

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

September 7, 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 7:01 p.m. A quorum of the Board was present via Zoom meeting: Marv Atkins, Steve Sarver, Dan Hartman, Dan Ulledahl, Kelly Kobylski 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 led by Mayor Boley**

**3. Proclamation – Constitution Week, September 17-23**

**4. Mayor Boley called the public hearing for the annexation Lot 8, Lakeside Crossing to order 7:02 p.m.**

No Public Comment.

**5. Adjourn Public Hearing for annexation Lot 8, Lakeside Crossing**

Mayor Boley declared the public hearing adjourned at 7:03 p.m.

**6. Consent Agenda**

- **Minutes**

- August 17, 2021, Board of Alderman Work Session Minutes
- August 17, 2021, Board of Alderman Regular Session Minutes

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**

**7. Committee Reports**

Alderman Atkins reported on the August 26 Parks and Recreation Committee meeting. They discussed that the Parks and Recreation Master Plan was completed and approved. Staff is currently working on the budget and a plan for the future of Parks and Recreation based on the recommendations of the projects suggested in the Parks and Recreation Master Plan.

The splash pad at Diamond Crest is open to the public, the Parks Department will be purchasing playground equipment and concrete for the sidewalk to the splash pad.

The parks and recreation program had a busy summer. They reported partnering with multiple businesses and organizations to host a variety of successful and free programs and events, including soccer games.

The Smith's Fork Haunted Campground reservations sold out in 30-minutes. The vendor registration is still open. It should be a great event.

The next steps for the Parks and Recreation Master Plan are to find some funding for the Smith's Fork and Heritage Park projects estimated at three to four million dollars each to get these great projects moving forward.

Mayor Boley noted that the Parks and Recreation Committee will now be only meeting quarterly now that the Park and Recreation Master Plan process is complete.

Matt Denton, Parks Director noted that they also voted on the splash pad playground amenities and the structure design recommendations. Matt said that he will pass these on so we can start moving forward on that project.

Mayor Boley asked when the splash pad would be closing?

Matt said that weather permitting it would be open until the end of September.

## **8. City Administrator's Report**

Cynthia noted she had a few things to highlight from the report in the packet. In the report is the outline for the process to approve utility rate increases. She explained that during the budget discussion, we talked about an increase to both the water and wastewater rates. The wastewater rates require a public hearing and in working backward on the calendar, staff realized that the notification needed to be placed in the next two editions of the Courier Tribune. The timing outlined by State Statute requires a 30-day notice for the public hearing to occur. This does not allow the public hearing to be held until October 19. So long as there are no concerns from the Board, staff is requesting an emergency Ordinance for the rate increase with first and second readings both on October 19, in conjunction with the second reading of other FY22 budget items.

Staff anticipates receiving the information from Clay County next week to certify the property tax rates to be able to set the tax rate. Staff still hopes to be able to bring that forward to the Board for approval at the September 21 Board of Alderman

meeting. If we do not receive the information in time, we may need to call a special meeting to set the tax rate.

We have two recruits graduating from the police academy this week, Colby Mathis and Landon Summerville. They will graduate Thursday evening and be sworn in as Smithville Police Officers on Friday. As previously noted, the City has two more recruits that started the academy within the last couple of weeks and we have one more that will be starting soon.

Cynthia noted that attached to the City Administrator's report is a significant document from Chuck Soules, Public Works Director, outlining the number of projects on the public works side.

Cynthia also noted that the City has some vacancies in our Utilities and Street Department. We have advertised for those positions and have had difficulty in hiring and filling those positions, in part people are not showing up for the interviews. She fears that we are victims of the same thing a lot of people around the nation are in trying to hire new staff. She explained that we are trying to find creative ways to recruit and advertise to hire people.

Those staff shortages do have an impact, this morning we had a waterline break and staff was able to address and make the repairs. We then had another situation with a waterline break in a different part of town. Staff was able to isolate the problem but rather than make the repairs ourselves we worked with a contractor to come in and do the repairs. Cynthia noted that we may see more of staff not making the repairs but contracting some of them out using salary savings, just to be able to do the repairs safely and in a timely manner.

Today the City received the first half installment of the American Rescue Plan Act (ARPA) funds. We now have slightly more than one million dollars more in our bank account. Cynthia reminded the Board that these funds will go towards the water treatment projects out by the lake approved earlier this year.

Cynthia noted there is a change to item number 16 on the agenda, Resolution 960, relating to Hero Fest. This afternoon, Linda Drummond, City Clerk sent out email to the Board regarding the events organizer's new request to change the boundaries of the area for open alcohol to extend beyond the Courtyard and the surrounding streets and up Bridge Street to the north. This change has been reviewed and approved by staff, so we would make that change as part of that item.

## **ORDINANCES & RESOLUTIONS**

### **9. Bill No. 2913-21, Repealing and Replacing Section Site Plan –2<sup>nd</sup> Reading**

Alderman Sarver moved to approve Bill No. 2913-21, repealing and replacing Section Site Plan with requirements for improvements to adjacent public infrastructure or off-site infrastructure impacted by the proposed site plan project in any commercial district. 2<sup>nd</sup> reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Kobylski – Aye, Alderman Sarver – Aye, Alderman Ulledahl – Aye.

Alderman Atkins – Aye, Alderman Hartman – Aye, Alderman Chevalier – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2913-21 approved.

**10. Bill No. 2914-21, Amending Provisions of the International Building Code – 2<sup>nd</sup> Reading**

Alderman Hartman moved to approve Bill No. 2914-21, amending certain provision of the building code to reinstate the ice dam protection to the codes and would reinstate a pool barrier height amendment made for the previous code. 2<sup>nd</sup> reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Ulledahl – Aye, Alderman Chevalier – Aye, Alderman Kobylski – Aye,

Alderman Sarver – Aye, Alderman Hartman – Aye, Alderman Atkins – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2914-21 approved.

**11. Bill No. 2915-21, Annexation of Lot 8, Lakeside Crossing - 1<sup>st</sup> Reading**

Alderman Sarver moved to approve Bill No. 2915-21, approving the annexation of Lot 8, Lakeside Crossing, 2413 Northeast 157<sup>th</sup> Street. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

Alderman Atkins – Aye, Alderman Sarver – Aye, Alderman Kobylski – Aye,

Alderman Chevalier – Aye, Alderman Ulledahl – Aye, Alderman Hartman – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2915-21 approved first reading.

**12. Bill No. 2916-21, Amending Certain Sections 600 Alcohol – 1<sup>st</sup> Reading**

Alderman Sarver moved to approve Bill No. 2916-21, repealing and replacing Section 600.005 through 600.030 and adding Section 600.031 of the City Alcohol Codes pertaining to Sunday sales and Liquor By the Drink To Go. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

Alderman Sarver – Aye, Alderman Chevalier – Aye, Alderman Atkins – Aye,

Alderman Hartman – Aye, Alderman Ulledahl – Aye, Alderman Kobylski – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2916-21 approved first reading.

**13. Resolution 956, Change Order for Street Maintenance Program**

Alderman Sarver moved to approve Resolution 956, approving a change order to the 2022 Street Maintenance Program and authorizing a contract extension to Superior Bowen in the amount of \$5,961.74. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 956 approved.

**14. Resolution 957, Award Bid No. 21-17, Police Department Facility Study**

Alderman Sarver moved to approve Resolution 957, awarding Bid No. 21-17, Police Department Facility Study, to TreanorHL in the amount of \$45,250. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 957 approved

**15. Resolution 958, Fireworks Event White Iron Ridge**

Alderman Sarver moved to approve Resolution 958, approving a fireworks event at White Iron Ridge on September 16 at 10:00 p.m. to last for approximately five minutes. Alderman Ulledahl seconded the motion.

Alderman Atkins asked if White Iron Ridge will be letting the neighborhood know that they will be about the event?

Cynthia said that staff will reach out to White Iron Ridge and remind them to send out a notice.

Alderman Kobylski requested that with it getting dark earlier they might set off the fireworks earlier maybe somewhere around 9:30 p.m.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 958 approved.

**16. Resolution 959, Senior Discount Policy for Residential Trash and Recycling**

Alderman Sarver moved to approve Resolution 959, approving the Senior Discount Policy discounting monthly residential trash and recycling rates for senior citizens. Alderman Atkins seconded the motion.

No discussion.

Cynthia thanked Gina Pate, Public Works Management Analyst for her work on this project.

Ayes – 6, Noes – 0. Mayor Boley declared Resolution 959 approved.

**17. Resolution 960, Special Event Permit, Hero-Fest**

Alderman Sarver moved to approve Resolution 960, issuing a Special Event Permit for the September 11, 2021, Hero-Fest Event at Courtyard Park. Alderman Atkins seconded the motion.

Mayor reminded the Board that this is the event Cynthia mentioned in her report that requested a change in the street closure.

Alderman Atkins move to amend Resolution 960 to include the new mapped area to include Bridge Street as part of the street closure. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Resolution 960 approved

**18. Resolution 961, Stewardship Agreement for Trail Maintenance**

Alderman Sarver moved to approve Resolution 961, authorizing and directing the Mayor to enter into a 25-year Stewardship Agreement with Missouri Department of Natural Resources for maintenance of the Main Street Trail. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 961 approved.

**19. Resolution 962, Main Street District Special Request**

Alderman Hartman moved to approve Resolution 962, approving a special request to waive the fees for Main Street District's Pet's Day Out event on September 26, 2021. Alderman Atkins seconded the motion.

No discussion.

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Resolution 962 approved.

**20. Resolution 963, Purchase of Police Radar and Laser Equipment**

Alderman Sarver moved to approve Resolution 963, approving the purchase and installation of six dash mounted radar units and one laser speed measuring device in an amount not to exceed \$17,447. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 963 approved

**21. Resolution 964, Hazardous Moving Violation Grant Agreement**

Alderman Hartman moved to approve Resolution 964, authorizing and directing the Mayor to sign an agreement with MoDOT Highway Safety Division for the Hazardous Moving Violation Grant. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 964 approved

**22. Resolution 965, DWI Enforcement Grant Agreement**

Alderman Ulledahl moved to approve Resolution 965, authorizing and directing the Mayor to sign an agreement with MoDOT Highway Safety Division for the DWI Enforcement Grant. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 965 approved.

**23. Resolution 966, Purchase of Snow Removal Equipment**

Alderman Sarver moved to approve Resolution 966, approving the purchase of snow removal equipment from American Equipment in the amount of \$13,546. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 966 approved.

**24. Resolution 967, Repair Motive Pump**

Alderman Ulledahl moved to approve Resolution 967, authorizing the expenditure of funds from the Combined Water and Wastewater System Fund for the repair of a motive pump in the amount of \$20,187.60 from Mid-America Pump. Alderman Sarver seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 967 approved.

**25. Resolution 968, Authorizing Payment for Police Academy**

Alderman Ulledahl moved to approve Resolution 968, authorizing payment to the Metropolitan Community College for Police Academy training in the amount of \$8,120.15. Alderman Atkins seconded the motion.

Cynthia noted that this payment was for recruits three and four of the five the City is sending through the academy.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 968 approved.

## **OTHER MATTERS BEFORE THE BOARD**

### **26. Public Comment**

None.

### **27. New Business from the Floor**

Alderman Sarver asked for discussion on mandatory COVID-19 vaccines for City employees.

Mayor Boley asked the Board if this was something they wanted to discuss?

Alderman Chevalier noted that he would support having a discussion on COVID-19 in general.

Alderman Kobylski, Alderman Hartman and Alderman Ulledahl all agreed with Board discussion on COVID-19.

Cynthia asked the Board in addition to the vaccine, what information they would like to have to aid discussion?

Alderman Chevalier asked to see what other cities are requiring.

Alderman Atkins asked staff to find out the liability and what that would do to staff retention if the City mandated the vaccine.

### **28. Adjourn**

Alderman Atkins moved to adjourn. Alderman Sarver seconded the motion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:31 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor