

**1. CALL TO ORDER**

A regular meeting of the Board of Aldermen was convened at 7:00 p.m. on Tuesday, June 7, 2016, at City Hall located at 8880 Clark Avenue, Parkville, and was called to order by Mayor Nanette K. Johnston. City Clerk Melissa McChesney called the roll as follows:

Ward 1 Alderman Diane Driver	- present
Ward 1 Alderman Tina Welch	- present
Ward 2 Alderman Jim Werner	- present
Ward 2 Alderman Dave Rittman	- present
Ward 3 Alderman Robert Lock	- present
Ward 3 Alderman Douglas Wylie	- present
Ward 4 Alderman Marc Sportsman	- present
Ward 4 Alderman Greg Plumb	- absent with prior notice

A quorum of the Board of Aldermen was present.

The following staff was also present:

- Lauren Palmer, City Administrator
- Kevin Chrisman, Police Chief
- Alysen Abel, Public Works Director
- Stephen Lachky, Community Development Director
- Tim Blakeslee, Assistant to the City Administrator
- Matthew Chapman, Human Resources/Finance Director
- Steve Chinn, City Attorney

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

**2. CITIZEN INPUT**

**3. MAYOR'S REPORT**

**4. CONSENT AGENDA**

- A. Approve the minutes for the May 17, 2016, regular meeting
- B. Receive and file the April sewer report
- C. Approve the second reading of an ordinance to approve the Brush Creek Lot Split – Case No. PZ16-05; Michael E. Pedley, applicant
- D. Approve the second reading of an ordinance to approve the final plat of Lot 9-A and part of Tract O, the National, 1st Plat and part of the southwest quarter of Section 22, Township 51N, Range 34W – Case No. PZ16-10; RP Golf, LLC, applicant/owner
- E. Approve the second reading of an ordinance to approve the Thousand Oaks 20<sup>th</sup> Plat, Final Plat – Case No. PZ16-06; David Barth, Forest Park Development Company of Kansas City LLC, applicant
- F. Approve a three-year agreement with Kansas City Power and Light for the Demand Response Incentive Program (formerly M-Power) for the Wastewater Treatment Plant
- G. Approve sign permit in the “B-4” Planned Business District for Fast Stop gas station located at 9932 Hwy 45 – Case No. SPA16-11; Sam Hendrix, Acme Sign, applicant
- H. Adopt an ordinance to amend Parkville Municipal Code Section 505.090 and Section Five of the Parkville Residential Construction Guidelines regarding the cross slope requirements for driveways and sidewalks in order to be compliant with requirements set forth by the American Disability Act

- I. Approve a retail liquor by the drink picnic license for the Main Street Parkville Association for Parkville Days on August 19-21, 2016
- J. Approve accounts payable from May 12 to June 1, 2016

Alderman Driver asked a question about the base fees included in Item 4F and Public Works Director Alysén Abel responded that the base fees were those included in the meeting packet and Kansas City Power & Light would refund the City for the difference. Abel added that the agreement would lock in the prices for three years.

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN DRIVER TO **APPROVE THE CONSENT AGENDA AND RECOMMENDED MOTION FOR EACH ITEM, AS PRESENTED.** ALL AYES BY ROLL CALL VOTE: WYLIE, WERNER, DRIVER, WELCH, RITTMAN, LOCK AND SPORTSMAN. MOTION PASSED 7-0.

## 5. ACTION AGENDA

- A. **Adopt an ordinance to approve a professional services agreement with Cunningham, Vogel & Rost, P.C. for special counsel services related to cell phone towers**

City Administrator Lauren Palmer stated that the agreement was related to the renewal of a lease with American Tower Corporation for use of the tower located off of Graden Road behind the streets barn. The original 20-year lease was executed in 1994 and expired in 2014 but continued until it was either terminated or renewed. Palmer explained that staff found documentation from 2011 when the Finance Committee discussed how to handle the renewal. Following conversations with the former Community Development Director Sean Ackerson the discussions lost momentum because the company backed out of the negotiations. She said she reached out to legal counsel who had a conflict of interest because they represented Verizon Wireless and American Tower Company. Legal counsel recommended a special services agreement with Dan Vogel who was considered an expert in Missouri and worked exclusively with cities and had expertise in telecommunications.

Palmer added that American Tower Corporation reached out to staff and made an initial offer to renew and extend the lease agreement that was approved in 1994. She said staff was looking to get something higher for the renewal. There had been no compensation received since the lease expired in 2014 and staff would ask for retroactive compensation.

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN DRIVER TO **APPROVE BILL NO. 2878, AN ORDINANCE APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CUNNINGHAM, VOGEL & ROST, P.C. FOR SPECIAL LEGAL COUNSEL SERVICES RELATED TO CELL PHONE TOWERS, ON FIRST READING.** ALL AYES; MOTION PASSED 7-0.

Palmer noted that there was a typographical error in the ordinance that was corrected in the final ordinance.

IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN DRIVER TO **APPROVE BILL NO. 2878 ON SECOND READING BY TITLE ONLY TO BECOME ORDINANCE NO. 2848.** ALL AYES BY ROLL CALL VOTE: WYLIE, WERNER, DRIVER, WELCH, RITTMAN, LOCK AND SPORTSMAN. MOTION PASSED 7-0.

- B. **Approve revisions to the damage deposit provisions and insurance provisions in the guidelines for events in Parkville**

Assistant to the City Administrator Tim Blakeslee provided summaries of the changes to the

insurance and damage deposit provisions. The guidelines required that the City be included on each insurance policy as an additional insured with higher limits for specific uses. He said that for larger events the organizer used a subcontractor during the event and the current language was unclear and caused confusion on who needed to be covered for the event. The Main Street Parkville Association requested that staff investigate the issue and staff spoke with Midwest Public Risk to clarify that event vendors did not need to list the City as an additional insured but could be approved with the language that was included in the meeting packet. The City would only need to be listed as an additional insured if the event organizer did not cover the event. Blakeslee added that insurance was important to have and there was an instance in 2015 where the City was protected because of the insurance requirements.

In regards to the damage deposit system, Blakeslee said that rates were calculated by staff based on the perceived impact to the property but they were not consistently applied. The revised guidelines created a system based on the areas being used and the event tier. The revisions were approved by the Community Land and Recreation Board at its May 11 meeting.

**IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN DRIVER TO APPROVE RESOLUTION NO. 16-010 ADOPTING REVISIONS TO THE DAMAGE DEPOSIT AND INSURANCE PROVISIONS IN THE GUIDELINES FOR EVENTS IN PARKVILLE. ALL AYES; MOTION PASSED 7-0.**

**C. Items related to the 2016 Street Maintenance Program**

Public Works Director Alysen Abel explained that the 2016 Capital Improvement Program included \$225,000 for overlay and \$100,000 for curbs and sidewalks. The Board of Aldermen approved a contract with Tandem Paving for mill and overlay, Julius Kaaz Construction for the curbs and sidewalks and Vance Brothers for microsurfacing. On December 15, 2015, the Board adopted the 2016 budget with the caveat that any personnel savings would be used for other projects. Staff determined that there was approximately \$51,000 in savings that would be used for additional street maintenance projects.

**1. Approve Change Order No. 1 with Julius Kaaz Construction, Inc. for sidewalk reconstruction on Twilight Place for the 2016 Curb and Sidewalk Program**

Abel said that staff reviewed the street maintenance priorities and wanted to come up with a strategy that fit within the budget target. It was determined that the area east of the Riss Lake dam would be milled and overlaid and estimated the full amount of \$49,000 would be used for the additional work based on the unit prices in the original contract. She added that there was not much curb work that needed to be done in this area.

**2. Approve Change Order No. 1 with Tandem Paving Company, Inc. for additional street maintenance in the 2016 Mill and Overlay Program**

The change order with Julius Kaaz Construction would include the sidewalk along Twilight Place. A concerned resident contacted the City about the sunken sidewalk in this area, due to a sewer manhole in the center of the sidewalk, which could be a tripping hazard and a potential liability. Staff prepared a change order and had the contractor sign it and when it was received the contractor was told not to proceed until fully executed by the city administrator. Staff later discovered the work was completed and the contractor was made aware it was their own risk if the change order was not authorized by the City. However, Abel added that staff intended to present the change order to the Board anyway. The remaining balance would be reserved as a contingency in case other projects went over budget. The Board discussed the quality of work done by Julius Kaaz Construction and the difference between mudjacking or replacing the sidewalk in this location.

**IT WAS MOVED BY ALDERMAN SPORTSMAN AND SECONDED BY ALDERMAN**

DRIVER TO APPROVE CHANGE ORDER NO. 1 WITH TANDEM PAVING COMPANY, INC. IN THE AMOUNT OF \$49,000 FOR ADDITIONAL ASPHALT OVERLAY WORK AND CHANGE ORDER NO. 1 WITH JULIUS KAAZ CONSTRUCTION, INC. IN THE AMOUNT OF \$2,400 FOR THE SIDEWALK RECONSTRUCTION ON TWILIGHT PLACE. ALL AYES; MOTION PASSED 7-0.

**6. STAFF UPDATES ON ACTIVITIES**

**A. Administration**

Assistant to the City Administrator Tim Blakeslee provided an update on the Nature Sanctuary volunteer activity, noting that in May 59 total volunteer hours helped clear 300 feet of trail and 600 feet of wood chipped trail.

**B. Police Department**

Police Chief Kevin Chrisman provided an overview of the Kansas City Chief's Red Flag Day on September 9, noting that in the first part of April Mayor Johnston received an e-mail from the Kansas City Chiefs' organization asking if the city was interested in being involved in Red Flag Day. He added that Sergeant Shadid spearheaded the project and placed an order for 52 flags for Parkville businesses. He would give an update on the project closer to the date of the event.

**C. Public Works**

Public Works Director Alysén Abel provided an update on the English Landing Park restroom, noting that staff was working on moving the project forward but wanted to gather more information for the specifications which were key for the bidding process. The bid would be a single document that would be split into four categories and vendors could bid on multiple categories. The Community Land and Recreation Board recommended interior improvements as well as exterior improvements, but for the sake of time Abel recommended moving forward with the interior improvements first in order to meet the November 1 deadline to use the Platte County Outreach Grant funds. She added that a key component of the project was complying with the Americans with Disabilities Act. The Board asked about the sewer line work and Abel responded that staff performed a dye test on the service line and were unable to find evidence of a break and also determined the water line had adequate capacity to handle the restroom. Abel did not recommend utility improvements but they could be investigated in the future if an issue arises.

Abel also provided an update on the mill and overlay work in Riss Lake, the Kelly Industrial Park and on Brink Myers Road and the curb and sidewalk work in front of the funeral home. She noted that an additional area of Crooked Road would be completed when the bridge improvements were finished.

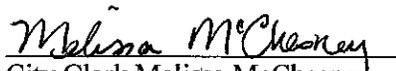
**7. COMMITTEE REPORTS AND MISCELLANEOUS ITEMS FROM THE BOARD**

**8. ADJOURN**

Mayor Johnston declared the meeting adjourned at 7:43 p.m.

The minutes for Tuesday, June 7, 2016, having been read and considered by the Board of Aldermen, and having been found to be correct as written, were approved on this the twenty-first day of June 2016.

Submitted by:

  
City Clerk Melissa McChesney

