



**City of Smithville, Missouri**  
**Board of Aldermen – Regular Session Agenda**  
**March 1, 2022**

**7:00 pm – City Hall Council Chambers and Via Videoconference**

Anyone who wishes to view the meeting may do so in real time as it will be streamed live on the city's FaceBook page through FaceBook Live.

For Public Comment via Zoom, please email your request to the City Clerk at [ldrummond@smithvillemo.org](mailto:ldrummond@smithvillemo.org) prior to the meeting to be sent the meeting Zoom link.

1. Call to Order
2. Pledge of Allegiance

3. **Consent Agenda**

- **Minutes**

- February 15, 2022, Board of Alderman Work Session Minutes
- February 15, 2022, Board of Alderman Regular Session Minutes

- **Resolution 1028, Special Permit – Gravel Grinder Bike Race**

A Resolution approving a Special Event Permit for Humphrey's 100 Gravel Grinder Bike Race to be held Saturday, May 14, 2022.

- **Resolution 1029, Establishing an Engineering On-Call List**

A Resolution approving and establishing a pre-qualified on-call professional services listing.

- **Resolution 1030, Fireworks Event White Iron Ridge**

A Resolution approving a fireworks event at White Iron Ridge on April 9, 9:45 p.m. to last approximately five to seven minutes.

Join Zoom Meeting

<https://us02web.zoom.us/j/83281624061>

Meeting ID: 832 8162 4061

Passcode: **066861**

**REPORTS FROM OFFICERS AND STANDING COMMITTEES**

4. **Committee Reports**

Economic Development Committee

5. **City Administrator's Report**

**ORDINANCES & RESOLUTIONS**

6. **Bill No. 2932-22, FY22 Budget Amendment No. 2 – 2<sup>nd</sup> Reading**

An Ordinance amending the FY22 operating budget to add \$547,205 to the expenditure budget and \$813,000 to the revenue budget. 2<sup>nd</sup> reading by title only.

7. **Bill No. 2934-22, MOU Amending the Lease Agreement With the Corp of Engineers – Emergency Ordinance Sponsored by Mayor Boley – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

An Ordinance approving a Memorandum of Understanding between the City Of Smithville, Missouri, and the United States of America regarding the Supplemental Agreement No. 5 to Lease No. DACW41-1-91-123 for the construction of a multi-use trail system.

- 8. Bill No. 2935-22, Creation of a CID Fund – 1<sup>st</sup> Reading**  
An Ordinance approving the creation of the CID Fund to account for the receipt of and expenditures from that allocation separate from any other monies. First reading by title only.
- 9. Bill No. 2936-22, FY22 Budget Amendment No. 3 – 1<sup>st</sup> Reading**  
An Ordinance amending the FY22 operating budget to add revenue and expenditure authority to the newly created CID Fund. First reading by title only.
- 10. Resolution 1031, Special Permit – Smithville Main Street District Events**  
A Resolution approving a Special Event Permit for events held Courtyard Park in 2022 by Smithville Main Street District.
- 11. Resolution 1032, Bid Award No. 22-11, HVAC for Wastewater Plant**  
A Resolution awarding Bid No. 22-11, for the HVAC at the wastewater plant to Pence Heating and Cooling in the amount of \$9,840.
- 12. Resolution 1033, Bid Award No. 22-12, Mowing Services for City Parks**  
A Resolution awarding Bid No. 22-12, for the mowing services for City parks to Eagle Turf & Landscape LLC in the amount of \$8,656.
- 13. Resolution 1034, Bid Award No. 22-13, Diamond Crest Park Fencing**  
A Resolution awarding Bid No. 22-13, for the Diamond Crest Park fencing to Quality Fence in the amount of \$29,250.
- 14. Resolution 1035, Bid Award No. 22-14, Diamond Crest Park Concrete Sidewalk**  
A Resolution awarding Bid No. 22-14, for the concrete for Diamond Crest Park sidewalk to Sands Construction in the amount of \$28,099.
- 15. Resolution 1036, Waste Management Agreement**  
A Resolution approving an amendment with Waste Management Kansas City, Inc. for City facility solid waste collection services.

#### **OTHER MATTERS BEFORE THE BOARD**

---

- 16. Public Comment**  
**Pursuant to the public comment policy, a request must be submitted to the City Clerk prior to the meeting. When recognized, please state your name, address and topic before speaking. Each speaker is limited to three (3) minutes.**
- 17. Appointment**  
The Mayor will nominate an appointment to the Economic Development Committee and the Board will vote:  
Erica Winston, Chamber of Commerce Executive Director
- 18. Appointment**  
The Mayor will nominate an appointment to the Legacy Fund Committee and the Board will vote:  
Starla Janes
- 19. New Business From The Floor**  
Pursuant to the order of business policy, members of the Board of Aldermen may request a new business item appear on a future meeting agenda.
- 20. Adjournment to Executive Session Pursuant to Section 610.021(3) RSMo.**





## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Consent Agenda

---

**REQUESTED BOARD ACTION:**

The Board of Aldermen can review and approve by a single motion. Any item can be removed from the consent agenda by a motion. The following items are included for approval:

- February 15, 2022 Board of Alderman Work Session Minutes
- February 15, 2022 Board of Alderman Regular Session Minutes
- Resolution 1028, Special Permit – Gravel Grinder Bike Race
- Resolution 1029, Establishing an Engineering On-Call List
- Resolution 1030, Fireworks Event White Iron Ridge

**SUMMARY:**

Voting to approve would approve the Board of Alderman minutes and Resolutions.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

N/A

**FINANCIAL CONSIDERATIONS:**

N/A

**ATTACHMENTS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Ordinance             | <input type="checkbox"/> Contract           |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans              |
| <input type="checkbox"/> Staff Report          | <input checked="" type="checkbox"/> Minutes |
| <input type="checkbox"/> Other:                |   |

# SMITHVILLE BOARD OF ALDERMAN

## WORK SESSION

February 15, 2022, 5:30 p.m.  
City Hall Council Chambers and Via Videoconference

### 1. Call to Order

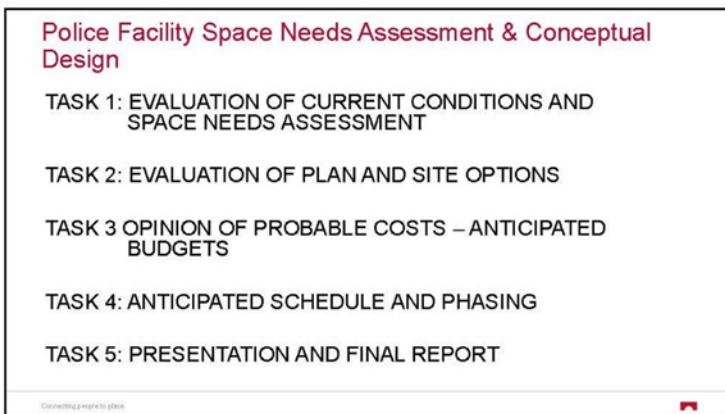
Mayor Boley, present, called the meeting to order at 5:29 p.m. A quorum of the Board was present: Kelly Kobylski, John Chevalier, Dan Ulledahl, Marv Atkins and Rand Smith. Dan Hartman was absent, attending the MML Legislative Conference.

Staff present: Cynthia Wagner, Anna Mitchell, Chief Jason Lockridge, Chuck Soules, Matt Denton, Stephen Larson, Jack Hendrix and Linda Drummond.

### 2. Police Facility Needs Assessment Presentation – TreanorHL

Chief Lockridge explained on June 23 the police facilities assessment RFQ was posted with a deadline of July 21. Fourteen proposals were received and reviewed by staff, Cynthia Wagner, Anna Mitchell, Captain Roetman and himself. They culled the proposals down to the top three firms and staff, along with Mayor Boley and Alderman Hartman interviewed firms ultimately choosing the TreanorHL architect firm for this project. On September 7, the Board awarded the contract to TreanorHL. Chief noted that TreanorHL was great to work with and staff is pleased with the product they have delivered.

TreanorHL representative Andrew Pitt presented the findings of the space needs assessment for the police facility.



2



3

Mr. Pitts explained that the benchmarking and tours helped them to understand what the City wants and does not want. TreanorHL toured our current facility and provided a survey to staff to help them understand our existing facility and what goals we have for a new facility. He noted that the existing facility lacks the space needed for an effective Police Department. It lacks space for privacy for confidential interviews, discussions and the ability to have efficient police work. It also lacks the amenities to recruit and retain when competing against other agencies.



## Program Development

### Survey of Stakeholders

Connecting people to place

## Program Development

### Review of Existing Building

Connecting people to place

## Program Development

### Review of Existing Building

Connecting people to place

## Program Development

### Review of Existing Building

Connecting people to place

## Program Development

### Review of Population and Staffing Projections

City of Smithville: Population Projections				
Year	2010	2022	2032	2042
Population	8,425	10,997	14,494*	19,104*

Source: US Census, "Smithville 2030 Comprehensive Plan Projections"

Connecting people to place

## Program Development

### Review of Population and Staffing Projections

City of Smithville: Population Projections				
Year	2010	2022	2032	2042
Population	8,425	10,997	14,494*	19,104*

Source: US Census, "Smithville 2030 Comprehensive Plan Projections"

City of Smithville: Personnel Projections			
	2022	2032	2042
Population	10,997	14,494*	19,104*
Current Police Staffing (sworn & civilian)	20		
Staffing Ratio (FTE per 1000 residents)	1.8		
Projected Staffing (using current ratio)		26 FTE	36 FTE
Projected Staffing (using MO avg ratio)		35 FTE	48 FTE

Source: DOJ mean average for Missouri cities of similar population is 2.5 FTE per 1,000 residents

Connecting people to place

## Program Development

### Review of Population and Staffing Projections

Connecting people to place

## Program Development

### Program of Spaces

Connecting people to place

## Program of Spaces

The image displays three overlapping screenshots from the SAP system, specifically focusing on the 'Material Cost of Sales' report for material 10000000.

The top-left screenshot shows the 'Material Cost of Sales' report for material 10000000, displaying various cost components like material, scrap, and overheads.

The top-right screenshot shows the 'Material Cost of Sales' report for material 10000000, displaying various cost components like material, scrap, and overheads.

The bottom screenshot is a detailed view of the 'Material Cost of Sales' report for material 10000000, showing a breakdown of costs by department and cost center. It includes a table with columns for 'Cost Component', 'Department', 'Cost Center', and 'Amount'. The table shows costs for various departments like 'Department 0001' and 'Department 0002', and cost centers like 'Cost Center 0001' and 'Cost Center 0002'. The total cost is 1,000.00.

## Connecting people to place

12

### Parking Requirement

	Future Street-Staff 2042	Future Non- Street-Staff 2042	Staff Parking Spots	Pilot Parking Spots	Public Parking Spots	Total Parking Needs
<b>Staff Parking</b>						
Current		5	5			
Police	40	5	5	56		
	<b>Total Staff</b>	<b>40</b>	<b>10</b>	<b>60</b>		
15% reduction for staff time off						
Subtract for take-home vehicles						
		minus	4	10		
		minus	4			
<b>Estimated spaces needed</b>			<b>32</b>			
<b>Pilot Parking</b>						
Current Pilot Vehicles				4		
Proposedly Vehicles				2		
Specified, Future Pilot Vehicles				8		
Subtract for vehicles consistently off-site						
				<b>Total Pilot</b>	<b>16</b>	
<b>Public Parking</b>						
Police station during business hours					6	
Police (staff meeting spaces) (1 space per every four seats)					20	
Typical Court window spaces needed (1 space per every four seats)					20	
					<b>Total Public</b>	<b>36</b>
<b>Totals</b>			<b>33</b>	<b>16</b>	<b>36</b>	<b>85</b>

### Centering people to place

13

## Site Requirement

SITE SUMMARY:		1st Floor	2nd Floor	Sub-total
BUILDING FOOTPRINT AREA		21,843	0	21,843 SF
PARKING				2,000 SF
<b>Unshown/Partial Parking</b>				
• Access Parking		36	350 SF	386 SF
<b>Unshown/Partial Accessible Parking</b>				
• Staff Vehicles		16	350 SF	1,270 SF
• Fleet and Specialty Vehicles		16	350 SF	1,600 SF
<b>STAFF REQUIREMENTS (Fixed Areas)</b>				
• Sign Office		2	1,300 SF	2,600 SF
• Control & Staff Parking		2	1,600 SF	1,600 SF
• Public Vehicle Ramp/Entrance		1	1,000 SF	1,000 SF
• Public Entry Area/ Plaza		1	800 SF	800 SF
• Public Vehicle		1	400 SF	400 SF
• Staff Entry Area		2	400 SF	800 SF
• Staff Public Restroom Area		1	400 SF	400 SF
• Staff Elevators		1	300 SF	200 SF
• Mechanical/Electrical Room		1	1,000 SF	1,000 SF
• Emergency Generator		1	400 SF	200 SF
<b>Total Building Area</b>				<b>28,843 SF</b>
Open Space Area		506		10,479 SF
<b>Total Use Required</b>				<b>39,322 SF</b>
				<b>137 Acres</b>

Connecting people to place

14

SITE A



Connecting people to place

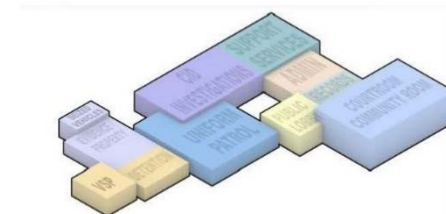
16

### SITE B



### Consenting people to place

17



3



## Plan Development



Connecting people to place

30

## Site Development



Connecting people to place

31

## Site Development



Connecting people to place

32

## Plan Concept



Connecting people to place

33

## Plan Concept



Connecting people to place

34

## Plan Concept



Connecting people to place

35

## PROJECT / CONSTRUCTION COSTS

### Narrative of architectural materials

- Low-maintenance exterior materials (brick, decorative CMU, etc)
- Full site development (parking carport, site amenities)
- Security requirements (physical, electronic)
- AV/IT/Data equipment
- Specialty furnishings (patrol lockers, evidence lockers, gun storage)

### Narrative of structural systems

- Alternate structural systems (unknown subsurface conditions)

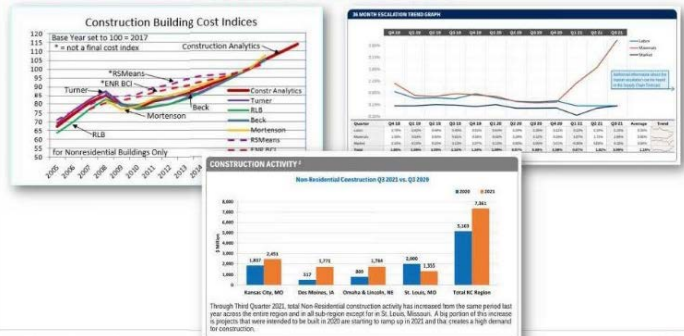
### Narrative of M/E/P/IT systems

- Energy efficiency considered (VRF system)
- Emergency power requirements
- IT/Data infrastructure

Connecting people to place

37

## PROJECT / CONSTRUCTION COSTS



38

## PROJECT / CONSTRUCTION COSTS

### Construction Cost Impacts

- Prevailing Wage
- Site A requires fill as the site is in a floodplain.
- Market has experienced continued increase costs in HVAC, roofing and steel
- KC Marketing is seeing .7% escalation per month
  - Nationally ~6% escalation for 2021
  - KC has experienced higher escalation
  - Budgeted 12% for Q3/2023.

## PROJECT / CONSTRUCTION COSTS

### Police Station

#### Police Station Construction Project Cost Data

Project	Police Station (Phase 1) Expansion, Dallas, TX	South Police Station Expansion, Dallas, TX	Central Police Station Expansion, Dallas, TX	Lawrence Police Station, Lawrence, KS	Police Station, St. Louis, MO	Police Station, St. Louis, MO	Average
Building SF	25,000 sqf	25,000 sqf	25,000 sqf	25,000 sqf	25,000 sqf	25,000 sqf	25,000 sqf
System Description	Excavation & Foundations	\$24.47 / sqf	\$24.47 / sqf	\$24.47 / sqf	\$24.47 / sqf	\$24.47 / sqf	\$24.47 / sqf
Structural Frame	\$52.12 / sqf	\$52.12 / sqf	\$52.12 / sqf	\$52.12 / sqf	\$52.12 / sqf	\$52.12 / sqf	\$52.12 / sqf
Vertical Exterior Enclosures	\$67.32 / sqf	\$67.32 / sqf	\$67.32 / sqf	\$67.32 / sqf	\$67.32 / sqf	\$67.32 / sqf	\$67.32 / sqf
Horizontal Exterior Enclosures	\$21.87 / sqf	\$21.87 / sqf	\$21.87 / sqf	\$21.87 / sqf	\$21.87 / sqf	\$21.87 / sqf	\$21.87 / sqf
Interior Construction & Finishes	\$62.30 / sqf	\$62.30 / sqf	\$62.30 / sqf	\$62.30 / sqf	\$62.30 / sqf	\$62.30 / sqf	\$62.30 / sqf
Conveying	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf
Plumbing	\$13.24 / sqf	\$13.24 / sqf	\$13.24 / sqf	\$13.24 / sqf	\$13.24 / sqf	\$13.24 / sqf	\$13.24 / sqf
HVAC	\$32.05 / sqf	\$32.05 / sqf	\$32.05 / sqf	\$32.05 / sqf	\$32.05 / sqf	\$32.05 / sqf	\$32.05 / sqf
Fire Protection	\$3.09 / sqf	\$3.09 / sqf	\$3.09 / sqf	\$3.09 / sqf	\$3.09 / sqf	\$3.09 / sqf	\$3.09 / sqf
Electrical	\$57.37 / sqf	\$57.37 / sqf	\$57.37 / sqf	\$57.37 / sqf	\$57.37 / sqf	\$57.37 / sqf	\$57.37 / sqf
Equipment & Furnishings	\$4.05 / sqf	\$4.05 / sqf	\$4.05 / sqf	\$4.05 / sqf	\$4.05 / sqf	\$4.05 / sqf	\$4.05 / sqf
Special Construction & Demolition	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf	\$0.00 / sqf
General Requirements & Permits	\$25.22 / sqf	\$25.22 / sqf	\$25.22 / sqf	\$25.22 / sqf	\$25.22 / sqf	\$25.22 / sqf	\$25.22 / sqf
Sitework	\$0.86 / sqf	\$0.86 / sqf	\$0.86 / sqf	\$0.86 / sqf	\$0.86 / sqf	\$0.86 / sqf	\$0.86 / sqf
Indirects and Contingency	\$2.64 / sqf	\$2.64 / sqf	\$2.64 / sqf	\$2.64 / sqf	\$2.64 / sqf	\$2.64 / sqf	\$2.64 / sqf
<b>Project Total - Escalated to Q1 2023</b>	<b>\$481.60 / sqf</b>	<b>\$481.60 / sqf</b>	<b>\$481.60 / sqf</b>	<b>\$481.60 / sqf</b>	<b>\$481.60 / sqf</b>	<b>\$481.60 / sqf</b>	<b>\$481.60 / sqf</b>
<b>Project Total - Escalated to Q3 2023</b>	<b>\$516.99 / sqf</b>	<b>\$516.99 / sqf</b>	<b>\$516.99 / sqf</b>	<b>\$516.99 / sqf</b>	<b>\$516.99 / sqf</b>	<b>\$516.99 / sqf</b>	<b>\$516.99 / sqf</b>
<b>Estimated Cost Q3 2023</b>	<b>\$13,236,029</b>	<b>\$13,236,029</b>	<b>\$13,236,029</b>	<b>\$13,236,029</b>	<b>\$13,236,029</b>	<b>\$13,236,029</b>	<b>\$13,236,029</b>

\*Excludes design fees and owner soft costs

## PROJECT / CONSTRUCTION COSTS

Project	Smithville Police Station, Smithville, MO
Building SF	25,000 sqf
System Description	Excavation & Foundations
	\$24.47 / sqf
Structural Frame	\$52.12 / sqf
Vertical Exterior Enclosures	\$67.32 / sqf
Horizontal Exterior Enclosures	\$21.87 / sqf
Interior Construction & Finishes	\$62.30 / sqf
Conveying	\$0.00 / sqf
Plumbing	\$13.24 / sqf
HVAC	\$32.05 / sqf
Fire Protection	\$3.09 / sqf
Electrical	\$57.37 / sqf
Equipment & Furnishings	\$4.05 / sqf
Special Construction & Demolition	\$0.00 / sqf
General Requirements & Permits	\$25.22 / sqf
Sitework	\$0.86 / sqf
Indirects and Contingency	\$2.64 / sqf
<b>Project Total - Present Day in KC</b>	<b>\$481.60 / sqf</b>
<b>Project Total - Escalated to Q1 2023</b>	<b>\$481.60 / sqf</b>
<b>Project Total - Escalated to Q3 2023</b>	<b>\$516.99 / sqf</b>
<b>Estimated Cost Q3 2023</b>	<b>\$13,236,029</b>

\*Excludes design fees and owner soft costs

## PROJECT / CONSTRUCTION COSTS

CONSTRUCTION COSTS	Square Footage	Average \$/SF	Total
Excavation & Foundations	25,000	\$24.47	\$754,895.50
Structural Frame	25,000	\$52.12	\$1,303,075.20
Vertical Exterior Enclosures	25,000	\$67.32	\$1,723,026.44
Horizontal Exterior Enclosures	25,000	\$21.87	\$546,815.74
Interior Construction & Finishes	25,000	\$62.30	\$1,557,500.00
Conveying	25,000	\$0.00	\$0.00
Plumbing	25,000	\$13.24	\$331,000.00
HVAC	25,000	\$32.05	\$801,250.00
Fire Protection	25,000	\$3.09	\$77,250.00
Electrical	25,000	\$57.37	\$1,434,250.00
Equipment & Furnishings	25,000	\$4.05	\$101,250.00
Special Construction & Demolition	25,000	\$0.00	\$0.00
General Requirements & Permits	25,000	\$25.22	\$630,500.00
Sitework	25,000	\$0.86	\$21,500.00
Indirect	25,000	\$2.64	\$66,000.00
<b>Sub Total</b>	<b>25,000</b>	<b>\$481.60</b>	<b>\$12,136,029.00</b>
<b>Contingency</b>	<b>25,000</b>	<b>\$2.64</b>	<b>\$66,000.00</b>
<b>TOTAL BASE BID</b>	<b>25,000</b>	<b>\$484.24</b>	<b>\$12,202,029.00</b>
<b>Budget Escalated to Q3 2023</b>	<b>25,000</b>	<b>\$516.99</b>	<b>\$12,924,750.00</b>

42

Mr. Pitts concluded the construction costs, if constructed in the third quarter of 2023, puts us about \$517 a square foot, for a total of just over \$13 million. The construction cost is then added to the soft cost of the project which includes the design fees, contingency, furniture, fixtures, equipment, any potential moving expenses, bond costs, commissioning and construction testing which brings the total project cost to just shy of \$16 million.

Alderman Ulledahl noted that he was looking forward to seeing if this project is doable.

Mayor Boley asked that Mr. Pitt explain their design process for different size communities and budgets?

Mr. Pitts explained that they go off the department size and in communications with staff on projected needs. From there the size and the program of the building influences the overall cost. He noted that no project he has done has had an unlimited budget they have always had to find ways to be able to work within it.

Mayor Boley said that he noticed that they the national is 6% escalation for 2021 and it is budgeted at 12% escalation for 2023.

*KC Marketing is seeing .7% escalation per month*

- *Nationally ~6% escalation for 2021*
- *KC has experienced higher escalation*
- *Budgeted 12% for Q3/2023.*

Mr. Pitt explained that those percentage rates are factored in the actual cost.

Mayor Boley noted that it could possibly be higher if it goes up to seven or eight percent.

Alderman Smith noted that it was a thorough proposal. He said that he would like to see how we would come up with the funding.

Alderman Atkins said that funding would be his biggest concern. He said that he loved the design.

Alderman Chevalier noted that funding is important but would be curious if there were some other ways to look at cutting costs. Possibly more of a modular type designs where we could build on in phases and maybe find ways to come up with the funding easier.

Mayor Boley said that all of the corners and angles cost and maybe eliminating some of those may help get our cost down.

Alderman Kobylski agreed with Alderman Chevalier, looking to do it in phases. She thinks it is a much-needed project and hopes we can come up with the funding especially as we continue to grow.

Cynthia noted that the design studies for the Police facility and the Parks and Recreation/Public Works facility were both budgeted in 2021. Both findings help provide staff information so we are able to continue longer range planning and budgeting. Staff wanted to present this to the Board so they have the information as we start the budget development process, particularly looking at the operating budget and the long-term capital improvement needs. We do have a five-year capital improvement plan in place, but changes can be made as new items come up. Cynthia explained that over the next couple of months staff will be working on developing budget information and will bring operating budgets and capital need forward for discussion in May and also for discussion during the Board retreat.

Alderman Ulledahl asked if there are any grants available for facility construction?

Chief Lockridge explained that the Department of Agriculture does have programs that provide grants and lower rate funding for smaller rural communities that are below the poverty level, and we do not qualify.



### 3. Direction Finder Study Results Presentation – ETC Institute

Cynthia noted that the City conducted the first citizen satisfaction survey in 2019 and the Board included funds in this year's budget to conduct the survey again. This survey provides good benchmarking information of our performance over time and how we compare to other communities in our region and nationally. Cynthia noted that we are very pleased with the results. Staff will be meeting later this week to review it and look at the areas in which we need to improve and also celebrate the successes. Staff will also be putting together information to put out on social media to outline these findings.

Ryan Murray, Assistant Director of Community Research for ETC Institute, explained that they administer these types of surveys for municipalities in the Kansas City area as well as nationwide.



## Purpose

To objectively assess resident satisfaction with the delivery of City services

To compare the City's performance with residents regionally and nationally

To analyze trends in results from 2019

To help determine priorities for the community using Importance-Satisfaction Analysis

## Methodology

### Survey Description

- Second Community Survey conducted for the City by ETC Institute

### Method of Administration

- By mail and online to a random sample of households in the City
- Each survey took approximately 15-20 minutes to complete

### Sample Size

- Goal: 300 surveys
- Actual: 408 surveys

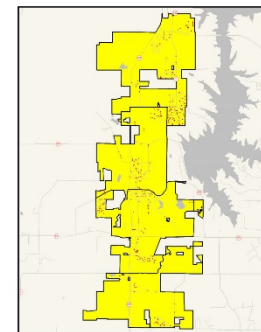
### Margin of Error

- +/- 4.7% at the 95% level of confidence

## Location of Survey Respondents

Good representation of respondents throughout the City

Home address of all respondents are geocoded to the block level



2021 City of Smithville Citizen Survey

## Bottom Line Up Front

### Residents Have a Very Positive Perception of the City

- 81% of respondents were "very satisfied" or "satisfied" with the overall quality of life in the City - **13%-point increase from 2019**
- 73% of respondents were "very satisfied" or "satisfied" with the overall quality of services provided by the City - **15%-point increase from 2019**

### Satisfaction with City Services is Much Higher in Smithville Than Other Communities

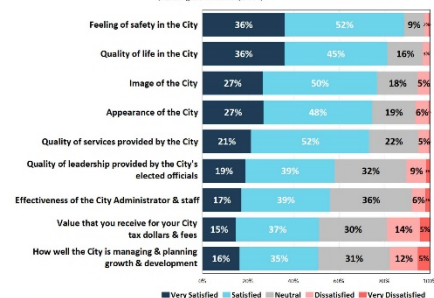
- The City rated above the U.S. average in 46 of the 49 areas assessed, and significantly above the average (5% or more) in 36 of the areas
- Ratings for the overall quality of City services were 14.4%-points above the U.S. Average when accounting for Very Satisfied and Satisfied remarks

### Priorities for Improvement

- Maintenance of major City streets
- Maintenance of neighborhood streets

## Q2. Level of Satisfaction With Perception Items

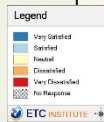
by percentage of respondents using a 5-point scale, where 5 means very satisfied and 1 means very dissatisfied (excluding don't know responses)



81% of Residents are either "Very Satisfied" or "Satisfied" with the Quality of Life in the City - only 3% are "Very Dissatisfied" or "Dissatisfied"

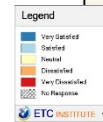
## Overall Quality of Services Provided by the City

The City is doing an excellent job of providing services equitably to all members of the community



## Overall Quality of Life in the City

The City is doing an excellent job of providing services equitably to all members of the community



### Q1. Level of Satisfaction With City Services

by percentage of respondents using a 5-point scale, where 5 means very satisfied and 1 means very dissatisfied (excluding don't know responses)



Areas with highest levels of dissatisfaction are directly related to the top priorities for improvement in 2021

## Overall Flow of Traffic and Congestion Management

Top priorities for improvement include overall flow of traffic and congestion management. This map shows where residents are less satisfied with the flow of traffic and congestion management than other areas of the City that were generally satisfied with this item.

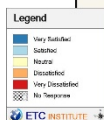
GIS Maps can help City leaders pinpoint areas of dissatisfaction to ensure improvement efforts are focus on the areas where residents show the most concern with the delivery of the service



## Overall Maintenance of City Streets

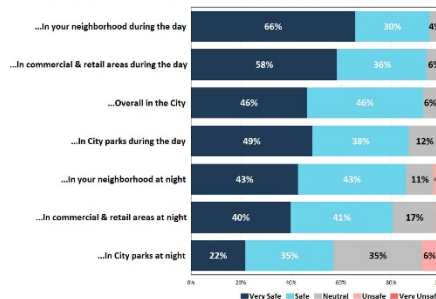
Top priorities for improvement include maintenance of major City streets and neighborhood streets. This map shows where residents are less satisfied with City streets than other areas of the City that were generally satisfied with street maintenance

GIS Maps can help City leaders pinpoint areas of dissatisfaction to ensure improvement efforts are focus on the areas where residents show the most concern with the delivery of the service



### Q5. Perceptions of Safety: How Safe Do You Feel...

by percentage of respondents using a 5-point scale, where 5 means very safe and 1 means very unsafe (excluding don't know responses)



Residents continue to feel safe in all areas assessed with very few "unsafe" or "very unsafe" ratings

## Trends from 2019

Results from 2019 were compared to the 2021 results to determine changes in City performance

Overall, there were 71 items that were comparable from the 2021 and 2019 survey results

Of the 71 items that were comparable, the City saw significant increases in 54 areas (76%)

In 2021 the Parks and Recreation questions were asked differently which explains some of the significant increases in ratings

- In 2019, respondents were asked to simply rate each of the items listed
- In 2021, respondents were asked first if they had experience with the item and if so, they rated the item
- The City performed extremely well in each of the seven (7) areas that were assessed related to Parks and Recreation

### Satisfaction With City Services Trends (2021 v. 2019)

by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significant Increases:

## Significant Increases from 2019

They did what they said they would do in a timely manner	Speed of code compliance process
Enforcing exterior maintenance of business	They were courteous & polite
Quality of water/sewer utilities	Maintenance of streets in your neighborhood
Snow removal on all City streets	Quality of building & permit process
As a place for play/recreation	Enforcing exterior maintenance of residential property
Quality of life in the City	Enforcing clean-up of debris on private property
As a place to retire	Availability of information about City programs & services
Enforcing mowing/cutting of weeds & tall grass on private property	As a place where you would buy your next home
Quality of the City's storm water runoff/stormwater management system	For an overall quality of life
Mowing of City property	Feeling of safety in the City
They gave prompt, accurate, & complete answers to questions	Quality of customer service you receive from City employees
Quality of solid waste services	As a place to live
Flow of traffic & congestion management in the City	Enforcement of City codes & ordinances

## Significant Increases from 2019

Quality of playground equipment*	Maintenance of buildings & facilities
Ease of registering for programs*	Effectiveness of community planning & development
Fees charged for recreation programs*	Maintenance of City streets
Appearance of the City	Number of walking & biking trails*
Quality of outdoor athletic fields*	Maintenance of City buildings
Adult recreation programs*	Cleanliness of City streets & other public areas
Youth recreation programs*	They helped you resolve an issue to your satisfaction
How well the City is managing & planning growth & development	As a place to work
Appearance of City parks*	Maintenance of stormwater drainage system
Image of the City	Maintenance of the City's trail system
Maintenance of major City streets	Maintenance of wastewater
Maintenance of sidewalks in the City	Maintenance of streets signs/traffic signals
Maintenance of City parks*	Quality of services provided by the City
Maintenance of City parks & park equipment	Value that you receive for your City tax dollars & fees

Items with an asterisk (\*) were Parks and Recreation items asked differently in 2019

## Significant Decreases from 2019

There were NO significant decreases from the 2019 survey

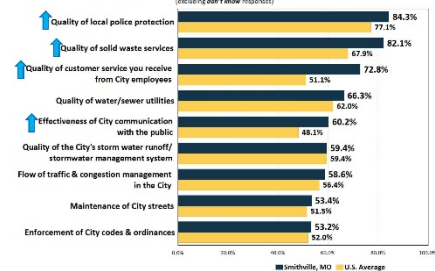
City leaders should ensure these trends remain by doing another survey in 2023 to track performance in key areas and to ensure City initiatives are effective in swaying satisfaction

There were six (6) items that received lower ratings than in 2019—none were significant:

- Visibility of police in neighborhoods
- Quality of local police protection
- Overall efforts by the City to prevent crime
- Enforcement of local traffic laws
- Information provided through the City's social media sites

### Benchmarks: Satisfaction With City Services Smithville, MO Compared to U.S. Average

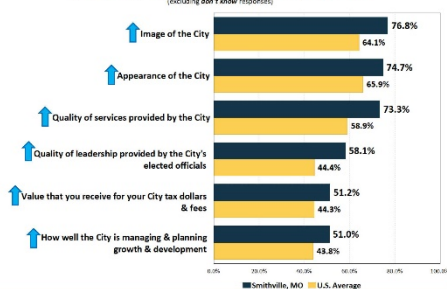
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Satisfaction With Perception Items Smithville, MO Compared to U.S. Average

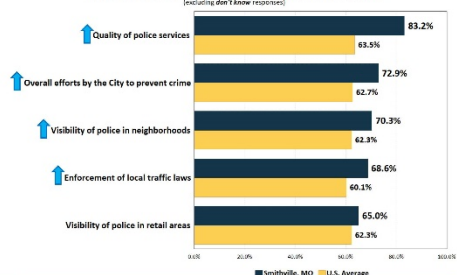
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Satisfaction With Public Safety Services Smithville, MO Compared to U.S. Average

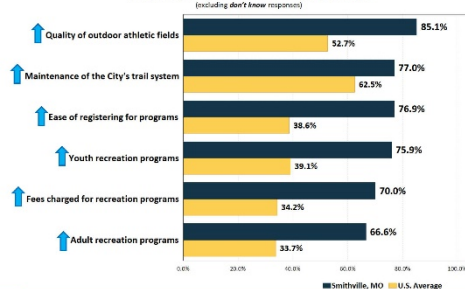
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Satisfaction With Parks & Rec Amenities & Programs Smithville, MO Compared to U.S. Average

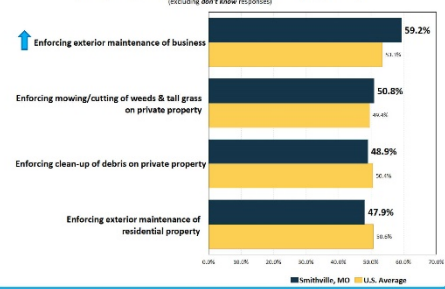
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Satisfaction With Code Enforcement Services Smithville, MO Compared to U.S. Average

by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)

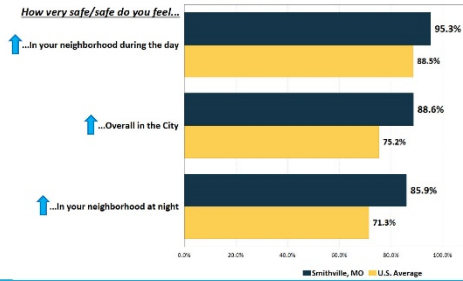


Significantly Higher: ↑



### Benchmarks: Feeling of Safety in the City Smithville, MO Compared to U.S. Average

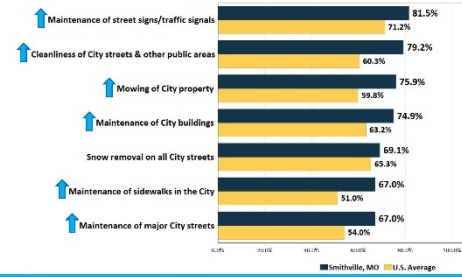
by the sum percentage of respondents that indicated they feel either very safe or safe (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Satisfaction With Maintenance Services Smithville, MO Compared to U.S. Average

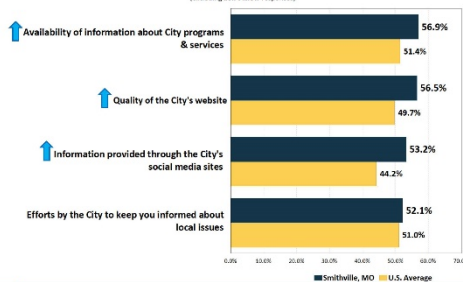
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Satisfaction With Communication Services Smithville, MO Compared to U.S. Average

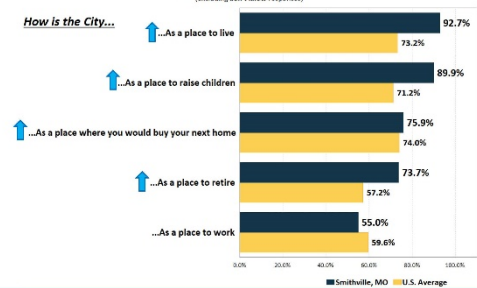
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



Significantly Higher: ↑

### Benchmarks: Excellent or Good Perceptions of the City Smithville, MO Compared to U.S. Average

by the sum percentage of respondents that perceive the City as either excellent or good (excluding don't know responses)



Significantly Higher: ↑

### Importance-Satisfaction Ratings City Maintenance Services Smithville, MO (2021)

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Maintenance of major City streets	45.6%	1	67.0%	10	0.1505	1
Maintenance of streets in your neighborhood	26.5%	2	55.4%	12	0.1182	2
Snow removal on all City streets	25.8%	3	69.1%	8	0.0797	3
Maintenance of the City's water & wastewater system	21.4%	4	66.4%	11	0.0719	4
Maintenance of sidewalks in the City	7.6%	6	67.0%	9	0.0251	5
Cleanliness of City streets & other public areas	9.9%	5	79.2%	2	0.0206	6
Maintenance of the stormwater drainage system	5.1%	8	69.6%	7	0.0155	7
Maintenance of City parks & park equipment	5.2%	7	76.6%	4	0.0122	8
Maintenance of the City's trail system	4.0%	10	77.0%	3	0.0092	9
Mowing of City property	3.1%	11	75.9%	5	0.0075	10
Maintenance of street signs/traffic signals	4.0%	9	81.5%	1	0.0074	11
Maintenance of City buildings	2.2%	12	74.9%	6	0.0055	12

I-S Ratings .1000 or Greater Are Considered a High Priority for Investment Over the Next Two Years

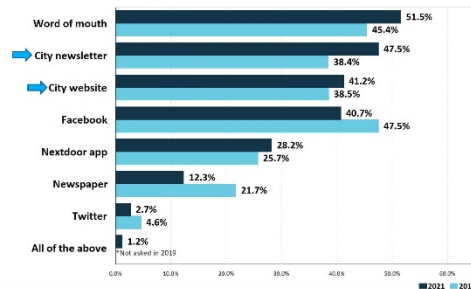
### Importance-Satisfaction Ratings Parks & Recreation Services Smithville, MO (2021)

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Youth recreation programs	22.0%	1	75.9%	9	0.0530	1
Adult recreation programs	5.4%	7	66.6%	11	0.0180	2
Maintenance of City parks	19.1%	2	93.1%	1	0.0132	3
Maintenance of public restrooms	6.4%	5	80.2%	7	0.0127	4
Fees charged for recreation programs	3.7%	10	70.0%	10	0.0111	5
Number of walking & biking trails	14.7%	3	92.5%	3	0.0110	6
Quality of playground equipment	6.3%	6	88.5%	4	0.0072	7
Courtesy of Parks & Recreation's employees	4.6%	8	85.4%	5	0.0067	8
Quality of outdoor athletic fields	4.4%	9	85.1%	6	0.0066	9
Appearance of City parks	8.4%	4	92.8%	2	0.0060	10
Ease of registering for programs	2.5%	11	76.9%	8	0.0058	11

I-S Ratings .1000 or Greater Are Considered a High Priority for Investment Over the Next Two Years

### Q14. Which of the following are your primary sources of information about community activities and services?

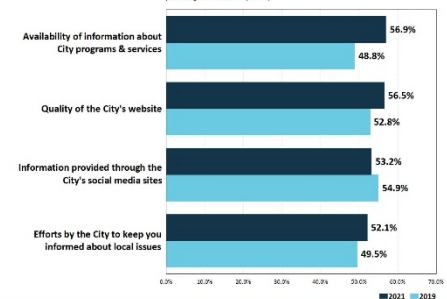
by percentage of respondents (multiple choices could be selected)



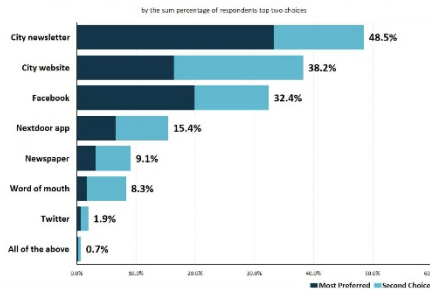
The most preferred sources don't align with where residents are likely turning first for information

### Satisfaction With Communication Services Trends (2021 v. 2019)

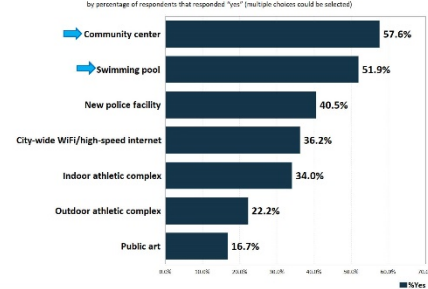
by the sum percentage of respondents that indicated they were either very satisfied or satisfied (excluding don't know responses)



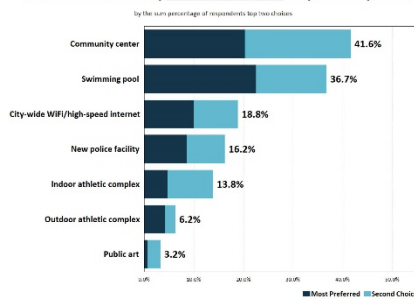
Q15. Which methods of communication do you most prefer to use for information about community activities and services?



Q18. Would you be willing to pay increased taxes or fees for any of the community amenities/facilities listed below?



Q19. Which community amenities/facilities do you most prefer?



## Summary

**Residents Continue to Have a Very Positive Perception of the City**  
**Satisfaction with City Services is Much Higher in Smithville Than Other Communities**

### Priorities for Improvement

- Maintenance of major City streets
- Maintenance of neighborhood streets

**To sustain these results the City should consider another survey in 2023 to continue to track trends and investments in key areas**

Mr. Murray noted that every forward-facing employee should be commended for these results. He said these are not the results that he sees frequently, he has a few northern Kansas City clients that are a little bit terrified of the results, but this was a welcome surprise. There have been ups and downs in the high-performing communities over the last couple of years especially with the pandemic. It is important that everyone knows the results and how well Smithville is doing.



Mayor Boley thanked Mr. Murray and agreed that it was great to see how well the City is doing.

Alderman Atkins asked why it is good receiving 408 replies to the survey for a community of over 10,000?

Mr. Murray explained that in order for the survey to have statistical significance, only 300 responses were required so that is why he was very pleased to receive over 400.

Alderman Atkins asked if in the world of surveys if that is a good saturation point?

Mr. Murray said that it was, and compared a larger city, Lenexa where they want to receive back 400.

Alderman Atkins asked if residents in different demographics are used for each survey?

Mr. Murray explained that they maintain those samples year after year, because some people are renters or have moved. They draw a random sample every time, so there may be a few residents that have received it prior it is very unlikely.

Cynthia noted that would be a reason to continue the survey process in future years to get the different levels of responses. Cynthia explained that over the last couple of years we have done other surveys and received good responses and ETC does the survey by self-selection.

Mr. Murray explained that with the Parks and Recreation survey that the City did we received over a thousand responses and in instances like that, the folks that are most likely to respond to the survey are going to participate in it and tell you what their opinion is. The difference with the citizen satisfaction survey is he basically strong-arms people into giving their input, meaning he make multiple follow-up attempts. They send out a paper survey in the mail that comes with a paid return envelope and also gives you the link to fill it out online. Folks still do not what to complete the survey and in order to ensure representation based on census bureau numbers according to demographics in our survey he has to continually follow-up with folks either by text message, email or mail. He explained that these results are reliable at the 95 percent level of confidence, which means if we were to do the survey a hundred times, ninety-five out of a hundred times we would get these results plus or minus about a 4.7 percent margin of error.

Alderman Chevalier noted that this should prove to people that filling out surveys are important. With the improvements we received in the survey it shows that we hear you and we are going to fix things and make things better. He said that staff did an awesome job in doing that.

Alderman Kobylski is so proud of everyone, city staff and Board members. She said that we listen, and this proves that we are trying to do what is best for our community.

Alderman Smith said that he was delighted to see the results of this, and it just tells him that we have the right people in place.

Alderman Ulledahl thanked Mr. Murray for the great job putting the presentation together so it was easy to read. He noted that it is obvious that the city has spoken and is seeing positive forward progress that we need.

#### **4. Adjourn**

Alderman Ulledahl moved to adjourn. Alderman Smith seconded the motion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:45 p.m.

---

Linda Drummond, City Clerk

---

Damien Boley, Mayor

# SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

February 15, 2022 7:00 p.m.  
City Hall Council Chambers and Via Videoconference

## 1. **Call to Order**

Mayor Boley, present, called the meeting to order at 6:59 p.m.

A quorum of the Board was present: John Chevalier, Marv Atkins, Dan Ulledahl, Kelly Kobylski and Rand Smith. Dan Hartman was absent, attending the MML Legislative Conference.

Staff present: Cynthia Wagner, Anna Mitchell, Chief Jason Lockridge, Chuck Soules, Matt Denton, Linda Drummond, Stephan Larson and Jack Hendrix.

## 2. **Pledge of Allegiance led by Mayor Boley**

## 3. **Proclamation – Public Schools Week February 21-25**

Mayor Boley presented the Public Schools Week Proclamation to School Board member Jeff Bloemker earlier in the evening.



The proclamation will be published on FaceBook and Nextdoor.

## 4. **Consent Agenda**

- **Minutes**

- January 18, 2022, Board of Alderman Work Session Minutes
- January 18, 2022, Board of Alderman Regular Session Minutes

- **Finance Report**

- Financial Report for December 2021

- **Resolution 1018, Street Name Change – Eagle Ridge Subdivision**

A Resolution approving changing the name of the short north-south portion of Carriage Street that is adjacent to Lots 31-38 to Ridge Drive.

- **Resolution 1019, Acknowledging Emergency Purchase**

A Resolution acknowledging the emergency purchase with Mid-America Pump in the amount of \$8,683.57 to replace the pump and motor at lift station #2 at Cedar Lakes.

- **Resolution 1020, Change Order No. 1 for Smith's Fork Campground Electrical**

A Resolution approving a change order for the Smith's Fork Campground Electrical Upgrade bid with Mr. Electric.

- **Resolution 1021, Clay County Local Emergency Operations Plan (LEOP)**

A Resolution adopting the Clay County Local Emergency Operations Plan.

- **Resolution 1022, Farmer's Market MOU for the 2022 Season**

A Resolution authorizing the Mayor to enter a Memorandum of Understanding (MOU) with the Lion's Club for the 2022 Farmers and Makers Market.

- **Resolution 1023, Main Street District MOU - 2022 Gravel Grinder Bike Race**

A Resolution authorizing the Mayor to enter a Memorandum of Understanding (MOU) with the Main Street District for Gravel Grinder Bike Race.

- **Resolution 1024, Letter of Support, Main Street District Grant Application**

A Resolution authorizing the Mayor to sign a letter of support for the Smithville Main Street District grant application for a Marketing Heritage and Cultural Tourism in Rural Missouri grant.

- **Resolution 1025, Change Order No. 1 Repair Motive Pump**

A Resolution approving the change order for the repair of a motive pump in the amount of \$3,501.72 with Mid-America Pump.

Alderman Atkins moved to approve the consent agenda. Alderman Kobylski seconded the motion.

Ayes – 5, Noes – 0, motion carries. The Mayor declared the consent agenda approved.

## **REPORTS FROM OFFICERS AND STANDING COMMITTEES**

### **5. Committee Reports**

Anna Mitchell, Assistant City Administrator reported on the January 28, 2022, Economic Development Committee meeting. They continue to work through the incentive toolbox. The committee worked on the Chapter 100 and Chapter 353 decisions as far as any recommendations to the Board of Alderman on any further restrictions, the committee's decision was not to put any additional restrictions on Chapter 100 and Chapter 353 and to continue as they are.

Megan Miller from Gilmore and Bell educated the committee on the Community Improvement District (CID). At the February meeting they will discuss if any further

restriction will be need on the Community Improvement District incentives. They will also move forward with education on Transportation Development Districts (TDD).

Alderman Atkins reported on the February 8, 2022, Finance Committee meeting. They reviewed the vendor payments in excess of \$7,500 and all the payments adhere to the City's purchase policy.

The bank reconciliation was completed on January 6, ahead of the benchmark goal that has been set by the City.

Staff continues to call and send emails to past due utility customers on the outstanding checks list.

Staff has been reaching out to several banks to compare rates on certificate of deposit. The current interest rates are not that aggressive, so it was highly recommended that the City's CDs remain as they are to retain access to available funds for emergencies.

The first quarter of FY22 budget we made small but obtainable adjustments, \$160,000 for the classification and compensation study. They also discussed the increase in the cost of gas from Spire and will be looking for ways to adjust for the increase.

They discussed the utility discount policy due to the Board receiving public comment to the severity of the policy. Staff has started to evaluate how the threshold for shut offs and fees compare to other cities. The update on the policy will be reviewed by the Board later in this meeting.

Staff posted requests for qualification (RFQ) for the utility rate study to complete the rate analysis on the City's water and wastewater rates and how they impact the impact fees, debt obligation and funding strategy for major capital improvements over the next five years. The submission process has concluded, and staff will begin evaluating the qualifications of each firm and begin interviews in order to select a qualified firm to present to the Board of Alderman.

Alderman Atkins noted that they also discussed capital improvements. Staff is currently evaluating the financial strategy for the Parks and Recreation/Public Works facility and the Police facility.

Alderman Atkins reported on the February 10, 2022, joint Legacy Fund Committee and Parks and Recreation Committee meeting. They presented the Parks and Recreation Master Plan and the results of the Citizens Satisfaction Survey, and it verified we are on target for what the citizens are requesting. They discussed future plans for items such as a riverwalk, expansion of Heritage Park and Smith's Fork Park and the expansion of the campgrounds to include a bigger playground and skate park. The estimate to obtain all of these visions is estimated at 15 million dollars. The current funding will only provide approximately half and why the Legacy Fund Committee is so vital to the success of these visions and the requests of our citizens. Some of the funding can be obtained from grants but most will need to come from fund raising.



Alderman Atkins noted that this was his first interaction with the members of the Legacy Fund Committee, and he was impressed by their professionalism and passion they had. They discussed what goals need to be priority to start the fundraising steps and possible fundraising events.

**6. City Administrator's Report**

Cynthia noted that there is a lot of information in the City Administrator's report in the packet. Cynthia gave a brief update on personnel. We have a number of new employees that started between Christmas time and last week. We currently have two vacancies in the Police Department, one in the Street Department and one in the Utility Department. We also have a part-time position we are advertising to fill in the Parks and Recreation Department.

In the report Cynthia provided an update on the snow removal effort for the last several storms and noted that staff is preparing for response for later this week for another snow event.

Also included in her report was information on the Right-of-Way maintenance communication to residents who are affected based on Board action late last year. There is also information on development that is occurring around the community.

Cynthia reminded the Board to RSVP to Linda Drummond, City Clerk by March 15, if they are attending the Missouri Municipal League (MML) West Gate dinner/meeting on March 24 at White Iron Ridge.

**RDINANCES AND RESOLTUIONS**

**7. Bill No. 2930-22, Initial Zoning, Lot 24, Lakeside Crossing – 2<sup>nd</sup> Reading**

Alderman Chevalier moved to approve Bill No. 2930-22, approving the initial zoning of Lot 24, Lakeside Crossing, 15705 North Wabash Street. 2<sup>nd</sup> reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Alderman Chevalier – Aye, Alderman Hartman– Absent, Alderman Atkins – Aye, Alderman Smith – Aye, Alderman Ulledahl – Aye, Alderman Kobylski– Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2930-22 approved.

**8. Bill No. 2931-22, , Revenue Study for MarketPlace TIF Issuance - Emergency Ordinance Sponsored by Mayor Boley – 1<sup>st</sup> and 2<sup>nd</sup> Readings**

Alderman Ulledahl moved to approve Bill No. 2931-22, awarding RFP #22-10, Smithville Commons Development Revenue Study to PGAV Planners, LLC. 1<sup>st</sup> reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Alderman Hartman – Absent, Alderman Kobylski – Aye, Alderman Chevalier – Aye, Alderman Ulledahl – Aye, Alderman Smith - Aye, Alderman Atkins – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2931-22 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2931-22, awarding RFP #22-10, Smithville Commons Development Revenue Study to PGAV Planners, LLC. 2<sup>nd</sup> reading by title only. Alderman Smith seconded the motion.

No discussion.

Alderman Smith – Aye, Alderman Atkins – Aye, Alderman Hartman – Absent, Alderman Chevalier – Aye, Alderman Kobylski – Aye, Alderman Ulledahl- Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2931-22 approved.

**9. Bill No. 2932-22, Budget Amendment No. 2 – 1<sup>st</sup> Reading**

Alderman Smith moved to approve Bill No. 2932-22, amending the FY22 operating budget to add \$547,205 to the expenditure budget and \$813,000 to the revenue budget. 1<sup>st</sup> reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Alderman Kobylski – Aye, Alderman Smith – Aye, Alderman Atkins – Aye, Alderman Hartman – Absent, Alderman Ulledahl – Aye, Alderman Chevalier- Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2932-22 approved.

**10. Bill No. 2933-22, Award Bid No. 22-06, Sale of City Land – 1<sup>st</sup> Reading**

Alderman Kobylski moved to approve Bill No. 2933-22, authorizing the Mayor to execute a land sale contract with Kansas City Properties and Investments, LLC. 1<sup>st</sup> reading by title only. Alderman Atkins seconded the motion.

Joel Schroeder, 1702 NE 197<sup>th</sup> Court, explained to the Board that he was concerned that the sale of this property would be a long-term problem for the City. He said that in selling city property that is already designated as a park area to only serve one business in town leaves the City open to other businesses to ask permission to buy other City park property once we set this precedence. Mr. Schroeder said that he does not believe this is going to be a positive thing for the City because it is taking away an area that has been used in the past for many other events. He also noted that he feels it should be brought to the voters and not just a survey that not everyone got the chance to respond to.

Sarah Ulledahl, 408 Highland Avenue, stated that she has a passion for a thriving downtown Smithville. She has spent numerous hours working towards and planning multiple community events with Main Street District, Community in Action, hosting events like Pet's Day Out and Movie Night. She said that she wants to see a vibrant downtown but not at the expense of our residents and one of our most used parks. She noted that last year alone they had thirty-nine community events take place in the Courtyard.

Mrs. Ulledahl explained that while working on an event for this year she was reminded that if the patio were in place on the east side of the stage, the west side of the stage would need to stay open for emergency crew to get through, so, they would not have the ability to set up on the other side of the stage. She said that she has a great relationship with Humphreys and really enjoys having them in downtown Smithville. She explained that when they have Movie Night, Humphreys always close the garage doors so they can continue to have a band playing and not disrupt the movie. Doors will not be able to be closed on a patio next to the stage. The Community in Action hosted the Fifth Quarter for Smithville kids after the football games this year. This event went until curfew in the Courtyard Park. She stated that she was not sure how a patio bar and grill at 11:00 p.m. on a Friday evening would work with a hundred of Smithville students playing in the park right next to it.

Mrs. Ulledahl said that she loves the idea of an outdoor patio but asked that the Board think of a way to for it not to involve losing part of our park. She suggested a rooftop patio or even behind the restaurant would be great ideas. She would like to keep our park for our community. She asked that the Board consider what is best for everyone and not what is best for one business.

Johnny Viebrock, 6408 Five Corners Road, explained that he was asked to come speak to the Board by concerned citizens who were not able to attend the meeting. He noted that he supports free enterprise and expansion but as one of the founding members of the Farmers and Makers Market that utilizes Courtyard Park, he strongly opposes the sale of this property. Losing this property reduces access for vendors to be able to drop off their goods and services in Courtyard Park. He said he sees no benefit to the City by removing the thoroughway and stopping the flow of traffic in the alleyway. He is also concerned that closing off that area reduces the access for emergency vehicles. Mr. Viebrock also noted that the City just spent several thousand dollars retrofitting the curb and entrance with the Streetscape and not sure the sale of the land would cover those expenses. He asked the Board to consider relaxing the rules of Courtyard Park and when it is not being used for a special event and allow all of the restaurants downtown opportunity to have tables they can serve. He asked that the Board consider not selling the property.

Alderman Chevalier voiced concern that once we sell this land, we will not have control. If an event such as Artistry in Motion was performing, and they were having something on the patio it would drown out the sound of the performance at the Courtyard and they City would not have a whole lot of say concerning it. He would prefer that the City look at something more like a lease of the land and have something written in the lease that would ensure that they could not hold loud events when events were being held in the Courtyard.

Alderman Smith asked about the possibility of building on the rooftop so it would not take away the alleyway or the parking?

Mayor Boley explained that the structure would not support it, the roof is a foam roof.

Alderman Atkins said that the Main Street District and the Parks and Recreation Committee reviewed this and are in favor of it but feels maybe the Board needs to spend more time reviewing it because at this time he is not comfortable selling it. He likes the idea of businesses increasing their sales but is not sure this is the exact right thing. He said that he knows it is not an alleyway, but it is used by the City and the citizens.

Alderman Kobylski noted that she has gone back and forth through this process, she is for selling the property and that the outdoor eating space will be a benefit. She said that she did not know if Humphreys had any plans for bands, but the outdoor seating is no different then the outdoor seating across the street that could have loud noise also. She explained that she was not sure that was a fair argument. She noted that she believes it is a good idea and would beautify that area and be beneficial.

Alderman Atkins noted that it was his understanding that it would be a two-story patio.

Mayor Boley said that was correct it would be a four-season patio.

Alderman Chevalier said that he thought it would be a benefit to downtown he just did not want the City to lose control over the land and not be able to stop something if we needed to.

Alderman Kobylski said that was what City Ordinances such as our noise ordinance are for just like for any other business.

Alderman Smith asked if we knew what the additional projected sales tax revenue would be?

Mayor Boley explained that all of our downtown restaurant's sales tax is substantial, but he was not sure if they provided that in the RPF.

Alderman Atkins – No, Alderman Chevalier – No, Alderman Ulledahl – No, Alderman Smith – No, Alderman Kobylski – Aye, Alderman Hartman - Absent.

Ayes – 1, Noes – 4, motion fails. Mayor Boley declared Bill No. 2933-22 failed.

**11. Resolution 1026, Authorization No. 96, Bridge Street Streetscape North**

Alderman Ulledahl moved to approve Resolution 1026, Resolution authorizing and directing the Mayor to execute Authorization No. 96 with HDR Engineering, Inc. for design and construction services for Streetscape Phase III – Bridge Street. Alderman Chevalier seconded the motion.

Alyssa Sanders, 211 North Bridge Street, noted that she is excited about the project but asked if the sewer lines and the water lines would be updated with the project?

Chuck Soules, Public Works Director, explained that the sewer lines and water lines would be part of the engineering for the project. He said that city staff will contact the residents and business owners in that area to explain the project. He noted that the project is slated for bid in 2023.

Alderman Ulledahl noted that the sewer lines and water lines should be addressed with the project.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1026 approved.

**12. Resolution 1027, Award Bid No. 22-01, Camp Host**

Alderman Ulledahl moved to approve Resolution 1027, awarding Bid No. 22-01, Camp Host to Kendra Kristler in an annual amount of \$14,700. Alderman Smith seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1027 approved.

**OTHER MATTERS BEFORE THE BOARD**

**13. Public Comment**

None

**14. Discussion of Utility Billing**

Stephen Larson, Finance Director, noted on January 4, 2022, the Board of Alderman received public comment regarding the City's utility disconnect policy. In response the that public comment staff has prepared a brief staff report including research and information on the disconnect policy. The policy outlines the Board of Alderman establishes the policy and the policy is executed by staff. This policy is found in the City's policy manual and is available on the City's website. The policy specifically outlines the times and dates in which accounts may be disconnected. Stephen noted that the staff report also outlines various facts and statistics regarding utility disconnection in the City. The information includes the average number of disconnects each month in relation to the total customer accounts that the City bills each month. It also contains the average utility bill following the rate adjustments implemented in 2021 and the City's current disconnect threshold. The staff report also provides information regarding utility disconnect policy and disconnection fees for comparable cities around Smithville. Staff researched disconnection policies for eleven other communities comparable to Smithville. Stephen said that staff was looking for direction from the Board on this matter.

Melissa Wilson, 19507 Diamond Lane, noted that she serves on the City's Finance Committee, and they did discuss utility billing at their February meeting. She shared that while she was serving as an Alderman, they did review the City's current policy that is in the manual and determined that the timelines in place cannot be adjusted due to the preparation of the next month's bills. She said that she read the January public comment and noted that it had to do with the delay in third-party vendors used by banks and those vendors not getting the checks submitted to the City. The postal service is now telling us that first class mail can take longer than five days. Mrs. Wilson recommended to the Board that the City focus on auto-debit for utility customers. She noted that she has been on auto-debit since it was first offered, and it comes out of her



account on the 16<sup>th</sup> of the month, and she does not have to worry about late fees or disconnects.

Greg Hinds, 18303 Belinda Drive, stated that he agrees with Mrs. Wilson, but he believes the problem is that the City policy states that the City takes checks, and his bank pays his utility bill by check. He explained that in December when he received his utility bill, he immediately authorized his bank to send a check. The check did not arrive to the City until December 27 and his water was already shut off. He said that the City policy says that it accepts checks via USPS, and he feels he did nothing wrong but was still shut off.

Mr. Hinds thanked staff for researching the eleven other communities and noted that the majority of those cities simply send a termination notice in the next bill. He said that procedure would take care of the problem. Give customers thirty or forty days of a grace period as opposed to ten days. He noted that would solve the problem and does not cost anything other than a delay in the payment.

Mr. Hinds also stated that changing the threshold from \$75 to \$100 would not solve the issue for someone like him because his bill is generally \$150, nor would it help someone whose bill is \$108. He asked that the City change the rigid ten-day policy.

Alderman Chevalier asked what the issue would be if the date was pushed back the disconnect date to the next billing cycle?

Cynthia explained that the largest issue is the timeline in getting the bills processed. There is also the issue of staffing for disconnects and reconnects.

Stephen explained there is also the timeline for meter reads during the disconnect period and that is where we run into the staffing issue. Stephen said that in the past when this issue has come up those were the main reasons for not changing the policy.

Alderman Chevalier asked how the other cities were able to extend the date? He saw where one city was 120 days and not sure why we can extend the date to the following month. The staffing issue will be the same if we extend it, staff will still have to go out and do the disconnects and the reconnects.

Alderman Atkins said that we might even have fewer shut offs.

Alderman Ulledahl noted that this would be true for someone like the gentleman that spoke this evening, the check would have been received on the 27<sup>th</sup> and his water would not have been shut off. He stated that he is in agreement with Alderman Chevalier and recommends that the Board change the policy to extend the disconnect thirty days plus ten. The overdue bill would go on the next billing cycle and if not paid then disconnected.

Alderman Atkins said that the thirty day plus timeline is common sense. He has is set up on autopay but noted that we cannot tell people how to pay.

Alderman Ulledahl noted that he has his accounts set up on autopay because he was shut off once.

Alderman Chevalier said that it would not be adding thirty days it would be adding to the next billing cycle and shut off if not paid by that shut off date. He also said that if we were to go this route maybe consider increasing the reconnect fee to help re-coop some of the City's costs.

Alderman Kobylski noted that in the policy we do accept checks, but the checks need to be received by the due date. She asked if the language in the policy could be changed to yes, we do accept checks, but they must be received on time?

Alderman Ulledahl said that if the bank mails the check and we do not receive it on time especially with the delay in with the USPS, which is why we should change the policy to extend it to the next billing cycle.

Alderman Kobylski asked what we do if that continues to happen. How do we hold the customers accountable?

Alderman Ulledahl said that everyone should be held accountable and is responsible for their bills. Extending it to the next billing cycle would be to help the individuals that mailed their bills and the City received it on or after the 27<sup>th</sup> of the month. If individuals are receiving disconnect notices because their bank is not sending out the checks soon enough then they need to make sure that their bank sends the checks out, so they are received by the due date.

Alderman Kobylski asked if we could require customers to sign up for ACH or auto debit?

Cynthia noted that if that were something that the Board wants to pursue, staff would have to consult legal counsel.

Alderman Smith asked if there was any reason that we could not extend it thirty days? He also said that he likes the idea of raising the reconnect fee.

Stephen stated that from a financial perspective we want to make sure that our cash flow for the water and sewer funds work. We operate our own utilities and that is why we justify a shorter timeline. That is something that will have to be evaluated if the Board chooses to extend the timeline, what does that do to the water and sewer fund cash flow.

Stephen asked for direction from the Board on how they wanted staff to proceed.

Mayor Boley said that the consensus is to look at what our cash flow would look like if we changed to a thirty day plus ten policy. Print on the following bill that they are past due.

Cynthia clarified that there would be a notification that there is a delinquency, and they will be shut off in the following month.

**15. New Business from the Floor**

Alderman Chevalier said that he was contacted by someone who was trying to reserve the Courtyard, but someone had a hold on it for the same date, but they had not paid the fee.

Matt Denton, Parks and Recreation Director, explained that it is in the policy that facilities are not reserved until the fees are paid. He noted that we do explain to people if events that are held every year on the same weekend, like Larson's Cruise, we do hold those dates.

**16. Adjourn**

Alderman Ulledahl moved to adjourn. Alderman Smith seconded the motion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:45 p.m.

---

Linda Drummond, City Clerk

---

Damien Boley, Mayor



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Parks & Recreation

**AGENDA ITEM:** Resolution 1028 – Special Event Permit – Humphrey's Gravel Grinder

---

**RECOMMENDED ACTION:**

A motion to approve Resolution 1028, issuing a Special Event Permit for Humphrey's Gravel Grinder on May 14, 2022.

**SUMMARY:**

Approval of this item will issue a Special Event Permit to Smithville Parks and Recreation Department for Humphrey Gravel Grinder, a bicycle race that will begin and end at Courtyard Park on May 14, 2022.

The requested permit will allow the participants to have alcohol (open container) at the event. The event is scheduled from 6:00 a.m. until 10:00 p.m. at Courtyard Park. Per City Ordinance 600.070 (G & H) the Board of Aldermen may grant a Special Event Permit to allow drinking in public.

The event coordinators will utilize Chops BBQ & Catering, Velo Garage, Little Platte Distillery and Humphreys Bar and Grill as the alcohol vendors. These businesses currently possesses appropriate City and State Alcohol Licenses.

**PREVIOUS ACTION:**

A Special Event Permit has been approved for this event in past years.

**POLICY ISSUE:**

n/a

**FINANCIAL CONSIDERATIONS:**

n/a

**ATTACHMENTS:**

- |  |                                   |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance                                   | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution                       | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report                                | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Map and Ordinance 600.070 |                                   |

## **RESOLUTION 1028**

### **A RESOLUTION APPROVING A SPECIAL EVENT PERMIT FOR SMITHVILLE PARKS AND RECREATION FOR HUMPHREY'S GRAVEL GRINDER BIKE RACE AT COURTYARD PARK ON SATURDAY, MAY 14, 2022.**

**WHEREAS**, Smithville Parks & Recreation has submitted an application with all required documentation; and,

**WHEREAS**, a local and licensed business will supply the alcoholic beverages for a fee to the participants in a vendor area at Courtyard Park using their State and City licenses to sell alcohol; and,

**WHEREAS**, the applicant has submitted a map of the area and will monitor the area that will allow open consumption of alcohol in accordance with city code; and,

**WHEREAS**, Smithville police officers will assist in providing security at the event.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT A SPECIAL EVENT PERMIT BE ISSUED TO SMITHVILLE PARKS &  
RECREATION DEPARTMENT FOR HUMPHREY'S GRAVEL GRINDER BIKE  
RACE TO BE HELD MAY 14, 2022 IN ACCORDANCE WITH THE  
APPROVED PLAN.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

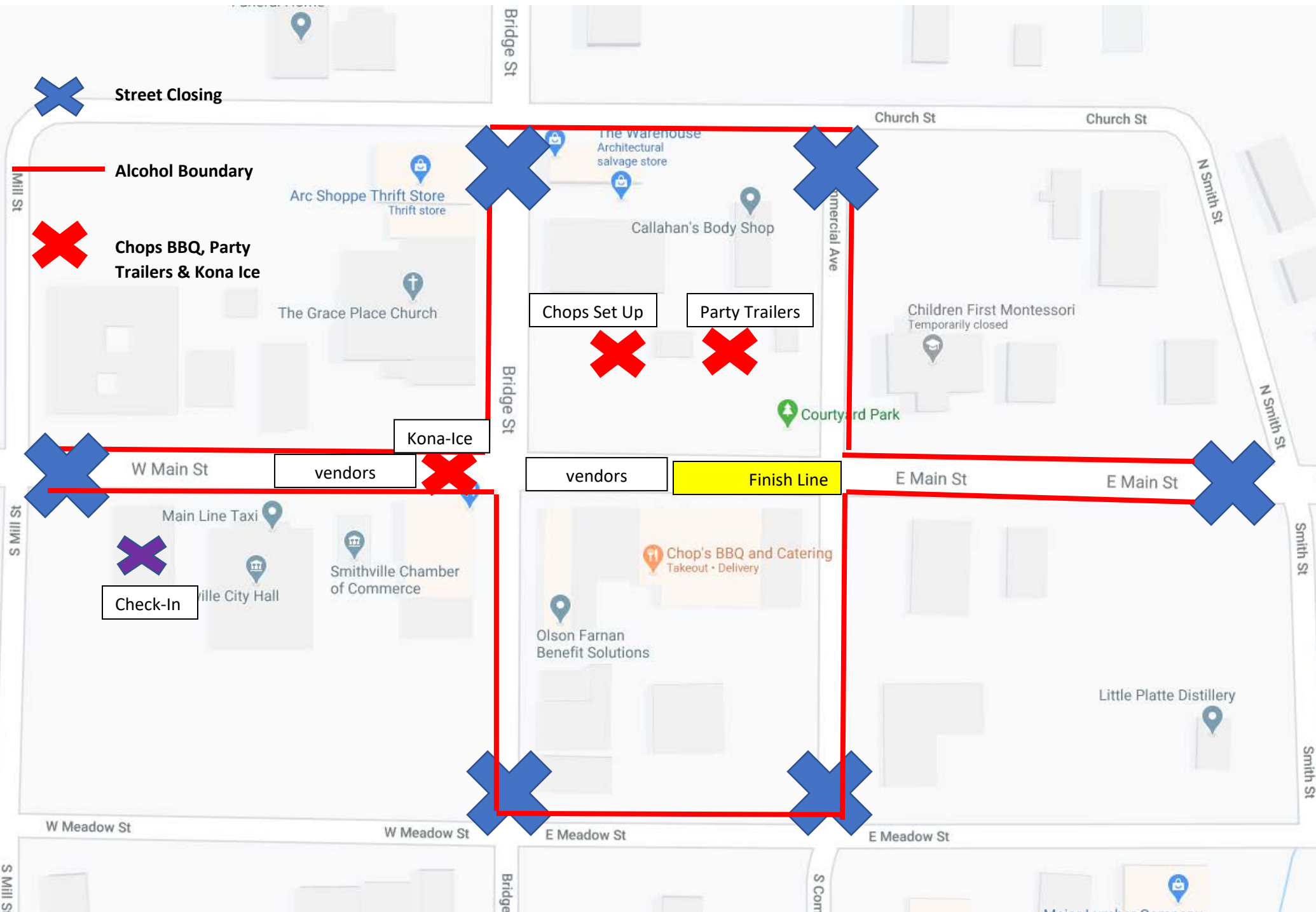
---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk



# Chapter 600. Alcoholic Beverages

## Section 600.070. Miscellaneous Offenses.

[Ord. No. 3039-19, 7-16-2019]

- A. **Unlawful For Licensed Retailer To Purchase From Other Than Licensed Wholesaler.** It shall be unlawful for any licensee to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this State. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this Section.
- B. **Packaging, Labeling, Repackaging Prohibited, When.** Any retailer licensed pursuant to this Chapter shall not:
1. Sell intoxicating liquor with an alcohol content of less than five percent (5%) by weight to the consumer in an original carton received from the wholesaler that has been mutilated, torn apart or cut apart; or
  2. Repackage intoxicating liquor with an alcohol content of less than five percent (5%) by weight in a manner misleading to the consumer or that results in required labeling being omitted or obscured.
- C. **Mixing Liquor With Drugs Prohibited.** No licensee, or any other person, shall for any purpose whatsoever mix or permit or cause to be mixed with any intoxicating liquor kept for sale, sold or supplied by him/her as a beverage any drug or form of methyl alcohol or impure form of alcohol.
- D. **Unlawful To Sell Unlabeled Liquor — Penalty.** It shall be unlawful for any person to sell any intoxicating liquor which has not been inspected and labeled according to the provisions of the Liquor Control Law of Missouri, and any such person upon conviction shall have his/her license revoked and shall be ineligible to receive any subsequent liquor license for a period of two (2) years thereafter.
- E. **Only Those Liquors Authorized By License To Be Kept On Premises.** It shall be unlawful for any licensee licensed for the sale of intoxicating liquor at retail by the drink for consumption on the premises to keep in or upon the premises described in such license any intoxicating liquor other than the kind of liquor expressly authorized to be sold by such licensee.
- F. **Persons Apparently Intoxicated Not To Be Provided With Intoxicating Liquor.** It shall be unlawful for any licensee, or his/her employee or agent, to sell or supply intoxicating liquor, or permit such to be sold or supplied, to a habitual drunkard or to any person who is under or apparently under the influence of intoxicating liquor.
- G. **Drinking In Public Places Prohibited.**
1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot.
  2. No person shall drink or ingest any intoxicating liquor in or on any public place.
  3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor while in or upon any public place.
  4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor while within or on any motor vehicle while the same is being operated upon, or parked or standing in or upon, any public place. Any person operating a motor vehicle shall be deemed to be in possession of an open container contained within the motor

vehicle he/she has control of whether or not he/she has actual physical possession of the open container.

H. **Special Event Permit.** The Board of Aldermen may grant a special event permit for purposes as identified in Section **600.070(G)(1)**, above, and under the following conditions:

1. An application must be filed with the Chief of Police that describes the applicant's name and business or interest in the event; the name(s) and contact information of any or all liquor license holders who will be involved in such event; the public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot to be included in the event area; the beginning and ending time of such event; and the telephone contact of the person in charge of and present at the event.
2. The estimated number of participants in the event shall be provided to the Chief of Police, and the applicant shall pay all costs of security needed as a result of the event to ensure compliance.





## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Public Works

**AGENDA ITEM:** Approve Resolution 1029 - A Resolution Approving and Establishing a Pre-Qualified On-Call Professional Services Listing

---

**RECOMMENDED ACTION:**

A motion to approve Resolution 1029.

**SUMMARY:**

RFQ 22-09 was issued on January 24, 2022 requesting qualification statements for professional engineering and architectural services in 12 different disciplines including:

<u>Discipline</u>	<u>Qualified Firms</u>
Transportation Engineering	13
Stormwater Management and Hydrology	13
Utility Infrastructure Design and Engineering Services for Water Distribution, Stormwater, and Wastewater Collection Systems	11
Geotechnical Engineering / Material Testing,	2
Surveying Services	12
Structural Engineering	12
Landscape Architecture Services	11
Architectural Services	10
Mechanical, Electrical, and Plumbing Services	7
Construction Admin / Inspection	12
Planning	11
Plan and Subdivision Review	8

Firms submitting were asked to provide examples of projects for municipalities in the categories for which they were submitting, references, salary schedules, staff, work authorizations forms, insurance, experience, years in business, training and skills, approach, and communication efforts.

The City received 21 responses.

Typically, staff would put together a RFQ for a specific project describing the project, requirements and schedule. Firms would submit the same qualification statement that were received for this process. A selection committee would then review the submittals set up interviews and recommend the selection of a firm. A scope and contract would then be negotiated and presented to the Board for approval. Over the course of a year the City has 20-30 projects that go through this process.

The goal of this list is to be more efficient in the selection of professional firms for the desired work. The firms have already been pre-qualified to perform certain services. Staff will use this list to select a firm to design, plan, review, or administer a specific project. A scope will be negotiated and presented to the Board for approval.

This does not preclude that for certain projects of a larger scale, when specific expertise is desired, or on federally funded projects that a separate RFQ would be developed, but on typical waterline replacement, street design, stormwater projects or other similar projects this process will save staff time and resources.

**PREVIOUS**

**ACTION:**

None

**POLICY ISSUE:**

Efficiency

Maintaining infrastructure

**FINANCIAL CONSIDERATIONS:**

There is no cost to establishing the On-Call List.

**ATTACHMENTS:**

☐ Ordinance

☒ Resolution

☐ Staff Report

☒ Other: Exhibit 1 – On-Call List

☐ Contract

☐ Plans

☐ Minutes

## **RESOLUTION 1029**

### **A RESOLUTION APPROVING AND ESTABLISHING A PRE-QUALIFIED ON-CALL PROFESSIONAL SERVICES LISTING**

**WHEREAS**, RFQ 22-09 was issued requesting qualification statements for 12 different professional engineering and architectural services; and

**WHEREAS**, the City received 21 statements from qualified firms.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF SMITHVILLE, MISSOURI:**

**THAT** the City hereby approves and establishes the attached On-Call Professional Services Listing (Exhibit 1); and

**THAT** the firms listed in Exhibit 1 are approved to provide the services identified.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1st day of March, 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

## EXHIBIT 1

FIRM		Transportation Engineering	Stormwater Management and Hydrology	Utility Infrastructure Design and Engineering Services for Water Distribution, Stormwater, and Wastewater Collection Systems	Geotechnical Engineering / Material Testing,	Surveying Services	Structural Engineering	Landscape Architecture Services	Architectural Services	Mechanical, Electrical, and Plumbing Services	Construction Admin / Inspection	Planning	Plan and Subdivision Review
BG	Lawrence	X	X	X		X	X		X	X	X	X	X
APEX	KC, MO						X						
JEO	Lawrence												
WSKF	N.KC, MO								X		X	X	
Bartlett & West	Lawrence	X	X	X		X	X	X	X	X	X	X	X
McClure	N.KC, MO	X	X	X		X	X						X
HDR	KC, MO	X	X	X		X	X	X	X	X	X	X	X
HOWE CO.	Macon, MO	X	X	X		X	X				X		
LDB	Manhattan, KS							X			X	X	
BRAUN	Lenexa				X								
DRAW	KC, MO							X	X				
LANDWORKS	Olathe, ks							X					
Walter P Moore	KC, MO	X	X	X			X					X	X
SNYDER & ASSOC	St. Joe	X	X	X		X	X	X			X	X	X
VEENSTRA & KIM	Liberty	x	x	x		x	x	x	x	x	x	x	x
RIC	Riverside	x	x	x		x		x					
BHC	Overland Park	x	x			x					x		
BBN Archy	KC, MO							x	x				
Clarke & Ennersen	KC, MO							X	X	X			
CFS	KC, MO	x	x	x	x	x	x	x	x	x	x	x	
GBA	Lenexa	x	x	x		x	x				x	x	x
		13	13	11	2	12	12	11	10	7	12	11	8



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Development

**AGENDA ITEM:** Resolution 1030, Fireworks Display Approval 815 East 92 Highway – White Iron Ridge

---

**REQUESTED BOARD ACTION:**

A Motion to approve Resolution 988, Approving a Fireworks Display at 815 East 92 Highway on April 9, 2022.

**SUMMARY:**

The White Iron Ridge Event Center at 815 East 92 Highway seeks approval to discharge fireworks in the evening of April 9, 2022 as a part of a wedding celebration. The City Code, Section 205.2210.B.5. states, in relevant part: "Fireworks may only be discharged in accordance with the following: . . . 5. In an approved fireworks display." Without specific instructions in the Code only the Board of Alderman may approve such a request.

The request is for approval to discharge Multiple Shot Ariel "Class A" fireworks, (now known as 1.4G Consumer Fireworks) at the sendoff of the bride and groom. The anticipated time of the display from 9:45 p.m. lasting approximately five minutes. The type of fireworks is standard consumer level fireworks, so no certified shooter is required. The Smithville Area Fire Protection District has indicated that they have no regulatory authority over this class of Fireworks.

**PREVIOUS ACTION:**

This is the eighth request for a fireworks display. The Board approved Resolution 861 on December 1, 2020 for a wedding at White Iron Ridge and directed that future requests be reviewed for adoption by the Board of Aldermen on a case-by-case basis.

The Board approved Resolution 902 on March 23, 2021 for a wedding at White Iron Ridge and directed staff review the approval process and bring a policy forward for Board review, comment and action. Staff is currently in the process of developing information for Board review.

**POLICY ISSUE:**

Current code does not describe any specifics other than Board approval.

**FINANCIAL CONSIDERATIONS:**

N/A

**ATTACHMENTS:**

- |  |                                   |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance             | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report          | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other:                |                                   |

## **RESOLUTION 1030**

### **A RESOLUTION APPROVING A FIREWORKS DISPLAY AT 815 EAST 92 HIGHWAY (WHITE IRON RIDGE) ON APRIL 9, 2022**

**WHEREAS**, City Code Section 205.2210 restricts the discharge of fireworks to certain days and/or under certain conditions, and

**WHEREAS**, one such condition that allows fireworks to be discharged is in Section 205.2210.B.5. which states, "In an approved fireworks display.", and

**WHEREAS**, without further description in the code, only the Board of Aldermen may grant such approval, and

**WHEREAS**, the applicant seeks to discharge 1.4G consumer fireworks on April 9, 2022 as a sendoff to the bride and groom at 9:45 p.m. lasting approximately five minutes.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT WHITE IRON RIDGE EVENT CENTER IS HEREBY APPROVED TO  
DISCHARGE FIREWORKS ON APRIL 9, 2022 FOR APPROXIMATELY FIVE  
MINUTES AND TO BE COMPLETED BY 9:55 PM.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk



## **City Administrator's Report**

---

---

February 24, 2022

---

---

### **APWA Award Applications**

As noted in the last report, staff submitted applications for the 2022 American Public Works Association (APWA) KC Metro Chapter Awards. We are pleased to announce that the Streetscape Phase II project application was selected as the Chapter Level Award Winner for the Small Cities/Rural Communities Transportation Category! The KC Chapter will submit this application for consideration for National APWA awards.

The City will be recognized at the May KC Chapter APWA Public Works Week event for this accomplishment. Thanks to public works staff, HDR Engineering and Sands Construction for their efforts on this project and award submission (the application materials are included in the packet.)

### **Winter Weather Event Update – Thursday, February 17**

The snow event started at approximately 5:30 a.m. A team of five street division staff responded to the event. In order to cross-train other employees, three utilities staff also helped plow snow during the event. This provided a total of eight staff members responding during the event. R&S Lawn and Sprinkler provided one truck for the two residential neighborhoods they service.

Staff provided a winter response for a total of 11.25 hours on February 17 and 6 hours on February 18. Crews used approximately 50 tons of salt and the salt/sand mix. The City received some concerns from residents on this event. The concerns were addressed in a timely manner and the residents were appreciative of the quick response from City staff. The additional help for plowing snow allowed staff to be more responsive to problem areas. Some cul-de-sacs were missed on the first day of the snow event, but they were treated the next day. The street division has prioritized training for the next snow event since department staff are interested in learning how to operate the snowplows.

### **Household Hazardous Waste Update:**

Mid-America Regional Council (MARC) has provided the 2021 Household Hazardous Waste (HHW) data. The HHW Mobile Event held on September 11, 2021 had a total of



195 cars participate in the collection event, which resulted in the collection of 21,197 pounds of hazardous waste. 61% of the participants were new clients, and 39% were repeat clients. Most participants were Smithville residents, but we did have participation from surrounding communities.

Throughout the year, residents of Smithville have been utilizing the permanent Kansas City drop-off facility and other mobile events. At the end of the fourth quarter, 321 cars have dropped off materials at a mobile event or the permanent drop-off location in Kansas City. This resulted in a total of 36,895 pounds of HHW materials collected.

<b>2021 City of Smithville HHW Participation</b>	<b>Mobile Events Car Total</b>	<b>Mobile Events lbs. collected</b>	<b>KC Permanent Facility Car Total</b>	<b>KC Permanent Facility lbs. collected</b>
1 <sup>st</sup> Quarter	0	0	30	3,384
2 <sup>nd</sup> Quarter	5	651	47	5,086
3 <sup>rd</sup> Quarter	135	15,236	63	7,889
4 <sup>th</sup> Quarter	7	792	34	3,857
<b>Totals</b>	<b>147</b>	<b>16,679</b>	<b>174</b>	<b>20,216</b>

For the overall HHW program, it was a remarkable year for the region. The material intake increased by 52% compared to the 2020 data. The mobile events were well attended and participation at the facilities went up from the previous year.

The renewal agreement was approved at the October 19 BOA meeting. This will extend the City of Smithville's participation in the regional HHW program for 2022. This year, Smithville will not host the mobile collection event since the host sites alternate each year. MARC will be releasing the 2022 mobile event schedule in the coming weeks. Staff will advertise the brochure on the website, social media and at City Hall.

# STREETSCAPE PHASE II

## CITY OF SMITHVILLE, MO

JANUARY 28, 2022



**APWA 2022 Public Works Project of the Year for Small Cities / Rural Communities**

Contact:

Charles F. Soules, P.E.

Public Works Director

[csoules@smithvillemo.org](mailto:csoules@smithvillemo.org)

(816) 532 - 3897





# INTRODUCTION

---

Located on the northern edge of the Kansas City Metropolitan Area, the City of Smithville is experiencing growth and investment. According to US Census Data (2020) Smithville's population size is 10,406.

Main Street is the entryway from US Highway 169 to Smithville's historic downtown business district and is a primary gateway to Smithville Lake, a regional recreational amenity. For most of the corridor's history, it was under the jurisdiction of MoDOT, previously designated as Highway DD, and was overdue for revitalization and accessibility improvements. A ballot issue for the project was proposed and authorized in April 2018.

In order to provide appropriate funding and planning for this project, the project was divided into three phases, which are outlined below.

Phase I was completed in April 2019 and improved eight city blocks in the heart of the downtown commercial district. The improvements were located on Main Street from Hwy 169 to Commercial Street, and Bridge Street from Meadow Street to Church Street. The project consisted of approximately 7,400 square yards of asphalt mill and overlay, 4,300 linear feet of concrete curb and gutter, 25,000 square feet of ADA compliant concrete sidewalk, 12,200 square feet of brick sidewalk, 1,800 linear feet of 15-inch through 36-inch storm sewer, 35 storm structures, 57 decorative streetlights, traffic signs, and landscaping.

Phase II extended the Streetscape theme of new sidewalks, lighting, improved pedestrian crossings, curb and gutter, and mill and overlay the pavement on Main Street from Commercial Street to Liberty Road. Substantial completion was in December of 2021. Phase II included the construction of approximately 13,000 square yards of asphalt mill and overlay, 650 linear feet of concrete curb and gutter, 11,000 square feet of ADA compliant concrete sidewalk, 1,000 square yards of brick sidewalk, 15 decorative streetlights, traffic signs, landscaping, a new concrete alley, and a post-tension concrete basketball court.

Phase III will include pedestrian and bicycle improvements on Bridge Street from Church Street to First Street. The final phase will consist of asphalt mill and overlay, full sidewalk replacement, installation of crosswalk, signs, pedestrian lighting, brick accents, stormwater improvements, decorative rail on bridge, bike arrows and "Share the Road" signage. Phase III engineering design will begin in 2022.

This application will focus on Phase II of the Streetscape Project. The project cost was \$1,457,956. The City contracted with HDR Engineering and Sands Construction for Phase II.

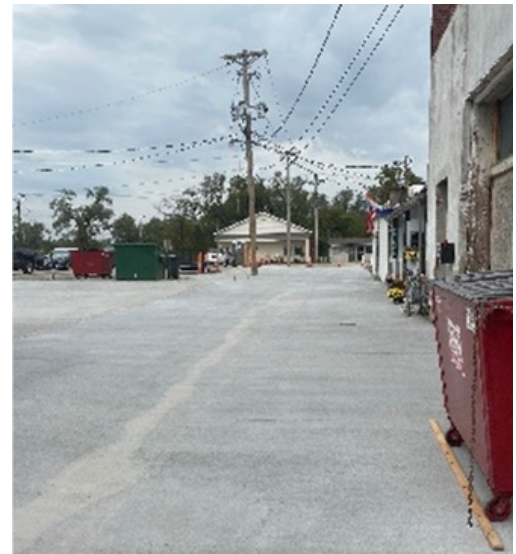
The City of Smithville is excited for the opportunity to apply for the APWA Public Works Project of the Year for Small Cities / Rural Communities for the APWA KC Metro Chapter.

# NEED OF THE COMMUNITY

In the City of Smithville's Comprehensive Plan, a community priority of strengthened business and economic development emerged during the process. A key driver to the success of this priority is a vibrant downtown Main Street. The downtown streetscape project concept developed a vibrant, safe, and desirable downtown that attracts visitors and generates additional business investments. The Downtown Streetscape project was a ballot issue voted on by the public and authorized in April 2018.

The improved corridor provided a safer, more accessible, and bicyclist-friendly street which was sought after by the community. The existing two-way road was around 50-ft wide, which gave the impression of a highway to vehicle traffic going through the historic downtown. A "road diet" of the corridor was implemented reducing the linewidths to slow down traffic going to Smithville Lake. The reduced road allowed for a wider ADA-compliant sidewalk. The existing road had a double curb with no ramps and steps at many of the business entrances. The project added ADA compliant ramps and removed the business access barriers. The corridor also added shared bike travel lanes with added pavement markings.

In order to improve the area further, the City proposed additional improvements during Phase II which were approved by the Board of Aldermen. The City improved the Alley west of Bridge Street between Main and Church Streets. This alley had stormwater issues in the past which resulted in flooded local businesses. The new pavement has an inverted crown to allow drainage from properties to the street. The other addition to this project was a new basketball court at Heritage Park. This is a post-tension concrete court that will provide a very durable and long-lasting recreational activity in the Downtown area.





# COMMITMENT TO SUSTAINABILITY



Instead of a full depth replacement of the street, the City opted to mill and overlay the portion of Streetscape Phase II. The City upgraded the traditional streetlights to LED lights. The switch allows the City to extend the life of the streetlights along the Streetscape. Additionally, the LED lights are more efficient by using less electricity than the traditional bulbs.



During the course of the project, rip-rap was installed on the north and south side of the streetscape project. This addition to the scope now helps to direct the water flow and runoff, preventing erosion in the area.

## UNIQUE PROJECT ACCOMPLISHMENTS

Main Street east of Meadow Street to Wilkerson Creek Bridge showed some fatigue, due to the beginning of alligator cracking and potholes. The City extended the original project scope to extend the overlay to Wilkerson Creek Bridge.



---

# ECONOMIC CHALLENGES

During the entire construction process, the changing health and safety protocols due to the COVID-19 virus were implemented. The contractor followed all masking and social distancing requirements while working on this project.

Due to the scale of this project, the City utilized multiple revenue sources to fund this project. The City used the Transportation Sales Tax, General Fund, CIP Sales Tax, Capital Project Fund, and the Parks & Stormwater Sales Tax. The Public Works Department worked closely with the Finance Department to plan for the appropriate funding for this project.

The City's Public Works Director collaborated with a local business to share the cost for the alley way repair. City staff and the Engineering firm met with the business owner to discuss the design of the alley way, and worked together to approve the final design. The City worked with the other businesses to minimize the disturbance to their operations. Additionally, the City allowed for a local business to utilize the bid pricing to reconstruct parking areas.



## CREATIVE PROJECT APPROACH

In the original planning of the project, an alley way and basketball court were not in the original design. Staff proposed the two additional ideas to improve the area even more. Due to the poor draining in the alley way, it would have caused stormwater issues in the new streetscape. This addition to Phase II of the project will help to alleviate stormwater issues in the downtown area.

Streetscape Phase II extends the newly constructed Main Street Trail, which connects the downtown corridor to Smith's Fork Park. Visitors of downtown can easily access the park, because of the improved sidewalks and pedestrian crossings. The improvements to Main Street allow pedestrians to have safer access to the downtown restaurants, shops, and parks. Additionally, the new bike sharrows allow for road users to share the road with bicyclists. Before this project, there were no dedicated bike lanes for cyclists. The dedicated bike lanes have improved the visibility of cyclists and messaged all road users to share the road.

The project greatly improved the sidewalks in the area, which has increased the safety of our pedestrians. In Smithville's Parks and Recreation Master Plan, citizens prioritized the need for more usable sidewalks. The new sidewalks are ADA accessible and create better access to our local downtown amenities.



# CONSTRUCTION PROCESS

Throughout the construction process, the City notified residents when crews would be working in the area. The City required traffic control plans during construction. Public Works regularly provided the Board of Aldermen with progress updates to keep them informed of the construction timeline. These updates were available for the public to view and provide public comment on.

Throughout the duration of the project, the City communicated with the downtown business district. The coordination allowed the businesses to stay open during the construction. In order to minimize the impact, the construction was phased to work with property owners to utilize alternate entrances and the timing of storefront replacements.

The construction occurred during the peak seasons for local community events. The Public Works Department coordinated closely with the Main Street District to be aware of the timing of events throughout the construction. The City developed a construction schedule to allow for downtown events, parades, community runs, and car shows to still take place. This took substantial coordination with the contractor to not disrupt the plans for these valuable community events.

Additionally, Streetscape Phase II provided the opportunity to construct ADA compliant entrances to historic buildings in the area.





# ENVIRONMENTAL PRESERVATION

The City installed new stormwater infrastructure to help improve the drainage in the area. The City provided additional erosion control to help alleviate potential stormwater issues in the future.



## ADDITIONAL EFFORTS

The City utilized Streetscape Phase II to improve the way of life of our community. The goal of the project is to make the downtown area more accessible for all road users whether they are driving, biking, wheeling, jogging, or walking. The Streetscape project prioritized ADA accessibility during the construction. The City provided ADA accessibility to historic buildings that were not accessible prior to the improvements.



Curb bulbs were constructed to provide a shorter pedestrian crossing distance and slow vehicle speeds in the area. A Rapid Flashing Beacon (RFB) was installed at the pedestrian crosswalk on Main Street to allow visitors and residents to safely cross the road at a busy intersection. A raised pedestrian crosswalk was installed at the end of the downtown business area and the beginning of Heritage Park. The raised crosswalk allows for better pedestrian visibility as well as controls the traffic speeds in the area.



The City acquired more maintenance responsibility that was originally provided by Evergy due to the construction of LED streetlights. The City capitalized on these improvements to make strides in the City's sustainability goals. In 2021, staff started to maintain the streetlights on the Streetscape, and responds to any lighting concerns from the public. This new effort has required coordination between the Public Works and Parks & Recreation Departments.



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration/Finance

**AGENDA ITEM:** Approve Bill No. 2932-22, FY22 Budget Amendment No. 2 - 2<sup>nd</sup> reading

---

**RECOMMENDED ACTION:**

A motion to approve Bill No. 2932-22, FY22 Budget Amendment No. 2. – second reading by title only.

**SUMMARY:**

This Budget Amendment spans multiple funds and multiple projects. The amendments are outlined below:

- For the FY2022 budget year, \$200,000 was budgeted in the Combined Water and Wastewater Systems (CWWS) Fund for both engineering and construction of the Floating Aerator project out at the wastewater treatment plant. The engineering cost is expected to be about \$95,000. The construction cost is expected to be \$320,000. Staff is proposing to add expenditure budget authority in the CWWS fund for \$250,000 to provide total budget authority of \$450,000 (which allows for additional budget flexibility).
- For FY2022, \$97,000 was included in the Capital Improvement Sales Tax Fund for Streetscape III (Bridge Street) engineering. Staff received the Scope of Services from HDR, and it is estimated that the engineering for the project will cost about \$181,380. Staff is proposing to add expenditure budget authority of \$85,000 in the Capital Improvement Sales Tax Fund to cover the additional expense. This additional expense for engineering is expected to reduce the projected ending fund balance to \$177,895 for FY2022 and further reduce the projected ending fund balance to \$71,156 in FY2023.
- On January 18, 2022, the Board of Aldermen approved the implementation of the results from the Compensation and Classification Study. The total implementation cost for the General Fund is \$138,969 (including salaries, FICA, LAGERS, and worker's compensation). The total implementation cost for the CWWS fund is \$42,531.05 (including salaries, FICA, LAGERS, and worker's compensation). To successfully implement the classification and compensation recommendations, staff is proposing to add expenditure budget authority of \$139,000 in the General Fund and \$43,000 in the CWWS fund.
- The City will receive \$805,495 in ARPA funding from Clay County per Resolution 2022-03 to approve the City's ARPA funding request. This will provide a

reimbursement opportunity in the CWWS fund for expenses related to the Raw Water Pump Station, Zebra Mussel, Copper Ion Generator project at Smith's Fork Park. Staff is proposing to add \$805,495 to the grant revenue line item in the CWWS Fund.

- A variety of smaller “non major” funds do need budget authority for revenues and expenditures. In future budgets, Finance staff will ensure these funds receive budget authority when presented to the Board of Aldermen during the budget work sessions. This budget amendment would include expenditure and revenue budget authority for the following funds:
  - Police Training Fund: \$10,830 in expenditure authority and \$3,000 in revenue authority.
  - Police DWI Recovery Fund: \$10,428 in expenditures authority and \$4,000 in revenue authority.
  - Technology Upgrade Fund: \$2,706 in expenditures.
  - Judicial Education Fund: \$3,446 in expenditures.
  - Appointed Counsel Fund: \$2,795 in expenditures.

**PREVIOUS ACTION:** The Board previously approved the FY2022 Budget and Budget Amendment #1.

**POLICY ISSUE:**

**FINANCIAL CONSIDERATIONS:**

Amend the FY22 Budget. Resources are available in all funds affected to support the amendment.

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution           | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report         | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other:               |                                   |

**BILL NO. 2932-22**

**ORDINANCE NO. XXXX-22**

**AN ORDINANCE AMENDING THE FY22 OPERATING BUDGET TO ADD \$547,205 TO THE EXPENDITURE BUDGET AND \$813,000 TO THE REVENUE BUDGET**

**WHEREAS**, pursuant to Ordinance 3074-20, passed on October 19, 2021, the City approved the fiscal year ending October 31, 2022 Budget; and

**WHEREAS**, not included in the approved fiscal year 2022 Budget are expenditures related to a number of projects; and

**WHEREAS**, amendments to the General Fund, Capital Improvement Sales Tax Fund, Combined Water/Wastewater Fund, Police Training Fund, Police DWI Recover Fund, Technology Upgrade Fund, Judicial Education Fund, and Appointed Counsel Fund Budget are required at this time.

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

**THAT** the fiscal year ending October 31, 2022 Budget is hereby amended to add:

- \$293,000 in expenditure budget authority and \$806,000 in revenue budget authority to the Combined Water/Wastewater Fund
- \$139,000 in expenditure budget authority to the General Fund
- \$85,000 in expenditure budget authority to the Capital Improvement Sales Tax Fund
- \$10,830 in expenditure authority and \$3,000 in revenue authority to the Police Training Fund
- \$10,428 in expenditure authority and \$4,000 in revenue authority to the Police DWI Recovery Fund
- \$2,706 in expenditure authority to the Technology Upgrade Fund
- \$3,446 in expenditure authority to the Judicial Education Fund
- \$2,795 in expenditure authority to the Appointed Counsel Fund

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

First Reading: 2/15/2022

Second Reading: 3/1/2022



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Public Works

**AGENDA ITEM:** Approve Bill No. 2934-22 - Approving a Lease Amendment with United States of America – Emergency Ordinance Sponsored by Mayor Boley

---

**RECOMMENDED ACTION:**

A motion to approve Bill No. 2934-22, first and second reading by title only.

**SUMMARY:**

The City leases approximately 250 acres from the United States of America – US Army Corps of Engineers, also known as Smiths Fork Park. The lease includes certain improvements to the property. The City has had four amendments/supplemental agreements for improvements including the concession stand, irrigation, new road and gate including the electrical upgrades at the campground, and improvements to the Parks and Recreation office.

The Main Street Trail runs along the south side of the leased property and needs to be added to the improvements made by the City. The Main Street Trail Project is complete. The agreement formalizes the approval of the City's usage of the property of the United States for the trail.

**PREVIOUS ACTION:**

The Board has approved four previous amendments for improvements to the property. The Trail project is complete.

**POLICY ISSUE:**

Facility / Infrastructure Maintenance

Wellness and Healthy living

Improving Trails and Walkability

**FINANCIAL CONSIDERATIONS:**

The City received a grant for a portion of the cost of construction of the Main Street Trail. The City has agreed with the Missouri DNR to maintain the Main Street Trail for 25 years. Approval of Ordinance only acknowledges the City's usage of the property, there is no additional financial obligation with this agreement.

**ATTACHMENTS:**

☒ Ordinance

☐ Resolution

☐ Staff Report

☐ Other:

☒ Contract

☐ Plans

☐ Minutes



**AN ORDINANCE APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SMITHVILLE, MISSOURI, AND THE UNITED STATES OF AMERICA REGARDING THE SUPPLEMENTAL AGREEMENT NO. 5 TO LEASE NO. DACW41-1-91-123 FOR THE CONSTRUCTION OF A MULTI-USE TRAIL SYSTEM.**

WHEREAS, Section 70.220 R.S.Mo. states in part "*Political subdivisions may cooperate with . . . the United States . . . may contract and cooperate with . . . with a duly authorized agency of the United States, . . . for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; provided, that the subject and purposes of any such contract or cooperative action made and entered into by such municipality or political subdivision shall be within the scope of the powers of such municipality or political subdivision.*

WHEREAS the City of Smithville as the Lessee has previously entered Lease No. DACW41-1-91-123 with the United States, for public park and recreational and/or fish and wildlife purposes for a term of Fifty (50) years, beginning February 25, 1998, and ending February 24, 2048.

WHEREAS the City of Smithville and The United States of America have modified Lease No. DACW41-1-91-123 four times. (1) For a small concession stand: (2) For the installation of sprinkler system: (3) For the construction, operation, and maintenance of a new road with access gate and parking area and upgrading the electrical system; and (4) For interior improvements to the current Parks and Recreation office.

WHEREAS the City has asked for an additional fifth (5<sup>th</sup>) modification to the lease for the Construction of a multi-use trail system in the existing leased park area to tie in the downtown business district and to the existing trail system. The form of said proposed agreement, attached hereto as **Ordinance Exhibit A** is incorporated herein by reference.

WHEREAS the Secretary of the Army acting for and on behalf of the United States of America has agreed to said requested modification.

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

Pursuant to the authority of Section 70.220 R.S.Mo., the Mayor is authorized and directed to sign and execute on behalf of the City of Smithville SUPPLEMENTAL AGREEMENT NO. 5 To LEASE NO. DACW41-1-91-123 in the form of **Ordinance Exhibit A** attached hereto.

PASSED THIS 1<sup>st</sup> DAY OF MARCH 2022.

---

DAMIEN BOLEY, MAYOR

ATTEST:

---

LINDA DRUMMOND, CITY CLERK

1<sup>st</sup> reading 03/01/2022

2<sup>nd</sup> reading 03/01/2022

**SUPPLEMENTAL AGREEMENT NO. 5**

To

**LEASE NO. DACW41-1-91-123**

For Public Park and Recreational and/or Fish and Wildlife Purposes  
Smithville Lake  
Clay County, Missouri

**WHEREAS**, the Secretary of the Army acting for and in behalf of the United States of America, hereafter referred to as the Secretary, did grant **Lease No. DACW41-1-91-123** to the **City of Smithville, 107 West Main St., Smithville, Missouri 64089**, hereafter referred to as the Lessee, for public park and recreational and/or fish and wildlife purposes for a term of Fifty (50) years, beginning February 25, 1998 and ending February 24, 2048, and;

**WHEREAS**, Supplemental Agreement No. 1 authorized the addition of a small concession stand as indicated in Exhibit "F"; and

**WHEREAS**, Supplemental Agreement No. 2 authorized the installation of sprinkler system and regarding of a field as indicated in Exhibit "G"; and

**WHEREAS**, Supplemental Agreement No. 3 authorized the construction, operation, and maintenance of a new road with access gate and parking area in existing leased area as shown in Exhibit "H" and upgrading the electrical system as shown in Exhibit "I"; and

**WHEREAS**, Supplemental Agreement No. 4 authorized interior improvements to the current Parks and Recreation office as shown in Exhibit "J"; and

**WHEREAS**, a request has been submitted to authorize the construction of a multi-use trail system in an existing leased park area to tie in the downtown business district to the existing trail system.

**NOW THEREFORE**, it is mutually agreed to by both parties to amend Lease DACW41-1-91-123, in the following particulars, but no others, effective upon execution by both parties:

Add the following paragraph(s) to paragraph 34. SPECIAL CONDITIONS:

- a. Construction of a multi-use trail system in an existing leased park area to tie in the downtown business district to the existing trail system as shown in Exhibit "K", the construction in accordance with the engineered stamped plans as shown in Exhibit "L" is authorized.

Add the following paragraph 35. **EXECUTIVE ORDER 13658 – MINIMUM WAGE**

Any reference in this section to “prime contractor” or “contractor” shall mean the Grantee and any reference to “contract” shall refer to the Easement.

(a) The parties expressly stipulate this contract is subject to Executive Order 13658, the regulations issued by the Secretary of Labor in 29 CFR part 10 pursuant to the Executive Order, and the following provisions.

(b) Minimum Wages. (1) Each worker (as defined in 29 CFR 10.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship which may be alleged to exist between the contractor and worker, shall be paid not less than the applicable minimum wage under Executive Order 13658.

(2) The minimum wage required to be paid to each worker performing work on or in connection with this contract between January 1, 2015 and December 31, 2015 shall be \$10.10 per hour. The minimum wage shall be adjusted each time the Secretary of Labor's annual determination of the applicable minimum wage under section 2(a)(ii) of Executive Order 13658 results in a higher minimum wage. Adjustments to the Executive Order minimum wage under section 2(a)(ii) of Executive Order 13658 will be effective for all workers subject to the Executive Order beginning January 1 of the following year. If appropriate, the contracting officer, or other agency official overseeing this contract shall ensure the contractor is compensated only for the increase in labor costs resulting from the annual inflation increases in the Executive Order 13658 minimum wage beginning on January 1, 2016. The Secretary of Labor will publish annual determinations in the Federal Register no later than 90 days before such new wage is to take effect. The Secretary will also publish the applicable minimum wage on [www.wdol.gov](http://www.wdol.gov) (or any successor Web site). The applicable published minimum wage is incorporated by reference into this contract.

(3) The contractor shall pay unconditionally to each worker all wages due free and clear and without subsequent deduction (except as otherwise provided by 29 CFR 10.23), rebate, or kickback on any account. Such payments shall be made no later than one pay period following the end of the regular pay period in which such wages were earned or accrued. A pay period under this Executive Order may not be of any duration longer than semi-monthly.

(4) The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the Executive Order minimum wage requirements. In the

event of any violation of the minimum wage obligation of this clause, the contractor and any subcontractor(s) responsible therefore shall be liable for the unpaid wages.

(5) If the commensurate wage rate paid to a worker on a covered contract whose wages are calculated pursuant to a special certificate issued under 29 U.S.C. 214(c), whether hourly or piece rate, is less than the Executive Order minimum wage, the contractor must pay the Executive Order minimum wage rate to achieve compliance with the Order. If the commensurate wage due under the certificate is greater than the Executive Order minimum wage, the contractor must pay the 14(c) worker the greater commensurate wage.

(c) Withholding. The agency head shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay workers the full amount of wages required by Executive Order 13658.

(d) Contract Suspension/Contract Termination/Contractor Debarment. In the event of a failure to pay any worker all or part of the wages due under Executive Order 13658 or 29 CFR part 10, or a failure to comply with any other term or condition of Executive Order 13658 or 29 CFR part 10, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 CFR 10.52.

(e) The contractor may not discharge any part of its minimum wage obligation under Executive Order 13658 by furnishing fringe benefits or, with respect to workers whose wages are governed by the Service Contract Act, the cash equivalent thereof.

(f) Nothing herein shall relieve the contractor of any other obligation under Federal, State or local law, or under contract, for the payment of a higher wage to any worker, nor shall a lower prevailing wage under any such Federal, State, or local law, or under contract, entitle a contractor to pay less than \$10.10 (or the minimum wage as established each January thereafter) to any worker.

(g) Payroll Records. (1) The contractor shall make and maintain for three years records containing the information specified in paragraphs (g)(1)(i) through (vi) of this section for each worker and shall make the records available for inspection and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

(i) Name, address, and social security number.

(ii) The worker's occupation(s) or classification(s)

(iii) The rate or rates of wages paid.

(iv) The number of daily and weekly hours worked by each worker.

(v) Any deductions made; and

(vi) Total wages paid.

(2) The contractor shall also make available a copy of the contract, as applicable, for inspection or transcription by authorized representatives of the Wage and Hour Division.

(3) Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of 29 CFR part 10 and this contract, and in the case of failure to produce such records, the contracting officer, upon direction of an authorized representative of the Department of Labor, or under its own action, shall take such action as may be necessary to cause suspension of any further payment or advance of funds until such time as the violations are discontinued.

(4) The contractor shall permit authorized representatives of the Wage and Hour Division to conduct investigations, including interviewing workers at the worksite during normal working hours.

(5) Nothing in this clause limits or otherwise modifies the contractor's payroll and recordkeeping obligations, if any, under the Davis-Bacon Act, as amended, and its implementing regulations; the Service Contract Act, as amended, and its implementing regulations; the Fair Labor Standards Act, as amended, and its implementing regulations; or any other applicable law.

(h) The contractor (as defined in 29 CFR 10.2) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts. The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with this contract clause.

(i) Certification of Eligibility. (1) By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 CFR 5.12(a)(1).

(2) No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts.

(3) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

(j) Tipped employees. In paying wages to a tipped employee as defined in section 3(t) of the Fair Labor Standards Act, 29 U.S.C. 203(t), the contractor may take a partial credit against the wage payment obligation (tip credit) to the extent permitted under section 3(a) of Executive Order 13658. In order to take such a tip credit, the employee must receive an amount of tips at least equal to the amount of the credit taken; where the tipped employee does not receive sufficient tips to equal the amount of the tip credit the contractor must increase the cash wage paid for the workweek so that the amount of cash wage paid and the tips received by the employee equal the applicable minimum wage under Executive Order 13658. To utilize this proviso:

(1) The employer must inform the tipped employee in advance of the use of the tip credit;

(2) The employer must inform the tipped employee of the amount of cash wage that will be paid and the additional amount by which the employee's wages will be considered increased on account of the tip credit;

(3) The employees must be allowed to retain all tips (individually or through a pooling arrangement and regardless of whether the employer elects to take a credit for tips received); and

(4) The employer must be able to show by records that the tipped employee receives at least the applicable Executive Order minimum wage through the combination of direct wages and tip credit.

(k) Anti-retaliation. It shall be unlawful for any person to discharge or in any other manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under or related to Executive Order 13658 or 29 CFR part 10, or has testified or is about to testify in any such proceeding.

(l) Disputes concerning labor standards. Disputes related to the application of Executive Order 13658 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR part 10. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the workers or their representatives.

(m) Notice. The contractor must notify all workers performing work on or in connection with a covered contract of the applicable minimum wage rate under the Executive Order. With respect to service employees on contracts covered by the Service Contract Act and laborers and mechanics on contracts covered by the Davis-Bacon Act, the contractor may meet this requirement by posting, in a prominent and accessible place at the worksite, the applicable wage determination under those statutes. With respect to workers performing work on or in connection with a covered contract whose wages are governed by the FLSA, the contractor must post a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by workers. Contractors that customarily post notices to workers electronically may post the notice electronically provided such electronic posting is displayed prominently on any Web site that is maintained by the contractor, whether external or internal, and customarily used for notices to workers about terms and conditions of employment.

(n) If a duly authorized representative of the United States discovers or determines, whether before or subsequent to executing this contract, that an erroneous determination regarding the applicability of Executive Order 13658 was made,

contractor, to the extent permitted by law, agrees to indemnify and hold harmless the United States, its officers, agents, and employees, for and from any and all liabilities, losses, claims, expenses, suits, fines, penalties, judgments, demands or actions, costs, fees, and damages directly or indirectly arising out of, caused by, related to, resulting from or in any way predicated upon, in whole or in part, the erroneous Executive Order 13658 determination. This includes contractor releasing any claim or entitlement it would otherwise have to an equitable adjustment to the contract and indemnifying and holding harmless the United States from the claims of subcontractors and contractor employees.

Add the following paragraph 36. **EXECUTIVE ORDER 13706 – SICK LEAVE**

Any reference in this section to "prime contractor" or "contractor" shall mean the Grantee and any reference to "contract" shall refer to the Easement.



(a) *Executive Order 13706.* This contract is subject to Executive Order 13706, the regulations issued by the Secretary of Labor in 29 CFR part 13 pursuant to the Executive Order, and the following provisions.

(b) *Paid Sick Leave.* (1) The contractor shall permit each employee (as defined in 29 CFR 13.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship that may be alleged to exist between the contractor and employee, to earn not less than 1 hour of paid sick leave for every 30 hours worked. The contractor shall additionally allow accrual and use of paid sick leave as required by Executive Order 13706 and 29 CFR part 13. The contractor shall in particular comply with the accrual, use, and other requirements set forth in 29 CFR 13.5 and 13.6, which are incorporated by reference in this contract.

(2) The contractor shall provide paid sick leave to all employees when due free and clear and without subsequent deduction (except as otherwise provided by 29 CFR 13.24), rebate, or kickback on any account. The contractor shall provide pay and benefits for paid sick leave used no later than one pay period following the end of the regular pay period in which the paid sick leave was taken.

(3) The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the requirements of Executive Order 13706, 29 CFR part 13, and this clause.

(c) *Withholding.* The contracting officer shall, upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay employees the full amount owed to compensate for any violation of the requirements of Executive Order 13706, 29 CFR part 13, or this clause, including any pay and/or benefits denied or lost by reason of the violation; other actual monetary losses sustained as a direct result of the violation, and liquidated damages.

(d) *Contract Suspension/Contract Termination/Contractor Debarment.* In the event of a failure to comply with Executive Order 13706, 29 CFR part 13, or this clause, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance, or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to

proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 CFR 13.52.

(e) The paid sick leave required by Executive Order 13706, 29 CFR part 13, and this clause is in addition to a contractor's obligations under the Service Contract Act and Davis-Bacon Act, and a contractor may not receive credit toward its prevailing wage or fringe benefit obligations under those Acts for any paid sick leave provided in satisfaction of the requirements of Executive Order 13706 and 29 CFR part 13.

(f) Nothing in Executive Order 13706 or 29 CFR part 13 shall excuse noncompliance with or supersede any applicable Federal or State law, any applicable law or municipal ordinance, or a collective bargaining agreement requiring greater paid sick leave or leave rights than those established under Executive Order 13706 and 29 CFR part 13.

(g) *Recordkeeping.* (1) Any contractor performing work subject to Executive Order 13706 and 29 CFR part 13 must make and maintain, for no less than three (3) years from the completion of the work on the contract, records containing the information specified in paragraphs (i) through (xv) of this section for each employee and shall make them available for inspection, copying, and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

(i) Name, address, and Social Security number of each employee;

(ii) The employee's occupation(s) or classification(s);

(iii) The rate or rates of wages paid (including all pay and benefits provided);

(iv) The number of daily and weekly hours worked;

(v) Any deductions made;

(vi) The total wages paid (including all pay and benefits provided) each pay period;

(vii) A copy of notifications to employees of the amount of paid sick leave the employee has accrued, as required under 29 CFR 13.5(a)(2);

(viii) A copy of employees' requests to use paid sick leave, if in writing, or, if not in writing, any other records reflecting such employee requests;

(ix) Dates and amounts of paid sick leave taken by employees (unless a contractor's paid time off policy satisfies the requirements of Executive Order 13706 and 29 CFR part 13 as described in §13.5(f)(5), leave must be designated in records as paid sick leave pursuant to Executive Order 13706);

(x) A copy of any written responses to employees' requests to use paid sick leave, including explanations for any denials of such requests, as required under 29 CFR 13.5(d)(3);

(xi) Any records reflecting the certification and documentation a contractor may require an employee to provide under 29 CFR 13.5(e), including copies of any certification or documentation provided by an employee;

(xii) Any other records showing any tracking of or calculations related to an employee's accrual or use of paid sick leave;

(xiii) The relevant covered contract;

(xiv) The regular pay and benefits provided to an employee for each use of paid sick leave; and

(xv) Any financial payment made for unused paid sick leave upon a separation from employment intended, pursuant to 29 CFR 13.5(b)(5), to relieve a contractor from the obligation to reinstate such paid sick leave as otherwise required by 29 CFR 13.5(b)(4).

(2)(i) If a contractor wishes to distinguish between an employee's covered and non-covered work, the contractor must keep records or other proof reflecting such distinctions. Only if the contractor adequately segregates the employee's time will time spent on non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. Similarly, only if that contractor adequately segregates the employee's time may a contractor properly refuse an employee's request to use paid sick leave on the ground that the employee was scheduled to perform non-covered work during the time she asked to use paid sick leave.

(ii) If a contractor estimates covered hours worked by an employee who performs work in connection with covered contracts pursuant to 29 CFR 13.5(a)(i) or (iii), the contractor must keep records or other proof of

the verifiable information on which such estimates are reasonably based. Only if the contractor relies on an estimate that is reasonable and based on verifiable information will an employee's time spent in connection with non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. If a contractor estimates the amount of time an employee spends performing in connection with covered contracts, the contractor must permit the employee to use her paid sick leave during any work time for the contractor.

(3) In the event a contractor is not obligated by the Service Contract Act, the Davis-Bacon Act, or the Fair Labor Standards Act to keep records of an employee's hours worked, such as because the employee is exempt from the FLSA's minimum wage and overtime requirements, and the contractor chooses to use the assumption permitted by 29 CFR 13.5(a)(1)(iii), the contractor is excused from the requirement in paragraph (1)(d) of this section to keep records of the employee's number of daily and weekly hours worked.

(4)(i) Records relating to medical histories or domestic violence, sexual assault, or stalking, created for purposes of Executive Order 13706, whether of an employee or an employee's child, parent, spouse, domestic partner, or other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, shall be maintained as confidential records in separate files/records from the usual personnel files.

(ii) If the confidentiality requirements of the Genetic Information Nondiscrimination Act of 2008 (GINA), section 503 of the Rehabilitation Act of 1973, and/or the Americans with Disabilities Act (ADA) apply to records or documents created to comply with the recordkeeping requirements in this contract clause, the records and documents must also be maintained in compliance with the confidentiality requirements of the GINA, section 503 of the Rehabilitation Act of 1973, and/or ADA as described in 29 CFR 1635.9, 41 CFR 60-741.23(d), and 29 CFR 1630.14(c)(1), respectively.

(iii) The contractor shall not disclose any documentation used to verify the need to use 3 or more consecutive days of paid sick leave for the purposes listed in 29 CFR 13.5(c)(1)(iv) (as described in 29 CFR 13.5(e)(1)(ii)) and shall maintain confidentiality about any domestic abuse, sexual assault, or stalking, unless the employee consents or when disclosure is required by law.

(5) The contractor shall permit authorized representatives of the Wage and Hour Division to conduct interviews with employees at the worksite during normal working hours.

(6) Nothing in this contract clause limits or otherwise modifies the contractor's recordkeeping obligations, if any, under the Davis-Bacon Act, the Service Contract Act, the Fair Labor Standards Act, the Family and Medical Leave Act, Executive Order 13658, their respective implementing regulations, or any other applicable law.

(h) The contractor (as defined in 29 CFR 13.2) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts.

(i) *Certification of Eligibility.* (1) By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 CFR 5.12(a)(1).

(2) No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts currently maintained on the System for Award Management Web site, <http://www.SAM.gov>.

(3) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

(j) *Interference/Discrimination.* (1) A contractor may not in any manner interfere with an employee's accrual or use of paid sick leave as required by Executive Order 13706 or 29 CFR part 13. Interference includes, but is not limited to, miscalculating the amount of paid sick leave an employee has accrued, denying or unreasonably delaying a response to a proper request to use paid sick leave, discouraging an employee from using paid sick leave, reducing an employee's accrued paid sick leave by more than the amount of such leave used, transferring an employee to work on non-covered contracts to prevent the accrual or use of paid sick leave, disclosing confidential information contained in certification or other documentation provided to verify the need to use paid sick leave, or making the use of paid sick leave contingent on the employee's finding a replacement worker or the fulfillment of the contractor's operational needs.

(2) A contractor may not discharge or in any other manner discriminate against any employee for:

(i) Using, or attempting to use, paid sick leave as provided for under Executive Order 13706 and 29 CFR part 13;

(ii) Filing any complaint, initiating any proceeding, or otherwise asserting any right or claim under Executive Order 13706 and 29 CFR part 13;

(iii) Cooperating in any investigation or testifying in any proceeding under Executive Order 13706 and 29 CFR part 13; or

(iv) Informing any other person about his or her rights under Executive Order 13706 and 29 CFR part 13.

(k) *Waiver.* Employees cannot waive, nor may contractors induce employees to waive, their rights under Executive Order 13706, 29 CFR part 13, or this clause.

(l) *Notice.* The contractor must notify all employees performing work on or in connection with a covered contract of the paid sick leave requirements of Executive Order 13706, 29 CFR part 13, and this clause by posting a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by employees. Contractors that customarily post notices to employees electronically may post the notice electronically, provided such electronic posting is displayed prominently on any Web site that is maintained by the contractor, whether external or internal, and customarily used for notices to employees about terms and conditions of employment.

(m) *Disputes concerning labor standards.* Disputes related to the application of Executive Order 13706 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR part 13. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

Add Exhibit "K", Map.

Add Exhibit "L", Engineered Stamped Plans.

All other conditions remain the same.

This Supplemental Agreement No. 5 to Lease No. DACW41-1-91-123 is not subject to Title 10, U.S.C., Section 2662, as amended.

**IN WITNESS WHEREOF**, I have hereunto set my hand by authority of the Secretary of the Army, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
**Matt W. Bosky**  
Chief, Management & Disposal Branch  
Real Estate Contracting Officer

**This Supplemental Agreement No. 5 to Lease DACW41-1-91-123**, is also executed by the Lessee this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**City of Smithville**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title



**CERTIFICATE OF AUTHORITY**

I, \_\_\_\_\_ (Name), certify that I am the  
\_\_\_\_\_(Title) of **City of Smithville**, that  
\_\_\_\_\_(signator of outgrant) who signed the foregoing  
instrument on behalf of the grantee was then \_\_\_\_\_(title of signator  
of outgrant) of **City of Smithville**. I further certify that the said officer was acting within  
the scope of powers delegated to this governing body of the grantee in executing said  
instrument.

**City of Smithville**

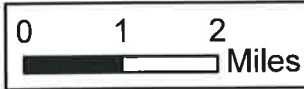
\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk or Appropriate Official

AFFIX SEAL



 SM\_OUTGRANTS selection  
 Tracts selection



**SMITHVILLE LAKE**  
**CLAY COUNTY, MISSOURI**  
**CITY OF SMITHVILLE**  
**DACW41-1-91-123**  
**TRACT NO: 156, 114, 115, 116-1,**  
**116-2, 119, 120 S: 24, T: 53N,**  
**R: 33W**  
**1.5 ACRES**

HORIZONTAL CONTROL  
VERTICAL CONTROL

See Sheet Number 4

UTILITY CONTACT NUMBERS

UTILITIES  
WATER - CITY OF SMITHVILLE (816) 332-0577  
SEWER - CITY OF SMITHVILLE (816) 332-0577  
POWER - KCP&L  
NATURAL GAS - SPIRE  
CABLE - CHARTER COMMUNICATIONS (888) 725-0919  
TELEPHONE - SBC COMMUNICATIONS (817) 255-5843  
FIBER - BLUEBIRD



UTILITY NOTES:  
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN. UNDERGROUND LOCATIONS SHOWN, APPROXIMATE AND SHOULD BE OBTAINED BY THE FIELD LOCATIONS OF UNDERGROUND UTILITIES. KANSAS CITY, MISSOURI  
OR 1-800-344-7463, MISSOURI

CONVENTIONAL SYMBOLS  
USED IN PLANS

- FENCE
- OPENED POWER LINE
- GAS LINE
- COMMUNICATION LINE
- WATER LINE
- SEWAGE LINE
- STORM SEWER LINE
- LIGHT POLE
- POLE
- UTILITY POLE
- GUY ANCHOR
- SIGN
- COMMUNICATION BOX
- POWER BOX
- UTILITY VALVE
- WATER METER
- WATER METER
- FIRE HYDRANT
- STORM MANHOLE
- SURVEY MANHOLE
- CONTROL POINT
- CHECK MARK

CITY OF SMITHVILLE  
CLAY COUNTY, MISSOURI  
E MAIN STREET / MO STATE HIGHWAY DD  
SMITHVILLE SIDEWALKS



Project Location: State Hwy DD  
E Main Street  
Sta 0+00.00 to Sta 3+64.90  
LITTON WAY

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION  
SEPTEMBER 3, 2019

**OWNER**  
The City of Smithville, Missouri  
107 West Main Street  
Smithville, MO 64489

**ENGINEER**  
CFS Engineers  
1421 E. 10th Street  
Smithville, MO 64489  
Attn: Richard Fricker

INDEX OF SHEETS

DESCRIPTION	SHEET NUMBER
TITLE SHEET	1
GENERAL NOTES AND QUANTITIES	2
HORIZONTAL AND VERTICAL CONTROL	3
PROFILES	4
STATIONING PROFILES	5-27
STATIONING PROFILES	28-30

LENGTH OF PROJECT

BEGINNING OF PROJECT	STA. 10+00.00
END OF PROJECT	STA. 36+29.83
APPARENT LENGTH	8,629.83 FEET
ELEVATIONS AND EXCEPTIONS	
TOTAL CORRECTIONS	0.00 FEET
NET LENGTH OF PROJECT	8,629.83 FEET
CITY LENGTH	1.534 MILES

"I HEREBY CERTIFY THAT THIS PROJECT HAS BEEN DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE DESIGN CRITERIA OF THE CITY OF SMITHVILLE, MISSOURI, IN CURRENT USE, EXCEPT AS INDICATED BELOW, EXCEPTS:

DATE: \_\_\_\_\_

DESIGNED BY: \_\_\_\_\_

ENGINEER: \_\_\_\_\_

TITLE SHEET

CITY OF SMITHVILLE  
Clay County, Missouri  
EAST MAIN STREET PATH  
SOUTH COMMERCIAL AVE.  
TO LITTON WAY



Sheet Number: 1 of 30

GENERAL NOTES FOR CONSTRUCTION DOCUMENTS  
STREET AND STORM SEWER

- The specifications for this project regarding street & storm sewer shall be current American Public Works Association, Kansas City Chapter standard specifications. In addition, the Missouri Department of Transportation Road and Bridge Specifications, Latest Edition, shall govern for all items or work shown on these plans that are not addressed by the APWA Specifications.
- The contractor shall call 1-800-DIG-SAFE prior to project excavation.
- All utility information shown herein is based on the information available to the engineer at the time of design. Contractor shall be responsible for verifying locations and depth of utilities prior to construction. The contractor shall promptly, and before such conditions are disturbed, notify the engineer if the conditions on the site differ from those shown on the plans.
- The contractor shall have all utilities located by the respective utility owners prior to any or-ele excavation. Key locations as noted shall be located vertically/horizontally by utility owners and/or utility owners shall be present onsite for location prior to excavation. Contractor shall coordinate any utility conflicts with the respective utility company. Required releases will be paid by the contractor.
- The contractor shall protect existing utilities at all times. Relocation of existing utilities by contractor must be coordinated with and approved by the utility owner, the city, and the engineer.
- The contractor shall maintain drainage during construction and is responsible for any dewatering necessary for construction. Dewatering shall be subsidiary to other bid items.
- The contractor shall give notice to the city, police and utility departments 48 hours in advance of beginning construction work on any existing street. No excavation shall be left unattended and unprotected. Contractor is responsible for all traffic control and signage required.
- Throughout construction, the contractor shall provide and maintain traffic control devices in accordance with the Manual Uniform Traffic Control Devices (MUTCD) and the traffic control plans. The contractor shall inspect the traffic controls a minimum of twice weekly.
- All Cleaning & Grubbing and \*Removal of Existing Structures shall include clearing of trees, stumps, brush, fences, posts, mailboxes, signs, existing asphalt & concrete and other existing surface features as necessary by the contractor to perform the work as shown on the plans.
- All debris and waste material resulting from the project not designated for use on the project shall be disposed of by the contractor or site in accordance with current City of Smithville, Missouri regulations. Disposal of debris shall be subsidiary to items in the contract.
- Where proposed sidewalk or drive removals noted on the plans existing sidewalk or drive shall be removed to the nearest joint from the location shown on the plans.
- All saw cuts necessary to complete construction shall be full depth or as approved by the Engineer and shall not be paid for directly, but shall be subsidiary to other items of the contract.
- All sidewalks and trails shall be ADA accessible per APWA and City of Smithville Standards and Details.
- All spot elevations identified in the plans are edge of sidewalk or edge of pavement elevations unless otherwise noted.
- All excavation (including rock excavation) shall be unclassified and paid for in the bid item. Unclassified Excavation. No separate payments will be made for the hauling of material at any distance throughout the project but shall be included in the unit price for Unclassified Excavation.
- Excavation and embankment quantities are not adjusted by a volume multiplication factor. Off site borrow material if necessary, will not be paid for directly and is subsidiary to the bid item Embankment.
- Any subgrade upon which a paved surface is to be placed shall be compacted in accordance with APWA Standard Specifications.
- Permanent and Traffic Control signing materials and installation shall conform to MUTCD and Missouri Department of Transportation Standards Plans and Specifications. Permanent Signing shall include posts, hardware, and other items subsidiary to the bid item. Traffic Control signing shall be included in the bid item "Traffic Control" paid as lump sum at the contract price.
- All areas disturbed during construction shall be fertilized, seeded and mulched by the contractor in accordance with section 2400 of the American Public Works Association Standard Specifications, Latest Edition.
- The contractor shall control the erosion and siltation during construction, and shall keep the streets clean of mud and debris. The contractor's erosion control measures shall conform to the current erosion and sediment control specifications of the Kansas City Metropolitan Chapter of American Public Works Association, a copy of which shall be obtained and kept on site at all times. It shall be the contractor's responsibility to control erosion and prevent pollution for all work which they are directly involved.
- The Contractor shall be responsible for obtaining a Missouri General Permit for Stormwater Runoff from Construction Activities from the Missouri Department of Natural Resources and for maintaining and updating the Project Stormwater Pollution Prevention Plan.
- These plans are valid for a period of one year from the date of approval by the City of Smithville. After one year, plans will be re-submitted reflecting any changes to bring the plans into compliance with the most recent design standards.
- The Contractor is responsible for providing all testing as required by the City of Smithville and APWA Specifications.

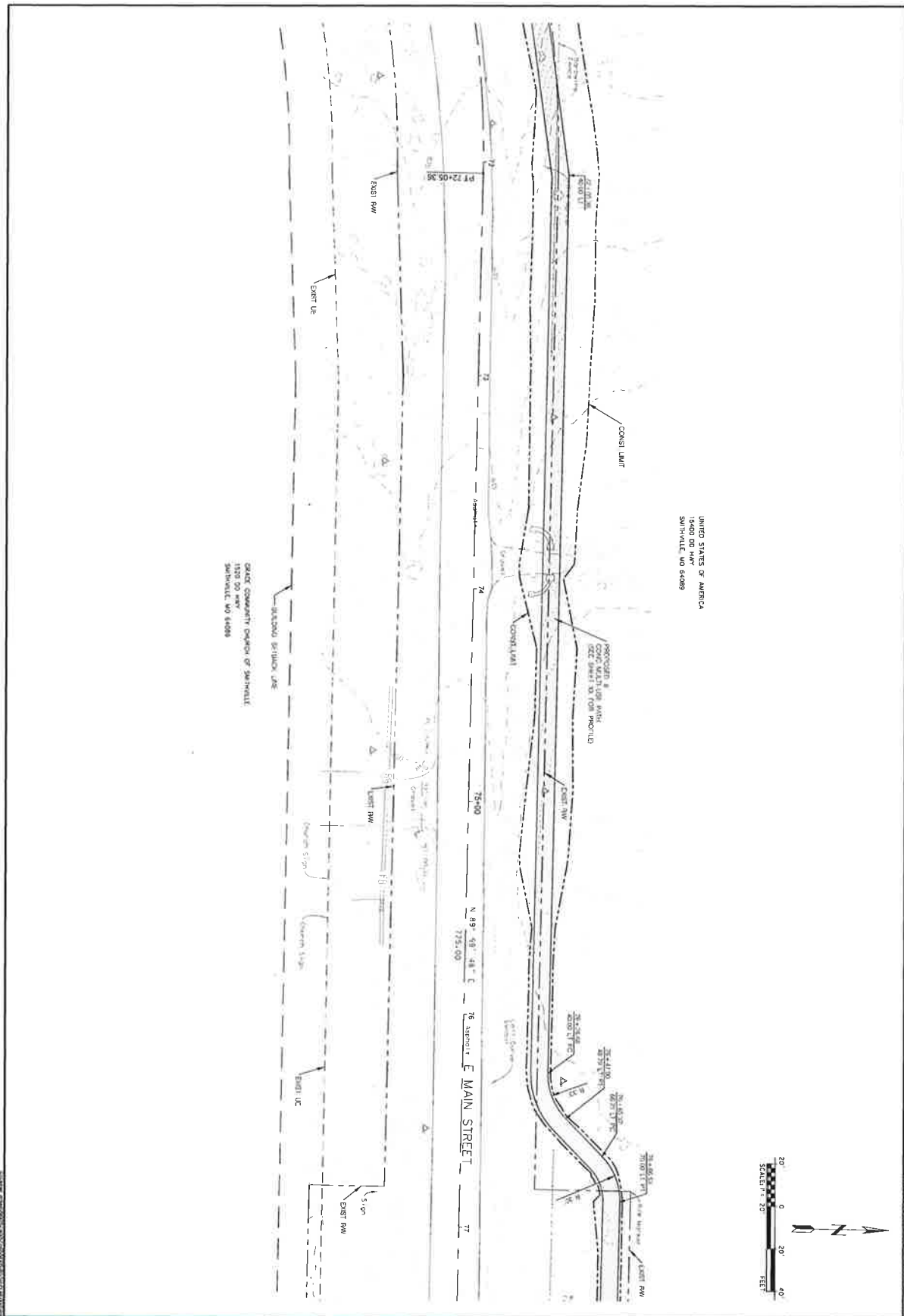
SUMMARY OF QUANTITIES

ITEM	QTY.	UNIT
<b>GENERAL</b>		
Mobilization	1	LS
Cleaning & Grubbing	1	LS
Removal of Existing Structures	1	LS
Contractor Construction Staking	1	LS
Traffic Control	1	LS
Erosion Control and Seeding	1	LS
Chain Link Fence	70	LF
Retaining Walls	1	LS
<b>GRADING</b>		
Unclassified Excavation	2,000	CY
Embankment	5,000	CY
<b>CURBS, PAVING &amp; SIDEWALKS</b>		
Curb and Gutter Type CG-1	1,977	LF
Concrete Sidewalk	7,685	SY
ADA Ramps	15	Each
Concrete Driveway	312	SY
Integral Sidewalk Curb	575	LF
2" Type 3 Asphaltic Concrete Surface	330	CY
Concrete Base at Curb Face	37	CY
<b>DRAINAGE</b>		
12" HDPE Storm Sewer	183	LF
15" HDPE Storm Sewer	241	LF
18" HDPE Storm Sewer	230	LF
24" HDPE Storm Sewer	80	LF
36" HDPE Storm Sewer	239	LF
48" HDPE Storm Sewer	6	LF
15" RCP Storm Sewer	80	LF
12" HDPE End Section	4	Each
15" HDPE End Section	3	Each
24" HDPE End Section	2	Each
6" x 4" RCB Extension	12	LF
4" X4" Area Inlet	5	Each
5" X5" Area Inlet	3	Each
4" X4" Junction Box	1	Each
5" X5" Junction Box	1	Each
5" X5" Field Inlet	1	Each
Nyplast 2' X2' X15" Curb Inlet	5	Each
Pipe Collar	6	Each

Supplemental Agreement #5  
Lease No. DACW41-1-91-123

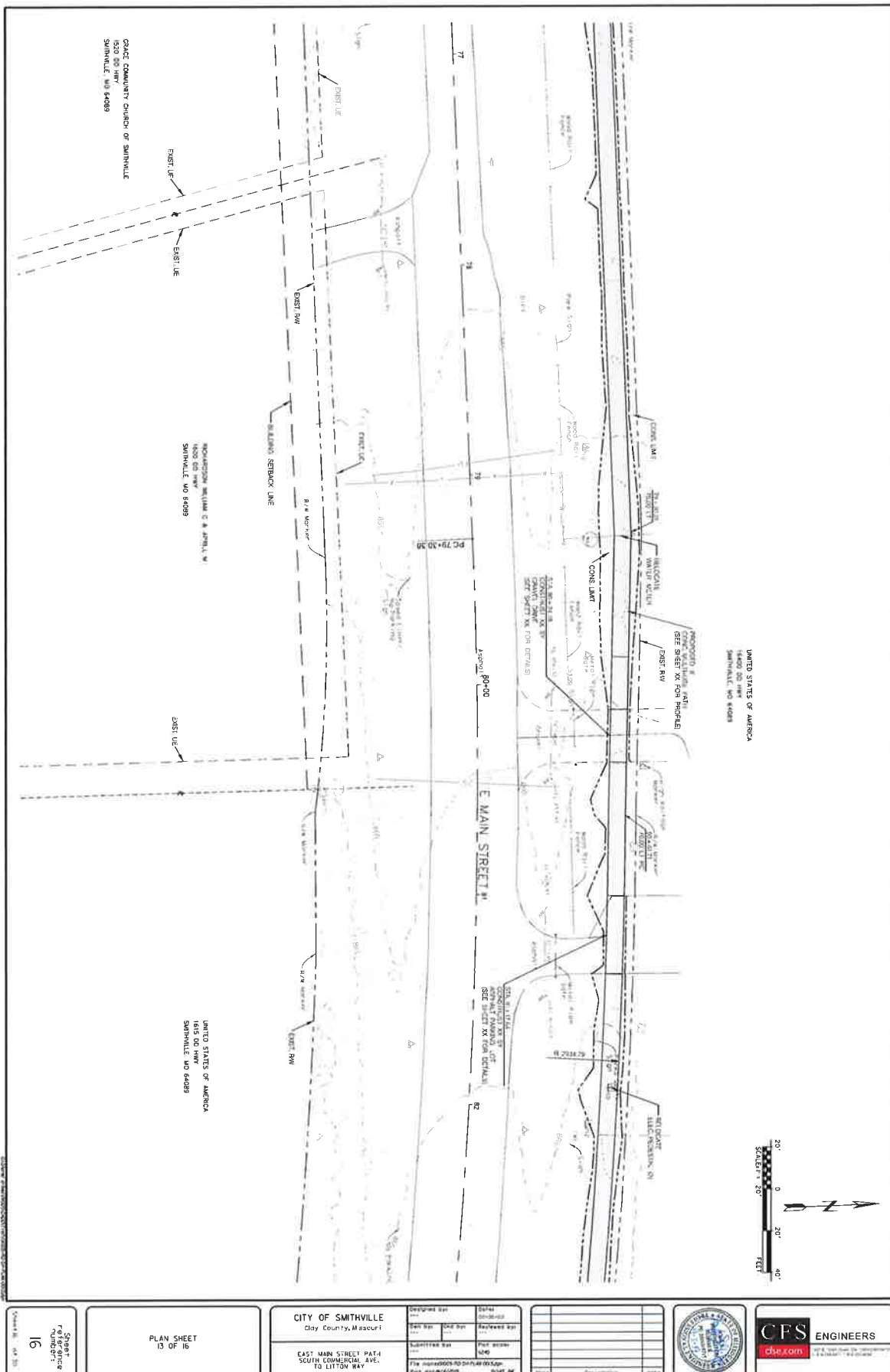




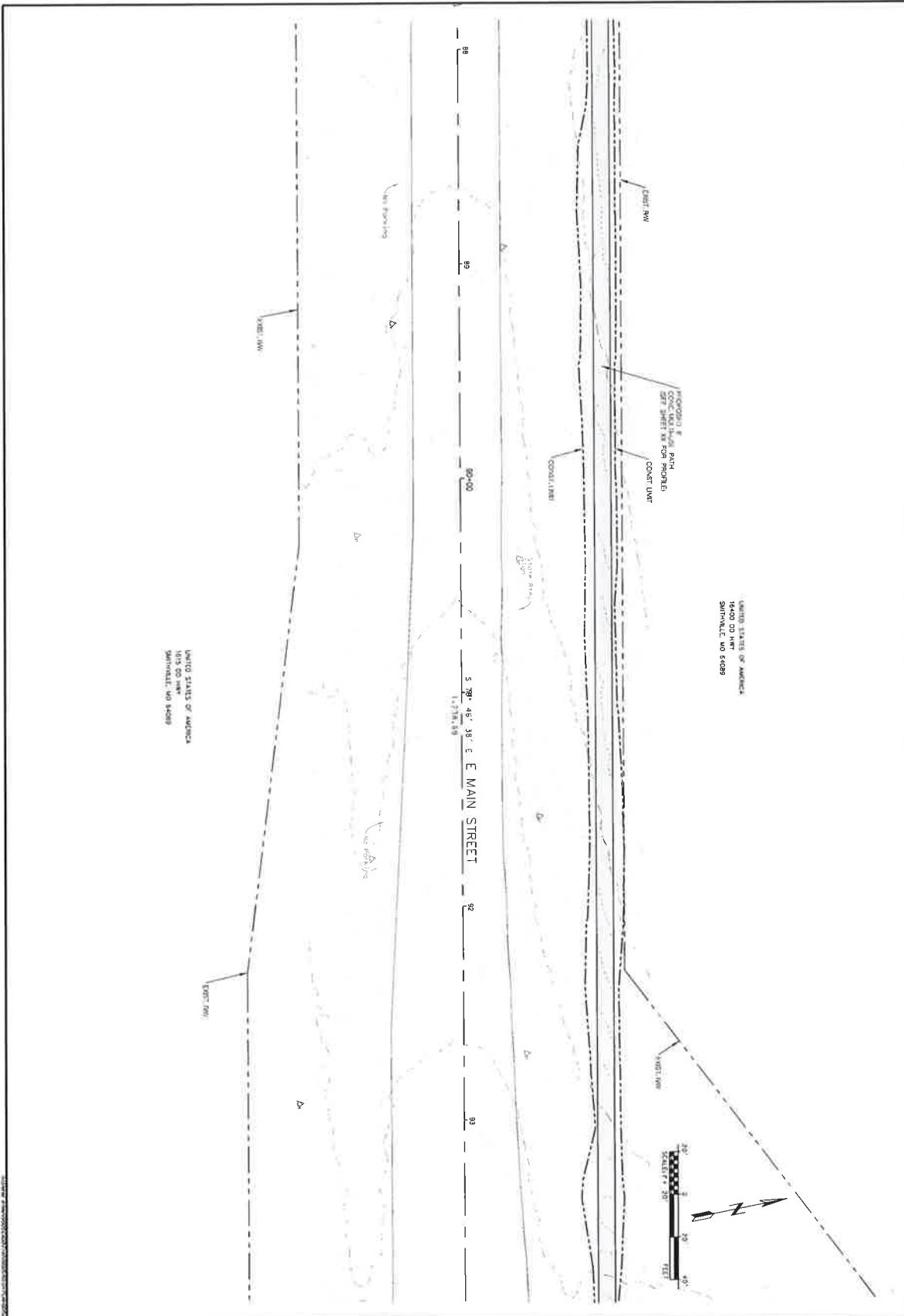


Supplemental Agreement #5  
Lease No. DACW41-1-91-123









Supplemental Agreement #5  
Lease No. DACW41-1-91-123

Exhibit "L"  
Page 7 of 8

Sheet reference number: 18	PLAN SHEET 15 OF 16	CITY OF SMITHVILLE Clay County, Missouri  EAST MAIN STREET PATH SOUTH COMMERCIAL AVE. TO LITTON WAY	Assigned By: 1.1	Drawn 10-20-20	Reviewed By: 1.1	Date: 10-20-20
			Submitted By: 1.1	Submitted By: 1.1		
File name: 000540-SM-PLAN-005-001 Plot: 0016/4/2025			Date: 0000 AM			
CFS ENGINEERS cfs.com			CITY OF SMITHVILLE CLAY COUNTY, MISSOURI			





## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration/Finance

**AGENDA ITEM:** Approve Bill No. 2935-22, Creation of CID Fund. 1st reading by title only.

---

**REQUESTED BOARD ACTION:**

A motion to approve Bill No. 2935-22, Creation of CID Fund. First reading by title only.

**SUMMARY:**

On August 1, 2017, the City of Smithville Board of Aldermen passed Ordinance 2974-17 which approved the petition to form the Smithville Commons Community Improvement District. A public hearing was held in accordance with the CID Act. On July 16, 2019, the City of Smithville Board of Aldermen passed Ordinance 3041-19 to approve a cooperative agreement between the City, the Community Improvement District, and the Developer to impose a district-wide sales tax and authorize the City to perform all functions incident to the administration, enforcement, and operation of the district-wide sales tax. Per RSMo 67.1401 through 67.1571 (the "CID Act"), the Smithville Commons Community Improvement District is established as a separate political subdivision with its own cooperative agreement and set of audited finance statements. The length of time for the existence of the Smithville Commons CID is twenty-three (23) years from the date upon which any sales tax is levied within the District.

During the FY2021 Audit performed by CliftonAllenLarson, auditors noted CID revenues (the CID 1% sales tax) were currently being captured in the Special Allocation Fund. The Special Allocation Fund was designated as the budgeted fund to house TIF activity in the Marketplace (TIF EATs, TIF Property Tax, and TIF related expenses) as well as CID revenue and expenditure activity. The City began receiving CID Sales Tax in January 2021 and staff captured and recorded revenues in the Special Allocation Fund. At this time, no CID expenditures have been recorded in the General Ledger.

After review with staff, CliftonLarsonAllen recommended that the City create a separate fund to account for revenues and expenditures associated with the CID. The recommendation is based upon the idea that segregation will prevent the co-mingling of CID resources with TIF revenues and expense activity. Therefore, this Ordinance would establish a formal Community Improvement District budgeted fund to account for all revenues and expenditures for the CID. This recommendation to create a new fund will be outlined in the management letter provided by CLA for the FY2021 audit. In addition to this Ordinance, staff has added an Ordinance for Board approval to amend the FY2022 budget to allow for revenue and expenditure authority in the new CID Fund.

**PREVIOUS ACTION:**

In August 2017, the Board has approved Ordinance 2971-17 to form the CID and in July 2019, the Board approved Ordinance 3041-19 to adopt a cooperative agreement between the City, the CID, and the Developer.

**POLICY OBJECTIVE:**

N/A

**FINANCIAL CONSIDERATIONS:**

Provide a separate fund to account and track CID revenues and expenses.

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution           | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report         | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other:               |                                   |



**AN ORDINANCE CREATING THE COMMUNITY IMPROVEMENT  
DISTRICT (CID) FUND**

**WHEREAS**, on August 1, 2017, the City of Smithville Board of Aldermen passed Ordinance No. 2974-17 to approve the formation of the Smithville Commons Community Improvement District, and;

**WHEREAS**, on July 16, 2019, the City of Smithville Board of Aldermen passed Ordinance No. 3041-19 to approve a cooperative agreement between the City, the Community Improvement District, and the Developer to impose a district-wide sales tax and authorizes the City to perform all functions incident to the administration, enforcement, and operation of the district-wide sales tax, and;

**WHEREAS**, RSMo 67.1401 through 67.1571 (the "CID Act") establishes the Smithville Commons Community Improvement District as a separate political subdivision with the power to govern itself and impose and collect special assessments and additional property and sales taxes, and;

**WHEREAS**, the City of Smithville is the fiscal agent for the CID and holds the funds of the CID in a custodial capacity and the establishment of a separate fund to allow for accounting of revenues and expenditures is desired.

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

The Community Improvement District (CID) Fund is hereby established in the City's treasury and shall be held and administered by the City's Finance Director.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

\_\_\_\_\_  
Linda Drummond, City Clerk

First Reading: 3/01/2022

Second Reading: 4/4/2022



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration/Finance

**AGENDA ITEM:** Approve Bill No. 2936-22, FY22 Budget Amendment No. 3 - 1<sup>st</sup> reading

---

**RECOMMENDED ACTION:**

A motion to approve Bill No. 2936-22, FY22 Budget Amendment No. 3. – first reading by title only.

**SUMMARY:**

On August 1, 2017, the City of Smithville Board of Aldermen passed Ordinance 2974-17 which approved the petition to form the Smithville Commons Community Improvement District. A public hearing was held in accordance with the CID Act. On July 16, 2019, the City of Smithville Board of Aldermen passed Ordinance 3041-19 to approve a cooperative agreement between the City, the Community Improvement District, and the Developer to impose a district-wide sales tax and authorize the City to perform all functions incident to the administration, enforcement, and operation of the district-wide sales tax. Per RSMo 67.1401 through 67.1571 (the "CID Act"), the Smithville Commons Community Improvement District is established as a separate political subdivision with its own cooperative agreement and set of audited finance statements.

As seen in the RFA for Bill No. 2935-22 Creation of CID Fund, staff is proposing the creation of the CID Fund. Budget authority is needed in this Fund for FY2022. Based upon FY2021 CID Sales Tax Revenues, staff is proposing to add \$315,000 in revenue authority. Based upon the FY2022 Smithville Commons Community Improvement District budget, staff is proposing to add \$300,000 in expenditure authority.

**PREVIOUS ACTION:** The Board previously approved the FY2022 Budget and Budget Amendment #2.

**POLICY ISSUE:**

**FINANCIAL CONSIDERATIONS:**

Amend the FY22 Budget. Resources are available in all funds affected to support the amendment.

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution           | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report         | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other:               |                                   |

**BILL NO. 2936-22**

**ORDINANCE NO. XXXX-22**

**AN ORDINANCE AMENDING THE FY22 OPERATING BUDGET TO ADD \$300,000 TO THE EXPENDITURE BUDGET AND \$315,000 TO THE REVENUE BUDGET**

**WHEREAS**, pursuant to Ordinance 3074-20, passed on October 19, 2021, the City approved the fiscal year ending October 31, 2022 Budget; and

**WHEREAS**, not included in the approved fiscal year 2022 Budget are expenditures related to

**WHEREAS**, amendments to the Community Improvement District (CID) Fund are required at this time;

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

**THAT** the fiscal year ending October 31, 2022 Budget is hereby amended to add:

- \$300,000 in expenditure authority to the CID Fund and \$315,000 in revenue authority to the CID Fund.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

First Reading: 3/1/2022

Second Reading: 4/4/2022



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Parks & Recreation

**AGENDA ITEM:** Resolution 1031 – Special Event Permit/Request – Smithville Main Street District

---

**RECOMMENDED ACTION:**

A motion to approve Resolution 1031, issuing a Special Event Permit/Request for Smithville Main Street District's 2022 Special Events.

**SUMMARY:**

Approval of this item will issue a Special Event Permit and waive the Courtyard Special Event Fee for Smithville Main Street District's four 2022 Special Events. The four events are:

Derby Wine Walk on April 30, 2022  
Whiskey Walk and Market on July 16, 2022  
Junkville Harvest Market on September 24, 2022  
Wine Walk and Christmas Market on November 12, 2022

The requested permit will allow the participants to have alcohol (open container) at each event. The Derby Wine Walk, Whiskey Walk and Market and Wine Walk and Christmas Market are from 12:00 p.m. to 11:00 p.m. and the Junkville Harvest Market is from 6:00 a.m. to 8:00 p.m. at Courtyard Park. Per City Ordinance 600.070 (G & H) the Board of Aldermen may grant a Special Event Permit to allow drinking in public.

The event coordinators will be requesting and obtaining State Licensing. All businesses/committees selling alcohol are required to have City and State Alcohol Licenses.

Staff recommends waiving the Courtyard Special Event Fee for Smithville Main Street District's 2022 Special Events in recognition of the partnership between the City and Main Street District in community economic development effort.

**PREVIOUS ACTION:**

A Special Event Permit has been approved for these event in past years.

**POLICY ISSUE:**

n/a

**FINANCIAL CONSIDERATIONS:**

n/a

**ATTACHMENTS:**

☐ Ordinance

☒ Resolution

☐ Staff Report

☒ Other: Ordinance 600.070

☐ Contract

☐ Plans

☐ Minutes

## **RESOLUTION 1031**

### **A RESOLUTION APPROVING A SPECIAL EVENT PERMIT/REQUEST FOR SMITHVILLE MAIN STREET DISTRICT'S 2022 SPECIAL EVENTS AT COURTYARD PARK**

**WHEREAS**, the Smithville Main Street District has submitted an Event Application with all required fees and documentation for Derby Wine Walk, Whiskey Walk and Market, Junkville Harvest Market and Wine Walk and Christmas Market; and,

**WHEREAS**, licensed businesses will supply the food and beverages for a fee to the participants at the Courtyard Park using their state and city licenses to sell alcohol; and,

**WHEREAS**, the applicant has submitted a map of the area and will monitor the area that will allow open consumption of alcohol in accordance with city code; and,

**WHEREAS**, sponsoring the event would allow waiver the Courtyard event fee of \$400 and \$200 damage deposit.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT A SPECIAL EVENT PERMIT BE ISSUED TO SMITHVILLE MAIN STREET DISTRICT FOR THEIR 2022 SPECIAL EVENTS AT COURTYARD PARK IN ACCORDANCE WITH THE PLAN APPROVED BY THE CHIEF OF POLICE.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk



# Chapter 600. Alcoholic Beverages

## Section 600.070. Miscellaneous Offenses.

[Ord. No. 3039-19, 7-16-2019]

- A. **Unlawful For Licensed Retailer To Purchase From Other Than Licensed Wholesaler.** It shall be unlawful for any licensee to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this State. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this Section.
- B. **Packaging, Labeling, Repackaging Prohibited, When.** Any retailer licensed pursuant to this Chapter shall not:
1. Sell intoxicating liquor with an alcohol content of less than five percent (5%) by weight to the consumer in an original carton received from the wholesaler that has been mutilated, torn apart or cut apart; or
  2. Repackage intoxicating liquor with an alcohol content of less than five percent (5%) by weight in a manner misleading to the consumer or that results in required labeling being omitted or obscured.
- C. **Mixing Liquor With Drugs Prohibited.** No licensee, or any other person, shall for any purpose whatsoever mix or permit or cause to be mixed with any intoxicating liquor kept for sale, sold or supplied by him/her as a beverage any drug or form of methyl alcohol or impure form of alcohol.
- D. **Unlawful To Sell Unlabeled Liquor — Penalty.** It shall be unlawful for any person to sell any intoxicating liquor which has not been inspected and labeled according to the provisions of the Liquor Control Law of Missouri, and any such person upon conviction shall have his/her license revoked and shall be ineligible to receive any subsequent liquor license for a period of two (2) years thereafter.
- E. **Only Those Liquors Authorized By License To Be Kept On Premises.** It shall be unlawful for any licensee licensed for the sale of intoxicating liquor at retail by the drink for consumption on the premises to keep in or upon the premises described in such license any intoxicating liquor other than the kind of liquor expressly authorized to be sold by such licensee.
- F. **Persons Apparently Intoxicated Not To Be Provided With Intoxicating Liquor.** It shall be unlawful for any licensee, or his/her employee or agent, to sell or supply intoxicating liquor, or permit such to be sold or supplied, to a habitual drunkard or to any person who is under or apparently under the influence of intoxicating liquor.
- G. **Drinking In Public Places Prohibited.**
1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot.
  2. No person shall drink or ingest any intoxicating liquor in or on any public place.
  3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor while in or upon any public place.
  4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor while within or on any motor vehicle while the same is being operated upon, or parked or standing in or upon, any public place. Any person operating a motor vehicle shall be deemed to be in possession of an open container contained within the motor

vehicle he/she has control of whether or not he/she has actual physical possession of the open container.

H. **Special Event Permit.** The Board of Aldermen may grant a special event permit for purposes as identified in Section **600.070(G)(1)**, above, and under the following conditions:

1. An application must be filed with the Chief of Police that describes the applicant's name and business or interest in the event; the name(s) and contact information of any or all liquor license holders who will be involved in such event; the public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot to be included in the event area; the beginning and ending time of such event; and the telephone contact of the person in charge of and present at the event.
2. The estimated number of participants in the event shall be provided to the Chief of Police, and the applicant shall pay all costs of security needed as a result of the event to ensure compliance.



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Public Works

**AGENDA ITEM:** Approve Resolution 1032 - A Resolution awarding Bid 22-11 Wastewater Treatment Plant HVAC

---

**RECOMMENDED ACTION:**

A motion to approve Resolution 1032 awarding bid number 22-11 for HVAC at the wastewater plant to Pence Heating and Cooling in the amount of \$9,840.

**SUMMARY:**

RFP 22-11 was opened on February 22, 2022 for the installation of HVAC system at the Wastewater Treatment Plant. Three bids were received with Pence Heating and Cooling providing the lowest and most responsive bid in an amount of \$9,840.

Pence Heating and Cooling	\$ 9,840.00
RS Mechanical	\$15,896.00
Vaughan Mechanical	\$32,238.00

**PREVIOUS ACTION:**

None

**POLICY ISSUE:**

Facility Maintenance

**FINANCIAL CONSIDERATIONS:**

This expense is included in the Combined Water and Wastewater Utility 2022 CIP budget. Budgeted Amount of \$25,000.

**ATTACHMENTS:**

- |  |                                   |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance             | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report          | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Bid |                                   |

## RESOLUTION 1032

**A RESOLUTION AWARDING BID 22-11 WASTEWATER TREATMENT PLANT HVAC TO PENCE HEATING AND COOLING IN AN AMOUNT OF \$9840.**

**WHEREAS**, bids were received on Tuesday, February 22, 2022 for RFP 22-11 Wastewater Treatment Plant HVAC; and

**WHEREAS**, the City received three bids with Pence Heating and Cooling providing the lowest and most responsive bid in an amount of \$9,840.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI:**

**THAT** RFP 22-11 Wastewater Treatment Plant HVAC is hereby awarded to Pence Heating and Cooling in an amount of \$9,840.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March, 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

(It is preferred that the Bid Response use this Form, however, the City reserves the right to accept Bids which provide the necessary information without using this form)

**RFP #22-11 Waste Water Treatment Plant**

I, W.C. Pence, hereby representing  
(Agent Submitting RFP)

Pence Heating and Cooling, have read and reviewed the attached specifications.  
(Firm or Company)

I state the hereby offer meets or exceeds all requirements. Please note that Exhibit 1 and all other required information must be attached.

Pence Heating and Cooling  
Company Name

225 KK Hwy  
Address

Smithville MO 64089  
City/State/Zip

816-532-0303  
Telephone

32-0073802  
Tax ID No.

W.C. Pence  
Authorized Person (Print)

W.C. Pence  
Signature

Owner  
Title

2-14-22  
Date

pencehtg@sbcglobal.net  
E-Mail Address

State the name, address and telephone number of not less than three (3) customers for whom the Contractor has performed similar Service within the last two (2) years as well as all license information for running said display: Mechanical Supervisor license #067822  
K.C. MO

Council Chambers - Smithville MO

Hoy Excavating 7308 NW Tiffeny Springs Parkway K.C. 816-863-2374 <sup>Benny Hoy</sup>

Jeff Moore 3051 NW 169 Hwy Gower MO 816-699-2258

The above said Company shall provide the materials and services, clean up, and insurance requested for the goods and services of RFP #22-07 for a cost to the City of Smithville as follows:

Item Description	Quantity	Unit Price	Total
Waste Water Treatment Plant HVAC system complete	1	Lump SUM	\$9840.00



# PENCE

## HEATING & COOLING

Smithville, MO

### 532-0303

*City of Smithville*



# TRANE®

*It's Hard to Stop A Trane®*

Date 2-14-22

Phone 816-532-3897



CleanEffects

#### OPTION #1: Run TRU (mtd. by Trane)

##### Trane Equipment:

Air Conditioner/~~Heat Pump~~

Gas Furnace/~~Air Handler~~

Comfort Coil

##### Model:

A4AC3060

A801X120

TAC59D

Installed Complete

##### Size:

5 Ton

120,000 BTU

5 Ton

##### Efficiency:

SEER 13

AFUE 80%

##### Warranty:

5 Yrs. Compressor

5 Yrs. Coil

20 Yrs. Heat Exchanger

5 Yrs. Parts

1 Yrs. Labor

##### TOTAL INVESTMENT:

\$9840.00

Monthly Payment:      for      months

Single Stage Furnace yes

Variable Speed Furnace/Air Handler +       
+     /mo.

#### OPTION #2:

##### Trane Equipment:

Air Conditioner/Heat Pump

Gas Furnace/Air Handler

Comfort Coil

##### Model:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

##### Size:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

##### Efficiency:

SEER \_\_\_\_\_

AFUE \_\_\_\_\_

##### Warranty:

\_\_\_\_\_ Yrs. Compressor

\_\_\_\_\_ Yrs. Coil

\_\_\_\_\_ Yrs. Heat Exchanger

\_\_\_\_\_ Yrs. Parts

\_\_\_\_\_ Yrs. Labor

##### TOTAL INVESTMENT:

\_\_\_\_\_

Monthly Payment: \_\_\_\_\_ for \_\_\_\_\_ months

Single Stage Furnace \_\_\_\_\_

Variable Speed Handler + \_\_\_\_\_  
+ \_\_\_\_\_/mo.

#### SYSTEM ENHANCEMENTS:

##### Indoor Air Quality:

Electronic Air Cleaner: + \_\_\_\_\_

Media Air Cleaner: + \_\_\_\_\_

Whole House Humidifier: + \_\_\_\_\_

TRANE CleanEffects: + \_\_\_\_\_

Programmable Thermostat + Included

10 Year Parts & Labor Warranty: + \_\_\_\_\_

One Year Service Agreement: + \_\_\_\_\_

Other: \_\_\_\_\_ + \_\_\_\_\_

Other: \_\_\_\_\_ + \_\_\_\_\_

#### INCLUDED IN INSTALLATION:

##### Piping:

☒ Flue Pipe:

☒ Refrigerant Lines:

☒ Condensate Drain

☐ Condensate Pump

☒ Gas Pipe

☒ Propane Kit

☒ Liquid Line Drier

☒ All New

☒ Reconnect

☒ All New

☐ Reconnect

☒ Primary

☐ Safety Pan

##### Air Distribution and Ductwork:

☒ Supply Plenum or Transition

☐ Return Plenum(s)

☒ Easy Access Filter Case

☐ Filter Grille(s)

☒ Supply Duct(s) to Bldg.

☒ Return Duct(s) to Side of Furnace

☒ Complete Duct System

\_\_\_\_\_ supply & \_\_\_\_\_ return outlets

☒ Duct Material

☒ sheet metal

☐ flexible

##### Miscellaneous:

☒ All required permits

☒ All work done in accordance with existing codes

☒ Removal of existing equipment

☒ Clean up of job site

☒ Pad for outside unit

☐ Pump-up legs for outside unit

☒ All necessary labor

☐ EPA mandated refrigerant recovery

☐ Applicable sales tax

☒ Fully licensed insured





## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1033, Awarding bid for city mowing services

---

**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1033, awarding Bid #22-12 to Eagle Turf & Landscape LLC Mowing Services.

**SUMMARY:**

In 2021, the Parks and Recreation Department contracted out mowing services for City Hall, Senior Center, School House, Courtyard, Remembrance, Hawthorne and Emerald Ridge Park. This saved about one to two days in mowing for the Park Maintenance staff and allowed them to focus on other task. With the success of 2021, staff added Helvey, Wildflower and Diamond Crest Parks to the bid. This will leave park maintenance staff the responsibility to mow and traim Heritage and Smith Fork Parks.

In accordance with the City's Municipal Code, Chapter 150 - Purchasing Policy, a Request for Proposal (RFP) for Mowing Services was issued on February 11, 2022. Five responses were received:

Eagle Turf & Landscape LLC - \$8,656  
Beshears Tree and Lawn - \$17,316  
Tru-Cut Lawn and Landscape - \$21,710  
Bettis Enterprises - \$26,780  
Popes Lawn Care LLC - \$41,600

Staff recommends award of the lowest bid submitted by Eagle Turf & Landscape LLC in the amount of \$8,656.

**PREVIOUS ACTION:**

NA

**POLICY OBJECTIVE:**

NA

**FINANCIAL CONSIDERATIONS:**

Click or tap here to enter text.

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance                        | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution            | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report                     | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Bid Submission |                                   |

## **RESOLUTION 1033**

### **A RESOLUTION AWARDING A BID NO. 22-12 TO EAGLE TURF & LANDSCAPE LLC IN RESPONSE FOR MOWING SERVICES**

**WHEREAS**, in 2021 the Parks and Recreation Department contracted out mowing services for City Hall, Senior Center, School House, Courtyard, Remembrance, Hawthorne and Emerald Ridge Parks to save staff time; and

**WHEREAS**, with the success of 2021, staff added Helvey, Wildflower and Diamond Crest Parks to the bid; and

**WHEREAS**, staff has conducted a Request for Proposals for Mowing Services as outlined in the City Purchasing Policy; and

**WHEREAS**, after a bid process, staff has made the recommendation to accept the lowest bid received from Eagle Turf & Landscape LLC.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT** Bid No.22-12 is hereby awarded to Eagle Turf & Landscape LLC in the amount of \$8,656.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

(It is preferred that the Bid Response use this Form, however, the City reserves the right to accept Bids which provide the necessary information without using this form)

**RFP # 22-XX Mowing Services**

I, Victoria Jackson, hereby representing  
(Agent Submitting RFP)

Eagle ~~Mow~~ Turf & Landscape LLC, have read and reviewed the attached specifications.  
(Firm or Company)

I state the hereby offer meets or exceeds all requirements. Please note that Exhibit 1 and all other required information must be attached.

Eagle Turf & Landscape LLC  
Company Name

206 Mesa Drive Smithville  
Address

Smithville, MO 64089  
City/State/Zip

816-708-7804  
Telephone

86-2542254  
Tax ID No.

Victoria Jackson  
Authorized Person (Print)

Victoria D. Jackson  
Signature

Owner  
Title

2/12/2022  
Date

eagleturfandlandscape@gmail.com  
E-Mail Address

State the name, address and telephone number of not less than three (3) customers for whom the Contractor has performed similar Service within the last two (2) years:

Stephen Ferroque 3616 W Walnut St. KCMO  
Lauren Crosser (913) 426-3196 1306 Stoney Brook. Kearney MO

The above said Company shall provide the materials and services clean up, and insurance requested for the goods and services of RFP #22-XX for a cost to the City of Smithville as follows

Item Description	Bid Price
Mowing Services	\$ 8,656.00



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1034 – Diamond Creek Park Fencing Bid Award

---

**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1034, awarding Bid #22-13 to Quality Fence for Diamond Crest Park Fencing.

**SUMMARY:**

The Parks and Recreation Master Plan was completed in July of 2021. The first priority of the plan is to provide improvements to Diamond Crest Park. This park is currently where the splash pad is located. \$275,000 from the FY22 Parks and Stormwater Sales Tax was budgeted for the improvements. The Parks and Recreation Department will be purchasing a playground, fencing and concrete for the sidewalk within the park. Then, Clay Creek Developers have agreed to donate a parking lot and shelter with a restroom attached.

In accordance with the City's Municipal Code, Chapter 150 - Purchasing Policy, a Request for Proposal (RFP) for Diamond Crest Park Fencing was issued on February 11, 2022. Four (4) responses were received:

Quality Fencing - \$29,250  
American Lawn and Fence - \$34,450  
J. Richardson Construction - \$45,000  
AmeriFence Corporation - \$49,125

Staff recommends award of the lowest bid submitted by Quaility Fence for \$29,250. The fencing will not be installed until the playground and sidewalks are completed. The playground is scheduled to be installed mid-March.

**PREVIOUS ACTION:**

NA

**POLICY OBJECTIVE:**

NA

**FINANCIAL CONSIDERATIONS:**

FY22 Capital Budget includes \$275,000 from the Parks and Stormwater Sales Tax for Diamond Crest Park Improvements

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance                        | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution            | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report                     | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Bid Submission |                                   |

## **RESOLUTION 1034**

### **A RESOLUTION AWARDING BID NO. 22-13 TO QUALITY FENCE FOR DIAMOND CREST PARK FENCING**

**WHEREAS**, the first priority out of the Parks and Recreation Master Plan is to provide improvements to Diamond Crest Park; and

**WHEREAS**, \$275,000 from the FY22 Parks and Stormwater Sales Tax is budgeted for the improvements; and

**WHEREAS**, staff has conducted a Request for Proposals for Fencing as outlined in the City Purchasing Policy; and

**WHEREAS**, after a bid process, staff has made the recommendation to accept the lowest bid received from Quality Fence.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT** Bid No.22-13 is hereby awarded to Quality Fence in the amount of \$29,250.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk



(It is preferred that the Bid Response use this Form, however, the City reserves the right to accept Bids which provide the necessary information without using this form)

**RFP # 22-XX Diamond Crest Park Fencing**

I, Kelly Cline, hereby representing  
(Agent Submitting RFP)

Quality Fence, LLC, have read and reviewed the attached specifications.  
(Firm or Company)

I state the hereby offer meets or exceeds all requirements. Please note that Exhibit 1 and all other required information must be attached.

Quality Fence, LLC  
Company Name  
709 N Desoto Rd  
Address  
Lansing, KS 66043  
City/State/Zip  
913-208-6957  
Telephone  
47-3503659  
Tax ID No.

Kelly Cline  
Authorized Person (Print)  
Kelly Cline  
Signature  
Owner  
Title  
2/18/2022  
Date  
qualityfence.kc@hotmail.com  
E-Mail Address

State the name, address and telephone number of not less than three (3) customers for whom the Contractor has performed similar Service within the last two (2) years:

Enterprise Holdings - Todd Parker 913-967-8435 Enterprise Car Rental lots - Metro wide

Blue Cedar Landscape - Will Manda 816-516-1388 Hallbrooke Country Club Estates, et al.

Sands Construction - Steve Sands 913-306-4015 Dog & Cat Clinic, et al.

The above said Company shall provide the materials and services clean up, and insurance requested for the goods and services of RFP #22-XX for a cost to the City of Smithville as follows

Item Description	Bid Price
<b>Diamond Crest Park Fencing</b>	<b>\$29,250.00</b>



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1035 – Awarding Bid No. 22-14, Diamond Crest Park Sidewalk

---

**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1035, awarding Bid #22-14 to Sands Construction for Diamond Crest Park Sidewalk.

**SUMMARY:**

The Parks and Recreation Master Plan was completed in July of 2021. The first priority of the plan is to provide improvements to Diamond Crest Park. This Park is currently where the Splash Pad is located. \$275,000 from the FY22 Parks and Stormwater Sales Tax was budgeted for the improvements. The Parks and Recreation Department will be purchasing a playground, fencing and concrete for the sidewalk within the park. Clay Creek Developers have agreed to donate a parking lot and shelter with a restroom attached.

In accordance with the City's Municipal Code, Chapter 150 - Purchasing Policy, a Request for Proposal (RFP) for Diamond Crest Park Sidewalk was issued on February 11, 2022. Three (3) responses were received:

Sands Construction - \$28,099  
J. Richardson Construction -\$32,000  
Mac & Associates - \$35,500

Staff recommends award of the lowest bid submitted by Sands Construction for \$28,099. The sidewalks will not be constructed until the playground base has been completed. The playground is scheduled to be installed mid-March.

**PREVIOUS ACTION:**

NA

**POLICY OBJECTIVE:**

NA

**FINANCIAL CONSIDERATIONS:**

FY22 Capital Budget includes \$275,000 from the Parks and Stormwater Sales Tax for Diamond Crest Park Improvements

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance                        | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution            | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report                     | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Bid Submission |                                   |



## **RESOLUTION 1035**

### **A RESOLUTION AWARDED BID NO. 22-14 TO SANDS CONSTRUCTION FOR DIAMOND CREST PARK SIDEWALK**

**WHEREAS**, The first priority out of the Parks and Recreation Master Plan is to provide improvements to Diamond Crest Park; and

**WHEREAS**, \$275,000 from the FY22 Parks and Stormwater Sales Tax is budgeted for the improvements; and

**WHEREAS**, staff has conducted a Request for Proposals for sidewalk as outlined in the City Purchasing Policy; and

**WHEREAS**, after a bid process, staff has made the recommendation to accept the lowest bid received from Sands Construction.

### **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT** Bid No.22-14 is hereby awarded to Sands Construction and the Mayor is hereby authorized to execute a contract for services in the amount of \$28,099.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

(It is preferred that the Bid Response use this Form, however, the City reserves the right to accept Bids which provide the necessary information without using this form)

**RFP # 22-XX Diamond Crest Park Sidewalk**

I, Steve Sands, hereby representing  
(Agent Submitting RFP)

Sands Construction LLC, have read and reviewed the attached specifications.  
(Firm or Company)

I state the hereby offer meets or exceeds all requirements. Please note that Exhibit 1 and all other required information must be attached.

Sands Construction, LLC  
Company Name

1284 Eisenhower Rd  
Address

Leavenworth, KS, 66048  
City/State/Zip

913.306.4015  
Telephone

46-5225062  
Tax ID No.

Steve Sands  
Authorized Person (Print)

[Signature]  
Signature

Owner  
Title

2-22-2022  
Date

Steve@sandsconstlun.com  
E-Mail Address



State the name, address and telephone number of not less than three (3) customers for whom the Contractor has performed similar Service within the last two (2) years:

See Attached

The above said Company shall provide the materials and services clean up, and insurance requested for the goods and services of RFP #22-XX for a cost to the City of Smithville as follows

Item Description	Bid Price
<b>Diamond Crest Park Sidewalk</b>	<u>\$28,099.<sup>00</sup></u>



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Public Works

**AGENDA ITEM:** RES 1036 – Approving City Facility Solid Waste Collection Services Contract Amendment with Waste Management of Kansas, Inc.

---

**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1036, adoption of the City solid waste collection services contract amendment with Waste Management of Kansas, Inc.

**SUMMARY:**

The City entered into a contract for solid waster services at city facilities with Waste Management (previously Deffenbaugh) on September 20, 2016. The term is set to expire on March 31, 2022. Staff recommends renewing the contract for a one-year term with Waste Management of Kansas, Inc. The amendment term will extend until March 31, 2023.

Overall, there is a \$3.58 increase to the total monthly rates for the City. The cost breakdown for the various departments is in the table below.

Name	Address	Services	Current rates/mo	New rates/mo
Campground	1610 Country Rd DD	8yd trash once per week.	112.46	122.07
City Hall	107 W Main st	4yd trash once per week	76.83	79.33
		2yd recycle once per week	57.41	62.87
Water Plant	1 Hevley Park Dr	4yd trash once per week	73.43	79.33
Streets Div	2 Helvey Park Dr	4yd trash once per week	73.43	79.33
Wastewater Plant	16401 Lowman Rd	two 4yd trash once per week	146.86	114.23
Parks & Rec	1610 County Road DD	two 4yd trash once per week	107.39	114.23

In 2023, staff plans to bid the solid waste collection services for City facilities.

**PREVIOUS ACTION:**

Resolution 487 – September 20, 2016

**POLICY OBJECTIVE:**

N/A

**FINANCIAL CONSIDERATIONS:**

The proposed rate is \$651.39, which increased by \$3.58.

**ATTACHMENTS:**

☐ Ordinance

☒ Resolution

☐ Staff Report

☐ Other:

☒ Contract

☐ Plans

☐ Minutes

## **RESOLUTION 1036**

### **A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE AN AMENDMENT WITH WASTE MANAGEMENT KANSAS CITY, INC. FOR CITY FACILITY SOLID WASTE COLLECTION SERVICES.**

**WHEREAS**, the City's contract with Waste Management Kansas City, Inc. for solid waste services for City facilities expires on March 31, 2022; and

**WHEREAS**, the City desires to extend the contract an additional year through March 31, 2023; and

**WHEREAS**, the purchase is pursuant to the City Purchasing Policy, and

**WHEREAS**, staff recommends approving the amendment as being the most advantageous to the City.

### **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT** the Mayor is hereby authorized and directed to approve the attached amendment with Waste Management Kansas City, Inc. for City facility solid waste collection services.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 1<sup>st</sup> day of March 2022.

---

Damien Boley, Mayor

ATTEST:

---

Linda Drummond, City Clerk

**AMENDMENT TO  
CONTRACT FOR CITY FACILITY SOLID WASTE COLLECTION SERVICES**

This Amendment to the Contract for City Facility Solid Waste Collection Services (the "Amendment") is entered into on March \_\_\_\_ 2022, by and between Waste Management of Kansas, Inc. ("Company") and City of Smithville Missouri ("Customer").

**Recitals**

- A. Customer and Company entered into a Contract for City Facility Solid Waste Collection Services on or about September 20, 2016 (the "Contract"); and
- B. The Contract is set to expire March 31, 2022 and the parties desire to extend the term.

**Agreement**

The parties agree to amend the Agreement in the following manner:

1) Section 3, TERM shall be revised to extend the term until March 31, 2023 and thereafter shall automatically renew for successive renewal terms of one-year each, unless either Party gives the other Party written notice of its intention to terminate the Agreement at least sixty days prior to the end of the then-current term. All notices shall be served by certified mail, return receipt requested, or by a nationally recognized overnight courier service.

- 2) Section 4, CONTRACT PRICE shall be removed entirely and replaced with the following:

The City shall pay the Contractor for services rendered as set forth in the table below:

New Name	Address	Services	Monthly Rate
City of Smithville Campground	1610 Country Rd DD	8yd trash once per week.	\$122.07
City of Smithville City Hall	107 W Main st	4yd trash once per week	\$79.33
		2yd recycle once per week	\$62.87
City of Smithville Water Plant	1 Hevley Park Dr	4yd trash once per week	\$79.33
City of Smithville Streets Div.	2 Helvey Park Dr	4yd trash once per week	\$79.33
City of Smithville Wastewater Plant	16401 Lowman Rd	two 4yd trash once per week	\$114.23
City of Smithville Park	1610 County Road DD	two 4yd trash once per week	\$114.23

- 3) Remove the RFP #16-19 sheet attached to the Contract.

4) Except as modified herein, the terms and conditions of the Agreement shall continue in full force and effect.

The parties have caused this Amendment to be executed by their duly authorized representatives effective as of the day and year first above written.

**Waste Management of Kansas, Inc.**

**City of Smithville Missouri**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Appointment of Economic Development Committee Chamber of Commerce Representative

---

**REQUESTED BOARD ACTION:**

Motion to approve the nomination of Erika Winston to the Economic Development Committee as the Chamber of Commerce Representative.

**SUMMARY:**

The Board of Aldermen appoints members to the Economic Development Committee. This appointment replaces the previous Chamber of Commerce Director, as Erika was appointed the new Director on February 15, 2022.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

Section 155.020 of the Code of Ordinances requires the Board of Aldermen to appoint representative to the Economic Development Committee.

**FINANCIAL CONSIDERATIONS:**

None

**ATTACHMENTS:**

- ☐ Ordinance
- ☐ Resolution
- ☐ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes





## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Appointment to the Smithville Legacy Fund Advisory Board

---

**REQUESTED BOARD ACTION:**

Motion to approve the nomination of Starla Janes to the Smithville Legacy Fund Advisory Board.

**SUMMARY:**

The Smithville Legacy Fund Advisory Board oversees the fundraising of and expenditures from the Smithville Legacy Fund. The Board of Aldermen appoints members to the Smithville Legacy Fund Advisory Board. This appointment replaces a vacancy due to Dawn Cramer's resignation. Starla comes to the Legacy Fund with extensive experience in local community service and fundraising.

**PREVIOUS ACTION:**

N/A

**POLICY OBJECTIVE:**

N/A

**FINANCIAL CONSIDERATIONS:**

N/A

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance                | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution               | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report             | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Resume |                                   |



## CONTACT

**PHONE:**  
816-289-6240

**HOME:**  
7107 NE 134<sup>th</sup> st  
Smithville, MO 64089

**EMAIL:**  
[Starla.janes2009@gmail.com](mailto:Starla.janes2009@gmail.com)  
[Starla.janes@edwardjones.com](mailto:Starla.janes@edwardjones.com)

## HOBBIES

**Spend time with my grandkids/family**  
**Spend time with friends**  
**Volunteer time for my church & community:** If there is an event going on in the community, I am usually there to support it in some way if possible.

# STARLA JANES

Realtor/Branch Office Administrator

## EDUCATION

---

### **Graduated from McCook High School in 1983**

# 10 in my class, President of FBLA, Treasurer STUCO, Editor of School Newspaper, National Honor Society, advertising manager school newspaper, drama club, pep club.

### **McCook Community College**

Graduated in 1985 with an Associates of Science Degree  
Student body President in 1984-85.

## MOST RECENT WORK EXPERIENCE:

---

### **Show Me Real Estate – Hartman Real Estate Team**

October 2002 - Current

Worked for Re/Max, Keller Williams, Re/Max and now with Show-Me Real Estate as the Broker-Associate for the Hartman Real Estate Team

### **Edward Jones – Branch Office Administrator**

June 2013- current

Assist the Financial Advisor in with his daily tasks as well as run the office by answer phones, scheduling appts, meet with clients, transfer funds, and work with clients on their life insurance applications and process. Organize seminars and parties for clients

## COMMUNITY SERVICE

---

**Kiwanis** – Joined in 2011 – Served as President for 8 years, treasurer one year, board member for 10 years

**Chamber** – I've been a member of the Chamber of commerce in Smithville for 18 years. I have served on the board for 8-9 years as a member at large, Secretary, Vice President and President. I am currently serving as past president in advisory.

**Drink Pink Event** – I am the chairman of an this event that raises mone for breast cancer to help provide mammagrams for un-insured or under-insured women.

**Rollins Landing HOA** – served as secretary for 2 years from  
**Johnson Ridge HOA**- for the last 4 years I have been the Vice President and DRC chairman.





## Board of Alderman Request for Action

**MEETING DATE:** 3/1/2022

**DEPARTMENT:** Administration

**AGENDA ITEM:** Adjournment to Executive Session Pursuant to Section 610.021(3) RSMo.

---

**REQUEST BOARD ACTION:**

A motion to close the regular session for the purpose of discussing personnel matters pursuant to Section 610.021(3) RSMo.

**SUMMARY:**

To allow the Board of Aldermen to adjourn to Executive Session to discuss personnel matters.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

The Board of Alderman will vote to close the Board of Alderman Regular Session Pursuant Section 610.021(3) RSMo.

**FINANCIAL CONSIDERATIONS:**

Click or tap here to enter text.

**ATTACHMENTS:**

- ☐ Ordinance
- ☐ Resolution
- ☐ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes