

**SMITHVILLE BOARD OF ALDERMEN**  
**WORK SESSION**

December 2, 2025 6:30 p.m.

City Hall Council Chambers and Via Videoconference

**1. Call to Order**

Mayor Boley called the meeting to order at 6:30 p.m. A quorum of the Board was present: Marv Atkins, Kelly Kobylski, Melissa Wilson, Leeah Stone, Chelsea Dana and Dan Hartman.

Staff present: Cynthia Wagner, Gina Pate, Chief Lockridge, Chuck Soules, Jack Hendrix and Linda Drummond.

City Attorneys present: Padraic Corcoran and Jackson Auer.

**2. City Attorney Review of Policy and Practices**

City Attorney Padraic Corcoran presented an outline of best practices for governing bodies, based on observations from their first month with the city. The outline serves as a reference guide for topics such as ordinance approvals, contracting procedures, record retention, Sunshine Law compliance, and public comment rules.

Padriac noted that although the city currently reads ordinances across two separate meetings, state law allows both readings to occur in the same meeting—particularly useful for routine or ministerial items that don't require delay, such as plats, record destruction authorizations, and recurring contracts. A legal case involving Kansas City was cited to highlight the importance of approving plats that meet code and the risk municipalities face when denials lack legal basis.

Padriac explained that record destruction is a required housekeeping action following state retention schedules—typically occurring after documents are digitized and approved for disposal. Routine contracts, such as those with partner agencies, were identified as items where extended approval timelines often create unnecessary delays.

Padraic recommended revising internal rules to better align with state law or explicitly permit single-meeting approvals for housekeeping actions.

Padriac also covered contracting requirements under Missouri's Municipal Statute of Frauds, emphasizing that all contracts must be written, executed after approval, signed by an authorized city official, and formally approved by governing action. The city's purchasing policy currently exists in ordinance form—something the attorneys advised against, as this can unintentionally create legal rights for unsuccessful bidders. They suggested relocating it to a policy manual.

Regarding procurement, Padriac explained that cities have broad discretion when selecting the "lowest and best" bidder, which considers experience, integrity, past work, and capability rather than price alone.

When reviewing the Sunshine Law, Padriac emphasized the need for maintaining a strong, regularly reviewed policy. Compliance with such a policy offers legal protection in the event of a challenge. A notable best practice is explicitly identifying all records as closed unless opened by official action—preventing scenarios seen in past cities where personnel records became unintentionally public.

Padriac also addressed meeting notice requirements, including rare situations where a four-day notice is required for topics like tax implementation, eminent domain, development districts, or pledging public funds.

Padriac explained that public participation during board meetings is considered a limited public forum. The board is not legally required to provide it, but may allow comments with reasonable time, place, and decorum limitations. Courts recognize that meetings exist for conducting official business, and additional communication channels now exist for citizen input, supporting reasonable regulation of comment periods. Padraic noted that the city's existing public comment policy is open, compliant, and effective.

Cynthia explained that Padraic and Jackson have been attending staff meetings and have been reviewing the policy manual, handbook, and general practices. Some items are duplicated or have evolved over time and need cleanup. They are bringing these issues forward to gather feedback, to will help guide staff as they work with Padraic and Jackson on updates to the documents. This effort aligns with the staff's work plan moving forward.

The Board agreed to the need for streamlining procedures to make processes smoother and reduce unnecessary delays, especially for items that are already vetted, especial Planning and Zoning items. The lengthy timelines can burden developers and staff, so simplifying steps and clarifying when two readings are truly needed would be beneficial.

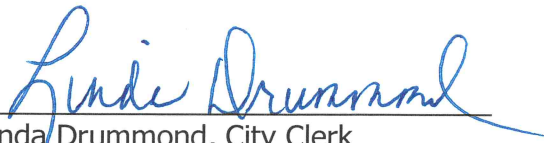
They also discussed public comment and its value, the need for decorum, and ensuring guidelines that would protect city officials while still offering citizens meaningful opportunities to speak. The Board agreed that most public input is valuable, but threats or inappropriate behavior must not be tolerated.

Overall, the Board agreed there is no need for major policy overhauls, but more information in the RFA's would include clearer communication on item history, distinguishing ministerial vs. administrative actions, and refining procedures such as ordinance readings. Staff will continue reviewing practices with legal counsel and bring forward recommendations based on Board recommendations and best practices.

### **Adjourn**

Alderman Hartman moved to adjourn. Alderman Kobylski seconded the motion.

Ayes – 6, Noes – 0, motion carries. The Mayor declared the meeting adjourned at 7:08 p.m.

  
Linda Drummond, City Clerk

  
Damien Boley, Mayor