standard contained within the Municipal Code.
2. All signage requires an approved Sign Permit.
3. Any other conditions the Planning and Zoning Commission determines are necessary.

It should be noted that the recommendation contained in this report is made without knowledge of facts, comments or any additional information which may be presented during the meeting. For that reason, the conclusions herein are subject to change as a result of evaluating additional information; additionally, staff reserves the right to modify or confirm the conclusions and recommendations herein based on consideration of any additional information that may be

presented.

Necessary Action

Following consideration of the Application for Major Site Plan and Application for Zoning Map Amendment, supporting information, associated exhibits, factors discussed above and any testimony presented at the meeting, the Planning and Zoning Commission should recommend approval (with or without conditions), denial, or postpone the applications for further consideration. If approved subject to conditions, the conditions should be noted for the record. Unless postponed, the Planning and Zoning Commission's action on the Application for Zoning Map Amendment will be forwarded to the Board of Aldermen on June 7, 2022 for final action.

End of Memorandum

/s/ Brad Stanton
Brad Stanton

5-6-2022
Date

ITEM 5.A.1.

For 6/7/2022

Board of Aldermen Meeting

**CITY OF PARKVILLE
Policy Report**

Date: May 31, 2022

Prepared By:

Reviewed By:

ISSUE:

City Hall Closed June 20 - Juneteenth

BACKGROUND:

BUDGET IMPACT:

ALTERNATIVES:

FINANCE COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATION:

POLICY:

SUGGESTED MOTION:

ATTACHMENTS:

None

Case No.	Application Type	Project Name
PZ 2021-13	Zoning Map Amendment	Platte 38
PZ 2021-48	Subdivision - Prelim Plat	Platte 38
PZ 2021-49	Subdivision - Final Plat	Platte 38
PZ 2021-50	Subdivision - Prelim Plat	Sanctuary At Riss Lake
PZ 2021-51	Subdivision - Final Plat	Sanctuary At Riss Lake
PZ 2021-30	Preliminary Dev Plan	Village On The Green
PZ 2021-52	Subdivision - Prelim Plat	Village On The Green
PZ 2021-53	Zoning Map Amendment	Village On The Green
PZ 2022-01	Major Site Plan	Dairy Queen
PZ 2022-02	Major Site Plan	Attic Storage
PZ 2022-03	Subdivision - Admin Plat	Thousand Oaks 19th Replat
PZ 2022-05	Subdivision - Admin Plat	Café Des Amis
PZ 2022-10	Major Site Plan	Taylor Animal Hospital
PZ 2022-11	Major Site Plan	Whataburger

Case No.	Application Type	Project Name
PZ 2022-07	Conditional Use Permit	Short-Term Residential Rental
PZ 2022-08	Conditional Use Permit	Short-Term Residential Rental
PZ 2022-09	Zoning Map Amendment	Taylor Animal Hospital
PZ 2022-13	Conditional Use Permit	Short-Term Residential Rental
TBD	Final Development Plan	Village On The Green

Recently Approved	
Detail	Property Address
Rezoning a parcel from County to "R-4" and "R-2"	West of The National 7th Plat
Platting 27 duplex lots and 9 detached home lots	West of The National 7th Plat
Platting 27 duplex lots and 9 detached home lots	West of The National 7th Plat
Platting 19 duplex lots and 4 tracts of open space	MO-9 Hwy and Lakeview Dr
Platting 19 duplex lots and 4 tracts of open space	MO-9 Hwy and Lakeview Dr
23 cluster townhomes and 7 1-3 story townhomes	MO-45 Hwy and Lake Crest Ln
Platting numerous parcels for townhome lots	MO-45 Hwy and Lake Crest Ln
Rezoning a parcel from County to "R-5" and "R-2-P"	MO-45 Hwy and Lake Crest Ln
New 2,400 sq. ft. drive-thru restaurant	8803 NW MO-45 Hwy
New two-story self-storage facility	Vertical Ventures III, Lot 3
Combining two lots (no. 806 & 807) into one	13602 Lookout Cir
Modifying property line boundaries	112 Main St
1,840 sq. ft. addition to existing building	6300 MO-9 Hwy
New 3,100 sq. ft. drive-thru restaurant	9110 NW 45 Hwy

Active Development	
Detail	Property Address
Permitting an Airbnb use (six-month timeframe)	804 Main St
Permitting an Airbnb use (six-month timeframe)	11 W 5th St
Rezoning a parcel from "B-2" to "B-4-P"	6300 MO-9 Hwy
Permitting an Airbnb use (six-month timeframe)	500 East St
23 cluster townhomes and 7 1-3 story townhomes	MO-45 Hwy and Lake Crest Ln

Development Applications

Parcel No.	Date Submitted	Public Hearing	Planning Commission
20-8.0-27-100-002-006.000	4/8/2021	Yes	12/14/2021
20-8.0-27-100-002-006.000	11/1/2021	No	12/14/2021
20-8.0-27-100-002-006.000	11/1/2021	No	12/14/2021
20-7.0-26-400-006-001.000	12/28/2021	No	1/11/2022
20-7.0-26-400-006-001.000	12/28/2021	No	1/11/2022
20-7.0-26-200-002-003.001	8/6/2021	Yes	10/12/2021
20-7.0-26-200-002-003.001	10/29/2021	No	12/14/2021
20-7.0-26-200-002-003.001	10/29/2021	Yes	12/14/2021
20-7.0-26-100-002-003.000	1/5/2022	No	2/8/2022
20-4.0-19-000-000-019.000	1/7/2022	No	2/8/2022
20-9.0-32-100-001-806.000	2/4/2022	No	N/A
20-7.0-35-100-036-016.000	2/24/2022	No	N/A
20-7.0-26-100-002-002.000	4/7/2022	No	5/10/2022
20-6.0-23-400-003-005.000	4/8/2022	No	5/10/2022

Development Applications

Parcel No.	Date Submitted	Public Hearing	Planning Commission
20-7.0-35-100-016-001.000	4/4/2022	Yes	5/10/2022
20-7.0-35-100-029-004.000	3/17/2022	Yes	5/10/2022
20-7.0-26-100-002-002.000	4/7/2022	Yes	5/10/2022
20-7.0-35-100-026-003.000	4/8/2022	Yes	5/10/2022
20-7.0-26-200-002-003.001	10/28/2021	No	-

Board of Aldermen	Approved	Vote	Ordinance No.	Staff Contact
1/4/2022	Yes	8-0	3113	Stephen Lachky
N/A	Yes	5-1	N/A	Stephen Lachky
1/4/2022	Yes	8-0	3114	Stephen Lachky
N/A	Yes	8-0	N/A	Stephen Lachky
1/18/2022	Yes	7-0	3119	Stephen Lachky
11/16/2021	Yes	6-1	3103	Brad Stanton
N/A	Yes	6-0	N/A	Brad Stanton
1/18/2022	Yes	7-1	3116	Brad Stanton
N/A	Yes	6-0	N/A	Brad Stanton
N/A	Yes	6-0	N/A	Brad Stanton
N/A	Yes	N/A	N/A	Stephen Lachky
N/A	Yes	N/A	N/A	Stephen Lachky
N/A	Yes	5-0	N/A	Brad Stanton
N/A	Yes	5-0	N/A	Brad Stanton

Board of Aldermen	Approved	Vote	Ordinance No.	Staff Contact
5/17/2022	-	-	-	Stephen Lachky
5/17/2022	-	-	-	Stephen Lachky
6/7/2022	-	-	-	Brad Stanton
5/17/2022	-	-	-	Stephen Lachky
-	-	-	-	Brad Stanton



PUBLIC WORKS DEPARTMENT PROJECT UPDATE – MAY 2022

1. PLP Wetlands – The city serves as a local project sponsor with the project led and contracted out by the US Army Corps of Engineers (Corps). [Funding via Section 1135](#) for construction of a Wetland Project in Platte Landing Park, includes:
 - Construction of wetland areas and restoration of a riparian corridor,
 - Contractor: BKM Construction
 - Subcontractors: Linaweaver and Natural States Landscaping.
 - February 2020: Project mobilized.
 - October 2020: Corps accepted project according to terms of agreement, “substantial completion”, continuing to inspect and address project performance.
 - October 2021: Staff met with the Army Corps and Missouri Department of Conservation (MDC) to review the first year of the project. MDC reported that the wetland “has a good compliment of species for ducks....and sees it as looking pretty good for YEAR 1 of a project.”
 - From Army Corps - They (MDC) reminded us that wetlands take several years to really mature (7-10 minimum) and even have some that have been 20 year projects.
 - February 2022: Erosion control matting deficiency removed from basin. Reason: incorrect design specifications, not fully biodegradable
 - May 2022: Staff met with the Corps for update and next steps.
 - June 2022: Corps presentation to BoA and CLARB w/history and status update (TBD)
 - No project updates.

STATUS – IN PROGRESS.
2. Pocket Park Improvements
 - December 2020: Board of Aldermen approved the Pocket Park Master Plan, a bump-out design, and install decorative planters in conjunction with steel bollard inner core. Project now has three (3) phases:
 1. Reconstruct south stairs; and
 2. Bollard/bump-out safety improvements in front of Pocket Park; and
 3. Relocate Grigsby statue (pulled from original agreement due to engineering/design needs).
 - June 2021: Preconstruction meeting with contractor.
 - April 2022: Start date of project: Main Street businesses and MSPA notified;
 - Kaw Valley Engineering hired to review soil stability associated w/statue relocation report:
 - Complete and forwarded to Renaissance Infrastructure Consulting (RIC)
 - May 2022: RIC finalizing design work of retaining wall for statue relocation:
 - anticipated date of bid: 5/17/2022
 - May 11, 2022: Upper portion of concrete stairs poured w/access to AirBNB estimated 5/14/22

- May 20, 2022: The concrete for the Pocket Park Stairs is completed. Handrail is on backorder and is set to be installed in July.
 - June 2022: Staff received a quote from American Fence to install a handrail on the upper portion of the stairs. This work is anticipated for mid-June.
 - June 2, 2022: Upper guardrail arrived on site. Anticipated installation early next week. Chris Ashley, Tom Barnard, Dana Laiben, Kelly Putnam met on site with Scott Bingham (BBN Architects) to discuss erosion problems and removal of a portion of the rotting wood planters.
- STATUS – IN PROGRESS*

3. Riverfront Park Entry Signage

- 2020 Budget: Entry signage for the both riverfront parks funded.
- Vireo hired to design concepts for approval.
- Long-range budget includes funding for installation of signs.
- Committee (reps from: BoA, CLARB and staff meet RE: vision for signage).
- Concepts presented to CLARB and BoA.
- BoA approve professional services agreement Vireo to develop preliminary and final drawings and specifications for new signs.
- February 2022: Preliminary design layouts presented to CLARB and BoA.
- Designs approved w/1 change: add the word “Park” to primary & secondary monument signs.
- Design team preparing construction documents
- 3rd Quarter 2022 (est.): Preliminary bid date for signs.
- 4th Quarter 2022 (est.): Primary/Secondary monument signs constructed and installed
- Spring 2023: remainder of signage (kiosks and wayfinding) constructed and installed.
- Missouri One Call has performed utility locates along south side of McAfee Street and forwarded to consultant. (will help pin-point locations for primary & secondary monuments).
- May 12, 2022: 95% complete construction documents submitted to staff.
- June 3, 2022: Staff is compiling the bid documents for the monument and directional signage. It is anticipated that the bid package will be released early next week.

STATUS – IN PROGRESS.

4. Busch Drive Roundabout Improvements – from City’s Capital Improvement Program.

- Improve traffic circle at end of Busch Drive in English Landing Park. Improvements include:
- New retaining wall, landscape, hardscape and a fountain feature.
- 2021: Retaining wall w/utility conduit, earth-fill, masonry work and concrete curb completed.
- February 2022: Masonry applied to retaining wall; electrical and water lines installed.
- Embassy Landscape contracted to install landscape and hardscape features.
- Good Earth Water Gardens contracted to install water feature.
- Some elements completed by City staff – added fill dirt, installed drain tile, added rock and fabric.
- May 9, 2022: Installation of water feature begins.
- May 20, 2022: The water feature was installed.
- May 25, 2022: Streets department installed asphalt patching along the base of the circle drive.
- June 2022: Landscape will be installed by mid-June.

STATUS – IN PROGRESS.

5. Watkins Park Improvements

- November 2020, BoA approve Watkins Park Master Plan.
- March 2021, BoA approve revised Watkins Park Master Plan.
- Outreach Grant from Platte County to assist with improvements approved.
- May 2022: majority of work complete. (i.e., shelter building, parking lot, park entrance wooden fencing. Note: approx. 64 feet of fencing not installed due to utility locates. (This additional fencing to be installed at entrance to Sullivan Nature Sanctuary.)
- May 20, 2022: Playground equipment installation is complete.
- June 2022: Grass seeding will be completed by mid-June.

STATUS – IN PROGRESS.

6. PLP Improvements

- June 2021 - Parkville receives a \$1 million Park Partnership Grant from Platte County.
- The Board of Aldermen approved a professional services agreement with McClure Engineering for the design and public engagement portions of the project.
- The traffic data for the existing conditions was collected by GBA for the street network in the park. There was an initial round of public meetings in Fall 2021.
- Based on the information gathered, the City released a public engagement survey in late 2021. The survey results, along with the traffic data, will be presented to CLARB and Board of Aldermen during a work session in February 2022.
- There will be a separate public meeting to review the same information following the work session.
- March 1st Board of Aldermen meeting, the Board directed Staff to hold-off on any further work until a Parks Director has been hired. Estimated date of hire June/July 2022.
- No project updates.

STATUS – ON HOLD.

7. Park Outreach Grant Application

- January 2022 – CLARB directs staff to prepare a Platte County Outreach Grant application for additional lighting along the riverfront trail in English Landing Park.
- Tuesday, February 22 – Staff presents application to the Outreach Grant Committee
- March 30, 2022 – Grant awarded.
- April 6, 2022 – Agreement signed and submitted by Staff
- Late Summer/Early Fall 2022 – Anticipated project start.

STATUS – IN PROGRESS.

8. Farmers Market – There are concerns about the existing Farmers Market structure.

- BBN Architects and Leigh & O’Kane hired to evaluate the existing structural stability of the Farmers Market building.
 - Alternate repair/replacement options with corresponding cost estimates provided.
 - Staff received est’s for both enclosed & open concept metal bldg: Lester Buildings.
- April 13, 2022 – Design concepts presented at CLARB meeting
 - City will pursue additional quotes from other prefabricated building manufacturers, using the Lester Building proposal as a basis of design.
- May/June 2022 – Project will go out to bid.

- Thursday, April 28, 2022 a truck ran into the South side of the Eastern-most bay of the existing structure, causing extensive damage to that bay.
 - PPD solved incident. Company responsible turned incident into their insurance.
 - The debris was removed the following day.
 - A structural assessment was made by Leigh & O’Kane and it was determined that the remaining structure was stable enough to remain in operation for this season.
 - May 20, 2022: Staff worked with a contractor to remove the eastern bays. This work was completed.
 - June 2022: Staff received the scope and fee for an architect to assist with compiling the plans and specifications for the bid documents. This agreement will be presented at an upcoming Finance meeting.
 - June 6, 2022: Formal project kick-off meeting is scheduled with Staff and BBN Architects.
- STATUS – IN PROGRESS.*

9. Watkins Park Streambank Stabilization

- 2022 Capital Improvements Program includes funding for the stabilization of the streambank near Watkins Park.
 - Erosion to the creek is threatening the infrastructure in the park.
- March 2022 – City applied for and received preliminary approval for a Stormwater Management Grant through Platte County.
 - Staff is studying the logistics of where the bank stabilization rock will be stored and how it will be moved around the site without disrupting the new construction.
- June 2022: Staff received notice of award for this project. Once the funding agreement has been executed, staff will start working on the bid documents.

STATUS – IN PROGRESS