



SMITHVILLE, MISSOURI

Board of Aldermen - Special Session

5:00 p.m.

June 23, 2020

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AGENDA

City of Smithville, Missouri

Board of Aldermen – Special Session Agenda

June 23, 2020

5:00 p.m. City Hall Council Chambers **Via Videoconference**

NOTICE: *Due to the Governor's Emergency Declaration and the Health Officer's orders for safety, public meetings and public comment during public meetings will require modification. The City of Smithville is committed to transparent public meetings and will continue this commitment during the COVID-19 crisis. 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. Attendance in person by members of the public will not be permitted.

For Public Comment, please email your request to the City Clerk at ldrummond@smithvillemo.org prior to the meeting to be invited via Zoom.

1. Call to Order
2. Pledge of Allegiance

ORDINANCES & RESOLUTIONS

3. Resolution 792, MOU with CCEDC for the Creation of CARES Small Business Grant Program

A Resolution to authorize a Memorandum of Understanding with Clay County Economic Development Council (CCEDC) to administer a small business grant program funded through the CARES Act Stimulus Fund.

OTHER MATTERS BEFORE THE BOARD

4. Public Comment

Pursuant to the public comment policy, **an email request must be submitted to the City Clerk at ldrummond@smithvillemo.org prior to the meeting.** When recognized, please state your name, address and topic before speaking. Each speaker is limited to three (3) minutes.

5. Adjourn

MOU WITH CLAY COUNTY EDC / CARES SMALL BUSINESS GRANT PROGRAM



City of Smithville

Meeting Date: June 23, 2020

Department: Administration

Agenda Item: Res. No. 792 – MOU with CCEDC for Creation of CARES Small Business Grant Program

Summary:

This Resolution would authorize a Memorandum of Understanding with Clay County Economic Development Council (CCEDC) to administer a small business grant program funded through the CARES Act Stimulus Fund.

Purpose:

A grant program for small businesses to reimburse the costs of business interruption caused by required closures relating to COVID-19 is an authorized expenditure in the CARES Act. On June 16, the Board of Aldermen directed staff to work with CCEDC to develop a Small Business Grant program for Smithville businesses. The attached MOU outlines the responsibilities of the City and CCEDC in administering a program which will issue up to \$100,000 in total grant funds to small businesses in Smithville. Small businesses can apply for a grant up to \$5,000 to reimburse business expenses related to COVID-19. The program details are listed below.

Eligible businesses include:

- Businesses physically located in Smithville.
- Businesses must have had a valid 2019 Business License.
- Public-facing businesses directly impacted by the "Stay at Home" order such as retail, food service, arts and entertainment, hospitality, fitness, medical, and personal services.
- Businesses or individual whose primary revenue is generated from rental properties.

Businesses do not qualify if they are a:

- National franchise.
- Non-profit organization.
- Business with current liens by the City or fees owed to the City of Smithville.

Priority will be given to:

- Businesses that have 20 or fewer full-time equivalent employees.
- Businesses that have \$2.5 million or less in annual revenue.
- Businesses that have not received certain Federal COVID-19 related relief (excluding Payroll Protection Program funds). Please disclose if you have received any COVID-19 related relief funding.

Eligible Use of Funds:

1. Grants can be used for expenses incurred from March 1, 2020 through June 30, 2020. Expenses can include, but are not limited to, payroll (provided federal funds have not already been received for this purpose), rent, mortgage interest, utilities, inventory replacement, and COVID-19 supplies.
2. The grant funds may also be used to purchase necessary protective equipment for employees and customers and for exterior/interior cleaning needed to keep facilities sanitized.

Ineligible Use of Funds:

1. Grant funds may not be used for repayment of any federal or state loan programs related to COVID-19 relief funding.
2. Grant funds may not be used for any purposes outside of the Federal guidelines as set forth in <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Additional Information:

- Grant applicants must provide documentation for eligible COVID-19 expenses.
- Grant applications and information is considered public information under the Missouri Sunshine Laws.
- Grant expenditures may be audited at a future date. Improper usage will require reimbursements to the City within 10 days of demand by the City for return of funds.
- In reviewing and considering the grant applications, it is the policy of the City of Smithville and the Clay County EDC to ensure equal opportunity without discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

If approved, CARES Small Business Grant Applications accepted from June 24 – July 10, 2020. It is anticipated grant allocations would be approved at the July 21 Board meeting.

Impact:

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| Comprehensive Plan: | N/A |
| Economic Development Plan: | Complies |
| Parks Master Plan: | N/A |
| Strategic Plan: | N/A |
| Capital Improvement Plan: | N/A |

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| Budget: | Complies |
| Legislative History: N/A | |
| Suggested Action: Motion to approve Resolution 792. | |
| Attachments: <input type="checkbox"/> Plans <input type="checkbox"/> Contract <input type="checkbox"/> Staff Report <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Minutes <input checked="" type="checkbox"/> Other: MOU | |

RESOLUTION 792

RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CLAY COUNTY ECONOMIC DEVELOPMENT COUNCIL

WHEREAS, the City of Smithville, Missouri (the "City") is a fourth-class city and political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri; and

WHEREAS, Congress passed, and the President signed, the Coronavirus Aid Relief and Economic Security (CARES) Act on March 27, 2020; and

WHEREAS, On May 1, 2020 the Clay County Commission approved Resolution 2020-139, providing CARES funding to the City of Smithville for eligible expenses incurred between March 1, 2020 and December 30, 2020 to address the COVID-19 pandemic; and

WHEREAS, Certain types of grants are indicated in the guidance as potentially eligible, including expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures; and

WHEREAS, the City has determined that the Clay County Economic Development Council is well qualified to perform grant administration services; and

WHEREAS, the City now desires to enter into a Memorandum of Understanding for services (the "Agreement") with the Clay County Economic Development Council for said services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of North Smithville Missouri, as follows:

THAT Section 1. Authorization of Agreement. The Board of Aldermen hereby authorizes the City to enter into the Agreement with the Clay County Economic Development Council in connection with administration of CARES Act funding for small business grants, which agreement shall be in substantially the form of Exhibit 1, attached hereto and incorporated herein by reference. The City is hereby authorized to pay for the costs of such Agreement, provided that such costs do not exceed the amounts set forth in the Agreement.

Section 2. Further Authority. The City shall, and the mayor, city clerk, city officials and employees of the City are hereby authorized and directed to take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. Severability. The sections, paragraphs, sentences, clauses and phrases of this Resolution shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of this Resolution are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of June 2020

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CLAY COUNTY ECONOMIC DEVELOPMENT COUNCIL
AND
THE CITY OF SMITHVILLE**

Congress passed, and the President signed, the Coronavirus Aid Relief and Economic Security (CARES) Act on March 27, 2020. The CARES Act provides for Federal Stimulus Funds to flow to the States by population and to the Counties within the State by population.

Certain types of grants are indicated in the guidance as potentially eligible, including expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures as further described and identified in the federal government guidelines ("guidelines") as set forth at <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>.

Governments have discretion to determine what payments are necessary per the guidelines. A program that is aimed at assisting small businesses with the cost of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance.

The City desires to have a program known as the CARES Smithville Small Business Grant Program Information Sheet ("program") to consider grants. The Program is attached hereto as **Exhibit A**. The staff of the City of Smithville (the "City") has neither the capacity or qualifications to administer such a program. The Clay County Economic Development Council (the "EDC") does, however, have the capacity and the ability to administer such a program.

This exhibit is incorporated herein by reference as though more fully set forth herein.

This Agreement is also entered into by the parties pursuant to the authority granted to governmental entities under Chapter 70 R.S.Mo. *et seq.*;

Accordingly, the following is agreed between the City and the EDC.

1. City expects to make up to One Hundred Thousand Dollars (\$100,000) in grants available to qualifying Smithville businesses, subject to other needs of the City, under the program.
2. EDC shall collect, evaluate, and verify grant applications, on an application form approved by the Smithville governing body, from Smithville small businesses commencing June 24, 2020 through July 10, 2020 at 5:00 p.m.

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3. The EDC shall present the City with information on the grant application and its recommendations for awards (grantees and amounts) as soon as practical after the deadline for applications.
4. The Smithville governing body shall consider the recommendations of the EDC and indicate its acceptance of EDC recommendations with or without modifications.
5. The EDC shall send out letters to grant applicants regarding acceptance/denial as soon as practical after action by the Smithville governing body.
6. The City shall be responsible for the disbursement of funds to grantees as approved by the Smithville governing body.
7. In consideration of the services of EDC, City shall pay EDC an amount equivalent to five percent (5%) of the amount of grant funds that are disbursed to Smithville small businesses.
8. The Memorandum of Understanding is effective from June 24 until all applications received by the EDC have been evaluated, presented to City for its review and consideration, and returned to the EDC for approval/denial letters which are to be sent on or before July 17, 2020.

Agreed on this 23rd day of June 2020.

On behalf of City:

On behalf of EDC:

Damien Boley, Mayor

Executive Director

Date: _____

Date: _____

Exhibit A



CARES Smithville Small Business Grant Program Information Sheet

Congress passed, and the President signed, the Coronavirus Aid, Relief and Economic Security (CARES) Act on March 27, 2020. On May 1, 2020, the Clay County Commission approved Resolution 2020-139, providing CARES funding to the City of Smithville for eligible expenses incurred between March 1, 2020 and December 30, 2020 to address the COVID-19 pandemic.

The Board of Aldermen established the CARES Small Business Grant Program on June 23, 2020 to be administered by the Clay County EDC. This program will issue up to \$100,000 in total grant funds to small businesses in Smithville. Small businesses can apply for a grant up to \$5,000 to reimburse business expenses related to COVID-19.

Eligible businesses include:

- Businesses physically located in Smithville.
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CARES Small Business Grant Applications accepted from June 24 – July 10, 2020.

CARES Smithville Small Business Grant Program Application Form

Requirements – These records must be presented with this application

- ☐ Two forms of ID (each signer) – one with picture other with name only
- ☐ Two years of business tax returns (Schedules and 1099s, Income Statement & Balance Sheet *for LLC's, C-Corps, and S-Corps*)
- ☐ Two years of personal tax returns (Schedules and 1099s, Income Statement & Balance Sheet *for Sole Proprietors*)
- ☐ Three months of business and personal (*Sole Proprietors only*) bank statements
- ☐ Copy of 2019 Smithville Business License

Legal Name of Company: _____

Physical Address: _____ City : _____ State: _____

Zip: _____

Length of time you have been in business in Smithville: _____

Name of Grant Applicant: _____

Business Phone Number: _____ Cell Phone Number: _____

Email address: _____

Type of Business: _____

Explanation of how funds will be used: Items can include specific cash flow gaps, payroll or any fixed operating costs required to remain solvent and/or scaling down, reducing expenses, purchasing cleaning and personal protection equipment, and any additional proactive measures due to the crisis (documentation required).

How will this grant help you get through the COVID-19 crisis:

I/We certify that the above information, including any attachments or exhibits provided herewith are valid and correct to the best of my/our knowledge.

Signature: _____ Date: _____

Signature: _____ Date: _____

Please email all information to juliel@clayedc.com SUBJECT: Smithville Grant Application
Clay County Economic Development - 816-468-4989 -7001 N. Locust, Gladstone, MO 64118