



Special Meeting Agenda
BOARD OF ALDERMEN
CITY OF PARKVILLE, MISSOURI
Monday, September 23, 2013, 12:00 pm
City Hall Boardroom

Next numbers: Bill No. 2739 / Ord. No. 2709

1. CALL TO ORDER and ROLL CALL

2. GENERAL AGENDA

- ✓ A. Ordinance to Remove Mayoral Term Question from November General Election ballot (ENC)
- ✓ B. Ordinance to Add Mayoral Term Question to the April 2014 Municipal Election ballot (ENC)

3. MISCELLANEOUS ITEMS FROM THE BOARD

4. ADJOURN

General Agenda Notes:

- *This agenda closed at noon on Thursday, September 19, 2013. 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. Emergencies and urgent matters may be placed on an amended agenda only upon the vote of the Board of Aldermen.*
- *A ✓ in left column indicates action item. No item will be voted on at the meeting if it is not checked on the original agenda as an action item or unless the board votes to classify the item as an emergency. The purpose of this process is to ensure the public is apprised in a timely manner of action issues to come before the Board of Aldermen.*
- *(ENC) indicates enclosures are included with this agenda item. Additional exhibits may be distributed and accepted by the Board of Aldermen for any agenda item during the meeting. However, the Board may request consideration of an item be postponed to allow additional time to consider materials that were not received ahead of time.*

CITY OF PARKVILLE

Policy Report

Date: September 18, 2013

Prepared By:

Melissa McChesney
City Clerk

Reviewed By:

Lauren Palmer
City Administrator

ISSUE:

Ordinance to remove the mayoral election ballot question from the November 5 general election

BACKGROUND:

According to state statute (RSMo §79.050.2), the Board of Aldermen may provide by ordinance, after the approval of a majority of the voters, that the term of the Mayor shall be two, three, or four years. The current term for Mayor is two years as established by Section 110.010 of the Parkville Municipal Code.

On August 6, 2013, the Board approved an ordinance authorizing a ballot question to the November general election to change the term of office for the Mayor to three years. The Platte County Board of Elections estimated the cost of the special election at \$5,000-\$6,000. On Friday, September 13, 2013, the City received the final invoice for the election in the amount of \$8,238.55, which does not include publication costs (estimated at \$100 to \$200). The County admitted that it underestimated the election costs.

Pursuant to RSMo §115.127, a ballot question can be withdrawn from an election six weeks prior to the election date. If the Board decides to withdraw the ballot question, an ordinance would need to be approved to repeal Ordinance No. 2696 and a court order would need to be submitted to the Platte County Circuit Court by Tuesday, September 24. The withdrawal is not effective until the court order and ordinance are submitted to the Platte County Board of Elections.

BUDGET IMPACT:

The Platte County Board of Elections requires the City of Parkville to absorb a proportional share of the election costs for placing a municipal question on the November ballot. The final invoiced cost of \$8,238.55 is not budgeted and exceeded the estimated cost by over \$2,000. If the Board decides to withdraw the ballot question, the City may be responsible for covering \$680.64 of costs already incurred by the County for the printing of the ballots. In addition, the City anticipates approximately \$650 in legal expenses related to repealing the ordinances and filing the court order.

ALTERNATIVES:

1. Take no action and keep the question on the November 5, 2013, general election ballot.
2. Adopt an ordinance repealing Ordinance No. 2696 and file a court order with the Platte County Circuit Court to remove the question from the November 5, 2013, general election ballot.

STAFF RECOMMENDATION:

As this is a political issue, staff has no recommendation.

ATTACHMENT:

1. Ordinance

ITEM 2A

For 9-23-13

Board of Aldermen Special Meeting

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. 2696 AND AUTHORIZING THE CITY ADMINISTRATOR AND CITY ATTORNEY TO TAKE THE NECESSARY STEPS TO REMOVE THE MATTER PRESENTED BY ORDINANCE NO. 2696 FROM THE NOVEMBER 5, 2013, GENERAL ELECTION BALLOT.

WHEREAS, after the decision to place a matter to change the term of mayor from two years to three years on the November 5, 2013, general election ballot, it was decided that final invoiced costs exceeded the estimated amount the City was willing to pay for the election; and,

WHEREAS, the Board of Aldermen decided that it is necessary to remove this matter from the November 5, 2013, ballot;

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

Section 1. Repeal of ordinance. Ordinance No. 2696 is repealed.

Section 2. Removal from ballot. The City Administrator and City Attorney are authorized to take the necessary steps with the Platte County Circuit Court to remove the ballot language set forth in Ordinance No. 2696 from the November 5, 2013, ballot and seek a court order removing the matter presented by Ordinance No. 2696 from the ballot of November 5, 2013.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance is effective upon its passage and approval.

PASSED and APPROVED this 23rd day of September, 2013.

Mayor James C. Brooks

ATTESTED:

City Clerk Melissa McChesney

CITY OF PARKVILLE

Policy Report

Date: Wednesday, September 18, 2003

Prepared By:

Melissa McChesney
City Clerk

Reviewed By:

Lauren Palmer
City Administrator

ISSUE:

Ordinance to authorize a ballot question to change the term of office for the Mayor for the April 2014 election

BACKGROUND:

According to state statute (RSMo §79.050.2), the Board of Aldermen may provide by ordinance, after the approval of a majority of the voters, that the term of the Mayor shall be two, three, or four years. The current term for Mayor is two years as established by Section 110.010 of the Parkville Municipal Code.

On July 16, 2013, the Board discussed whether to submit a ballot question to voters to alter the mayoral term from two years to three years. There was general consensus from the Board to draft an ordinance for formal consideration of the action. This change would schedule future mayoral races so that the elections do not always coincide with elections for the same Aldermen seats. A longer term may also provide more continuity in this key position. The question will be placed on the April 8, 2014 municipal election ballot. Legal counsel has reviewed an ordinance (attached) to authorize the ballot question for voters for the municipal election. The deadline for adding a question to the April ballot is January 28, 2014.

BUDGET IMPACT:

Because the City already participates in the April election there will be no additional budget authority needed to add the question to the ballot. The average cost for an April election is less than \$2,000. Statute requires the Platte County Board of Elections to submit an estimate no later than the fifth Tuesday prior to the election.

ALTERNATIVES:

1. Take no action and maintain the mayoral term of two years.
2. Adopt an ordinance to add a ballot question to the April 2014 municipal election to change the mayoral term from two to three years, with the change to become effective for the 2016 mayoral election.

STAFF RECOMMENDATION:

As this is a political issue, staff has no recommendation.

ATTACHMENT:

1. Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CALLING FOR THE ELECTION ON APRIL 8, 2014 TO AMEND SECTION 110.010 OF THE MUNICIPAL CODE OF THE CITY OF PARKVILLE, MISSOURI, TO PROVIDE FOR THE TERM OF OFFICE FOR THE MAYOR TO BE THREE YEARS.

WHEREAS, pursuant to §110.010 of the Municipal Code of the City of Parkville a general election is held on the first Tuesday in April in every other year to elect a Mayor, who shall hold his or her office for a term of two (2) years; and,

WHEREAS, RSMo. §79.050 provides that the Board of Aldermen may provide by ordinance, after the approval of a majority of the voters voting thereon at the next municipal election at which the issue is submitted, that the term of the mayor shall be two, three, or four years; and,

WHEREAS, the Board of Aldermen believes that it would be beneficial, appropriate, and desirable for the qualified voters of the City to consider approving an amendment to §110.010 to allow the Mayor to hold office for a term of three (3) years.

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

Section 1. The change from two (2) years to three (3) years will allow the Mayoral election to occur on an election date that does not coincide with the elections for the same Aldermen’s seat. Additionally, the longer term will allow for more continuity in this key position.

Section 2. The Board of Aldermen accordingly calls and orders an election to be held on April 8, 2014, on the question of amending §110.010 which currently reads:

At the general election to be held on the first Tuesday in April of every other year, the qualified voters of the City of Parkville shall elect some suitable person as Mayor, who shall hold his office for a term of two (2) years, and until his successor is elected and qualified.

and adopting a new §110.010 in lieu thereof, to read as follows:

At the general election to be held on the first Tuesday after the first Monday in April of every third year, the qualified voters of the City of Parkville shall elect some suitable person as Mayor, who shall hold his or her office for a term of three (3) years, and until his or her successor is elected and qualified.

Section 3. If the qualified voters of the City approve amending §110.010 of the Municipal Code of the City of Parkville, said amendment shall not extend the term of the Mayor holding the office of Mayor at the time of the amendment, but shall be implemented upon the election of the Mayor elected to serve at the April 2016 municipal election.

ITEM 2A

For 9-23-13

Board of Aldermen Special Meeting

Section 4. The ballot language to be used at the election shall be substantially in the following form with such variations as may be deemed necessary by the Platte County Board of Elections:

**OFFICIAL BALLOT LANGUAGE
MAYORAL TERM AMENDMENT ELECTION
CITY OF PARKVILLE, MISSOURI
TUESDAY, APRIL 8, 2014**

QUESTION NO. 1

SHALL SECTION 110.010 OF THE MUNICIPAL CODE OF THE CITY OF PARKVILLE BE AMENDED TO PROVIDE FOR A THREE-YEAR TERM OF OFFICE FOR THE MAYOR WITH SUCH THREE-YEAR TERM BEING IMPLEMENTED FOR THE MAYOR ELECTED AT THE APRIL 2016 MAYORAL ELECTION?

For Question No. 1 Yes []
Against Question No. 1 No []

Section 5. The City Clerk shall prepare and cause to be forwarded to the Platte County Board of Elections, a Notice of Election in compliance with this ordinance and take such other steps as may be required so that an election may be lawfully conducted.

Section 5. This Ordinance shall become effective immediately upon passage and approval.

PASSED and APPROVED this 23rd day of September, 2013.

Mayor James C. Brooks

ATTESTED:

City Clerk Melissa McChesney