



SMITHVILLE, MISSOURI

Board of Aldermen - Regular Session

7:00 p.m.

January 5, 2021

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AGENDA



City of Smithville, Missouri

Board of Aldermen – Regular Session Agenda

January 5, 2021

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. Public Hearing – Involuntary Annexation**

Lot 4, Lakeside Crossing First Plat	Lot 8, Lakeside Crossing First Plat
Lot 12, Lakeside Crossing First Plat	Lot 24, Lakeside Crossing First Plat
Lot 34, Lakeside Crossing First Plat	Lot 36, Lakeside Crossing First Plat
- 4. Consent Agenda**
 - **Minutes**
 - December 15, 2020 Board of Alderman Work Session Minutes
 - December 15, 2020 Board of Alderman Regular Session Minutes

REPORTS FROM OFFICERS AND STANDING COMMITTEES

- 5. Committee Reports**
- 6. City Administrator's Report**

ORDINANCES & RESOLUTIONS

7. Bill No. 2882-20, Initial Zoning 18523 County Line Road - 2nd Reading

An Ordinance setting the initial zoning for Landmark Farms, 18523 County Line Road, recently annexed into the City Limits, to A-R. The initial zoning is set by the City. 2nd reading by title only.

8. Bill No. 2883-21, Involuntary Annexation – Lakeside Crossing – 1st Reading

An Ordinance to approve the annexation of certain lots in Lakeside Crossing. 1st reading by title only.

9. Resolution 865, Final Plat, Landmark Farms

A Resolution to approve the final plat for Landmark Farms at 18523 County Line Road.

10. Resolution 866, December CARES Expenditures

A Resolution approving eligible expenditures incurred through December 30, 2020 totaling \$604,476.31 in the CARES Act Stimulus Fund.

11. Resolution 867, Smith's Fork Camp Host Agreement

A Resolution to renew the agreement with Dennis and Katrina Reeves for Camp Host services for the FY21 camping season.

12. Resolution 868, Acknowledgement of Purchase of an Autosampler

A Resolution acknowledging the purchase of an Autosampler for the Wastewater Plant in an amount of \$8,044.

OTHER MATTERS BEFORE THE BOARD

13. 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.

14. 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](#).

15. Adjourn

PUBLIC HEARING – INVOLUNTARY ANNEXATION



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Development

AGENDA ITEM: Involuntary Annexation Public Hearing

RECOMMENDED ACTION:

Take input from the Public on annexing the remaining six lots in Lakeside Crossing subdivision.

BACKGROUND:

In accordance with legal advice, all public hearings for annexations are held at the Board of Aldermen level. No action is required, but the public hearing allows the public to provide input concerning annexation.

The public hearing process will allow interested parties to provide input on whether six certain lots inside the Lakeside Crossing Subdivision are to be annexed into the city limits through the involuntary annexation process under Missouri Law.

The annexation would complete the obligations under a contract between the City and the original developer to require annexation in order to access city sewers. The Public Notice of this hearing included Lot 9. A request for voluntary annexation was subsequently received from the property owner of that lot. The ordinance and action before the Board at this time excludes that lot – a separate voluntary annexation process will come before the Board later in January.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Notice of Public Hearing | |

(Published in the Courier-Tribune Thurs. 12/10/20, Thurs. 12/17/20
and Thurs. 12/24/20)

**NOTICE OF PUBLIC HEARING OF THE BOARD OF
ALDERMEN OF THE CITY OF SMITHVILLE MISSOURI**

On **January 5th 2021 at 7:00 P.M.** the Smithville Board of Aldermen will hold a Public Hearing at City Hall located at 107 W. Main Street Smithville, MO 64089 to hear and decide whether the City has met its burden under §71.015 R.S.Mo. to involuntarily annex the following property and whether to pass an Ordinance proceeding with the annexation of the following property.

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

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 94596

Lot 12, Lakeside Crossing First Plat, Clay County Missouri also known as 2417 NE 157th Terrace, Smithville, Missouri 64089 owned Alan B. and Nicole D. Bibler.

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

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.

For those who wish to give testimony during the Public Hearing, you may attend the meeting in person or email you request to the City Clerk at ldrummond@smithvillemo.org prior to the meeting to be invited via Zoom

SUBJECT TO A MOTION DULY MADE AND ADOPTED, THE BOARD OF ALDERMEN may also hold a closed meeting for the purpose of privileged communications between the Board and the City Attorney pursuant to 610.021(1) R.S.Mo.

City Clerk

CONSENT AGENDA



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Administration

AGENDA ITEM: Consent Agenda

RECOMMENDED ACTION:

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 December 15, 2020 Board of Alderman Work Session Minutes
- Approve the December 15, 2020 Board of Alderman Regular Session Minutes

SUMMARY:

Voting to approve would approve the Board of Alderman minutes.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input checked="" type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

Board of Aldermen Minutes – December 15, 2020 Work Session

SMITHVILLE BOARD OF ALDERMAN WORK SESSION

December 15, 2020 6:00 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, via Zoom, called the meeting to order at 6:03 p.m.

A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, John Chevalier, Dan Ulledahl and Melissa Wilson. Jeff Bloemker was absent.

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

2. Discussion of Bridgeport Roundabout

Chuck Soules, Public Works Director, gave a brief background on the Bridgeport Roundabout. The City and Greyhawke developer entered into a development agreement where the City would provide the design and engineering for a roundabout at Old Jefferson Highway, Falcon Drive and Bridgeport and the developer would construct the roundabout. The City went through a selection process earlier this summer and selected the firm of Transystems to provide the design for the roundabout. He explained that tonight we have Jennifer Penfield, Todd Thalmann and John Zimmerman from Transystems to present the concept drawing for the roundabout and the recommended detour plan for the project.

Mayor Boley asked when the development agreement was made?

Chuck stated it was October of 2017.

Jennifer Penfield presented the preliminary concept drawing for the roundabout. She showed in the layout how it would connect Old Jefferson Highway, Falcon Drive and Bridgeport Drive. She explained that there would be six-foot sidewalks all around the roundabout and ten-foot-wide crosswalks. The new sidewalks will be tapered down and tied into the existing sidewalks in the developments.

The roundabout will be constructed of eight-inch-thick concrete with nine-inch aggregate throughout the approaches and the center. There will be a stamped stone concrete pattern in the truck apron and in the splitter islands. The splitter island going into the Greyhawke subdivision will be flush with the pavement just because lots 169 and 170 are limited with access. They will work with Aylett, the developers engineer, for placement of the driveways. At this point they will need to work with them to adjust the right-of-way accordingly. The sidewalks will be placed

five feet from the back of the curb and there will be a buffer. They will coordinate with Greyhawke's developer for them to update their right-of-way.

The right-of-way easements are the thick yellow lines along Old Jefferson Highway. They will probably need to acquire a little more of the right-of-way on the south side of Bridgeport Drive. If they are able to fit the sidewalk on the north side of Bridgeport within existing right-of-way, they should only need to get a temporary easement for that corner.

The developments waterline comes along the north side of Falcon Drive and then goes up to the north crossing with casing and then coming back down to tie in. For the existing water line, which runs along the west side of Old Jefferson Highway we will need to look at lowering that a bit just to accommodate the pavement and subgrade. The overhead power line is just a little bit on the low side, so we will need to look at possibly raising it. They will also need to investigate the forced water main to see if it will need to be adjusted.

Chuck asked what the design speed would be through the roundabout?

Jennifer said that it is 45 miles per hour along Old Jefferson Highway and then drops to 15 miles per hour through the roundabout.

Jennifer noted that they are working on the preliminary plans and will have those completed by the end of January and final plans by end of June. The developers schedule begins after that.

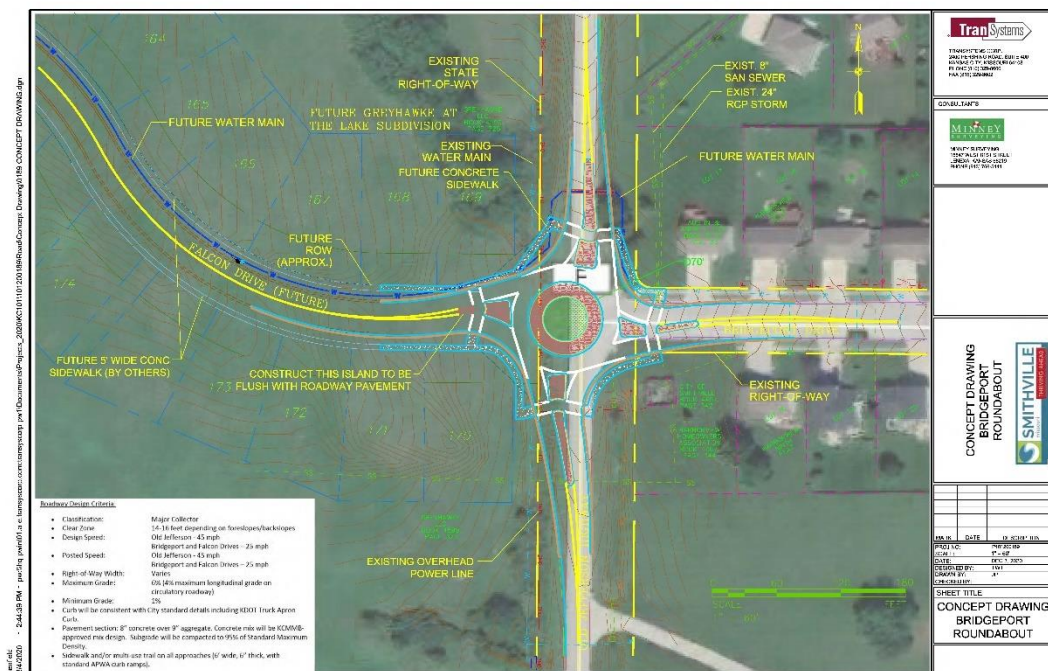


Figure 1 Bridgeport Roundabout

Todd Thalmann explained more about the geometry of the roundabout. Anytime you are looking at a roundabout location there are an infinite number of possibilities on exactly how this layout can be done based on the size of the circle that you pick, the location of the circle and how you want to do your tie-ins to existing facilities.

He explained that he has been doing roundabouts since 2001 and has done nearly 200 of them in various locations. Based on the design vehicle discussed on this project which is full size semi tractor-trailer on Old Jefferson Highway going north-south we can accommodate that through movement going north and south. A smaller semi-truck such as a moving van size or smaller, can be accommodated going in all directions through the roundabout. In order to accommodate those types of vehicles and control the speed, which is one of the safety features of roundabouts, we ended up with a 100-foot diameter circle. A lot of the exit legs are relatively tangential to that circle they come out relatively straight but have good deflection on the approach sides of the roundabout where they deflect the drivers to the left. They do this because the critical factor of a roundabout design and safety is to control speeds on the entry to the roundabout. By pushing those entry lengths to the left they achieve that deflection with a smaller diameter circle which allows them to take up less right-of-way impacts to the surrounding properties. This also gives a nice smooth driving path and controls the speed. For a single-lane roundabout the speed should be 25 miles per hour or less than the entry speed and by deflecting it to the left and using the 100-foot diameter circle they are able to achieve and have good speed control on the entries and then a more tangential exit. This is done to maximize the safety of the intersection and helps improve visibility for those pedestrians waiting to cross.

Jennifer Pease, Harborview's HOA president, asked if something would need to be done to block the headlights of traffic going north on Old Jefferson Highway. She explained there is a house right at the end of Bridgeport and believes the lights are going to be shining directly into their house. She asked if there was something that the HOA can do, possibly plant vegetation to deflect the lights?

Todd said they could do some screenings, but any kind of a deciduous tree would be very ineffective in winter months when the leaves are off the trees. He explained they could do some sort of evergreen screening or something along those lines. He also noted that as a vehicle is going northbound, they never turn far enough to direct the headlights directly at that house unless you are turning into the subdivision on Bridgeport Drive. As the subdivision on the westside develops further there will be a couple of additional houses on those lots as well. He explained that headlights can be an issue but also if you have a full intersection of people making right turns, left turns in and out of the subdivision you have a similar situation on the adjacent homes. They have found it is generally not problematic or any different than a normal intersection. He did go on to say that vegetative screenings can help with that.

Jennifer Pease said they would probably just wait until it is finished and then talk to the homeowners and see if they are having an issue before the HOA does anything.

Mayor Boley stated that one of the goals was to maintain that north-south traffic flow as straight as possible.

Jennifer Pease had another question about the HOA property lines.

Chuck Soules told Jennifer Pease to give him a call and he would meet her out there or in the office to discuss that. He explained that with the detour the City would be asking for an easement across that lot, so we are able get access during the construction.

Jennifer Pease stated that she just needed to know for mowing purposes because they mow all the way to road, including the ditches. She said they just do not want to do something they were not supposed to.

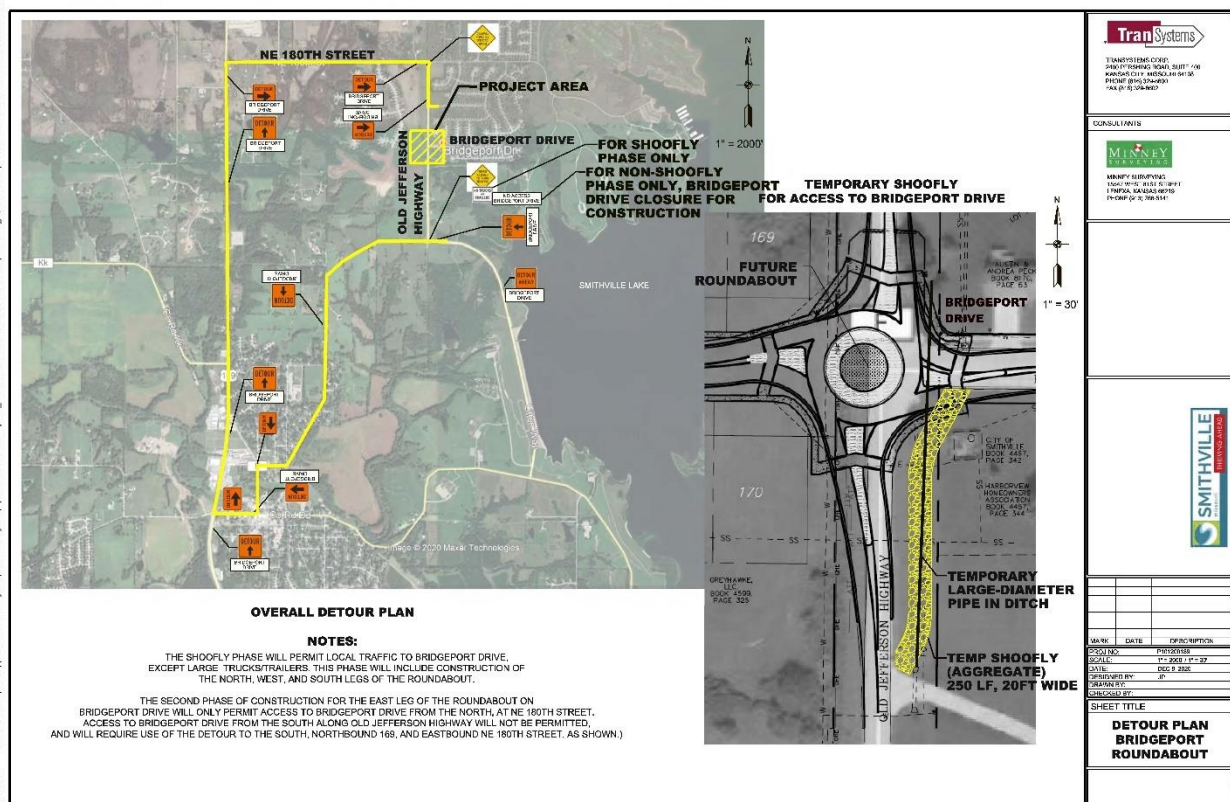


Figure 2 Bridgeport Roundabout Detour Plan

Jennifer Penfield presented the detour plan. It consists of two phases, the shoofly phase which will allow access to Bridgeport Drive while the north legs, the west legs and the south legs are being constructed. Bridgeport Drive will be able to be accessed from the south with the shoofly which will probably be gravel. This neighborhood will always be accessible throughout the whole project from 180th Street and Porter Drive. During construction along Bridgeport Drive it will be closed

and have the detour shown above with the with the dark yellow line. They will have detour signs directing traffic south down to First Street and then back up to 169 Highway and then east along 180th Street and then South to Porter Drive. That detour will be during the shorter phase of construction.

Mayor Boley asked Jack and Chuck if they thought this is project was going to overlap with the 169 Highway and 188th Street project?

Chuck explained that that project is slated to be done in 2022 so depending on the developer the roundabout project could be completed before the 169 Highway and 188th Street project begins.

Alderman Chevalier asked how long the detour would need to be in place?

Chuck explained that the idea behind the shoofly is to minimize the inconvenience. He said we would like to close the entire intersection down and use the shoofly for three quarters of the project and then all we would have to do is tie in Bridgeport Drive. It is a 90-day construction with approximately three or four weeks on Bridgeport Drive.

Chuck noted that unless the Board or developer has any further questions or concerns staff will have Transystems proceed to the final design.

The Board all agreed with the design of this project.

Chuck said that staff will proceed with this layout and design, he also thanked Transystems for presenting to the Board tonight.

3. FY20 Budget Review

Stephen Larson, Finance Director presented a review of the FY20 budget. Stephen started with an examination of the General Fund - the City of Smithville's main operating fund. He explained that with the arrival COVID-19 in March it really presented a lot of financial and operational challenges to local governments across the country. There was a real scramble around March and April to see how revenues and expenditures would turn out with all the uncertainty. Smithville was fortunate, especially in the General Fund with the total amounts brought in for FY20.

In the General Fund we started FY20 with about 3.7 million dollars in our beginning cash balance, we forecasted revenues to be about 4.5 million and we finished the year with 4.7 million in revenues. That gave us a delta of about \$200,000 over our forecast in actuals.

For expenditures we did finish under our forecasted 5.2 million and only expended about 4.9 million. That gave us a delta about \$280,000 under the forecasted amount.

The forecasted ending cash balance was about 3 million dollars and with our actuals that puts our ending balance at 3.5 million for the end of the fiscal year 2020.

General Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	\$3,728,491	\$3,728,491	-
Revenues	\$4,530,060	\$4,725,177	\$195,117
Expenditures	\$5,189,550	\$4,909,574	(\$279,976)
Ending Cash Balance	\$3,069,001	\$3,544,094	\$475,093

General Fund	FY21 Budgeted	FY21 Projected*	Delta (Budget vs. Projected)
Beginning Cash Balance	\$3,152,642	\$3,544,094	\$391,452
Revenues	\$4,634,040	\$4,634,040	-
Expenditures	\$5,576,540	\$5,701,540	\$125,000
Ending Cash Balance	\$2,210,142	\$2,476,594	\$266,452

*FY21 projected expenditures include additions from FY21 Budget Amendment #1 for the following:

- \$20,000 for final payment to Future IQ for completion of Comprehensive Plan
- \$105,000 for construction of Streetscape Phase 2 project

Looking ahead to FY21 the beginning budget is 3.2 million dollars, but we will enter that year with a little bit higher cash balance which creates a positive delta of about \$400,000. As we look at ahead at actual revenue in FY21 we should be able to nail down better projections by mid-year or earlier. For now, we are projecting revenues to budget of about 4.6 million.

The main difference in projected expenditures comes with the addition of the \$125,000 (shown in red) that is going to be applied to the General Fund per the budget amendment. That includes \$20,000 to complete our Comprehensive Plan and another \$105,000 for the construction Streetscape Phase II. When you put those revenues and expenditures together that gives us a projected ending fund balance of about 2.5 million dollars which is about 260,000 to the good over FY21. That puts us in a good position as we look ahead to the rest of the FY21.

Smithville Board of Aldermen

Revenue Line Item	FY 20 Budget	FY 20 Actual	Delta
Sales Tax	\$1,083,250	\$1,257,949	\$174,699
Use Tax	\$343,280	\$435,608	\$92,328
Telecom Franchise Fees	\$161,300	\$113,552	(\$47,748)
Electric Franchise Fees	\$376,560	\$445,120	\$68,560
Building Permits	\$241,000	\$229,481	(\$11,519)
Court Fines	\$167,310	\$144,336	(\$22,974)
Interest Income	\$150,000	\$100,405	(\$49,595)

Expenditure Line Item	FY 20 Budget	FY 20 Actual	Delta
Capital Improvement Projects	\$810,030	\$522,154	\$287,877
Repairs/Maint - Parks	\$3,000	\$10,766	(\$7,766)
Repairs/Maint - Smith's Fork	\$7,500	\$14,776	(\$7,276)
Training & Travel (All Depts)	\$38,430	\$23,755	\$14,675
Rec League Expenses	\$29,220	\$19,453	\$9,767

The General Fund highlights by the line item start off with some of the biggest performers in FY20. Sales tax performed very well despite the pandemic this year. We budgeted about 1.1 million dollars in sales tax and brought in about 1.2 million which gives us a delta about \$175,000. Stephen noted that he would be looking more into our vendor details and their effect on sales tax.

In the use tax, we budgeted about \$340,000 and brought \$435,00 which is indicative of consumers trending towards online purchases.

In the telecom franchise fees we saw a trend downward that is due to the use of fewer landline phones.

The electric franchise fees performed over budget by about \$70,000 and that tends to fluctuate with the temperatures.

The building permits finished close to budget. They are about \$11,000 below what we budgeted but we did have good activity through the year.

The court fines did fall below the budget of \$167,000 and brought in only about a \$144,000. He explained that with stay-at-home orders and shut downs earlier this year in March, April and May we had a lot less traffic on the roads and likely leads to less traffic violations and it is not surprising to see that decline.

The interest income was budgeted at \$150,000 and our actual was just over \$100,000 a negative delta about \$50,000. This is a result of lower interest rates on cash we have at the bank. Those interest rates dropped significantly in mid-to-late March due to the pandemic.

Expenditures in the General Fund we had savings on Capital Improvement projects and some of those savings we are transferring to FY21 in a budget amendment.

We did have some additional expenditures in the Parks Department with our repairs and our maintenance to the restrooms that were not budgeted.

A couple other line items were significantly reduced this year due to the pandemic. Training and travel, employees did not go so those expenses were down. Our Recreation League expenses were also lower as a result of not holding that programming due to the pandemic.

Capital Projects Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	\$1,960,537	\$1,960,537	-
Revenues	\$228,120	-	(\$228,120)
Expenditures	\$1,882,370	\$699,506	(\$1,182,864)
Ending Cash Balance	\$306,287	\$1,261,031	\$954,744

Capital Projects Fund	FY21 Budgeted	FY21 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$243,440	\$1,261,031	\$1,017,591
Revenues	-	\$228,120	\$228,120
Expenditures	\$243,440	\$1,624,440	\$1,381,000
Ending Cash Balance	-	-\$135,289	-\$135,289

*FY21 projected expenditures include additions from FY21 Budget Amendment #1 for the following:

- \$1,074,000 for the Main Street Walking Trail project.
- \$27,000 for contract additions for the CFS contract for the Main Street Trail.
- \$280,000 for the Streetscape Phase 2 project.

The Capital Projects Fund was the recipient of bond proceeds from a voter-approved 2018 and 2019 general obligation debt. Over the course of 2019 and 2020 we have been spending those proceeds on Capital Improvement projects. We began FY20 with about 1.9 million dollars in cash. We did expect to receive an RTP Grant, for reimbursement on our Main Street Trail but now will receive it in FY21 and will bring forward a budget amendment.

On the expenditure side, we forecasted to spend about 1.8 million and spent about \$700,000. The difference comes down to not spending all the money for our Main Street Trail project. We are pushing those budgets to FY21 that allowed us to end the year with a much higher cash balance than we projected. Looking at FY21 when we moved those budget amendments over, we will spend that fund down and anticipate spending it below negative. One of the reasons we have a negative balance there is because of additional construction cost and contract additions to the

Main Street Trail. Stephen noted that in talking with Cynthia in addressing that we will look to shore up this account by using additional revenues from Capital Improvement sales tax or Transportation sales tax. This would be a couple of possible ways to offset these additional expenses.

Cynthia stated we knew that these funds would come to an end, this is the proceeds from the bond so that fund will go away as we finish those projects, and they are enhanced by those other funds.

Capital Improvement Sales Tax Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	\$323,829	\$323,829	-
Revenues	\$509,760	\$579,721	\$69,961
Expenditures	\$798,910	\$556,280	(\$242,630)
Ending Cash Balance	\$34,679	\$347,270	\$312,591

Capital Improvement Sales Tax Fund	FY21 Budgeted	FY21 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$34,679	\$347,270	\$312,591
Revenues	\$530,750	\$530,750	-
Expenditures	\$509,250	\$752,250	\$243,000
Ending Cash Balance	\$56,179	\$125,770	\$69,591

*FY21 projected expenditures include additions from FY21 Budget Amendment #1 for the following:
• \$243,000 for the Streetscape Phase 2 project.

Stephen explained that looking at the Capital Improvement Sales Tax Funds this was another fund that has terms. The performance of the fund benefited from good sales tax activity in our brick-and-mortar retail stores. We started with a beginning balance of \$300,000 in FY20 and looking at forecasted revenues versus what we received, this fund performed quite well, and we received about \$70,000 more than what we forecasted.

In expenditures we had a little bit of savings in this fund and that is a result of not using the portion of this fund that goes to pay for Streetscape Phase II that has not yet been completed. The difference is about \$243,000 on the expenditure delta for FY20.

Looking at FY21 we do carry a higher beginning cash balance versus our budget but as we work through the year the \$243,000 budget amendment for Streetscape Phase II, we add that to our expenditures and brings that cash balance quite a bit closer to what we budgeted for ending in FY21 and gives us a positive delta of about \$70,000.

Debt Service Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	-	-	-
Revenues	\$556,280	\$556,280	-
Expenditures	\$325,020	\$325,018	(\$3)
Ending Cash Balance	\$231,260	\$231,263	\$3

Debt Service Fund	FY21 Budgeted	FY21 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$231,260	\$231,263	\$3
Revenues	\$342,190	\$342,190	-
Expenditures	\$329,860	\$329,860	-
Ending Cash Balance	\$243,590	\$243,593	\$3

The Debt Service Fund is really an in-and-out fund that helps pay for the general obligation debt payments and service our debt payment schedule. The revenues and expenditures that went through this fund are right on the money for what we are forecasting. We had revenues of about \$550,000 coming to this fund from Capital Improvement sales tax via transfer and we expended those to pay for a debt service. Next year we will begin with a really a close cash balance.

Transportation Sales Tax Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	\$355,937	\$355,937	-
Revenues	\$509,760	\$582,359	\$72,599
Expenditures	\$379,880	\$175,690	(\$204,190)
Ending Cash Balance	\$485,817	\$762,606	\$276,789

Transportation Sales Tax Fund	FY21 Budgeted	FY21 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$447,087	\$762,606	\$315,519
Revenues	\$530,750	\$530,750	-
Expenditures	\$687,820	\$955,820	\$268,000
Ending Cash Balance	\$290,017	\$337,536	\$47,519

*FY21 projected expenditures include additions from FY21 Budget Amendment #1 for the following ing:

- \$99,000 for the design of the Bridgeport Roundabout.
- \$169,000 for the construction and design of the Streetscape Phase 2 project.

Looking at the Transportation Sales Tax Fund, this fund benefited from good sales tax performance in FY20. We started FY20 with a beginning cash balance of \$355,000 and we brought in about \$70,000 more dollars than what was budgeted.

On the expenditure side we did have about a \$200,000 difference in what we were forecasting to spend at the midpoint versus what was spent. When you look at that fund you see a lot of savings in repairs and maintenance and in some tools and supplies. Together with lower expenditures and better revenue than forecasting we are adding about \$270,000 to the fund balance.

We do have some expenditures that we are looking to add in FY21 by a budget amendment. That is about \$268,000 that includes \$100,000 for the design of the Bridgeport Roundabout and then construction and design for Streetscape Phase II for \$170,000. When we add those expenditures in what was already budgeted that brings our ending cash balance close to what was budget for FY21 with a positive delta of about \$50,000.

Combined Water/Wastewater Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	\$5,497,931	\$5,497,931	-
Revenues	\$4,436,550	\$4,460,383	\$23,833
Expenditures	\$6,917,000	\$5,434,892	(\$1,482,108)
Ending Cash Balance	\$3,017,481	\$4,523,422	\$1,505,941

Combined Water/Wastewater Fund	FY21 Budgeted	FY21 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$2,902,646	\$4,523,422	\$1,620,776
Revenues	\$4,808,890	\$4,808,890	-
Expenditures	\$6,127,260	\$7,325,260	\$1,198,000
Ending Cash Balance	\$1,584,276	\$2,007,052	\$422,776

*FY21 projected expenditures include additions from FY21 Budget Amendment #1 for the following:

- \$6,000 for the Wastewater Master Plan
- \$78,000 for Main Street Waterline construction and engineering
- \$848,000 for Forest Oaks Sewer construction and engineering and 144th Street Pump Station
- \$24,000 for 188th Street Waterline Relocation engineering
- \$21,000 for Highland Drive Sewer Improvements engineering
- \$221,000 for Raw Water Pump Station, Valve Box, Zebra Mussel mitigation engineering

The combined Water and Wastewater Fund this is one of our proprietary or enterprise funds where all the revenues that we bring into this fund support all the expenses. Those revenues are specifically supporting all the expenses in the fund. The trend in this fund has been a decrease in cash as we spent it on Capital Improvement projects and making infrastructure improvements. In FY20 we started with about a \$5.5 million-dollar cash balance. We brought in revenues that were extremely close to what we forecasted about \$20,000 to the good.

We had expenditures of about \$1.4 million less than what we forecasted and that is primarily due to not completing all the projects. The funds for those projects will be moved to FY21 via a budget amendment. That allowed us to end FY20 with about \$4.5 million in our ending cash balance for FY20.

We start FY21 with that higher cash balance than what we projected but when we put in those budget amendments of about \$1.2 million dollars that kicks up the expenditures and brings cash balance a little bit closer in line to what we have budgeted. This still puts us about \$400,000 projected over what we budgeted for FY21. Staff had a lot of discussion about the revenue impact fees, reviewing user fees and rate study done by Raftelis Financial Consultants, LLC in 2018, to see what kind of rate changes we need to make. There is a lot going on in this fund to continue to ensure that we can get our infrastructure in good shape make the needed improvements and make sure we can do that from a financial standpoint. Staff has also had discussions with the City's financial advisor, Piper Jaffrey, about the refinancing of debt and debt issuance for the South Interceptor and 144th Street Lift Station project. Stephen explained that there is a lot to address in this fund as we move forward to ensure the infrastructure improvements are paid for correctly.

Sanitation Fund	FY20 Forecasted	FY20 Actual	Delta (Forecast vs. Actual)
Beginning Cash Balance	\$37,499	\$37,499	-
Revenues	\$826,780	\$831,293	\$4,513
Expenditures	\$825,890	\$813,356	(\$12,534)
Ending Cash Balance	\$38,389	\$55,436	\$17,047

Sanitation Fund	FY21 Budgeted	FY21 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$32,039	\$55,436	(\$23,397)
Revenues	\$890,550	\$890,550	-
Expenditures	\$885,710	\$885,710	-
Ending Cash Balance	\$36,879	\$60,276	\$23,397

The Sanitation Fund is really an in and out fund for the trash service charges that we are paid for by our residence and those revenues help us pay for the contract to a Waste Corporation of America (WCA) to provide that trash service.

We began this year with about \$37,000 in cash balance, brought in revenues are very close to forecast and had a little bit less than expenditures which allowed us to put about \$17,000 into the fund balance. Coming into FY21 we are about \$23,000 over where we budgeted for beginning cash balance. There is an increase in the revenues which does correlate to the increase in the trash charge approved in the schedule of fees starting in January 2021. That change is seen in the revenues from \$832,000 to the projected \$890,000 and in the expenditures. Together we projected the ending cash balance to be somewhere around \$60,000 at this point and about 23,000 above what budgeted.

Cynthia thanked Stephen, she said that his presentation was very thorough and informative especially given his limited time with the City.

Alderman Atkins said that Stephens presentation and dialogue was much easier to understand.

4. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:47 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

Board of Aldermen Minutes – December 15, 2020 Regular Session

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

December 15, 2020 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 6:59 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, John Chevalier, Dan Ulledahl and Melissa Wilson. Jeff Bloemker was absent.

Staff present via Zoom: Cynthia Wagner, Nickie Lee, Chuck Soules, Captain Tony Roetman, Matt Denton, Stephen Larson, Jack Hendrix and Linda Drummond.

2. Pledge of Allegiance lead by Nickie Lee

3. Consent Agenda

- **Minutes**

- December 1, 2020 Board of Alderman Work Session Minutes
- December 1, 2020 Board of Alderman Regular Session Minutes

- **Financial Report**

- Finance Report for October 2020

No discussion.

Alderman Sarver 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

4. Committee Reports

Alderwoman Wilson reported on the December 8 Finance Committee meeting. Stephen presented the FY20 year-end finance report. She commented his presentation was very well-presented and appreciated.

Alderwoman Wilson reported on the December 8 Planning and Zoning Commission meeting. They discussed all the commercial construction continuing in Smithville: White Iron Ridge, Nodaway Valley Bank, Shoreline and KCI RV Storage. The Main Street Trail construction is progressing to Smith's Fork Park. They also discussed the upcoming second phase of Streetscape from Commercial Street to Liberty Road. It was reported that we have around 40 single family residence permits for the year.

Mayor Boley commented that the News Press and the Kansas City Business Journal both had articles on the Herzog Foundation building this week. They showed a rendering and information on the building. Shoreline has the outside of their building. The Shamrock Convenience Store foundation has started. The Kiwanis broke ground for the shelter house at Helvey Park a few weeks ago but have been at a standstill waiting on concrete.

Matt Denton noted that the gravel was delivered for the base of the shelter house on Monday.

5. City Administrator's Report

Cynthia noted that the packet provided a good update on the Main Street Trail. Staff had initially anticipated having a street closure this week but due to the cold weather predicted, that has been put on hold and the timeframe will be determined based on whether so they can pour concrete. Staff will get that information out on social media as soon as we receive it. Also in the packet is information on the change order for the contract to include enhanced railing and additional curb and gutter for the project.

Cynthia noted that there is information in the packet concerning the process of business license application review - particularly coordinating with the Smithville Area Protection District. She asked if the Board has any questions to contact Jack or herself, if not staff plans to proceed as outlined.

Cynthia noted that the Mayor attended MARC Zoom TTPC Committee meeting today. It appears that Smithville is cleared for the next step for MARC to award grant funding for the South Commercial sidewalk for the amount of about a half a million dollars and Streetscape Phase III for the amount of \$488,000. Staff anticipates final word on that in February, but it appears that we will receive those amounts.

The bid on old Second Creek Bridge closed this weekend and the best bid was \$12,700. Staff has not yet heard from the high bidder but when we do, we will coordinate that move. The bidder has a Topeka address and the bidding started at \$1,000.

Cynthia noted that this is Nickie Lee's last meeting. She thanked her for her efforts and her contributions.

Cynthia reminded the Board that City Hall will be closed December 24 and 25 and also December 31 and January 1.

Mayor Boley wished everyone a Merry Christmas and a Happy New Year. He also thanked our Police Department for their work over the weekend. He noted that the last few days had been eventful for them and not ordinary.

ORDINANCES & RESOLUTIONS

6. Bill No. 2878-20, Annexation – Lakeside Crossing Lot 14 – 2nd Reading

Alderman Sarver moved to approve Bill No. 2878-20, annexing of Lot 14 in Lakeside Crossing. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2878-20 approved.

7. Bill No. 2879-20, Annexation – Lakeside Crossing Lot 26 – 2nd Reading

Alderman Sarver moved to approve Bill No. 2879-20, annexing of Lot 26 in Lakeside Crossing. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2879-20 approved.

8. Bill No. 2880-20, Annexation – Lakeside Crossing Lot 40 – 2nd Reading

Alderman Sarver moved to approve Bill No. 2880-20, annexing of Lot 40 in Lakeside Crossing. 2nd reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2880-20 approved.

9. Bill No. 2881-20, FY21 Budget Amendment No. 1 – 2nd Reading

Alderman Sarver moved to approve Bill No. 2881-20, to amend the FY21 operating budget to add \$3,765,000 to the expenditure budget to provide funds for unfinished 2020 projects. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2881-20 approved.

10. Bill No, 2882-20, Initial Zoning 18523 County Line Road – 1st Reading

Alderman Sarver moved to approve Bill No. 2882-20, setting the initial zoning for Landmark Farms, 18523 County Line Road, recently annexed into the City Limits, to A-R. The initial zoning is set by the City. 1st reading by title only. Alderwoman Wilson 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 – Absent.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2882-20 approved first reading.

11. Resolution 862, Appointment of CID Board of Directors

Alderman Sarver moved to approve Resolution 862, consenting to the appointment of Directors for the governance of the Smithville Commons Community Improvement District. Alderman Atkins seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 862 approved.

12. Resolution 863, MOU with Northland Assistance Center

Alderman Sarver moved to approve Resolution 863, authorizing a second Memorandum of Understanding with The Northland Assistance Center to administer a utility and housing assistance program funded through the CARES Act Stimulus Funds. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 863 approved.

13. Resolution 864, Change Order for East Main Street Trail Project

Alderman Sarver moved to approve Resolution 864, approving a change order to the East Main Street Trail Project 20-07 for railing and additional curb and gutter in an amount of \$21,000. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 864 approved.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

None

15. New Business from the Floor

None

16. Adjourn.

Alderman Ulledahl moved to adjourn. Alderwoman Wilson seconded the motion.

Ayes – 5, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 7:16 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

CITY ADMINISTRATOR'S REPORT



City Administrator's Report

December 30, 2020

Winter Weather Preparations

On Tuesday, we had about one-half inch of icy precipitation. Crews did a good job of treating slick spots. The Police Department reports a few minor accidents, mostly due to drivers not adjusting to winter conditions. Staff has received no calls or complaints regarding response.

Street crews are preparing for additional winter storm events this week (Thursday into Friday). The contractor for additional assistance in neighborhoods is prepared to assist as needed.

Mid America Regional Council Grant Applications

Attached is a memo from Public Works Director Chuck Soules outlining anticipated MARC grant awards and project timing. If changes are required to the timing outlined by MARC, staff needs direction from the Board in order to work with MARC on appropriate timing.

Streetscape Status

The bid for this project will be posted to Drexel tomorrow. Staff anticipates award of bid to come to the Board for action at the first meeting in February.

Trail Progress

The Main Street Trail project is approximately 80% complete, including temporary seeding to assist in erosion control. Additional work will be piecemeal for the next several months – final completion of the project is anticipated this spring.

Assistant City Administrator Recruitment Process

Last week, I had Zoom conversations with seven applicants for the position. Based on those conversations, four candidates have been invited to participate in a panel Zoom interview next week. Panelists will include management team members, Mayor Boley, Alderwoman Wilson, Alderman Sarver and Kelly Kobylski, representing the EDC and Main Street businesses.

It is hoped that one to two candidates can be identified for in-person visits, with an offer extended early in January and a new person in place by mid-February.

City Hall Schedule

City Hall will be closed on Thursday, December 31 and January 1 to allow additional time for employees to celebrate the holidays with family.



STAFF

REPORT

Date: 12/22/2020

Prepared By: Charles F. Soules, PE, Director of Public Works

Subject: MARC Grants

The City of Smithville submitted two grant applications to the Mid-America Regional Council in July of 2020. After review of all the applications submitted from the region, MARC is recommending that these projects be moved forward and receive the funding requested.

Commercial Street Sidewalk – the project includes the development of 4,500 linear feet of 6-foot wide pedestrian pathway starting at the Smithville School District property and ending on Main Street in downtown Smithville. ADA improvements on all legs at intersecting streets with crosswalk markings. Bike Sharrows will be installed on Commercial Street from HWY 92 to Main Street in downtown Smithville with new share the road signage.

The total project cost is estimated at \$756,000. The grant would provide \$500,000 with the City share of \$256,000. This project is included in the City's CIP in year 2023, in the Transportation Sales Tax Fund.

Streetscape Phase III - North on Bridge Street from Church Street to First Street - The Project would include: mill and overlay pavement; full sidewalk replacement/ crosswalk signs & ramp; full curb and gutter replacement / bulb outs at intersections; pedestrian lighting; brick accents at street lights; minor storm Improvements; street trees; decorative rail on Bridge and the addition of bike sharrows and Share the Road signage.

The total project cost is estimated at \$707,600. The grant would provide \$488,400, with a City Share of \$219,200. The project was identified in the City's CIP in the Transportation Sales Tax Fund but had not been funded in a specific year.

MARC is now programming funding for these projects and is requesting Cities let them know in which years they want the projects to be bid. Currently MARC has proposed the Commercial Street Project being funded in FY 2023 and the Streetscape project in FY2024. This is Federal Fiscal Year and funds would be available October of the proceeding year (2023 funding becomes available on October 1, 2022. 2024 funding becomes available October 1, 2023.)

Both projects have been identified as priorities for the community and both projects will improve accessibility of multi-modal users and promote a walkable environment. Both projects have very similar impacts for funding and therefore either project could proceed first. Staff is seeking Board comment on the timing outlined in the MARC process: is this agreeable or do we wish to request a change in timing? If a change is desired, that request needs to be communicated to MARC as soon as possible. Staff will seek Board direction during the City Administrator's Report section of the agenda on Tuesday.

INITIAL ZONING – 18523 COUNTY LINE ROAD



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2882-20, Zoning 18523 County Line Road

RECOMMENDED ACTION:

A motion to approve Bill No. 2882-20 for Second Reading, by title only to establish zoning on 18523 County Line Road.

SUMMARY:

Newly annexed property must be zoned in accordance with the City zoning ordinance.

This parcel was annexed into the city in order to allow a subdivision of one parcel that lies in two separate counties into 10 lots. Since some of the lots are smaller than 10 acres, the A-R district is required instead of A-1.

PREVIOUS ACTION:

Property annexed by Ordinance 3078-20 and 3079-20 on November 17, 2020 and December 1, 2020 respectively.

POLICY ISSUE:

Annexation Policy, Comprehensive Development Plan Policy

FINANCIAL CONSIDERATIONS:

No direct financial impacts to the City budget, but will include city property taxes on this land in 2021.

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Findings of Fact | |

***FINDING OF FACTS AND
CONCLUSIONS OF LAW***

Applicant: Landmark Farms, LLC

Land Use Proposed: A-R

Zoning: County Agricultural

Property Location: 18523 County Line Rd.

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on December 8, 2020, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. Character of the neighborhood.
The surrounding area is single agricultural in character in both Clay and Platte Counties.
2. Consistency with the City's Comprehensive Plan and ordinances.
The existing Comprehensive Plan was approved on November 10, 2020 during the pendency of this application. Significant development is not expected in the plan, and Low-density housing is called for in the North part of the city. It complies with the plan.
3. Adequacy of public utilities and other needed public services.
The land has water and other utilities along the west line (County Line Rd.) and water is available along the north side of 188th St.
4. Suitability of the uses to which the property has been restricted under its existing zoning.
The current use is agricultural formerly outside the city limits, and the proposed district matches the current use district.
5. Length of time the property has remained vacant as zoned.
The property was in the unincorporated county but had never previously annexed. This property would be developed into 10 lots.
6. Compatibility of the proposed district classification with nearby properties.
The proposed district matches the adjacent existing uses.
7. The extent to which the zoning amendment may detrimentally affect nearby property.
No detriment is anticipated.

8. Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.
No loss to landowners is expected.
9. That in rendering this Finding of Fact, testimony at the public hearing on December 8, 2020, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

- A. This application and the Zoning of this property from County Single Family Residential to A-R is governed by Section 400.620 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of zoning the property to A-R.

BILL NO. 2882-20

ORDINANCE NO. XXXX-20

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI.

WHEREAS, The City of Smithville received an application for annexation on September 24, 2020 for property located at 18523 County Line Rd.; and

WHEREAS, after the property was annexed in two separate hearings, the City is now required to designate the initial zoning of newly annexed property, so a Public Hearing was conducted before the Planning Commission on December 8, 2020; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the initial zoning for the property as A-R.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, THAT;

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority board vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property 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: 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 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 2652.92 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 2640.16 Feet To The Point Of Beginning.

is hereby set as A-R.

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS _____ DAY OF _____, 20____

Mayor

ATTEST:

City Clerk

First Reading: 12/15/2020

Second Reading / /

Exhibit A

All that part of the North one half of Section 36, Township 34, Range 33, Clay County, Missouri, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 36; thence North 89 degrees 49 minutes 48 seconds East along the North line of the Northeast Quarter of said Section 36, a distance of 662.69 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36; thence South 0 degrees 20 minutes 18 seconds West along the East line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, a distance of 663.23 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36; thence North 89 degrees 50 minutes 00 seconds East along the South line of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, a distance of 590.45 feet to the West line of the East 170 Acres of said Section 36; thence South 0 degrees 26 minutes 29 seconds West along the West line of the East 170 Acres of said Section 36, a distance of 114.37 feet; thence North 89 degrees 43 minutes 06 seconds West, a distance of 971.22 feet; thence South 56 degrees 32 minutes 56 seconds West, a distance of 98.83 feet; thence South 46 degrees 04 minutes 14 seconds West, a distance of 376.49 feet to the most Westerly corner of Tract "G", HARBOR LAKE FIFTH PLAT, a subdivision of land in the City of Smithville, Clay County, Missouri; thence North 89 degrees 43 minutes 06 seconds West, a distance of 238.15 feet; thence South 13 degrees 23 minutes 08 seconds West, a distance of 70.00 feet; thence North 89 degrees 43 minutes 06 seconds West, a distance of 1004.87 feet to a point on the East line of Lot 1, CARTER FARMS, a subdivision of land in the City of Smithville, Clay County, Missouri; thence North 00 degrees 34 minutes 50 seconds East, along the East line of said Lot 1, a distance of 60.52 feet to the Northeast corner of said Lot 1; thence North 89 degrees 28 minutes 47 seconds West, along the North line of said Lot 1, a distance of 528.68 feet to the Northwest corner of said Lot 1, said point also being on the East right of way line of Missouri State Highway "F"; thence North 0 degrees 34 minutes 50 seconds East along said right of way line, a distance of 794.51 feet; thence along said right of way line, along a curve to the left, tangent to the last described course, having a radius of 349.73 feet, an arc distance of 66.19 feet; thence South 89 degrees 38 minutes 07 seconds East, a distance of 192.23 feet; thence North 0 degrees 35 minutes 50 seconds East, a distance of 233.0 feet to the North line of the Northwest Quarter of said Section 36; thence South 89 degrees 38 minutes 07 seconds East along said line, a distance of 1666.64 feet to the point of beginning. Said tract contains 60.87 acres more or less.



STAFF REPORT

December 8, 2020

Initial zoning of Clay County Parcel Id # 05202000100300 and
Platte County Parcel # 11-2.0-03-000-000-002.000

Application for a Zoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 18523 County Line Rd.
Owner: Landmark Farms, LLC
Current Zoning: New annexation
Proposed Zoning: A-R

Public Notice Dates:

1st Publication in Newspaper: November 19, 2020
Letters to Property Owners w/in 185': November 20, 2020

GENERAL DESCRIPTION:

The applicant recently annexed this 77+/- acre tract of agricultural land into the City Limits. The applicant intends to seek an agricultural subdivision of lots, some of which will be less than 10 acres and the initial zoning needs to be set by the City. The tract is agricultural in nature, and the applicant seeks to have it zoned A-R to allow for 10 single family A-R homes. The area is agricultural.

EXISTING ZONING:

The existing zoning predates the annexation into the city limits.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is agricultural in Clay and Platte Counties.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The existing Comprehensive Plan was approved on November 10, 2020, after this application was submitted, but it calls for this area to be agricultural (green) with the area identified with the red boundary in Platte County. It is in compliance with the plan.



ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

The area has existing farm houses adjacent to the property so water is available, along with all other utilities and public services.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4*

The current use is agricultural formerly outside the city limits.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property has been a farm in the county.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The proposed district is the same as the existing adjacent uses.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY
400.560C.7

No detrimental effects are known.

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING
PROPERTY OWNERS RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

With no detrimental effects known, no great loss is expected.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed district based upon the change meets
the Comprehensive Plan recommendations.

Respectfully Submitted,

Zoning Administrator

INVOLUNTARY ANNEXATION – LAKESIDE CROSSING



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2883-21, Involuntary Annexation

RECOMMENDED ACTION:

A motion to read Bill No. 2883-21, Involuntary Annexation by Title Only for First Reading

SUMMARY:

This ordinance authorizes the City attorney to commence proceedings to involuntarily annex six remaining lots in the Lakeside Crossing subdivision.

BACKGROUND:

This subdivision was originally developed outside the city limits. In order to connect to the city sewer system, a sewer service agreement was entered between the original owner and the City of Smithville that required each of the lots in the subdivision to annex into the city limits once they became contiguous to the city in exchange for connecting to the city's sewers. All but six of the original lots have voluntarily annexed into the city limits and this ordinance is to allow the city to finalize the terms of the original agreement.

PREVIOUS ACTION:

A sewer service agreement was executed in November 1996, recorded in 1997.

POLICY ISSUE:

To clean up the boundaries in accordance with Board annexation directives.

FINANCIAL CONSIDERATIONS:

Slight increase in property tax revenues from the six lots, offset by a slight decrease in sewer revenue.

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

BILL NO. 2883-21

ORDINANCE NO.

**ORDINANCE AUTHORIZING ANNEXATION OF CERTAIN LANDS
PURSUANT SECTION 71.015, R.S.MO.**

WHEREAS Lakeside Crossing is a subdivision which was originally platted by Clay County. The Developer (who owned all of the land at issue at the time) entered into an agreement/contract with the City of Smithville ("the Developer Agreement") to provide sewer service to the subdivision at greater than the cost charged to City Residents. This Agreement dated November 1, 1996 was recorded in the Clay County Recorder of Deeds office on October 22, 1997 at Book 2740 Page 327.

WHEREAS the Developer Agreement provided in part that when Smithville grew to the point that it was contiguous to the subdivision, that the owners of the land would apply to be voluntarily annexed into the City. The Developer Agreement specifically provided at ¶3 "*The City and Property Owners further agree that upon the request of the City and provided that the property of Property Owners above mentioned is contiguous to the City, Property Owners shall take all necessary measures to voluntarily annex all property above mentioned into the City of Smithville.*"

WHEREAS since November 1, 1996 all the lots of the Lakeside Crossing subdivision have changed hands from the developer to the builder(s) to the ultimate buyers and/or their assigns. Each of the current owners of the lots in this subdivision acquired their ownership after November 1, 1996.

WHEREAS the City is now contiguous with all lots in the subdivision. By the Spring of 2020, a substantial majority of lot owners of this subdivision had applied for and been annexed into the City. However, eleven (11) lots had not. One of these lots annexed in August, and three more in December. One more has now made application to voluntarily be annexed into the City in January 2021. Six (6) lots remain within the subdivision but not within the City and have not applied for annexation.

WHEREAS the City has authorized the City Attorney to bring a civil action against the above said owners concerning the above said properties regarding the executed and recorded Development Agreement asking that the Court require the above said owners request their respective property be annexed into the City of Smithville pursuant to §71.012 R.S.Mo.

WHEREAS 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 currently remain outside the City limits:

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 12, Lakeside Crossing First Plat, Clay County Missouri also known as 2417 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 is providing police service to most of the lots in the subdivision. Absent checking a plat map, the City's police officers have no way of knowing when one neighbor is in the City and the other is not. Also, those neighbors and properties set forth above not in the City have the benefit of the services paid for by City residents.

WHEREAS the City's Ordinances apply to most of the lots in the Lakeside Crossing subdivision but not all.

WHEREAS the City is charging two different sewer rates to lots within the same subdivision.

WHEREAS earlier this year the City sent each of the current owners of the lots in the Subdivision not within the City, a letter outlining the history and previous agreements and asking that they apply to be voluntarily annexed pursuant to §71.012 R.S.Mo.. Two have asked to be annexed while others have asked for delays or refused to apply. Other than continued questions, there has been no further contact or response from the remaining owners to the City's request that they ask to be voluntarily annexed.

WHEREAS the process for involuntary annexation is set forth in § 71.015, R.S.Mo.

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

Pursuant to §71.015 the City finds that the length of the contiguous boundary common to the City of Smithville's existing City limit is at least 15% of the length of the perimeter of each of the following lots/property proposed for annexation.

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.

That in addition to the Resolution previously passed regarding the civil action against the above said owners of the above said property, the City by its Board of Aldermen Pursuant to §71.015 R.S.Mo. adopted Resolution 839 on the 6th day of October 2020 announcing its intention as an alternative to the above said litigation to Involuntarily Annex the above said property and setting the 17th day of November 2020 at 7.00 P.M. Thereafter, the City adopted Resolution 854 on the 17th day of November 2020 to amend the date of the hearing to January 5, 2021 at 7:00 pm for a public hearing to be held at City Hall before the Board of Alderman 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 has made 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 5th day January 2021 at 7.00 P.M.

The City has published in a newspaper of general circulation qualified to publish legal matters in the relevant county at least two weeks before the hearing notice of the hearing regarding the proposed involuntary annexation of the above said property.

The boundaries of each of the above said properties comply with the statutory requirements of §71.015 R.S.Mo. regarding Involuntary Annexation.

The City is either currently providing services to each of the above said properties or has a plan of intent to provide or make sure said services are provided to the each of the properties proposed for annexation within Three years of annexation. The City either currently provides or has available, Sewer Service, Police Protection, Parks Services and Refuse Collection and Street Repair and Maintenance. Fire Protection is provided by the Smithville Area Fire Protection District and Water is provided by Public Water Supply District #9 of Clay County.

The City Finds that the annexation of each of the above said properties is reasonable and necessary to the proper development of the City.

The effective date of the Annexation for each of the above said properties will be on the earlier of: (A) The date when said properties are approved for voluntary annexation pursuant to §71.012 R.S.Mo. or (B) Thirty (30) Days after the latter of the Declaratory Judgment or the final election required by §71.015 R.S.Mo..

Upon annexation each of the above said properties will be zoned R-1B Single Family pursuant to the Ordinances of the City of Smithville.

Upon annexation each of the above said properties will subject to City Sales Tax in the Amount of 8.475% (2.5%) and City Use tax in the amount of 7.85% ((2.5%) and City Real Property Tax in tax in the amount of \$0.4484 per One Hundred Dollar Valuation and Personal Property Tax in the Amount of \$0.4484 per One Hundred Dollar Valuation, pursuant to the Ordinances of the City of Smithville. Sewer fees will be reduced to those rates charged other residents.

At the public hearing on the issue of Involuntary Annexation on the 5th day of January, 2021 at 7.00 P.M. the City presented the plan of intent and evidence in support thereof to include: (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;

The City conducted a public hearing on the issue of Involuntary Annexation of the above said properties on the 5th day January 2021 at 7.00 P.M. in which it took evidence and thereafter passed this Ordinance authorizing the annexation of the following properties and hereby direct the Mayor, City Administrator and City Attorney to proceed with all steps necessary for the annexation of the following properties pursuant to §71.015 R.S.Mo. into the City limits of Smithville Missouri.

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.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the ____ day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond
City Clerk

First Reading 01/05/2021
Second Reading / /

FINAL PLAT – LANDMARK FARMS



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Development

AGENDA ITEM: Resolution 865, Final Plat Landmark Farms

RECOMMENDED ACTION:

A motion to approve Resolution 865 – Final Plat Landmark Farms.

SUMMARY:

The Final Plat would create 10 lots on 77 acres of newly annexed land for future home sites at the southeast corner of 188th Street and County Line Road.

BACKGROUND:

The land involved was annexed in two parts: one in November and the second in December and contains land in two both Platte and Clay counties. The land is subject to the zoning in Bill No. 2882-20 Initial Zoning for 18523 County Line Road on tonight's agenda. If approved, that A-R zoning designation would allow for the creation of these 10 lots in sizes from 3.5 to 10+ acres. This will be the first agricultural subdivision to be included in the Planning Commission's recommended change in interpretation of the Parks Dedication provisions in the subdivision code last October. This subdivision is subject to paying a \$625 fee in lieu of dedication of Parks and Open Space for each of the 10 lots. The total amount of \$6,250 is to be paid into the Parks Capital Fund for improvements to parks prior to recording the Final Plat.

PREVIOUS ACTION:

The property was annexed in November and December of 2020, and the zoning is to be established earlier in tonight's agenda.

POLICY ISSUE:

The Comprehensive Plan calls for residential development in the area involved.

FINANCIAL CONSIDERATIONS:

None.

ATTACHMENTS:

- | | |
|--|--|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Plans (Final Plat) |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

RESOLUTION 865

**A RESOLUTION APPROVING A FINAL PLAT FOR LANDMARK FARMS
SUBDIVISION**

WHEREAS, the applicant submitted a request to annex certain land, along with a subdivision application to create 10 lots on a 77 acre parcel lying over the Platte and Clay County lines just south of 188th Street, and;

WHEREAS, the land was annexed in December, followed by a Planning Commission hearing concerning both setting the initial zoning of the land to A-R and a Single-Phase Final Plat to create 10 lots, and;

WHEREAS, the Planning Commission, following the hearings, recommended approval of the subdivision in accordance with the staff report recommended conditions, and;

WHEREAS, the subdivision of land complies with the Comprehensive Plan.

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

**THAT THE FINAL PLAT OF LANDMARK FARMS IS APPROVED WITH THE
CONDITION THAT THE APPLICANT COMPLY WITH THE PARK FEE
REQUIREMENTS ARE MET PRIOR TO RECORDING THE PLAT.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 5th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



December 8, 2020
Initial zoning of Clay County Parcel Id # 05202000100300 and
Platte County Parcel # 11-2.0-03-000-000-002.000

Application for a Plat Approval – Landmark Farms 10 lots

Code Sections:

425.285.A.4 Single Phase Final Plat Approval

Property Information:

Address: 18523 County Line Rd.
Owner: Landmark Farms, LLC
Current Zoning: County Agricultural
Proposed Zoning: A-R

Public Notice Dates:

1st Publication in Newspaper: November 19, 2020
Letters to Property Owners w/in 185': November 20, 2020

GENERAL DESCRIPTION:

The property is currently a 77 +/- acre parcel owned by Landmark Farms, LLC and includes one single family residence on a farm. The application is to divide the land into 10 A-R zoned lots for future single-family residential uses. The land is contained in both Clay and Platte Counties, the east 55 acres is in Clay, while the west 22 acres is in Platte county.

The Planning Commission shall consider the following criteria in making a recommendation on the plat:

- a. The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. *Yes, the layout complies with zoning and subdivision requirements.*
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. *The Development pattern is*

similar to the existing zoning on the property and the Comprehensive Plan calls for agricultural.

c. The development shall be laid out in such a way as to result in:

(1) Good natural surface drainage to a storm sewer or a natural watercourse. *The property is generally flat with no substantial swales and would be developed into 4 3.5 acre lots and 6 10 acre lots. The proposed density is such that no stormwater report is needed as the available land for each lot is sufficient to disperse any collected stormwater.*

(2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. *Again, a series of single family houses on 10 total lots is anticipated and the only grading will be for the proposed foundations of the houses and any outbuildings.*

(3) A good grade relationship with the abutting streets, preferably somewhat above the street. *Each lot will have several hundred feet of street frontage and no adjustments are anticipated.*

(4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy. *Yes.*

(5) Adequate lot depth for outdoor living space. *Yes.*

(6) Generally regular lot shapes, avoiding acute angles. *Yes.*

(7) Adequate building lots that avoid excessive grading, footings or foundation walls. *Yes.*

d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles. *Yes.*

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. *There are no new roadways as the existing lots are on existing blacktop.*

f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. *Yes, the development will be for septic sewers on all lots, and all utilities are available at the street frontage.*

g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount of off-site stormwater runoff before development. *The proposed development meets this standard.*

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. *Complies.*

i. The plat is located in an area of the City that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services.

Yes.

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval.

Annexed.

k. The applicant agrees to dedicate land, right-of-way and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein. *Yes, the plat includes the required dedications.*

l. All applicable submission requirements have been satisfied in a timely manner.

Yes.

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. *Staff's recommendation is based upon the developer's contributing \$625.00 per lot (\$6,250.00 for 10 lots) in Park land fees in lieu of dedication and installing up to two fire hydrants along the waterline on 188th St..*

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat based upon adherence to the conditions contained in this report.

Respectfully Submitted,

Director of Development

FINAL PLAT LANDMARK FARMS

A SUBDIVISION 53 NORTH, RANGE 33 WEST,
CLAY AND PLATTS COUNTY, MISSOURI

OWNER'S CERTIFICATION

I, ERIC CRAIG, the owner of the above described land, hereby certify that the above plat is a true and correct representation of the actual survey and that the same has been prepared by a duly licensed and qualified surveyor, and that the same has been approved by the Board of Surveyors of the State of Missouri.

SMITHVILLE PLANNING AND ZONING COMMISSION

THE FINAL PLAT OF LANDMARK FARMS SUBDIVISION WAS SUBMITTED TO AND APPROVED BY THE SMITHVILLE PLANNING AND ZONING COMMISSION ON 11/17/2020 AT 10:00 AM IN THE CITY OF SMITHVILLE, MISSOURI.

SMITHVILLE PLANNING AND ZONING COMMISSION

THE FINAL PLAT OF LANDMARK FARMS SUBDIVISION WAS SUBMITTED TO AND APPROVED BY THE SMITHVILLE PLANNING AND ZONING COMMISSION ON 11/17/2020 AT 10:00 AM IN THE CITY OF SMITHVILLE, MISSOURI.

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SMITHVILLE PLANNING AND ZONING COMMISSION

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SMITHVILLE PLANNING AND ZONING COMMISSION

THE FINAL PLAT OF LANDMARK FARMS SUBDIVISION WAS SUBMITTED TO AND APPROVED BY THE SMITHVILLE PLANNING AND ZONING COMMISSION ON 11/17/2020 AT 10:00 AM IN THE CITY OF SMITHVILLE, MISSOURI.

SMITHVILLE PLANNING AND ZONING COMMISSION

THE FINAL PLAT OF LANDMARK FARMS SUBDIVISION WAS SUBMITTED TO AND APPROVED BY THE SMITHVILLE PLANNING AND ZONING COMMISSION ON 11/17/2020 AT 10:00 AM IN THE CITY OF SMITHVILLE, MISSOURI.

CARES EXPENDITURES – DECEMBER 2020



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Administration, Finance

AGENDA ITEM: Resolution of 866 – Approval of Remaining CARES Expenditures

RECOMMENDED ACTION:

Motion to approve Resolution 866.

SUMMARY:

This Resolution would approve expenditures of CARES-related expenses through December 2020.

BACKGROUND:

Congress passed, and the President signed, the Coronavirus Aid Relief and Economic Security (CARES) Act on March 27, 2020, which provides for federal stimulus monies to flow to the states by population and to counties within the state also by population. On May 1, 2020, the Clay County Commission approved Resolution 2020-139 which distributed funds to entities within Clay County based on population and identified \$945,399.87 as Smithville's allocation.

In June 2020, the Board discussed staff's proposal to approve expenditures in several general categories: Citywide Expenditures Related to COVID-19 Expenditures; Renovation of City Facilities and Purchase of Equipment to Enhance Mitigation of the Spread of COVID-19; Small Business Grants; and Set-Aside for Future Needs Relating to COVID-19. Staff created a separate fund to track eligible expenses and recommends that the Board approve expenses before submitting to Clay County.

Prior expenditure reports to Clay County for the months of March through November 2020 totaling \$358,438 can be found on the City website at <https://www.smithvillemo.org/pview.aspx?id=20815&catid=25>.

The seventh and final expenditure report to Clay County will include \$604,476.31 of COVID-related expenses incurred through December 2020 for purchases of PPE, cleaning supplies and equipment, payments towards the fixture replacement projects, and a second round of utility and housing assistance grants. This final report also includes allowable reimbursement for public safety expenditures between March and

Smithville Board of Aldermen

June 2020 totaling \$297,578. It is expected these funds will be utilized for COVID-related expenses occurring after January 1, 2021.

These expenditures, when added to prior expenditures, total \$962,914 – more than the City's allocation from the County. This allows reimbursement of police salary costs during the early part of the pandemic.

Expenditures are detailed on the attached report, which will be filed with Clay County on or before January 15, 2021.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

Cares Funding

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: January 15 Clay County Report | |

RESOLUTION 866

**A RESOLUTION APPROVING EXPENDITURES FROM THE CARES ACT
STIMULUS FUND IN THE AMOUNT OF \$604,476.31 FOR EXPENDITURES
RELATED TO THE COVID19 PANDEMIC.**

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

WHEREAS, the City of Smithville was disbursed approximately \$945,400 through Clay County for eligible cost reimbursement of expenses related to addressing the COVID19 pandemic; and

WHEREAS, eligible expenses and documentation is required to be submitted monthly to Clay County; and

WHEREAS, in order track eligible expenditures the City established a separate fund titled CARES Act Stimulus Fund; and

WHEREAS, eligible expenditures incurred through December 30, 2020 in the CARES Act Stimulus Fund total \$604,476.31.

NOW, THEREFORE, BE IT RESOLVED that expenditures totaling \$604,476.31 in the CARES Act Stimulus Fund are approved as prior expenses and will be reported to Clay County on or before January 15, 2021.

PASSED THIS 5th DAY OF January 2021

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

SMITH'S FORK CAMP HOST AGREEMENT



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Parks and Recreation

AGENDA ITEM: Resolution 867, Camp Host Contract Renewal

RECOMMENDED ACTION:

Motion to approve Resolution 867.

SUMMARY:

Dennis and Katrina Reeves have completed their second year of Camp Host Services for the City of Smithville. Staff and patrons alike have noticed improved appearance and cleanliness of the campground and the restroom facilities and grounds at the day use areas of Smith's Fork Park. Customer satisfaction surveys consistently rank them a "five out of five" with many additional complimentary comments about the job they doing as hosts. The Reeves' would like to return to the campground for the 2021 season.

PREVIOUS ACTION:

Resolution 669 awarded the bid of camp host to Dennis and Katrina Reeves on February 25, 2019 for the April 1 to October 31, 2019 season, with the option to renew for three additional seasons at the option of the City.

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

ATTACHMENTS:

- | | |
|--|--|
| <input type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

RESOLUTION 867

A RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH DENNIS AND KATRINA REEVES FOR CAMP HOST SERVICES AT SMITH'S FORK CAMPGROUND.

WHEREAS, the Board of Aldermen of the City of Smithville, Missouri desires to provide the citizens of Smithville and campground patrons with a full-time camp host at Smith's Fork Campground; and

WHEREAS, The City of Smithville contracted with Dennis and Katrina Reeves for such services on February 25, 2019 for the April 1 to October 31, 2019 season and the contract may be renewed for three additional seasons at the option of the City, and;

WHEREAS, both parties wish to renew the contract, and;

WHEREAS, the contract provides annual renewal at the City's option for such services.

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

THAT the Board of Aldermen for the City of Smithville, Missouri hereby directs the Mayor to execute a renewal of the agreement with Dennis and Katrina Reeves for Camp Host Services at Smith's Fork Park beginning April 1, 2021 and ending October 31, 2021.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 5th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

RESOLUTION 669

**A RESOLUTION AWARDING A BID/CONTRACT IN RESPONSE TO BID
NO. 19-06 FOR CAMP HOST SERVICES**

WHEREAS, The Board of Aldermen of the City of Smithville, Missouri desires to provide the citizens of Smithville and campground patrons with a full-time camp host at Smith's Fork Campground;

WHEREAS, staff has conducted a Request for Proposals for Camp Host Services as outlined in the City Purchasing Policy; and

WHEREAS, after a bid process, staff has made the recommendation to accept the lowest and best bid received from Dennis and Katrina Reeves as being the most advantageous to the City.

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

THAT Bid No. 19-06 is hereby awarded to Dennis and Katrina Reeves and the Mayor is hereby authorized to execute a contract for services in an amount not to exceed \$14,700.00.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 25th day of February 2019.


Damien Boley, Mayor

ATTEST:


Linda Drummond, City Clerk

AGREEMENT

THIS AGREEMENT entered into this 5th day of March, 2019, by and between the **CITY OF SMITHVILLE, MISSOURI**, a Missouri Municipal Corporation ("City") and Dennis and Katrina Reeves, ("Camp Host"), as follows:

WHEREAS, the City desires to use retain the services of the Camp Host to provide certain services concerning camp hosting duties for the City's Smith's Fork Park, and

WHEREAS, the Camp Host desires to perform such services for the City at Smith's Fork Park; and,

WHEREAS, the City issued a Request for Proposals and Camp Host was selected as the lowest and best bid provider, and

WHEREAS, the Parties desire to enter into an agreement that contains the rights and responsibilities of each party for the services listed herein, and

NOW, THEREFORE, it is agreed as follows:

Term:

The initial term of the contract shall be for the 2019 season, which runs from April 1 to October 31, 2019. This agreement may be renewed for three additional seasons at the option of the City.

City's Responsibilities:

The City shall be responsible to provide the Camp Host with certain materials and supplies in accordance with the attached Scope of Services for the 2019 Smith's Fork Park Camp Host. The City shall pay a contract fee of \$2,100.00 for each month of the term not to exceed \$14,700.00 for the entire term.

Camp Host's Responsibilities:

The Camp Host shall be responsible to provide Camp Hosting services in accordance with the attached Scope of Services for the 2019 Smith's Fork Park Camp Host.

General Contractual Terms:

1. The parties agree that this agreement shall constitute the sole agreement between the parties, subject to the attached Scope of Services.

2. The parties agree that in the event of a dispute, Missouri Law shall govern the resolution of such dispute, and that Venue for any court resolution is solely held in Clay County Missouri.
3. The parties agree that any amendments to this agreement must be in writing and signed by both parties in accordance with Missouri law (including Board of Aldermen approval) before such amendment is valid. If the parties agree to amend the Scope of Services, such amendment may be amended by a written change to such document, signed by both the Camp Host and the City's Administrator.
4. Both this agreement, and the Scope of Services are deemed by the parties to be jointly drafted, and no other presumptions shall be made concerning how the agreement and Scope of Services are to be construed by a Court of Law.

Termination of Contract:

1. The Camp Host may terminate this contract with 30 days notice to City, but only in the event that the City has defaulted in the payment of sums due under this contract for a period of thirty days or more.
2. The City may terminate this contract with two-weeks' notice to the Camp Host for failure to comply with the contract and scope of services requirements. The City shall afford the Camp Host the opportunity correct deficiencies by providing notice indicating the specifications that are not being met and the opportunity to correct such deficiencies within one week. If the City has provided the one-week opportunity to correct, and the Camp Host fails to do so, or if the Camp Host has previously been provided notice on any other matter which requires correction and again fails to meet the specifications, the City may then terminate this agreement.


IN WITNESS WHEREOF, the parties have entered this Agreement the day and year first above written.

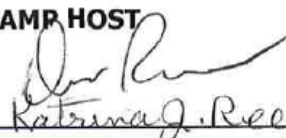
CITY OF SMITHVILLE, MISSOURI



Mayor Damien Boley

ATTEST:

By _____
Linda Drummond, City Clerk

CAMP HOST


Katrina J. Reeves

SCOPE OF SERVICES

The City of Smithville and Camp Host agree that the following is a list of the services required to be provided for the 2019 Camp Season. The Camp Host is responsible to complete each service in accordance with any written policies or procedures. In determining what constitutes compliance with any of the General Duties, past practice/standards shall be met. The Camp Host understands that they are a contractor, and not an employee of the City of Smithville. The Camp Host also understands that they are responsible for maintaining insurance on all of their personal property (including their camper or RV) and shall not make claims against the City for any damages to such personal property that occurs during the performance of their duties. Contractor shall keep in mind that they are a representative of the City and that any communication, online social media or otherwise shall not reflect negatively on the City or its representatives.

The Camp Host shall provide the following services, and any additional services necessary to provide a clean, safe, and comfortable environment for the public at the Park:

1. Remove all litter and debris from the campground, shelters and day use areas on a daily basis and place all such litter and debris in a proper receptacle.
2. Clean and sanitize the shower house and restrooms not less than once each day, or more frequently as needed during high usage periods.
3. Perform general grounds maintenance in assigned areas that include, but are not limited to: trimming around trees, posts, culverts and buildings, mowing the campground and day use areas, tree and landscaping maintenance and care; general facility care and maintenance.
4. Perform routine maintenance and minor repairs to camp sites, plumbing, sewer and electrical systems, as well as assigned equipment.
5. Collect all fees for camping or other services offered. Each day's cash collections shall be transmitted to the City by the end of business of the next day. Maintain records of each transaction for inspection by the City upon request. Provide not less than weekly reports that account for all monies taken and rentals in a format that is easily understood and is capable of passing an audit when compared with the records of each transaction.
6. Provide all check-in and check-out services to camp patrons as requested.
7. Operate firewood and ice concessions, which include maintaining supplies in the inventory sufficient to handle the anticipated demand from patrons.
8. Monitor vending and laundry concessions and coordinate vendor service requests as needed.
9. Provide information and initial enforcement of park regulations; provide other non-specific visitor services sufficient enough to provide campground patrons and the general public with a positive outdoor recreational experience.
10. Such services as identified herein shall be provided by Camp Host at all days and times throughout the entire season. The only exceptions to this responsibility will be during any time(s) that the entire park has been leased for special events. The City

will coordinate with the Camp Host the dates and times of any such special events to give the Host sufficient notice, which shall not be less than one week prior to such event(s).

11. Tour the campground and day use areas no less than three times daily, morning, afternoon and evening looking for litter, vandalism, equipment malfunction, and cleanliness.
12. Prepare and deliver children's activities on holiday weekends, Memorial Day, Fourth of July, and Labor Day, including but not limited to bicycle parades, crafts, and contests. Activities must be pre-approved by the City.
13. Any substitute, or assistant host must be approved by the City before working on site. Background checks may be performed at the discretion of the City.
14. Provide an accounting of all work performed by contractor and any additional assistants
15. Facilitate any online reservations or platforms
16. Perform marketing duties as it relates to camping including but not limited to social media and photography

In order to perform these duties, the City shall provide the following materials, equipment and supplies:

1. One campsite, with full utility hookups. Such campsite will include a shelter, a picnic table, one phone land line and answering machine. The phone and answering machine are for official duties only.
2. One golf cart for use in the park only. The use of the cart includes fuel for the cart.
3. One spot light, miscellaneous hand tools, one string trimmer and string and fuel to operate.
4. A mower and fuel to operate within the park
5. Trash bags, toiletries, and cleaning supplies for the shower and restroom facilities.
6. Maps, brochures and other notices for dissemination to the patrons and public.
7. Keys to all facilities and equipment.
8. All authorized forms for rentals and any other necessary office supplies required to complete such forms.

In order to perform these duties, it is expected that the Camp Host provide the following:

1. A mobile trailer, motor home or approved equal that contains sanitary facilities and all equipment necessary for habitation. Such trailer or home must be on jacks or blocks for the duration of the contract and should not be used for transportation.
2. A vehicle, other than the one provided above to be used for all local and off-site transportation.

While performing the duties under this scope of services, the contracting Camp Host shall abide by all federal, state and local laws, including, but not limited to those pertaining to discrimination based upon any protected class. The Camp Host shall provide all services in a professional, courteous manner and shall treat all patrons and the general public with respect.

If a dispute arises, the Camp Host is expected to be able to effectively handle the dispute in a professional manner. In the event the patron or member of the public will not comply with any camp rule, the Camp Host may contact the Clay County Sherriff for assistance with unruly patrons or members of the public.

ACKNOWLEDGEMENT OF PURCHASE OF AN AUTO SAMPLER



**Board of Alderman
Request for Action**

MEETING DATE: 1/5/2021

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 868, authorizing the expenditure of funds for the purchase of an autosampler, in an amount of \$8,044.

RECOMMENDED ACTION:

Approve Resolution 868 authorizing the expenditure of funds for the purchase of an autosampler, in an amount of \$8,044.

SUMMARY:

The City was issued a new State Operating Permit for the Wastewater Plant effective December 1, 2020. The letter accompanying the permit was dated December 3, 2020. One of the new requirements of the permit is that daily samples of both the influent and the effluent of the wastewater. Previously, samples were required of effluent only. Staff has purchased a second autosampler to meet the permit requirements. The autosampler is the same make and brand as our current effluent sampler.

PREVIOUS ACTION:

None

POLICY ISSUE:

Regulatory requirement / Infrastructure maintenance

FINANCIAL CONSIDERATIONS:

Funds are available in the operational budget for the wastewater plant.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: invoice | |

RESOLUTION 868

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE
PURCHASE OF AN AUTOSAMPLER, IN AN AMOUNT OF \$8,044**

WHEREAS, the Utilities Department uses an autosampler to sample (Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) in its wastewater effluent, and;

WHEREAS, the City received a new Missouri State Operating Permit effective December 1, 2020 requiring daily monitoring of the City's influent, and;

WHEREAS, the Utilities Department has purchased an autosampler to meet the requirements of the new permit from USA BlueBook in an amount of \$8,044, and;

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

THAT the expenditure of funds for the purchase of an autosampler from USA BlueBook in an amount of \$8,044 is hereby approved.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 5th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Smithville Board of Aldermen



Remit To:
P.O. Box 9004
Gurnee, IL 60031-9004
TEL: (847) 689-3000
FAX: (847) 689-3001
TOLL FREE: 1-800-493-9876
F.E.I.N.: 52-2418852

INVOICE

0020/5107

INVOICE NO.	PAGE NO.
441882	1 of 1
CUSTOMER NO.	DATE
482930	12/09/20

View online at: <http://usabluebook.billtrust.com>
Web Enrollment Token: HFM TKS KSP

BILL TO: 482930

SHIP TO: 6

SMITHVILLE WATER DEPT
1 HELVEY PARK DR
SMITHVILLE MO 64089
USA

SMITHVILLE WATER DEPT
16401 LOWMAN RD
SMITHFIELD MO 64089
USA

Ordered by: 0002 BOB LEMLEY

Attention: 0002 BOB LEMLEY

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA
VERBAL BOB	12/09/20	KCC	NET 30	MOEXEMPT	973632	01	FXD/PPD	FEDEXFRTPRIORTY
USA STOCK NO.	DESCRIPTION	ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
3087	AS950 All Weather Sampler 115V 2.5 gal Bottle Top Heater DOCK HOURS 7am-3pm M-F 816-985-8371 Bob	1	1	0	EA	7,940.00	EA	7,940.00
THANK YOU for your business! 1.5% MONTHLY FINANCE CHARGE ON AMOUNTS 30 DAYS PAST DUE Discounts Apply to Merchandise Only		MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL	
		7,940.00	0.00	0.00	0.00	104.00	8,044.00	

Should it become necessary to refer your unpaid balance to a collection agency, a collection fee, not to exceed 25% of the balance referred; plus reasonable attorney's fees; and court costs when necessary, will be added to the balance due.
Please Detach and Return Bottom Portion to Ensure Proper Credit to Your Account



****IMPORTANT****

Please include this customer #
on the face of your remittance check.

INVOICE NO.	CUSTOMER NO.	DATE	TOTAL
441882	482930	12/09/20	8,044.00

SMITHVILLE WATER DEPT
1 HELVEY PARK DR
SMITHVILLE MO 64089
USA

REMITTANCE ADDRESS

USABlueBook
P.O. Box 9004
Gurnee, IL 60031-9004