

SMITHVILLE BOARD OF ALDERMAN
WORK SESSION

October 6, 2020 5:30 p.m.
City Hall Council Chambers

Due to the COVID-19 pandemic this meeting was held via teleconference.

The meeting was streamed live on the city's FaceBook page.

1. Call to Order

Mayor Boley, called the meeting to order at 5:31 p.m.

A quorum of the Board was present. Mayor Boley, Alderman Chevalier and Aldermen Bloemker were in attendance in the City Hall Council Chambers. Other Board members present via Zoom meeting: Alderman Sarver, Alderman Atkins and Alderwoman Wilson. Alderman Ulledahl joined the meeting after 6:00 p.m.

Cynthia Wagner was in attendance in the City Hall Council Chamber. Staff present via Zoom: Nickie Lee, Chuck Soules, Chief Jason Lockridge, Jack Hendrix, Matt Denton and Linda Drummond.

2. Adjournment to Executive Session Pursuant to Section 610.021(2) RSMo.

Alderwoman Wilson moved to adjourn to Executive Session pursuant to Section 310.021(2) RSMo. Alderman Chevalier seconded the motion.

Upon roll call vote via teleconference:

Alderwoman Wilson – Aye, Alderman Sarver – Aye, Alderman Atkins – Aye,
Alderman Bloemker – Aye, Alderman Chevalier – Aye, Alderman Ulledahl – Absent.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned to Executive Session at 5:31 p.m.

Work Session Reconvene at 6:03 p.m.

3. Discussion of 2017 NEC and 2018 IBC for Building Codes

Jack Hendrix, Development Director, provided background. The City initially adopted the 2003 ICC, International Code Council, of the family of codes in 2006. The City adopts new codes about every three to four years, generally waiting for other communities to review and adopt them. The City currently uses the 2012 codes. Staff is suggesting that we adopt the 2018 codes for a couple reasons: we are now ISO certified as a Building Code Enforcement group. That certification benefits our residents from the standpoint of homes built under the adopted code get a better insurance ISO rating. Those rating updates occur every 5 years and we are due for a update rating review in November. For our residents to get the full amount of our rating system part of that requires us to have codes that are no older than 5 years. The City is still on the 2012 codes, so we are currently 8 years behind. Staff had

planned on doing this much earlier in the year but as we all know COVID-19 delayed code review. The Code updates were presented to the Planning Commission in the spring. Jack and Jim Waddle, Building Inspector, reviewed the building codes with the assistance of the consultant from IBTS to make certain recommendations related to those building codes. Staff contacted the Kansas City area Home Builders Association as they regularly provide their input as to the new code provisions as well.

Jack explained that Chapter 500 of our codes section pertains to plumbing, mechanical, fuel gas, residential code, commercial code and energy efficiency. This year staff is recommending the Swimming Pool and Spa Code because it is no longer a subset of the residential code and now are a stand-alone code. Staff is recommending it also be adopted.

Alderman Chevalier asked if we change the codes now what happens to the construction already in progress?

Jack explained that the new codes will be for any new construction after the codes are approved and go into effect. He said that the building site maintenance is one of the complaints that the City receives on a regular basis. The new provisions for residential building requirements are the site cleanup and a restroom provided for workers within 500 feet. Staff is not recommending anything of any significance in any of the other codes just adopting them with the updates.

Alderman Atkins stated he believes we should stay updated with all codes.

Jack said that it was staffs intent to have them done earlier this year. He also explained that the new codes will be coming out next year. He said that most communities wait a year before adopting the new codes. The codes are updated every three years and Kansas City metro like us did not adopt the 2015 Codes.

Jack said if the Board had no objections, staff would bring forward an Ordinance to adopt the 2018 Codes at the next meeting for first reading.

The Board had no objections.

4. Discussion of Property Maintenance

Jack explained the Property Maintenance Code is part of the International Codes. In 2012 we eliminated most of the old nuisance code scenarios that were based upon state law. The City adopted the IPMC, the Property Maintenance Code because it gave more robust and clear understanding of the rules. Everything related to weed height and maintenance of the exterior of a property are defined. The Property Maintenance Code also now needs updating. Staff decided to break these items from the building code discussion because property maintenance is handled through Code Enforcement. In the staff report staff has made certain recommendations

requiring Board decision. Staff requests direction particularly on two subjects; the weed height and the grass height issue. Currently in our Code it is somewhere between seven or sixteen inches depending on different factors. Keowa Norton, Codes Enforcement Officer, has made her recommendation it is to have one rule for grass height. She recommends ten inches in height for grass. This would mean that once the grass height reaches ten inches it is a serious issue.

The other subject is vehicle parking in grassy areas. In the City Codes we have abandoned unlicensed or inoperable vehicles which can be addressed anywhere they are parked. Jack explained staff is looking for direction from the Board on the vehicles that are parked in the grassy areas and not on a paved or graveled surface. Keowa made her recommendation based upon the frequency and the type of complaints that she receives related to vehicles. Her recommendation would be to require any parking of a vehicle to be on a prepared hard surface to reduce nuisance violations as well as protect the appearance of the city. Jack asked the Board for direction on this issue.

Mayor Boley appreciated the work staff put into this. He said he is good with staff's recommendations on both issues. He asked that staff investigate vehicles that are stored in the streets for long periods of time. Mayor Boley stated that this issue makes it difficult for the snowplows and street sweeper to get through the streets. He said this is a safety issue also.

Jack explained that Keowa does get those type of complaints, but they are a police matter.

Alderman Atkins asked if he were to park his truck in his back yard for a day to load items would he be in violation?

Jack explained if Code Enforcement happen to see it you might receive a notice that you need to move the vehicle and not park it in the grass. Jack explained that scenarios such as this are not the ones that cause the City issues, it is where there are multiple vehicles parked in the back yard or they are using their front yard as a parking lot. He said it is more for the long-term parking in the grassy area where the grass and weeds grow up around the vehicles and you cannot mow, or it kills the grass.

Alderman Atkins said he would like to see adjusting the verbiage to no more than two- or three-days parking in grassy areas. He asked if the wheels where six inches off the driveway in the grass would the City get complaints?

Jack said if it was a long-term parking in the grass, we are likely to receive complaints.

Alderman Chevalier said with changing it from seven inch grass height to ten inch grass height are we under the assumption that if someone's grass is already letting their grass grow to seven inches they will let it then grow to ten inches?

Mayor Boley explained that we have inconsistency in our Code. One area it says seven inch and sixteen in another.

Alderman Chevalier said that sixteen-inch was undeveloped areas.

Jack said it is the undeveloped areas, but that is the complaint that we receive. The person that lives there must mow his yard at seven-inches, but the uninhibited lot does not have to be mowed until it reaches sixteen-inches. Jack said the ten inches is just the recommendation.

Alderman Bloemker said that he thinks we need clear and consistent requirements, and this is one that staff have done their homework on. He said that he supports staff's recommendation for the ten-inch height.

Alderman Wilson said that she is fine with it being consistent. Her question to Jack was at what point would the City go in and mow the property and would the City put a lien on it?

Jack said that the City would either mow it or hire it done. He said that it is done on a fairly regular basis. Jack explained the process, first the property owner receives a notice to which they have ten days to rectify that notice. If they do not complete it within the ten days it is by state law that we then send them an abatement letter that says they have five additional days to take care of it or the City will mow it and put a special tax lien on the property. Jack said that the City has a lawn service that we have retained for this purpose.

Alderman Wilson said she would prefer it be seven-inch across the board but realizes that is probably not feasible for construction areas. She agrees with the ten-inch maximum height.

Mayor Boley said ten inches is pretty tall and by time they receive their notice it could be as tall as 14-16 inches in height. He said he agrees with the ten-inch maximum as long as it is consistent.

Alderman Sarver said he would like it to be consistent but if a neighbor did not mow their grass until it reached the nine-inch height every time it could affect property values.

Alderman Chevalier said he agreed that a ten-inch height was pretty tall for residence. He would rather see it at seven-inch height. He suggested ten-inch height for undeveloped.

Alderman Sarver said he would prefer seven-inch height.

Alderman Ulledahl said he prefers a ten-inch height. He said he can see the ten-inch height when you are trying to get some growth in your yard but can also see where it might cause issues.

Mayor Boley asked if anyone on the Board had any objection to making it seven-inch across the board?

Alderwoman Wilson stated she thought it would make enforcement easier if it was seven-inch across the board.

No one on the Board had any objections to making grass and weed height seven-inch across the board.

Jack said that he would draft the Ordinance with the seven-inch height.

Mayor Boley asked the Board if they had any issues with the recommendations for vehicles parked on grassy areas?

No Board member had any issues.

Mayor Boley called a 10-minute recess at 6:29 p.m. to allow time for the Girl Scouts to join the meeting. The meeting reconvened at 6:38 p.m.

5. Presentation by Girls Scouts

Girls Scout Troup 1919 presented "Why We Need Trees" to the Board.

Just How Bad is this Problem?

One billion hectares (1 hectare equals 100 acres) of forest have been cut down in the past 40 years! To put that into perspective, 1 billion hectares is equal to about the size of Europe! Half of the world's rainforests have been destroyed in just a century. We cannot replace 1 billion hectares of trees, but we can help plant a few.

What the Trees Do for Us

Trees are vital. As the biggest plants on the planet, they give us oxygen, store carbon, stabilize the soil and give life to the world's wildlife. They also provide us with the materials for tools and shelter. Trees prevent soil erosion their roots hold the soil from landslides. What would civilization be without wood and paper? Trees are very important to society which is why deforestation is such a problem, with all the trees being cut we need to continue to plant more.

Kinds of Plants We Should Plant

We would like to plant some trees in a newly developed area for the community. We will plant native trees in the Smithville area, for some general ideas on what types, Maple, Oak, and Dogwood.

Girl Scout Troup 1919 asked the Board to consider allowing them to plant trees. They explained that they wished to plant trees to help make the town of Smithville prettier.

Alderman Bloemker thanked the girls for their presentation and suggested they be allowed to work with the Parks and Recreation Department to figure out the best locations to plant the trees.

Alderman Atkins stated that he supported their project.

Alderman Chevalier and Alderwoman Wilson agreed to allow them to plant the trees.

Alderman Sarver thanked them for coming to the Board and said that they could plant as many trees as they like.

Alderman Ulledahl said they did a good job and agreed they should plant the trees.

Mayor Boley noted that Girl Scouts Troup 1919 will work with the Parks and Recreation Department for the best locations to plant the trees around Smithville.


Girl Scout Troup Leader, Sara Freeman thanked the Board for their time and said that they would be in contact with the Parks and Recreation Department.

6. Adjourn

Alderman Bloemker moved to adjourn the Work Session. Alderman Atkins seconded the motion.

Ayes – 6, Noes – 0, motion carried.

Mayor Boley declared the Work Session adjourned at 6:45 p.m.


Linda Drummond, City Clerk


Damien Boley, Mayor