

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

March 23, 2021 7:00 p.m.
City Hall Council Chambers

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

Mayor, Aldermen, and staff attended via Zoom meeting. The meeting was streamed live on the city's FaceBook page. Attendance in person by members of the public was not permitted.

1. Call to Order

Mayor Boley present via Zoom, called the meeting to order at 7:00 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, Melissa Wilson, Dan Ulledahl, Jeff Bloemker and John Chevalier.

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

2. Pledge of Allegiance lead by Mayor Boley

3. Consent Agenda

- **Minutes**

- March 2, 2021 Board of Alderman Work Session Minutes
- March 2, 2021 Board of Alderman Regular Session Minutes

- **Financial Report**

- Finance Report for January 2021

No discussion.

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

Ayes – 6, Noes – 0, motion carries. The Mayor declared the consent agenda approved.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderswoman Wilson reported on the March 9 Finance Committee meeting. The committee discussed in detail the Marketplace TIF now that we are getting into the arena of collecting the tax revenue on it and setting up the accounts for the tax revenue. They discussed the Pay and Classification study and having an outside firm gather that data for us. They also discussed police recruitment and Police Academy sponsorships. Alderswoman Wilson also noted that the RFQ has been posted for the healthcare brokerage.

Alderwoman Wilson reported on the March 9 Planning and Zoning Commission meeting. They had a lengthy discussion tying in our residential zoning such as R-1 through R3, looking at the requirements we have within those zones for going forward. Also, how to tie that in with the Comprehensive Plan and how it fits into the different categories of the five different zones that were set up during the Strategic Plan.

They discussed the new businesses going in at the Marketplace. Domino's is going into the south side of the strip building that is located on the south of Scooters and the Burger King will be going in on the north side of the main entrance. We should be beginning to see activity at the development north of the high school. We will be seeing some changes coming for the development south of Wildflower.

5. City Administrator's Report

Cynthia recognized Sergeant Gearhart, Officer Redwood and Officer Knowles for their efforts in the apprehension of a suspect in a murder case in Kansas City.

The Main Street Trail connecting downtown to Smithville lake is near complete. A ribbon-cutting ceremony is scheduled for 11:00 a.m. on April 6. The plan for the ribbon-cutting is to be at the new water fountain amenity near the Smithville Lake end of the trail, close to Smith's Fork Park and the Parks and Recreation Office. April 6 marks the third anniversary of Board certification of the 2018 election results to impose a capital improvement sales tax for the purpose of funding capital improvements. In these last three years, the proceeds of the bonds and the sales taxes have been used to fund the Streetscape Project, 180th Street Trail, South Commercial Sidewalk and the Main Street Trail.

Smith's Fork Campground electrical upgrades are basically complete and April 1 marks opening of the camping season, so they will be ready.

Cynthia noted the RFQ's were posted last week for both the pay classification study and the insurance brokerage. Those will come to board for approval possibly in early May.

The Parks and Recreation Master Plan process continues. The Parks and Recreation committee meets this Thursday evening and will be reviewing the next set of issues for that process. This weekend, David Bureau with Future IQ, Carissa McMullin with Landworks and some of her staff along with City staff will be at the Smith's Fork soccer complexes throughout the morning on Saturday for public feedback and plan to be in the downtown area for what we are calling pop-up public feedback sessions on the Parks and Recreation Master Plan.

There were pictures included in the packet on the renovation of City Hall. Cynthia noted it looks very different then it did a few weeks ago. The configuration of the lobby is all blocked in, the drywall is up, and they have completed the first coat of paint in a couple of the office areas. We anticipate the first wave of staff moving from the temporary workspaces to the new workspaces within the next ten days to two weeks. The contractor believes they are still on schedule for completion of the project mid-to late-June.

Nine bids for the Highland Sewer project were opened today. The project budget is \$270,000, the engineers estimate was \$225,000 and the apparent low bid came in at about \$154,000. There may be a couple of minor changes, but we anticipate that being close to the cost. Staff will bring this project forward for Board approval at the April 5 meeting.

Bids for the overlay project will be opened on Thursday and staff also anticipates bringing that project for Board approval April 5 also.

Cynthia noted that Chuck has been working with MoDOT on the waterline relocation for the upcoming 188th Street project. MoDOT is planning to reconstruct the intersection at 169 Highway and 188th Street. The improvements include sight distance by cutting down, adding left turn lanes for northbound and southbound traffic on 169 Highway, adding a northbound offset right turn lane on 169 Highway and then realignment of 188th Street. The project is planned to bid in October 2021 with construction beginning in 2022. The City currently has a 12-inch water main that parallels with the 188th Street crossing at 169 Highway that supplies the northwest tower. This waterline will conflict with the road improvements proposed by MoDOT and needs to be relocated and lowered. In 2020 HDR Engineers started work to develop the plans for that project, the design cost was a little over \$31,000. We have contracted with HDR for the project and the estimated cost of \$270,000 for the waterline relocated is in the FY21 budget. Chuck has been coordinating this project with MoDOT with the plans for the highway project. MoDOT's plans have increased the scope of relocating the waterline project and the associated cost, however Chuck, in working with MoDOT has been able to secure their agreement to pay for the entire cost of the relocation of the waterline. The City will still have the cost of the engineering at we have already spent. Staff anticipates at the April 5 Board meeting two agreements between the City and the state coming before the Board to outline those changes.

ORDINANCES & RESOLUTIONS

6. Bill No. 2891-21, Amending Section 705.050, Sewer Winter Average – 2nd Reading

Aldерwoman Wilson moved to approve Bill No. 2891-21, amending Section 705.050, to clarify the use of a winter sewer average for new users/customers of the sewer system. 2nd reading by title only. Alderman Sarver seconded the motion.

No discussion.

Upon roll call vote via teleconference:

Alderman Atkins – Aye, Aldерwoman Wilson – Aye, Alderman Ulledahl – Aye,
Alderman Chevalier – Aye, Alderman Sarver – Aye, Alderman Bloemker – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2891-21 approved.

7. Bill No. 2892-21, FY21 Budget Amendment No. 3 – Emergency Ordinance Sponsored by Mayor Boley – 1st & 2nd Reading

Alderman Chevalier moved to approve Bill No. 2892-21, amending the FY21 Budget to add \$113,000 to the expenditure budget and \$273,000 to the revenue budget. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2892-21 approved first reading.

Alderman Chevalier moved to approve Bill No. 2892-21, amending the FY21 Budget to add \$113,000 to the expenditure budget and \$273,000 to the revenue budget. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2892-21 approved.

8. Bill No. 2893-21, Rezoning 15901 North 169 Highway – 1st Reading

Alderman Sarver moved to approve Bill No. 2893-21, approving the rezoning of 15901 North 169 Highway from R-1B and B-2 to R-3 and B-3. 1st reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2893-21 approved first reading.

9. Bill No. 2894-21, Rezoning 319 East Main Street – 1st Reading

Alderman Chevalier moved to approve Bill No. 2894-21, approving the rezoning of 319 East Main Street from R-1B to R-3. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2894-21 approved first reading.

10. Bill No. 2895-21, Amending Section 610.110 Non-Permanent Vendor – 1st Reading

Alderman Chevalier moved to approve Bill No. 2895-21, amending Section 610.110, eliminating the \$10 festival vendor fee under Section 610.130. 1st reading by title only. Alderman Sarver seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2895-21 approved first reading.

11. Resolution 892, Final Plat – Eagle Ridge

Alderman Sarver moved to approve Resolution 892, approving the final plat for the Eagle Ridge subdivision. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 892 approved.

12. Resolution 893, Change Order No. 2, Main Street Trail Project

Alderman Chevalier moved to approve Resolution 893, approving Change Order No. 2 for the Main Street Trail Project in an amount of \$54,000. Alderman Sarver seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 893 approved.

13. Resolution 894, Change Order No. 1, Insituform Contract

Alderman Chevalier moved to approve Resolution 894, approving Change Order No. 1 to the Insituform contract to add \$107,000 for the addition of the sewer lines on Main Street and Liberty Road. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 894 approved.

14. Resolution 895, Farmer's Market MOU for the 2021 Season

Alderman Chevalier moved to approve Resolution 895, authorizing the Mayor to enter a Memorandum of Understanding (MOU) with the Lion's Club for the 2021 Farmers and Makers Market. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 895 approved.

15. Resolution 896, Acknowledgement Change Order No. 2 to City Hall Renovation Project

Alderman Chevalier moved to approve Resolution 896, acknowledging Change Order No. 2 in the amount of \$7,250, which is within the purchase authority of the City Administrator, for the City Hall Renovation Project. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 896 approved.

16. Resolution 897, Surplus City Property

Alderman Sarver moved to approve Resolution 897, declaring certain City property as surplus equipment. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 897 approved.

17. Resolution 898, Residential Leak Adjustment - Truesdale

Alderman Chevalier moved to approve Resolution 898, approving a leak adjustment of \$53.14 for residential utility billing customer, Marilyn Truesdale for her February 2021 utility bill. Alderman Sarver seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 898 approved.

18. Resolution 899, Residential Leak Adjustment - Maxwell

Alderman Sarver moved to approve Resolution 899, approving a leak adjustment of \$238.11 for residential utility billing customer, Jeffry Maxwell for his February 2021 utility bill. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 899 approved.

19. Resolution 900, Residential Leak Adjustment - Wisecarver

Alderman Chevalier moved to approve Resolution 900, approving a leak adjustment of \$173.29 for residential utility billing customer, Theresa Wisecarver for her February 2021 utility bill. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 900 approved.

20. Resolution 901, Change Order No. 1, Smith's Fork Campground Electrical

Alderman Sarver moved to approve Resolution 901, approving Change Order No. 1, to amend the contract with Mr. Electric to add a 400-amp panel and new conduit and service wire for the amount not to exceed \$10,386.86. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 901 approved.

21. Resolution 902, Event Fireworks Display Approval

Alderman Chevalier moved to approve Resolution 902, approving a Fireworks Display at White Iron Ridge Event Center at 815 East 92 Highway on April 17, 2021. Alderman Ulledahl seconded the motion.

Alderman Chevalier stated that this is the third or fourth display they have approved and believes we should start thinking about some sort of a broader approval or perhaps a permit process?

Mayor Boley suggested turning it over to staff to make the decision.

Alderman Chevalier noted that it would make it easier to try to build that into their business model by not having to get Board approval every time.

Alderwoman Wilson said that she is the one that brought up before because she had a concern in the beginning if we were to get any complaints or anything or had any response or any negative comments from anybody in the area when the fireworks were discharged. She asked if we have had any complaints?

Cynthia said she was not aware of any concerns or comments and asked Chief Lockridge?

Chief Lockridge said he did not believe we have had any calls related to any of three events. He stated that none of his staff has brought to his attention. He noted that he can look at the dates and double check with his staff to see if there was anything.

Alderwoman Wilson said if we are not getting any complaints or concerns, she would agree with Alderman Chevalier about having staff approve them.

Mayor Boley asked Cynthia if staff could work on something and maybe the Board just do a yearly review of the events and if there were any issues and then decide if it needs to be revisited.

Alderman Ulledahl asked if there would be a way to let the people in that area would know, like a public notice that there will be fireworks and the date and time at this location?

Cynthia said that staff will take a look at this and come up with some type of process.

Alderman Bloemker noted that at this point they the fireworks have been reasonable and have not been too over-the-top. They have been done early enough in the evening where they were likely not disturbing anyone trying to sleep.

Cynthia stated that one thing that staff could look at since all three of these events have been the same parameters, is if there is anything outside of those same parameters that is what we could put something together to bring to the Board for approval. Staff could approve anything that fall into this term or parameters and if there one that is more complicated or longer that might draw more attention such as different pyrotechnics and/or different ariel type things staff would bring that to the Board for approval.

Alderman Atkins suggested considering making it different stages of noise and length.

Alderwoman Wilson said that another fact we need to look at is it is going to get dark later and will that have a negative effect of starting to shoot off like at 10:00 p.m. or later and that may become an issue.

Cynthia noted that they have been limited in length of time so not sure if a later time will have an impact. She said that staff can prepare something to bring forward for the Board to discuss.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 902 approved.

OTHER MATTERS BEFORE THE BOARD

22. Public Comment

None

23. Appointment

The Mayor will make a nomination for the Housing Authority Board.
William "Doc" Huber will be replacing Bill Rittman.

No discussion.

Upon roll call vote via teleconference:

Alderman Atkins – Aye, Alderman Sarver – Aye, Alderwoman Wilson – Aye,

Alderman Bloemker – Aye, Alderman Ulledahl – Aye, Alderman Chevalier – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared William “Doc” Huber a member of the Housing Authority Board.

24. Acknowledgement of the Steering Committee for the Transportation Master Plan

The Mayor acknowledged the Steering Committee for the Transportation Master Plan.

Alderman Chevalier, Kelly Kobylski, Carol Noecker, Charlene Bruce,
Mayor Boley and Robert Hedgecorth, Smithville School District Representative

The first meeting will be Tuesday, March 30.

25. New Business from the Floor

None

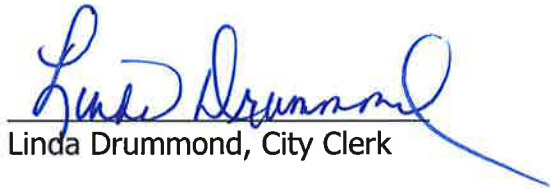
26. Adjournment to Executive Session Pursuant to Section 610.021(1, 3, 13) RSMo.

Alderman Ulledahl moved to adjourn to Executive Session Pursuant to Section 610.021(1, 3, 13) RSMo. Alderman Atkins seconded the motion.

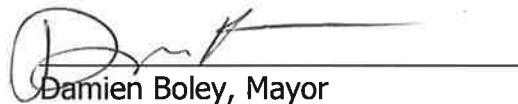
Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned to Executive Session Pursuant to Section 610.021(1, 3, 13) RSMo. at 7:38 p.m.



Linda Drummond, City Clerk



Damien Boley, Mayor