



SMITHVILLE, MISSOURI

Board of Aldermen - Regular Session

7:00 p.m.

November 17, 2020

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AGENDA



City of Smithville, Missouri

Board of Aldermen – Regular Session Agenda

November 17, 2020

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

NOTICE: *Due to 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.

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**
- 3. Consent Agenda**
 - **Minutes**
 - November 2, 2020 Board of Alderman Regular Session Minutes

ORDINANCES & HEARINGS

- 4. Bill No. 2876-20, Annexation – 18523 County Line Road – 2nd Reading**

An Ordinance to approve annexation of 18523 County Line Road, a ten-lot subdivision to be called Landmark Farms. 2nd reading by title only.
- 5. Public Hearing**

Annexation – 18523 County Line Road, Landmark Farms, Phase II

REPORTS FROM OFFICERS AND STANDING COMMITTEES

- 6. Committee Reports**

Planning and Zoning

7. City Administrator's Report

ORDINANCES & RESOLUTIONS

8. Bill No. 2877-20, Annexation- 18523 County Line Road, Phase II – 1st Reading

An Ordinance to approve annexation of 18523 County Line Road, Phase II of Landmark Farms. 1st reading by title only.

9. Resolution 849, HHW Contract with MARC for 2021

A Resolution authorizing and directing the Mayor to enter into an agreement with Mid America Regional Council for disposal of Household Hazardous Waste for 2021.

10. Resolution 850, Site Plan - CDL Truck Driving School

A Resolution to approve the site plan for a CDL Truck Driving School at 441 NW Park Drive.

11. Resolution 851, Adoption of the 2030 Comprehensive Plan

A Resolution adopting the 2030 Comprehensive Plan envisioning and preparing for the future of Smithville.

12. Resolution 852, Liquor Licenses for Richard Bryant

A Resolution to approve liquor licenses for Richard Bryant, doing business as KC Liquor and Tobacco located at 1516 South Commercial Street.

13. Resolution 853, Acknowledgement of Emergency Purchase

A Resolution acknowledging the emergency purchase of a blower motor for the Wastewater Treatment Plant in an amount of \$8,739.

14. Resolution 854, Litigation and in the Alternative Annexation of Certain Lands

A Resolution authorizing litigation and in the alternative annexation of certain lands and calling a public hearing January 5, 2021 concerning said proposed involuntary annexation pursuant to §71.015 R.S.MO.

OTHER MATTERS BEFORE THE BOARD

15. 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.

16. 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](#).

17. Adjourn

CONSENT AGENDA



City of Smithville

Meeting Date:

November 17, 2020

Department: Administration**Agenda Item:**

Consent Agenda

Summary:

Voting to approve would approve the Board of Aldermen minutes.

Purpose:

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:

Minutes

- Approve the November 2, 2020 Board of Alderman Regular Session Minutes

Impact

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

Legislative History:

N/A

Suggested Action:

A motion to approve the consent agenda

Attachments:☐ Plans☐ Contract☐ Staff Report☐ Ordinance☐ Resolution☒ Minutes☐ Other:

Board of Aldermen Minutes – November 2, 2020 Regular Session

SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

November 2, 2020 7:00 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 7:29 p.m. after the joint Board of Alderman/School Board meeting ran long. 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 Alderman Ulledahl. Alderwoman Wilson was absent.

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

2. Pledge of Allegiance lead by Mayor Boley

3. Mayor Boley called the public hearing to order at 7:30 p.m.

Annexation – 18523 County Line Road

Phyllis Voeks, Clerk for PSWD #8 Platte County, 2055 Lincoln Lane, Smithville, explained to the Board the PSWD #8 has a waterline that runs on the east side of County Line Road and they would be able to supply water service to those lots.

4. Adorn Public Hearing for Annexation of 18523 County Line Road

Mayor Boley declared the Public Hearing adjourned at 7:31 p.m.

5. Consent Agenda

- **Minutes**

- October 20, 2020 Board of Alderman Work Session Minutes
- October 20, 2020 Board of Alderman Regular Session Minutes

- **Financial Report**

- Finance Report for September 2020

No discussion.

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

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

6. Committee Reports

Alderman Chevalier reported on the October 22 Parks and Recreation Committee meeting. They discussed the progress of the Dog Park, getting the Parks and Recreation Master Plan process started and what that will entail and the progress of the Main Street Trail. Alderman Chevalier asked if we had a timeline for when the trail would be finished?

Chuck Soules, Public Works Director, said the goal is to have it completed by the end of the year, weather permitting.

Alderman Chevalier said they also discussed the possibility of grants for future projects.

Mayor Boley stated that several projects will begin at Smith's Fork Campground. The electrical upgrade, on the agenda this evening, and water and sewer line upgrade. He asked if the numbers were up this season for the campground?

Cynthia said that she would have the actual numbers at the November 17 Board of Alderman meeting. She was able to report that 144 campers were turned away because upgraded electrical amp sites were unavailable.

Alderman Ulledahl reported on the October 27 Economic Development Committee meeting, but that number are up. They were presented the Comprehensive Plan for economic development moving forward. They also held the election for the committee chair, Alicia Neth, and vice-chair, Kelly Campbell-Kobylski.

7. City Administrator's Report

Cynthia reminded the Board of the disruption of water service on Tuesday, November 3, 2020, beginning at 9:30 a.m. – 5:00 p.m. This includes homes and businesses north of downtown along HWY 169 from Main St. to Owens Ave. Those affected have been notified.

Mayor Boley said he saw that it would not affect Maple Elementary school.

ORDINANCES & RESOLUTIONS

8. Bill No. 2875-20, 2017 NEC and 2018 Building Codes and Property Maintenance – 2nd Reading

Alderman Bloemker moved to approve Bill No. 2875-20, adopting the 2018 International Codes for Buildings and the 2017 National Electrical Codes. 2nd reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2875-20 approved.

9. Bill No. 2876-20, Annexation – 18523 County Line Road – 1st Reading

Alderman Bloemker moved to approve Bill No. 2876-20, annexing 18523 County Line Road, a ten-lot subdivision to be called Landmark Farms. 1st reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2876-20 approved first reading.

10. Resolution 843, Purchase of Police Radios

Alderman Bloemker moved to approve Resolution 843, for the purchase of three new portable radios for the Police Department in an amount not to exceed \$14,000. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 843 approved.

11. Resolution 844, Bid Award No. 20-15, Campground Electrical

Alderman Bloemker moved to approve Resolution 844, to award Bid No. 20-15 to Mr. Electric for the Smith's Fork campground electrical upgrade project in an amount not to exceed \$24,371.20. Alderman Chevalier seconded the motion.

Alderman Chevalier asked if we would be bundling this project with additional future upgrades at Smith's Fork to save on the cost?

Cynthia said that this project includes 15 campsites, and the next logical upgrade would include another 15 campsites. She stated that staff is looking at being able to

include some smaller projects to help with the prep of upgrading the next 15 campsites and staff would bring that to the Board as an amendment to this contract.

Mayor Boley stated he noticed the upgrade from aluminum to copper wire and said it should just be made standard on all future electrical upgrades.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 844 approved.

12. Resolution 845, Bid Award No. 21-01, Snow Removal

Alderman Bloemker moved to approve Resolution 845, awarding Bid No. 21-01 and authorize the Mayor to sign an agreement with Lotus Lawncare and Services LLC for Snow and Ice Control Services. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 845 approved.

13. Resolution 846, Amendment to the FY20-21 Compensation Plan

Alderman Bloemker moved to approve Resolution 846, to amend the FY20-21 Compensation Plan to change the pay range for the City Clerk position. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 846 approved.

14. Resolution 847, Surplus City Property

Alderman Bloemker moved to approve Resolution 847, to direct the City purchasing agent to dispose of the certain equipment in its possession as surplus and no longer of value. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 847 approved.

15. Resolution 848, Cares Expenditures

Alderman Bloemker moved to approve Resolution 848, approving expenditures on CARES-related expenses for the month of September 2020 in the amount of \$64,081.93. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 848 approved.

OTHER MATTERS BEFORE THE BOARD

16. Public Comment

None

17. New Business from the Floor

None

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

Alderman Bloemker moved to adjourn to Executive Session Pursuant of Section 610.021(2) RSMo. Alderman Chevalier seconded the motion.

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

Ayes – 5, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned to Executive Session Pursuant of Section 610.021(2) 7:46 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

BILL NO. 2876-20, ANNEXATION – 18523 COUNTY LINE ROAD

City of Smithville

Meeting Date: November 17, 2020**Department:** Development**Agenda Item:** Bill No. 2876-20, Annexation 18523 County Line Road**Summary:**

Approving this ordinance would annex this property into the city limits. The property is adjacent to the City of Smithville along 188th Street. Water, power, septic and other city services are available to serve the property immediately.

Purpose:

This is the second reading of the ordinance for Annexing the north 55+/- acres of the parcel. The attached staff report describes the statutory requirements for annexation. The application to annex this land was submitted by the property owner who seeks to divide the land into several large lots on land to be zoned A-R. This tract is 55.72 acres and would constitute approximately 8 lots if approved. The parcel is shown below:



This bill is for the Second Reading of the ordinance to annex the land. Later on this agenda is the public hearing and first reading of an ordinance to annex the south 22+/- acres of this plot of land.

Smithville Board of Aldermen

Impact:

Comprehensive Plan:	Complies
Economic Development Plan:	Complies
Parks Master Plan:	n/a
Strategic Plan:	n/a
Capital Improvement Plan:	n/a
Budget:	n/a

Legislative History:

None

Suggested Action:

A motion to approve Bill No. 2876-20 to annex 18523 County Line Road for Second Reading by Title Only.

Attachments: ☐ Plans ☐ Contract ☒ Staff Report
☒ Ordinance ☐ Resolution ☐ Minutes ☐ Other:

BILL NO. 2876-20

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF SMITHVILLE, MISSOURI

WHEREAS, on the 24th day of September 2020, a verified petition signed by all owners of the real estate hereinafter described, requesting annexation of said territory into the City of Smithville, Missouri was filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent to and contiguous with the present corporate limits of the City of Smithville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at City Hall in Smithville, Missouri, at the hour of 7 p.m. on the 2nd Day of November 2020; and

WHEREAS, notice of said public hearing was given by publication of notice hereof on the 15th day of October 2020 in the Courier Tribune, a weekly newspaper of general circulation, in the County of Clay, State of Missouri; and

WHEREAS, at said public hearing all interested persons, corporation or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation, and whereas no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Smithville, Missouri, within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of Smithville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation.

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

SECTION 1. Pursuant to the provisions of Section 71.012 RSMo 1969, as amended by laws of 1976, the following described real estate is hereby annexed into the City of Smithville, Missouri, to wit:

All that part of the west half of the southwest fractional quarter of section 3, township 53 north, range 33 west, in Clay and Platte County, Missouri, being described as follows: beginning at the northwest corner of the southwest fractional quarter of said section 3 in Platte County, Missouri; thence s89°31'16"e, along the north line of said fractional quarter section, a distance of 278.71 feet to the northeast corner of said

Smithville Board of Aldermen

southwest fractional quarter; thence s00°44'29"e, along the east line of said southwest fractional quarter, a distance of 49.45 feet to the northwest corner of the southwest fraction quarter of said section 3 in clay county; thence s89°52'56"e, along the north line of said southwest fractional quarter, a distance of 997.32 feet to the northeast corner of the west half of said southwest fractional quarter of section 3; thence s00°37'37"w, along the east line of said west half, a distance of 1899.95 feet; thence n89°52'56"w, a distance of 1263.34 feet to a point on the west line of the southwest fractional quarter of said section 3 in Platte County; thence n00°13'11"e, along said west line, a distance of 1951.08 feet to the point of beginning.

SECTION 2. The boundaries of the City of Smithville, Missouri, are hereby altered so as to encompass the above-described tract of land lying adjacent to and contiguous with the present corporate limits.

SECTION 3. The City Clerk of the City of Smithville, Missouri, is hereby ordered to cause three (3) certified copies of this ordinance to be filed with the Clay County Clerk and the Platte County Clerk.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor, only if no written objection is received within fourteen (14) days of the public hearing as provided by Section 71.012.

PASSED THIS ____ DAY OF NOVEMBER 2020.

Damien Boley, Mayor

ATTEST

Linda Drummond
City Clerk

First Reading: 11/02/2020
Second Reading / /2020



STAFF REPORT

October 27, 2020

Annexation of Parts of Clay County Parcel Id # 05-202-00-01-003.00 and
Platte County Parcel Id # 11-2.0-03-000-000-002.000
Board of Aldermen bill #2876-20

Application for Voluntary Annexation of Land to the City

Code Sections:	State Law Section 71-012 Annexation
Property Information:	Address: 18523 County Line Rd.
	Owner: Landmark Farms, LLC
Notice Date:	October 15, 2020

GENERAL DESCRIPTION:

The applicant seeks to annex the north 55.72 acres of the above address into the city.



COMPLIANCE WITH COMPREHENSIVE PLAN

Voluntary annexation is a request by a property owner and is subject to the discretion of the City. The Comprehensive Plan currently identifies certain areas that can be considered for annexation. The subject property is adjacent to a portion of the city and will assist in squaring up the city boundaries.

Smithville Board of Aldermen

CONTIGUOUS AND COMPACT

Property meets the State law requirement of 15% of the boundary be contiguous.

ABILITY TO PROVIDE SERVICES

All utilities and services are provided in the subdivision at this time.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed annexation.

Respectfully Submitted,

Zoning Administrator

PUBLIC HEARING – 18523 COUNTY LINE ROAD, PHASE II



City of Smithville

Meeting Date: November 17, 2020

Department: Development

Agenda Item: Public Hearing, Annexation of 18523 County Line Road – Phase II

Summary:

In accordance with legal advice, all Public Hearings for Annexations will now be held at the Board of Aldermen level. No action is required, but the Public Hearing is to allow the public to provide input concerning annexation.

Purpose:

The public hearing process will allow interested parties to provide input on whether the south 21.23 acres of 18523 County Line Road should be annexed into the city limits. This portion of the property completes the annexation of the entire parcel that is intended to be subdivided into several large lots.

Impact:

Comprehensive Plan:	Complies
Economic Development Plan:	n/a
Parks Master Plan:	n/a
Strategic Plan:	n/a
Capital Improvement Plan:	n/a
Budget:	n/a

Legislative History:

The annexation would allow a 10-lot subdivision to be called Landmark Farms and includes land in Clay and Platte county.

Suggested Action:

Take input from the Public on annexing the remaining portion of 18523 County Line Road.

Attachments:
☐ Plans
 ☐ Contract
 ☐ Staff Report
☐ Ordinance
 ☐ Resolution
 ☐ Minutes
 ☒ Other: Notice

Smithville Board of Aldermen

OFFICIAL NOTICE

To whom it may concern and to all parties interested, notice is hereby given that at 7:00 PM on November 17, 2020, the Smithville Board of Aldermen in City Hall, 107 W. Main St., Smithville, Mo. will consider the following application:

An annexation request for a tract of land generally located near the intersection of 188th and County Line Rd. The tract of land is approximately 21.23 acres and is legally described as:

All That Part Of The West Half Of The Southwest Fractional Quarter Of Section 3, Township 53 North, Range 33 West, In Clay And Platte County, Missouri, Being Described As Follows: Commencing At The Northwest Corner Of The Southwest Fractional Quarter Of Said Section 3 In Platte County, Missouri; Thence S00°13'11"W, Along The West Line Of The Southwest Fractional Quarter Of Said Section 3 In Platte County, A Distance Of 1951.08 Feet To The Point Of Beginning Of The Tract Of Land To Be Herein Described; Thence S89°52'56"E, A Distance Of 1263.34 Feet To A Point On The East Line Of The West Half Of Said Southwest Fractional Quarter; Thence S00°37'37"W, Along Said Line, A Distance Of 752.97 Feet To The Southeast Corner Of The West Half Of Said Fractional Quarter; Thence N89°13'12"W, Along The South Line Of Said Fractional Quarter, A Distance Of 949.26 Feet To The Southwest Corner Of The Southwest Quarter Of Fractional Section 3 In Clay County; Thence N00°24'52"W, Along The Platte County And Clay County Line, A Distance Of 49.41 Feet To The Southeast Corner Of The Southwest Quarter Of Fractional Section 3 In Platte County; Thence N89°14'01"W, Along The South Line Of Said Southwest Fractional Quarter, A Distance Of 308.24 Feet To The Southwest Corner Of The Southwest Quarter Of Fractional Section 3 In Platte County; Thence N00°13'11"E, Along The West Line Of Said Fraction Quarter, A Distance Of 689.08 Feet To The Point Of Beginning.



As provided in the Zoning Ordinances of Smithville, Mo. the above applications will be discussed and considered by the Board of Aldermen, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed changes to the City limits will be considered by the Board as provided by law.

CITY ADMINISTRATOR'S REPORT



City Administrator's Report

November 13, 2020

Involuntary Annexation Public Hearing

Due to staff error, the proper notice for the involuntary annexation public hearing to be held on Tuesday, November 17 was not provided to the newspaper. As a result, the hearing must be cancelled. Staff has placed door hangers on each of the properties affected notifying them of the proposed new date and alerting them to the fact that a new letter with information will be mailed to them following Board action setting the new public hearing.

Snow Plow Training

Snow Training was scheduled for Monday, November 9. Due to several absences last week from COVID concerns, the training was moved to Tuesday, November 10.

Members from the street division and inspection reviewed the snow removal policy, equipment and safety procedures. The training video will be shared with Parks and Recreation staff as well so that they may provide assistance with the snow removal process if needed.

Staff will meet with Lotus, the Board approved contractor to assist with snow removal, to review the same information.

Parks and Recreation Master Plan Update

Parks and Recreation Director Matt Denton and I have been meeting with the consulting team to develop a work plan for this project. A public launch will occur later this month or early December with a public information campaign notifying the community of the project initiation. A project portal (similar to what was created for the Comprehensive Plan Update) will be created and the consulting team will begin working on items for public review. It is anticipated that Parks and Recreation Committee involvement will begin in January and public input sessions will occur beginning in February. Completion of the plan is anticipated by mid-May.

BILL NO. 2877-20, ANNEXATION – 18523 COUNTY LINE ROAD, PHASE II



City of Smithville

Meeting Date: November 17, 2020

Department: Development

Agenda Item: Bill No. 2877-20, Phase II Annexation 18523 County Line Road

Summary:

Approving this ordinance would annex this property into the city limits. The property is adjacent to the City of Smithville along 188th Street. Water, power, septic and other city services are available to serve the property immediately.

Purpose:

Two items are on the agenda: a public hearing relating to annexation and an Ordinance approving the annexation. The public hearing was advertised in the paper more than seven days in advance of the hearing (October 29) and less than 60 days have elapsed since the application was submitted (September 24) in compliance with §71.012 R.S.Mo. The attached staff report describes the statutory requirements for annexation. The application to annex this land was submitted by the property owner who seeks to divide the land into several large lots on land to be zoned A-R. This tract is 21.23 acres and would constitute approximately 2 lots of the proposed 10 lot subdivision. This is the southern portion of the recent annexation of this same address. The parcel is shown below, with the previously annexed portion identified in red:



This bill is for the First Reading of the Ordinance to annex the land.

Impact:

Comprehensive Plan:	Complies
Economic Development Plan:	Complies
Parks Master Plan:	n/a
Strategic Plan:	n/a
Capital Improvement Plan:	n/a
Budget:	n/a

Legislative History:

The annexation of the northern portion of this parcel was completed tonight prior to the public hearing on this parcel.

Suggested Action:

A motion to approve Bill No. 2876-20 to annex the remaining portion of 18523 County Line Road for First Reading by Title Only.

Attachments: ☐ Plans ☐ Contract ☒ Staff Report
☒ Ordinance ☐ Resolution ☐ Minutes ☐ Other:

BILL NO. 2877-20

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF SMITHVILLE, MISSOURI

WHEREAS, on the 24th day of September 2020, a verified petition signed by all owners of the real estate hereinafter described, requesting annexation of said territory into the City of Smithville, Missouri was filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent to and contiguous with the present corporate limits of the City of Smithville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at City Hall in Smithville, Missouri, at the hour of 7 p.m. on the 17th Day of November 2020; and

WHEREAS, notice of said public hearing was given by publication of notice hereof on the 29th day of October 2020 in the Courier Tribune, a weekly newspaper of general circulation, in the County of Clay, State of Missouri; and

WHEREAS, at said public hearing all interested persons, corporation or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation, and whereas no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Smithville, Missouri, within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of Smithville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation.

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

SECTION 1. Pursuant to the provisions of Section 71.012 RSMo 1969, as amended by laws of 1976, the following described real estate is hereby annexed into the City of Smithville, Missouri, to wit:

All That Part Of The West Half Of The Southwest Fractional Quarter Of Section 3, Township 53 North, Range 33 West, In Clay And Platte County, Missouri, Being Described As Follows: Commencing At The Northwest Corner Of The Southwest Fractional Quarter Of Said Section 3 In Platte County, Missouri; Thence S00°13'11"W, Along The West Line Of The Southwest Fractional Quarter Of Said Section 3 In Platte

County, A Distance Of 1951.08 Feet To The Point Of Beginning Of The Tract Of Land To Be Herein Described; Thence S89°52'56"E, A Distance Of 1263.34 Feet To A Point On The East Line Of The West Half Of Said Southwest Fractional Quarter; Thence S00°37'37"W, Along Said Line, A Distance Of 752.97 Feet To The Southeast Corner Of The West Half Of Said Fractional Quarter; Thence N89°13'12"W, Along The South Line Of Said Fractional Quarter, A Distance Of 949.26 Feet To The Southwest Corner Of The Southwest Quarter Of Fractional Section 3 In Clay County; Thence N00°24'52"W, Along The Platte County And Clay County Line, A Distance Of 49.41 Feet To The Southeast Corner Of The Southwest Quarter Of Fractional Section 3 In Platte County; Thence N89°14'01"W, Along The South Line Of Said Southwest Fractional Quarter, A Distance Of 308.24 Feet To The Southwest Corner Of The Southwest Quarter Of Fractional Section 3 In Platte County; Thence N00°13'11"E, Along The West Line Of Said Fractional Quarter, A Distance Of 689.08 Feet To The Point Of Beginning.

SECTION 2. The boundaries of the City of Smithville, Missouri, are hereby altered so as to encompass the above-described tract of land lying adjacent to and contiguous with the present corporate limits.

SECTION 3. The City Clerk of the City of Smithville, Missouri, is hereby ordered to cause three (3) certified copies of this ordinance to be filed with the Clay County Clerk and the Platte County Clerk.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor, only if no written objection is received within fourteen (14) days of the public hearing as provided by Section 71.012.

PASSED THIS ____ DAY OF DECEMBER 2020.

Damien Boley, Mayor

ATTEST

Linda Drummond
City Clerk

First Reading: / /2020
Second Reading / /2020



STAFF REPORT

November 6, 2020

Annexation of Parts of Clay County Parcel Id # 05-202-00-01-003.00 and

Platte County Parcel Id # 11-2.0-03-000-000-002.000

Board of Aldermen Bill #2877-20

Application for Voluntary Annexation of Land to the City

Code Sections: State Law Section 71-012 Annexation

Property Information: Address: 18523 County Line Rd.

Owner: Landmark Farms, LLC

Notice Date: October 29, 2020

GENERAL DESCRIPTION:

The applicant seeks to annex the south 21.23 acres of the above address into the city. The north 55.72 acres (in red) was previously annexed.



COMPLIANCE WITH COMPREHENSIVE PLAN

Voluntary annexation is a request by a property owner and is subject to the discretion of the City. The Comprehensive Plan currently identifies certain areas that can be considered for annexation. The subject property is adjacent to a portion of the city and will assist in squaring up the city boundaries.

CONTIGUOUS AND COMPACT

Property meets the State law requirement of 15% of the boundary be contiguous.

ABILITY TO PROVIDE SERVICES

All utilities and services are provided in the subdivision at this time.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed annexation.

Respectfully Submitted,

Zoning Administrator

RESOLUTION 849, HHW CONTRACT WITH MARC FOR 2021



City of Smithville

Meeting Date:	November 17, 2020	Department:	Administration
Agenda Item:	Resolution No. 849, 2021 Agreement with Mid America Regional Council (MARC) for the Household Hazardous Waste (HHW) Collection Program		
Summary: Voting to approve will continue the City’s relationship with MARC for HHW disposal opportunities for Smithville residents.			
Purpose: Since 2002 the City has participated in the household hazardous waste collection program coordinated by MARC. This program allows residents to safely dispose of household hazardous waste, including: automotive by-products, cleaners, paint products, solvents, chemicals, acids and alkalis, etc. at no cost. Residents can go to any mobile outreach or the permanent sites in Kansas City or Lee’s Summit. In order to provide residents with a responsible way to dispose of household hazardous waste, the participating cities, along with a grant from Missouri Department of Natural Resources, pay a per-capita fee. The 2020 fee is 1.07 per-capita using 2018 population estimates. Smithville’s 2021 contribution of \$10,966.43 is based on an estimated population of 10,249.			
Impact			
Comprehensive Plan:		None	
Economic Development Plan:		None	
Parks Master Plan:		None	
Strategic Plan:		None	
Capital Improvement Plan:		None	
Budget:		The FY21 budget includes funds for this expenditure.	
Legislative History: Participation in the 2020 program was approved by the Board of Aldermen on November 3, 2019 with Resolution No. 747.			

Suggested Action:

A motion to approve Resolution 849

Attachments:☐

Plans

☐

Contract

☐

Staff Report

☐

Ordinance

☒

Resolution

☐

Minutes

☒

Other: Agreement

RESOLUTION 849

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE MID-AMERICA REGIONAL COUNCIL FOR PARTICIPATING IN THE REGIONAL HOUSEHOLD HAZARDOUS WASTE PROGRAM FOR 2021

WHEREAS, the Mid-America Regional Council (MARC) has established a Household Hazardous Waste (HHW) collection program; and

WHEREAS, there are currently no affordable options available to Smithville residents to dispose of their household hazardous waste (including automotive by-products, cleaners, paint products, solvents, chemicals, acids & alkalis, etc.); and

WHEREAS, the improper disposal of HHW creates a significant risk to the environment and the water supply of the residents of Smithville; and

WHEREAS, the HHW program provides for the safe disposal of hazardous material by residents at a lower cost than any other available option; and

WHEREAS, participation in the HHW program allows residents several options of disposing of their household hazardous waste to include the use of the Lee's Summit facility, Kansas City facility, and/or other mobile HHW outreach sites, between January and December of 2021.

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

THAT the Mayor of the City of Smithville is hereby authorized and directed to enter in an agreement with the Mid-American Regional Council (MARC) for participating in the 2021 Regional Household Hazardous Waste Program in an amount not to exceed \$10,966.43.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri this 17th day of November 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



MARC Solid Waste Management District

Serving local governments in Cass, Clay, Jackson, Platte and Ray Counties and working cooperatively with Johnson, Leavenworth, Miami and Wyandotte Counties

Executive Board

Appointed:

Forest Decker
City of Kansas City

Jimmy Odum
Cass County

Gene Owen
Clay County

Brenda Franks
Jackson County

Daniel Erickson
Platte County

Bob King
Ray County

Elected:

David Pavlich
City of Kearney

Doug Wylie, Chair
City of Parkville

Mike Jackson
City of Independence

Chris Bussen
City of Lee's Summit

Mike Larson
City of Sugar Creek

David Gress
City of Raymore

Matthew Wright, Vice Chair
City of Blue Springs

Chris Hawkins
City of Lake Lotawana

Ex Officio:

Lisa McDaniel, Planner
Secretary/Treasurer

October 13, 2020

Re: 2021 Regional Household Hazardous Waste (HHW) Program

The MARC Solid Waste Management District has administered the Regional HHW Collection Program for 24 years. We are pleased that this program continues to make possible the safe disposal of household hazardous waste for thousands of residents in our region.

Program membership provide residents access to two permanent facilities in Kansas City and Lee's Summit, and to multiple mobile collections.

Materials accepted for safe disposal include paint and paint-related products, automotive fluids, batteries, lawn and garden chemicals, housecleaners, fluorescent bulbs, and other items such as bug sprays and even nail polish!

The 2021 participation fee will be \$1.07 per capita and will be applied to 2018 population estimates. This is the exact same rate as 2020. A community cost list is attached to the agreement enclosed. The program is also supported with a grant from the Missouri Department of Natural Resources to assist with disposal costs.

If you are interested in providing this service to your residents in 2021, please return the signed agreement in the envelope provided by **Friday, December 11, 2020.**

We look forward to serving your community. Please contact Nadja Karpilow at (816) 701-8226 if you have any questions. District staff is available to speak to your city council or county commissioners if further information is requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Wylie".

Doug Wylie
Chair, MARC Solid Waste Management District



2021

**Intergovernmental Agreement between the
MARC Solid Waste Management District and
Smithville, Missouri relating to the
Regional Household Hazardous Waste Collection Program**

This Agreement is entered into pursuant to Missouri Revised Statutes Section 70.210 *et seq.*

Whereas, Cass, Clay, Jackson, Platte, and Ray Counties and the City of Kansas City have formed the MARC Solid Waste Management District (SWMD) pursuant to Sections 260.300 through 260.345 of the Revised Statutes of Missouri (1986 & Cum. Supp. 1990) and the members of the SWMD include most cities within the member counties; and

Whereas the City of Kansas City, Missouri (Kansas City) operates a permanent Household Hazardous Waste facility located at 4707 Deramus, Kansas City, Missouri, and operates outreach sites for collection of Household Hazardous Waste (HHW) at various locations and on various dates; and

Whereas, the City of Lee's Summit, Missouri operates a permanent Household Hazardous Waste Facility located at 2101 SE Hamblen Road, Lee's Summit; and

Whereas, Kansas City and Lee's Summit have made these HHW collection facilities available for use by members of the SWMD and the SWMD, Kansas City and Lee's Summit have agreed to create a regional household hazardous waste program for the benefit of all members of the SWMD; and

Whereas Smithville, Missouri (sometimes referred to in this Agreement as the "Participating Member") intends to participate in the Regional HHW Collection Program;

Therefore, the SWMD and the Participating Member agree that participation in the Regional HHW Collection Program shall be on the following terms and conditions:

I Definitions

Household Hazardous Waste (HHW) shall mean waste that would be classified as hazardous waste by 40 CFR 261.20 through 261.35 but that is exempt under 40 CFR 261.4 (b) (1) (made applicable in Missouri by 10 CSR 25-4.261) because it is generated by households. Examples include paint products, household cleaners, automotive fluids, pesticides, batteries, and similar materials. A determination of whether any material meets this definition shall be made by Kansas City.

II Effective Date

Smithville, Missouri agrees to participate in the Regional HHW Collection Program for a one-year period beginning on January 1, 2021.

III Termination

A. Budget Limitations. This Agreement and all obligations of the Participating Member and the SWMD arising therefrom shall be subject to any limitation imposed by budget law. The parties represent that they have within their respective budgets sufficient funds to discharge the obligations and duties assumed and sufficient funds for the purpose of maintaining this Agreement. This Agreement shall be deemed to terminate by operation of law on the date of expiration of funding.

B. Termination of regional program. If the regional household hazardous waste program is terminated prior to the expiration of this Agreement, the SWMD shall refund the amount paid by the participating member, less the cost of services provided prior to termination of the regional program. The cost of services shall be assessed at seventy-five dollars (\$75.00) for each vehicle belonging to a resident of the participating member that has been served prior to the termination of the program, not to exceed the amount paid by the participating member.

C. Each participating member will be required to notify the SWMD, Kansas City and Lee's Summit in writing of its intention to renew the annual agreement for the following year no later than December 15. In the event that notification is not provided in advance or the final decision is made to not rejoin the program for the upcoming year, the participating member is responsible for any costs incurred by Kansas City and/or Lee's Summit to serve residents after December 31. Kansas City and SWMD reserve the right to invoice the member city or county for any waste disposal costs incurred as a result of late notification.

IV Duties of Participating Member

A. **Fees.** **Smithville, Missouri** agrees to pay the sum of **\$10,966.43** to participate in the 2021 Regional HHW Collection Program for the period from January 1 to December 31. The program participation fee is based on a per capita rate of \$1.07 applied to 2018 U.S. Census Population Estimate figures as shown in Attachment One. The fee may be adjusted if a participating member has more current census data. At least one-half of this amount shall be paid within thirty (30) days upon receiving the district invoice. Payment of any remaining balance shall be paid within the following six months.

B. **Payment.** The Participating Member shall be obligated for payment of the amount shown in Paragraph IV(A) irrespective of the participation of its citizens, or of any actual expenses incurred by the SWMD, Kansas City, or Lee's Summit attributable to the Participating Member, except in the event of termination of the regional program, as reflected in III(B) above. Payment by the Participating Member of the agreed upon amount shall not be contingent upon renewal of this Agreement or renewal of the Agreement between the SWMD and Kansas City or Lee's Summit.

Annual Renewal. The agreement between the SWMD and the Participating Member will be subject to renewal each year. To assure community information is included in the printed promotional material, agreements will be due no later than February 1, 2021. No pro ration of fees is applicable under this agreement.

C. **Contact Person.** The Participating Member agrees to notify the SWMD and Kansas City, on or before the date of this Agreement, of the name of an individual who will serve as its contact person with respect to the Regional HHW Collection Program.

V Services Provided by the SWMD

A. **Permanent Collection Facilities.** HHW collection services shall be provided by Kansas City and Lee's Summit pursuant to agreements entered into between the SWMD and Kansas City, and the SWMD and Lee's Summit. Pursuant to those agreements, residents of the Participating Member may deliver HHW, by appointment, if required, and during normal hours of operation, to the Kansas City permanent HHW facility and to the Lee's Summit permanent HHW facility.

B. **Outreach Collections.** Pursuant to the agreement between the SWMD and Kansas City, Kansas City has also agreed to provide contractor services for the collection of HHW at outreach collection sites throughout the SWMD area. Residents of the Participating Member will be able to deliver HHW to outreach collection sites, the dates and locations of which will be negotiated by the SWMD and Kansas City. If, at the request of a Participating Member, an outreach collection is held within its boundaries, the Participating Member agrees that Kansas City or the contractor shall have overall control of the collection activities but the Participating Member shall provide the following:

- adequate and safe sites with unobstructed public access;
- access to restroom facilities and drinking water
- adequate publicity of the date and location of the mobile collection;
- a means for the collection, removal and disposal of any wastes that do not meet the definition of hazardous waste;

Smithville Board of Aldermen

- volunteers or workers to conduct traffic control, survey participating residents, stack latex paint and automotive batteries, and assist with non-hazardous waste removal and bulking of motor oil;
- means of limiting the vehicles to a number negotiated by Kansas City and the SWMD (estimated to be either 200, 300, or 400 vehicles per outreach collection);
- a forklift and forklift operator available at the opening and closing of the event; and
- access to residents of any city or county that is also a participating member.

VI Reports

The SWMD will provide to the Participating Member quarterly reports on the operations of the Kansas City and Lee's Summit permanent facilities and on the operations of the outreach collections, based on information provided to the SWMD by Kansas City and Lee's Summit. The quarterly reports shall include the following information:

- Total number vehicles using each facility (permanent or mobile) on a quarterly basis;
- Number of vehicles from each participating member using the facility;
- An end-of-the-year summary report including waste composition and disposition.
- Each program year the district will provide brochures which include facility hours of operation, mobile event schedule, and contact information

VII Insurance

A. *Insurance.* The SWMD agrees that, pursuant to the terms of its Agreement with Kansas City, Kansas City shall maintain liability insurance related to the outreach collection sites under which the community where the site is located shall be named as an additional insured.

VIII Legal Jurisdiction

Nothing in this Agreement shall be construed as either limiting or extending the legal jurisdiction of the parties.

MARC Solid Waste Management District:

Participating Member:

_____ Date: _____

_____ Date : _____

Doug Wylie, Chair

Print Name

Print Title

2021 Regional Household Hazardous Waste Collection Program			
Attachment 1		2018	\$1.07
Community		Population Estimates	per capita
1	Archie	1,207	\$ 1,291.49
2	Belton	23,598	\$ 25,249.86
3	Blue Springs	55,104	\$ 58,961.28
4	Buckner	3,031	\$ 3,243.17
5	Camden Point	546	\$ 584.22
6	Claycomo Village	1,494	\$ 1,598.58
7	Cleveland	663	\$ 709.41
8	Dearborn	526	\$ 562.82
9	Drexel	949	\$ 1,015.43
10	Edgerton	606	\$ 648.42
11	Excelsior Springs	11,646	\$ 12,461.22
12	Ferrelview	801	\$ 857.07
13	Garden City	1,635	\$ 1,749.45
14	Gladstone	27,317	\$ 29,229.19
15	Glenaire	581	\$ 621.67
16	Grain Valley	14,277	\$ 15,276.39
17	Grandview	24,962	\$ 26,709.34
18	Greenwood	5,781	\$ 6,185.67
19	Hardin	537	\$ 574.59
20	Harrisonville	10,088	\$ 10,794.16
21	Kearney	10,457	\$ 11,188.99
22	Lake Lotawana	2,107	\$ 2,254.49
23	Lake Tapawingo	721	\$ 771.47
24	Lake Waukomis	927	\$ 991.89
25	Lake Winnebago	1,187	\$ 1,270.09
26	Lawson	2,399	\$ 2,566.93
27	Liberty	31,779	\$ 34,003.53
28	Loch Lloyd	768	\$ 821.76
29	Lone Jack	1,306	\$ 1,397.42
30	North Kansas City	4,529	\$ 4,846.03
31	Oak Grove	8,182	\$ 8,754.74
32	Orrick	803	\$ 859.21
33	Parkville	6,949	\$ 7,435.43
34	Peculiar	5,323	\$ 5,695.61
35	Platte City	4,668	\$ 4,994.76
36	Pleasant Hill	8,639	\$ 9,243.73
37	Pleasant Valley	3,057	\$ 3,270.99
38	Raymore	21,784	\$ 23,308.88
39	Raytown	28,993	\$ 31,022.51
40	Richmond	5,634	\$ 6,028.38
41	Riverside	3,453	\$ 3,694.71
42	Smithville	10,249	\$ 10,966.43
43	Sugar Creek	3,277	\$ 3,506.39
44	Weatherby Lake	2,037	\$ 2,179.59
45	Weston	1,808	\$ 1,934.56
46	Wood Heights	685	\$ 732.95
47	Unincorporated Cass County	25,166	\$ 26,927.62
48	Unincorporated Clay County	16,157	\$ 17,287.99
49	Unincorporated Jackson Co.	23,018	\$ 24,629.26
50	Unincorporated Platte County	29,159	\$ 31,200.13
51	Unincorporated Ray County	11,440	\$ 12,240.80
Source: marc.org/data&economy/MetroDataLine/Currentpopulationdata			

RESOLUTION 850, SITE PLAN – CDL TRUCK DRIVING SCHOOL



City of Smithville

Meeting Date: November 17, 2020

Department: Development

Agenda Item: Resolution No. 850, Site Plan Approval – 441 NW Park Drive CDL Driving School

Summary:

Approving this Site Plan would authorize a building permit to begin construction in accordance with the plans.

Purpose:

The application is to construct a 9,000 ft² building for a new CDL Driving School and facility on Lots 10 and 11 of the First Park Industrial subdivision. The project includes a substantial amount of paving, so a complete storm water report was required for the watershed area. The city's engineers approved the study and report, with certain conditions to be included into the final construction documents for the detention structures on site. Since the project area is on I-1 land with no residential land nearby, the standards for the lighting, landscape buffering and the building materials are straightforward, and the applicant's submittal complies.

The building will be constructed with a faux brick/stone wainscoting at the bottom of the walls, with an EIFS or stucco-look metal on the sides. Metal-look stucco siding and faux stone siding have consistently been approved as alternatives for the actual real stone and stucco. The applicant requested the ability to obtain bids for both real and faux products and then choose the products based upon those options.

After review, the Planning and Zoning Commission recommends approval of the site plan request.

Impact:

Comprehensive Plan:	Complies
Economic Development Plan:	Complies
Parks Master Plan:	n/a
Strategic Plan:	n/a
Capital Improvement Plan:	n/a
Budget:	n/a

Legislative History:

None

Suggested Action:

A motion to approve Resolution 850 Site Plan Approval for a CDL School at 441 NW Park Drive.

Attachments: ☒ [Plans](#) ☐ Contract ☒ Staff Report
☐ Ordinance ☒ Resolution ☐ Minutes ☐ Other:

RESOLUTION 850

A RESOLUTION APPROVING THE SITE PLAN FOR A NEW CDL DRIVING SCHOOL AT 441 NW PARK DRIVE

WHEREAS, the applicant submitted plans to build a new 9,000ft² building to house a training facility for CDL drivers on future lots 10 and 11 and the First Park Industrial subdivision currently under construction, and;

WHEREAS, those plans meet all of the requirements in the site plan review provision of the zoning code, and;

WHEREAS, the Planning Commission reviewed the plans and submissions by the applicant at its November 10, 2020 meeting and recommend approval of the site plan.

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


THAT THE SITE PLAN APPLICATION FOR A NEW CDL SCHOOL AT 441 NW PARK DRIVE IS HEREBY APPROVED.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of November 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

	<div>STAFF</div> <div>REPORT</div>
Date:	November 6, 2020
Prepared By:	Jack Hendrix
Subject:	Site Plan Review – 441 NW Park Dr. – CDL Driving School

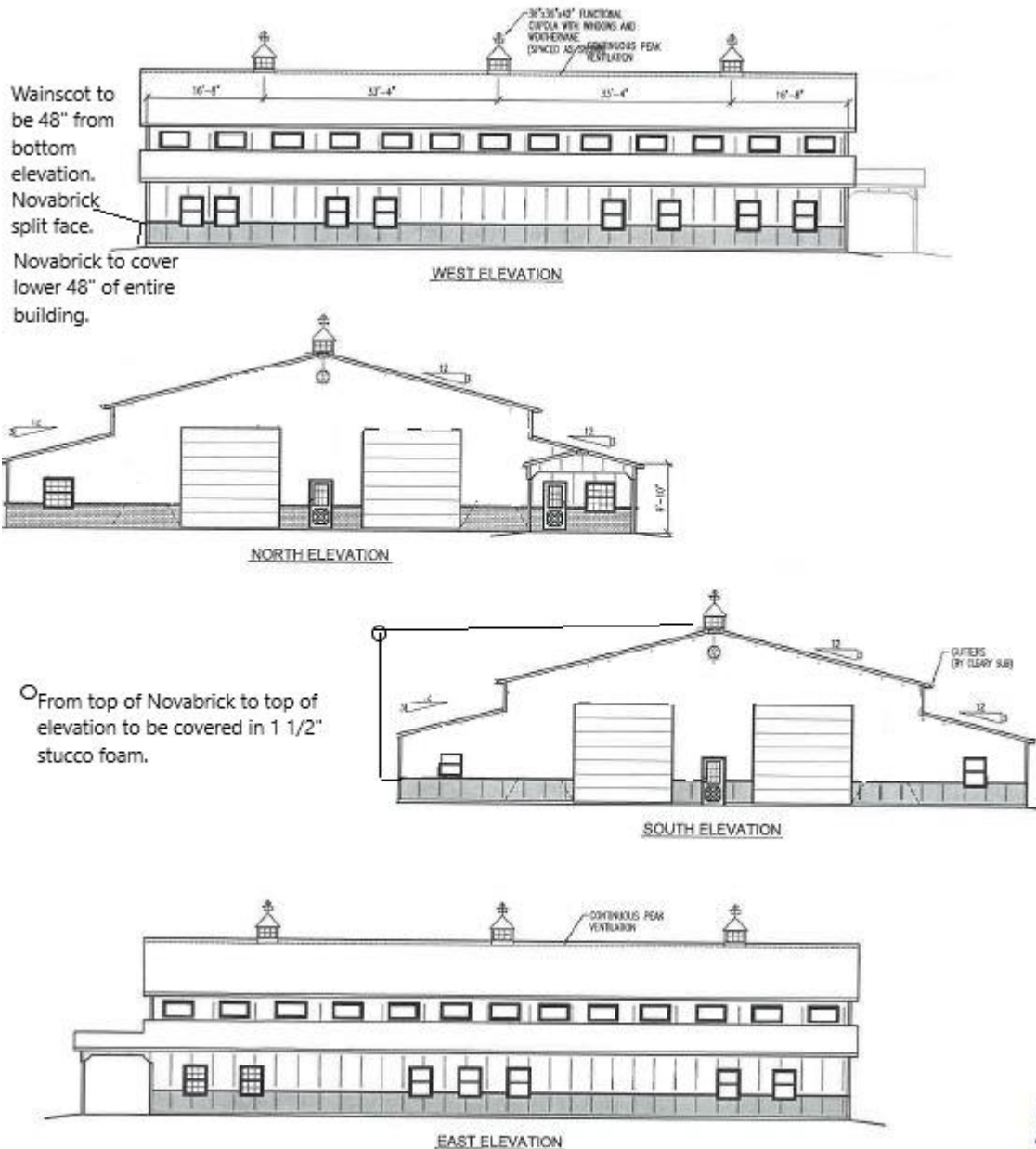
The applicant has submitted a site plan review application to authorize the construction of a 9,000 Ft² building to house a new CDL driving school on Lots 10 and 11 of the new phase of the First Park Industrial subdivision west of 169 and Park Dr. Because of the amount of proposed paved area, a full stormwater evaluation was necessary, so this submittal is in two parts – the building and the site layout.

Site Layout

The project site will include in excess of 4 acres of pavement for the training area, parking and entrance/exit areas for the school. This amount of impervious area required a separate, full storm water analysis and report to be submitted for review by the City's stormwater engineers. Based upon that review, the City's engineers recommended approval, with a few minor issues to be expanded or clarified with the final construction drawings for the detention areas.

The site layout for ingress/egress is sufficient for all types of vehicles, and no queueing onto Park Dr. would be anticipated. The project area is on I-1 zoned land and is surrounded by I-1 zoned land, to the site lighting, landscaping and buffering requirements are the lowest in our code. Site lighting is focused on the perimeter of the paved area and facing inwards to the site. The project buffering is completed with building buffering and landscaping as required by the code. The trash enclosure is also adequately screened with vegetation, along with sufficient trees along the street side of the trailer storage area. The remainder of the project area will be a fescue grass ground cover, including the areas in the storm detention basin.

The building façade treatment is a split faced stone wainscot and EIFS/Stucco finish in a dark burgundy color. Both the colors and materials meet the site plan standards for I-1. Staff's recommendation is to approve the Site Plan with the staff recommendations on stormwater final plans to be incorporated into the final approval.



Profile for exterior of building. Please see following samples for façade at each elevation. Building will not have the vertical lines. Renderings were done prior to consideration of Smithville site.

Utilizing this brick and color for wainscot.
 Waterproof vapor barrier
 Nova split faced block
 Fastening system
 And sealants.



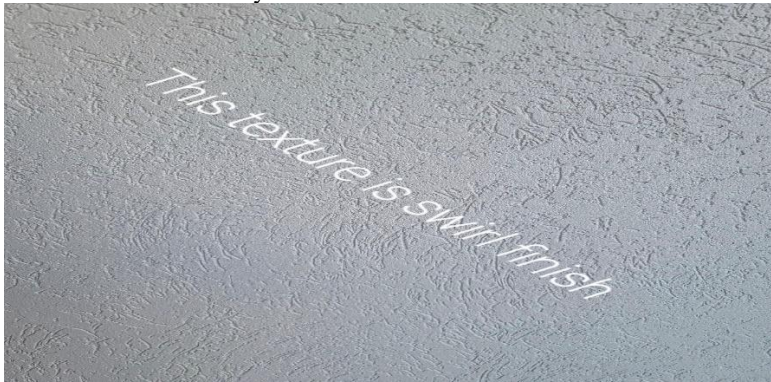
Utilizing this texture for stucco.

“STO Gold coat waterproof vapor barrier.

1-1/2" Sto stucco foam that provides an R-value of 7.

Sto re-inforcing fiberglass mesh & base coat.

Sto elastomeric finish system.”



Utilizing this color for stucco (classic Burgundy)



RESOLUTION 851, ADOPTION OF THE 2030 COMPREHENSIVE PLAN

City of Smithville

Meeting Date: November 17, 2020 **Department:** Development

Agenda Item: Resolution 851 - Adoption of Comprehensive Plan 2030

Summary:

Approving this Resolution would formally adopt the Comprehensive Plan 2030 as the policy of the Board of Alderman.

Purpose:

The Planning Commission is tasked by Missouri Law to work on and adopt a Comprehensive Master Plan for the City. The Board hired Future IQ to act as the city's consultant in the update process to the 2005 Comprehensive Plan in 2019.

The launch meeting established the concept of task forces for each of the Strategic Pillars that were established within the Community Vision and Strategic Action Plan of 2019.

In March, with the onset of restrictions due to COVID 19, the Consultant pivoted its plan of Community Engagement to an online focused strategy.

The Community was asked to provide more detailed input into each of the strategic pillars through an online survey. Using the survey data, the consultant then provided a more focused discussion for each of the strategic pillar task forces in July and again in August. The task forces were provided real time survey questions and responses during these task forces, and some follow up survey work was conducted to take a more in depth look at the community interest in some of the implementation strategies.

Following these task force meetings, the consultant wrapped up the draft version of the plan and made it available to the public and the Planning Commission for review and comment. As a result of this public input, the consultant presented a final draft of the Comprehensive Plan 2030 to the Commission at the November 10 meeting. Following the final public hearing at that meeting, the Planning Commission was asked to adopt the Comprehensive Plan 2030 document as the comprehensive master plan for development of Smithville.

The Commission approved Resolution 2020-1 adopting that plan, and certified the document to the Board of Aldermen and the City Clerk. This plan will be recorded with the County Recorder's office as required by law, and the Commission seeks a formal declaration by the Board of Aldermen that their development policy will be the Comprehensive Plan 2030 document.

Impact:

Comprehensive Plan:	Updates 2005 Plan
Economic Development Plan:	Included in Plan
Parks Master Plan:	Recommends an updated Plan
Strategic Plan:	Uses the Pillars of the Plan
Capital Improvement Plan:	Identifies Utility Master Plans be followed
Budget:	n/a

Legislative History:

The last Comprehensive Plan update occurred in 2005.

Suggested Action:

A Motion to Approve Resolution 851 recognizing the Comprehensive Plan 2030 as the development policy of the City of Smithville.

Attachments: ☒ [Plans](#) ☐ Contract ☐ Staff Report
☐ Ordinance ☒ Resolution ☐ Minutes ☒ Other: Commission Resolution

RESOLUTION 851

A RESOLUTION ACKNOWLEDGING AND ADOPTING AS POLICY THE CITY OF SMITHVILLE COMPREHENSIVE PLAN 2030

WHEREAS the City of Smithville adopted its' first Comprehensive plan in 1966, with updates in 1978, 1992 and 2005, and;

WHEREAS the Board of Aldermen entered a contract with Future iQ in November 2019 to provide consulting services to develop an update to the 2005 Comprehensive Plan and;

WHEREAS Future iQ kicked off the process in an official launch meeting in January 2020, and;

WHEREAS, the Planning Commission is responsible to complete and adopt, by Resolution, all city Master Development Plans, or Comprehensive Plans, pursuant to Section 89.360 R.S.Mo., and;

WHEREAS, the Planning Commission, after a nearly year-long public input process did, at its' November 10, 2020 meeting, adopt Commission Resolution 2020-1, formally adopting a new Comprehensive Plan, and;

WHEREAS, the Planning Commission has certified a copy of this plan to the Board of Aldermen and City Clerk as required by law, and;

WHEREAS, adopting this Comprehensive Plan 2030 as the formal policy of the Board of Aldermen is in the best interest of the city.

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

THAT THE COMPREHENSIVE PLAN 2030, AS CERTIFIED TO THE BOARD OF ALDERMEN BY THE PLANNING COMMISSION IS HEREBY ADOPTED AS THE FORMAL DEVELOPMENT POLICY OF THE BOARD OF ALDERMEN.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of November 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

COMMISSION RESOLUTION 2020-1

**A RESOLUTION ADOPTING THE CITY OF SMITHVILLE
COMPREHENSIVE PLAN 2030**

WHEREAS the City of Smithville adopted its' first Comprehensive plan in 1966, with updates in 1978, 1992 and 2005, and;

WHEREAS the Board of Aldermen entered a contract with Future iQ in November 2019 to provide consulting services to develop an update to the 2005 Comprehensive Plan and;

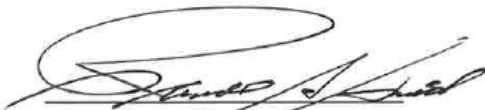
WHEREAS Future iQ kicked off the process in an official launch meeting in January 2020, and;

WHEREAS, the COVID-19 virus changed the anticipated public input process, but the consultant, Planning Commission and the Public ALL came together to provide a robust and informative public process, and:

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING AND ZONING
COMMISSION OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT THE CITY OF SMITHVILLE COMPREHENSIVE PLAN 2030, A COPY
OF WHICH IS ATTACHED HERETO, AND SPECIFICALLY, ALL OF THE
MAPS, PLANS AND RECOMMENDATIONS CONTAINED THEREIN IS
HEREBY THE OFFICAL COMPREHENSIVE PLAN OF THE CITY OF
SMITHVILLE.**

**PASSED, ADOPTED AND CERTIFIED TO THE BOARD OF ALDERMEN AND
CITY CLERK** by the Planning and Zoning Commission of the City of Smithville,
Missouri, the 10th day of November 2020.



Rand Smith, Chairman

ATTEST:



Carmen Xavier, Secretary of the Commission

RESOLUTION 852, LIQUOR LICENSE



City of Smithville

Meeting Date: November 17, 2020

Department: Administration

Agenda Item: Resolution 852 Liquor License – KC Liquor & Tobacco

Summary:

Richard Bryant, owner of KC Liquor & Tobacco, has completed a Liquor License Application for his business to be located at 1516 S. Commercial Street.

Purpose:

Mr. Bryant has requested the following licenses:

Intoxicating Liquor Original Package (all kinds)

Sunday Sales

Chief Lockridge has reviewed the application, completed a background check and recommends issuance of the licenses. The effective date will be January 1, 2021. Mr. Bryant has remitted payment to cover licensing through June 30, 2021.

Impact:

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

Legislative History:
Suggested Action:

A motion to approve Resolution 852.

Attachments:
☐ Plans
 ☐ Contract
 ☐ Staff Report
☐ Ordinance
 ☒ Resolution
 ☐ Minutes
 ☒ Other: Approval recommendation

RESOLUTION 852

**A RESOLUTION ISSUING LIQUOR LICENSES TO RICHARD BRYANT FOR
OPERATION OF KC LIQUOR AND TOBACCO.**

WHEREAS, Richard Bryant, owner of KC Liquor and Tobacco, has completed the required applications for Intoxicating Liquor Original Package (all kinds) and Sunday Sales licenses, and;

WHEREAS, Chief Lockridge has completed a background check, and;

WHEREAS, the background check did not reveal anything to prevent approval of City liquor licenses.

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

**THAT LIQUOR LICENSES BE ISSUED TO RICHARD BRYANT FOR OPERATION
OF KC LIQUOR AND TOBACCO, LOCATED AT 1516 SOUTH COMMERCIAL.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of November 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



November 5, 2020

Cynthia Wagner:

I have reviewed the liquor application submitted by Richard T. Bryant (KC Liquor & Tobacco). I have reviewed Mr. Bryant's background as well as public records and found nothing that would disqualify his from being issued a liquor permit.

I would recommend that Mr. Bryant be issued a city liquor permit pursuant his request. If you have any questions or concerns, feel free to contact me.

Respectfully,



Chief Jason Lockridge

RESOLUTION 853, ACKNOWLEDGEMENT OF EMERGENCY PURCHASE

City of Smithville

Meeting Date: November 17, 2020**Department:** Administration**Agenda Item:** Resolution 853, Acknowledgement of Emergency Purchase**Summary:**

Voting to approve would acknowledge certain emergency purchases made by the City Administrator.

Purpose:

The Purchasing Policy outlines the spending authority of the City Administrator at \$7,500. From time to time, it is necessary for the Administrator to authorize purchases exceeding that authority in order to address an immediate need. When this occurs, the Board is notified of the emergency need and that the Administrator has authorized the necessary purchase.

To this end, authorization of an emergency purchase in the amount of \$8,739 is included in the attached resolution. This purchase was approved by the City Administrator to expedite purchase of a blower motor to replace a failed motor for the Wastewater Treatment Plant digester.

Impact

Comprehensive Plan: N/A

Economic Development Plan: N/A

Parks Master Plan: N/A

Strategic Plan: N/A

Capital Improvement Plan: N/A

Budget: Repair funds are available in the 2021 Combined Water and Wastewater Systems Fund budget.

Legislative History:

N/A

Suggested Action:

Motion to approve the Resolution 853.

Attachments: ☐ Plans ☐ Contract ☐ Finance Report☐ Ordinance ☒ Resolution ☐ Minutes ☐ Other:

RESOLUTION 853

**A RESOLUTION ACKNOWLEDGING CERTAIN EMERGENCY PURCHASES BY
THE CITY ADMINISTRATOR**

WHEREAS, the City Administrator's purchasing authority is \$7,500, however in emergency situations, the City Administrator is authorized to make purchases that exceed that amount in order to expedite repairs or purchases for city needs; and,

WHEREAS, a blower motor on a Wastewater Treatment Plant digester has failed and,

WHEREAS, purchase of equipment to make repairs is required; and,

WHEREAS, equipment is obtained from a sole source provider; and,

WHEREAS, in order to expedite repairs, the City Administrator approved an emergency purchase of equipment; and,

WHEREAS, purchase of equipment has been authorized in the amount of \$8,739;

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

**THAT THE EMERGENCY APPROVAL OF COSTS PURCHASE OF A BLOWER
MOTOR FROM CULLEN AND BROWN IS ACKNOWLEDGED AS AN EMERGENCY
PURCHASE IN THE AMOUNT OF \$8,739.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 17th day of November 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

RESOLUTION 854, LITIGATION AND IN THE ALTERNATIVE ANEXATION OF CERTAIN LANDS



City of Smithville

Meeting Date: November 17, 2020 **Department:** Development

Agenda Item: Resolution 854, Annexation Public Hearing Notice

Summary:

Approving this Resolution will declare the City's intent to annex certain lots in Lakeside Crossing Subdivision and declare the date for a public hearing.

Purpose:

The Lakeside Crossing subdivision is located on the eastern edge of the city limits. The subdivision was commenced in unincorporated Clay County and the developer signed a sewer service agreement with the City of Smithville in order to provide sewer service to the subdivision. One of the terms of that agreement was that the developer, and any subsequent purchaser of land in the subdivision would voluntarily annex their land into the city limits when their land became contiguous to the city limits. At the time of approving Resolution 839 on this same subject, there were 10 lots remaining. Since that date, three additional owners have applied for voluntary annexation reducing the need to seven total lots.

The original Resolution to begin legal proceedings provided notice of the Public Hearing to be on November 17. Due to errors by staff, the proper notice for Involuntary Annexations was not placed in the local paper. As a result, that original hearing could not proceed, and this Resolution will replace the previous. The new date for the hearing will be on January 5, 2021, and publication notices will be published in the December 10, 17 and 24 editions of the local paper.

This Resolution will allow the city attorney to file the appropriate legal actions to either enforce the sewer service agreement or proceed with involuntary annexation. These actions are necessary to clean up the city's boundaries as directed by the Board.

Impact:

Comprehensive Plan:	Complies
Economic Development Plan:	n/a
Parks Master Plan:	n/a
Strategic Plan:	Complies
Capital Improvement Plan:	n/a
Budget:	Potentially add additional general revenue, but reduce sewer fees.

Legislative History:

The city approved the sewer service agreement on November 1, 1996, and Resolution 839 was adopted on October 6, 2020.

Suggested Action:

A motion to approve Resolution 854 to begin involuntary annexation proceedings on lots in Lakeside Crossing subdivision.

Attachments: ☐ Plans ☐ Contract ☐ Staff Report
☐ Ordinance ☒ Resolution ☐ Minutes ☐ Other:

RESOLUTION 854

**RESOLUTION SETTING A NEW PUBLIC HEARING DATE
CONCERNING THE PROPOSED ANNEXATION OF CERTAIN PROPERTIES
PURSUANT TO §71.015 R.S.MO.**

I. RECITALS AND FINDINGS

Whereas the Board of Aldermen passed Resolution 839 on the 6th day of October 2020 announcing its intention to Involuntarily Annex certain property and setting a day and a time for a public hearing to be held at City Hall before the Board of Alderman regarding said proposed annexation. Since its passage, one or more of the properties identified have applied to be annexed into the City.

Whereas to the extent not inconsistent with this Resolution, the Board of Aldermen incorporates and restates Resolution 839 by reference as if more fully set forth herein by reference.

Whereas pursuant to §71.015 the City Finds that the length of the contiguous boundary common to the City's existing limit is at least 15% of the length of the perimeter of each of the following lots/property proposed for annexation that remain outside the City limits and are not currently seeking annexation pursuant to §71.012 R.S.Mo.:

Lot 4, Lakeside Crossing First Plat, Clay County Missouri 15719 N. Chestnut, Smithville, Missouri 64089 owned by Gary W. and Lisa L. Duddy.

Lot 8, Lakeside Crossing First Plat, Clay County Missouri also known as 2413 NE 157th Terrace, Smithville, Missouri 64089 owned by Angela Covey.

Lot 9, Lakeside Crossing First Plat, Clay County Missouri owned by GPC Fund I (SPV VI) LLC, (hereinafter "GPC") 2121 N. California Blvd, Suite 1010 Walnut Creek, California 64596

Lot 12, Lakeside Crossing First Plat, Clay County Missouri also known as 2416 NE 157th Terrace, Smithville, Missouri 64089 owned Alan B. and Nicole D. Bibler.

Lot 24, Lakeside Crossing First Plat, Clay County Missouri also known as 15705 N. Wabash Street, Smithville, Missouri 64089 owned by Ronald D. Walker and Pamela G. Faulkner.

Lot 34, Lakeside Crossing First Plat, Clay County Missouri also known as 2224 NE 158th Street, Smithville, Missouri 64089 owned by Russell and Betty Woollums.

Lot 36, Lakeside Crossing First Plat, Clay County Missouri also known as 2402 NE 158th Street, Smithville, Missouri 64089 owned by the Kevin T. and Regina L. O'Brien Trust.

Whereas the City wishes to announce and restates its intention to either enforce whatever contractual rights it may have to require the owners of the above said lots/property to apply for Voluntary annexation into the City pursuant to §71.012 R.S.Mo. or in the alternative, the City hereby announces its intention to involuntarily annex said lots/property into the City Pursuant to §71.015 R.S.Mo..

Whereas the City wishes to set a public hearing date to consider whether the Board of Aldermen should pass an Ordinance to annex said lots/property pursuant to §71.015 R.S.Mo. into the City limits.

II. RESOLUTION

Be it resolved by the City of SMITHVILLE Missouri that the City Attorney is again directed to pursue any contractual rights the City may have to require the owners of the following land to apply to be voluntarily annexed into the City limits pursuant to §71.012 R.S.Mo.. In the alternative, the City of Smithville Missouri hereby announces its intention to involuntarily annex said following lots/land/property into the City pursuant to §71.015 R.S.Mo.. The lots/land/property at issue are the following.

Lot 4, Lakeside Crossing First Plat, Clay County Missouri 15719 N. Chestnut, Smithville, Missouri 64089 owned by Gary W. and Lisa L. Duddy.

Lot 8, Lakeside Crossing First Plat, Clay County Missouri also known as 2413 NE 157th Terrace, Smithville, Missouri 64089 owned by Angela Covey.

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Lot 36, Lakeside Crossing First Plat, Clay County Missouri also known as 2402 NE 158th Street, Smithville, Missouri 64089 owned by the Kevin T. and Regina L. O'Brien Trust.

Pursuant to §71.015 R.S.Mo. the Board of Alderman will hold a public hearing on the 5th day of January 2021 at 7:00 PM concerning whether the City has met its burden under §71.015 R.S.Mo. to involuntarily annex the above property and whether to pass an Ordinance proceeding with the annexation. The City shall make a good faith effort to notify all fee owners of record of the land proposed to be annexed by certified mail between 30 days and 60 days before the hearing date and time. The City shall notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in Clay county at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

In addition to relevant issues and comments from the public, the hearing will address the following issues:

- (a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, and refuse collection;
- (b) A proposed time schedule whereby the City plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;
- (c) The level at which the City assesses property and the rate at which it taxes that property;
- (d) How the City proposes to zone the area to be annexed;
- (e) When the proposed annexation shall become effective.

III. EXECUTION/ADOPTION

PASSED AND ADOPTED by the Board of Aldermen and APPROVED by the Mayor of the City of Smithville, Missouri, the 17th day of November 2020

Damien Boley, Mayor

Attested:

Linda Drummond, City Clerk