

Parkville water war almost pre-empted

Jeanette Browning
Assistant Editor

The City of Parkville and other municipalities are currently locked in a battle against their water company, and a proposed rate increase. It's a problem the Parkville area has faced several times over the last decade, and it's a problem that could have potentially been avoided if a plan proposed 15 years ago had come to fruition.

"That's an interesting story," said Parkville Mayor Kathy Dusenbery, though she said it was before her time with the City's government. Several southern Platte County municipalities banded together in 1992 to purchase the facilities owned by the American Water Works & Guarantee Company, a company whose new descendent, Missouri American Water, the City is currently facing down in rate hearings before the Missouri Public Service Commission.

"If that had gone through, we sure wouldn't be facing this same problem 15 years down the line," Dusenbery said.

Parkville Alderman Marvin Ferguson was in city government during that period, and was one of the instrumental figures in the proposal.

"My wife, Sondra, and I spent a lot of time on that," he said. With the assistance of a Columbia engineer and Kansas City attorney Jeremiah Finnegan, Ferguson crafted a coalition between the then-mayors of Weatherby Lake, Riverside, Lake Waukomis and Houston Lake to enter into a lease-purchase agreement to obtain the utility.

"We even went to Fort Lauderdale to their headquarters and they (the utility owners) signed the contract," he said. "Then people began to waffle."

Upon his return to Parkville, Ferguson said he started hearing concerns from the Riverside city attorney, and then others began to question the deal.

"It just sort of all went by the wayside," Ferguson said. "If we had gone through with it, we'd be in good shape today. It would have been a boon to all those municipalities."

In 2003, American Water Works & Guarantee Company was acquired by RWE AG of Essen, Germany. RWE is a worldwide electricity and gas company, owning utilities in Europe, the United Kingdom and the United States.

Bill Quitmeier was the mayor of Parkville in 1992. Though he was not directly involved in the negotiations at the time, he said he certainly agrees the purchase of the water plant would have solved a lot of problems. "So now the City is stuck using taxpayer money to fight it," he said. "And I think it is worth it to fight it, probably."

Many of the same people and cities involved in the failed buy-out in 1992 are now back in the fight when Missouri American Water filed for a 25 percent rate increase late last year.

The increase would raise the average monthly residential water bill from approximately \$38.39 to \$48.08. The 101 customers served by Missouri American Water's sewer system would pay an additional \$10.33 per month.

Dusenbery said the rate increase was excessive, and wouldn't even fund improvements to service in Platte County. The city soon decided to fight the increase, and turned again to Finnegan. In a joint move with the City of Lake Waukomis, Parkville retained Finnegan, who, three years ago, successfully fought another proposed hike from Missouri American Water.

Parkville has so far invested \$5,500 in securing Finnegan's services, and Finnegan has gained additional support from The National Golf Club and Platte County Water and Sewer District No. 6. Park University also stands against the increase, as does Argosy Casino, though they have yet to join Finnegan's case.

The Public Service Commission has 11 months from the filing to decide in the rate increase case, and Finnegan said he expects a decision by early November. The process for a rate increase allows a proposal from the utility, followed by several rounds of rebuttals and responses.

Public hearings will be held in Jefferson City beginning Aug. 6.

Weston OKs advisory board

JERRY KEUHN

Reporter

After holding a public hearing prior to its regular meeting July 9, the Weston Board of Aldermen voted to approve an architectural advisory board during the meeting, and also spent a large portion of time listening to complaints from a local developer.

The goal of the advisory board will be to review plans for new construction to guarantee building projects fit in with their surroundings, and especially to make sure infill properties in existing neighborhoods are complimentary with the historic and small-town feel of Weston. The advisory board would not have final approval or denial powers on building plans, but would make recommendations to the Weston Planning and Zoning Commission. The board would come at no cost to the City, as members would be appointed on a volunteer basis by the mayor.

Two ordinances were enacted in regards to the board, the first of which changed the administrative section of the zoning code to allow review of building permits by the advisory board if planning and zoning so requested, and the second which set up the guidelines for the board with five members.

Steve Sellars of S&S Investments, who is the developer of the Weston Estates subdivision, had several complaints for the board because he believes the City is holding his development up with bureaucratic interference.

"I am the enforcer at Weston Estates on covenants and restrictions, and I don't want any more interference from the City," Sellars said. "My patience is very worn out and I want some cooperation from this council." City attorney Quint Shafer asked Sellars about a list of requirements the City gives to each developer and his progress on satisfying those conditions. Sellars responded that while not everything was done on the list, "This list is backwards. I've had the stuff done for the streets for months and this other stuff should come later, not 100 percent all at once. The delays are costing me a fortune in interest paid."

Alderman Greg Hoffman verified with city clerk Kim Kirby that the requirements are lined out in city ordinance, then told Sellars, "You said we are holding you up, but you are holding yourself up. You've had these requirements for a long time. I know some cities do things differently, but a lot of them do the same. We make all developments follow the same rules, and if you follow the requirements then we hope you go full speed ahead. I think you should have to meet the same requirements everyone else does."

Sellars also had complaints about police department response to a vandalism incident at Weston Estates, saying "the way it was handled was a joke" and that when he had made complaints about noxious weeds to the police department, nothing was done, an example of favoritism, as were some home-based businesses being allowed without what he said was proper City license.

"You think favoritism has been placed, but there hasn't been," Mayor Cindy Seward said. Sellars disagreed. "I do know for a fact there has been favoritism and I can show you pictures of it."

Sellars eventually asked the board to let him go ahead and get started on the streets while he worked to meet the other ordinance requirements. When no motion was made by the board to make such an allowance, Sellars said he would consider legal action.

"I don't have anything else to say at this point and maybe I'll just let the lawyers handle it."

In other business, the board:

- Approved a request from Nolan Taylor to hold a bull-riding event Sept. 8 on private property owner by Mary Pepper and Kenneth and Sandy Kisker near City Hall, contingent upon a minimum of four security officers being hired and other necessary items completed per the City's special event policy.
- Approved a wellies race to be held this fall on the Sunday morning of Irish Fest (Oct. 14). The race is a non-athletic event being held for charity in which participants walk/run a course through Weston wearing large rubber boots.
- Heard a report from Applefest committee chairman Pat Jesaitis, who said the committee was working to finalize a decision on where to have vendors, etc. for the festival. He said three locations were being considered: the City Hall parking lot; an area from Market St. to Blackhawk to Thomas St. that was used last year; and on Main St., where the festival had been centered for several previous years. He also said the U.S. Army band from the Big Red One division is scheduled to perform in the Applefest parade, and that plans are being made to honor area residents who have performed military service.

- Heard a complaint from Diana Armstrong about fireworks during the week of the Fourth of July. Armstrong lives in Weston senior citizen housing and was concerned about the potential of fire damage. “I called the police and they said they couldn’t do anything about it until after midnight, and the next morning I was horrified about what I saw,” Armstrong said. “The roof of the senior citizen building was covered with stuff and it could have been a terrible catastrophic fire. I would like an ordinance to be put in place to prohibit fireworks in Weston.”

No action was taken by the board.

- Heard a report from Bob Moore that the base bid of a city lighting project at the downtown city park was given by the parks and recreation department to Capital Electric by a vote of 6-1. Moore said the bid was not the lowest bid, but the parks department felt Capital Electric could get the work done faster. After discussion, aldermen John Collier and Hoffman voted no to accept the bid, but were told by Shafer that since the base bid was to be paid for from parks department funds, they could not overrule the bid. The aldermen then voted to give the two alternate bids — one for two lights on the Spring Street bridge, the second for a light on a Thomas St. sidewalk — to Sebus Electric.

- Discussed changes to the animal control ordinance, but once again tabled the matter for further review. Hoffman said the feedback he had been receiving was in support of positive restraints, but not for specific breed bans. Residents Kate Marts and Marie Mason then spoke, with Marts saying she represented several people against specific breed ban legislation and comparing such legislation to racial profiling. Mason referenced a recent enforcement of a pit bull ban in Kansas City, Kan., in which she said many residents there had their dogs put down instead of removing them for their properties. Resident Ann Raab said her main concerns were with establishing positive restraint requirements and tightening the ordinance, and that she was willing to compromise. She also said the proposed ordinance as written would not be for dogs already in the City, but for new dogs that would be brought in.

- Determined to invite Jim Kaatz of Kaatz and Associates to the next board of aldermen meeting, which was moved to Aug. 14 due to scheduling conflicts. Collier said he believed it was time for Kaatz to give his presentation on the compensation plan study.

“I think we’re hashing out the numbers instead of the concept, and we can have Mr. Kaatz give his presentation and then adopt the plan as we see fit,” Collier said. Superintendent of Public Works Mike Large has expressed some concerns about how the salary schedule works within his department, with some questions about what could be done once an employee is maxed out on the salary schedule.

- Heard a request from Large to have an outside contractor handle the inspections at Weston Estates, which he said he would not have time for due to a heavy work schedule in the near future. A motion was approved by the board to research what contractor could be hired and at what cost and then report back to the board at the next meeting.

- Determined to advertise for a city collector/assistant city clerk position.

Platte City reverses sidewalk decision

Jeanette Browning
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The third time was the charm for residents on First Street in Platte City who have been opposed to the installation of sidewalks on their street.

The Platte City Board of Aldermen Tuesday evening approved an amendment to the Capital Improvement Program (CIP), removing sidewalks from the program plans.

In June, the board addressed a petition from four property owners on First Street in opposition to the sidewalk. The city's CIP this year includes the reconstruction of a portion of First Street. After the appeal from residents, a special joint meeting of the Public Works Committee and Board of Aldermen was organized last week to expedite a decision on sidewalk installation.

With eight residents in attendance at the meeting, the board heard a half-hour of testimony, both for and against the sidewalks. After discussion by the board, the decision was to let the sidewalk installation go on as planned.

But the matter was far from over.

Property owner Michael Best, one of the residents originally in opposition to the sidewalks in the June letter to the board, presented a new petition to the board Tuesday. So, for the third time, the City addressed the question of sidewalks on First Street.

Best said the proposed sidewalk would ruin the grade of his driveway, and he also didn't want to take on the maintenance and liability issues that came with a sidewalk.

"Adding a sidewalk and ruining my driveway doesn't improve the value of my property," he said.

He said he had visited the homes of aldermen, and noted that the sidewalks in front of the homes of Mayor Dave Brooks and Aldermen Todd Sloan and Ron Stone had cracks that could be interpreted as a lack of maintenance.

"Maybe if property owners are liable for these sidewalks, the city should start enforcing the maintenance of them," he said.

Brooks said while he still believes sidewalks improve the community as a whole, he sees no reason to force the sidewalks into an area where they are not wanted. He suggested the money saved could be used for other purposes, including perhaps the installation of signage on Highway 92.

"I'm surprised we're on our third meeting on this," said Alderman Andy Stanton. "In this situation, I'm with Dave."

Alderman Marsha Clark agreed that after driving through the area, which does not contain connecting sidewalks on adjacent streets, she also favored the residents.

Board President Aaron Jung questioned the cost of removing any sidewalk installation work already started, and how to respond to the people who voiced support for the sidewalks.

"It's easy for people to say they support sidewalks when there is no impact to their property and they're not liable," Best said, stating the residents in favor of the sidewalks would not have a sidewalk on their own property.

"I still think sidewalks are a good thing for the community," said Alderman Ken Brown. "But if this is such a heartache for everybody — fine, whatever."

Sloan agreed with Brown, but feared setting a precedent with a decision to amend the sidewalk plans.

"What makes it different is this is not a high traffic area," Stanton said. He said in a high-traffic area he would agree sidewalks should remain part of the plan.

The board unanimously approved the amendment.