



SMITHVILLE, MISSOURI

Board of Aldermen - Regular Session

7:00 p.m.

January 19, 2021

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AGENDA



**City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda
January 19, 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 – Sewer Rates**
- 4. Public Hearing – Annexation**
Lot 9, Lakeside Crossing First Plat
- 5. Consent Agenda**
 - **Minutes**
 - January 5, 2021 Board of Alderman Regular Session Minutes
 - **Financial Report**
 - November 2020 Finance Report

REPORTS FROM OFFICERS AND STANDING COMMITTEES

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

ORDINANCES & RESOLUTIONS

8. Bill No. 2883-21, Involuntary Annexation – Lakeside Crossing – 2nd Reading

An Ordinance authorizing the annexation of certain lots in Lakeside Crossing pursuant Section 71.015 RSMo. 2nd reading by title only.

9. Bill No. 2884-21, Annexation – Lot 9 Lakeside Crossing – 1st Reading

An Ordinance to approve the annexation of Lot 9 in Lakeside Crossing. 1st reading by title only.

10. Bill No. 2885-21, Amending Section 150.080 Exceptions to the Purchasing Policy – 1st Reading

An Ordinance to repeal Section 150.080 Exceptions (to the Purchasing Policy) and replacing it with a new Section 150.080 Exceptions. 1st reading by title only.

11. Resolution 869, Records Management Software Agreement

A Resolution authorizing the purchase of records management software for the Police Department from CentralSquare Technologies, LLC in an amount not to exceed \$91,579.35.

12. Resolution 870, MOU with Platte County Sheriff's Department

A Resolution authorizing and directing the Mayor to enter into an MOU with the Platte County Sheriff's Department allowing access to records for records management.

13. Resolution 871, Crime Stoppers TIPS Hotline Program

A Resolution authorizing and directing the Mayor to execute a contract with the Kansas City Metropolitan Crime Commission to provide services to the City through participation in the TIPS Hotline Program.

14. Resolution 872, Award Bid No. 21-04, Rebuild Transfer High Service Pumps

A Resolution to award Bid No. 21-04, Rebuild Transfer High Service Pumps to Sargent Drilling in an amount not to exceed \$13,750 and to Mid-America Pump in an amount not to exceed \$22,828.49 to rebuild both pumps.

OTHER MATTERS BEFORE THE BOARD

15. Public Comment

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

16. New Business From The Floor

Pursuant to the order of business policy, members of the Board of Aldermen may request a new business item appear on a [future meeting agenda](#).

17. Adjourn

PUBLIC HEARING – SEWER RATES



STAFF

REPORT

Date:	January 19, 2021
Prepared By:	Stephen Larson, Finance Director
Subject:	Utility Rate Increases
Staff Report:	Public Works (Utilities), Finance

In November 2018, Raftelis Financial Consultants, LLC presented their utility rate study, which included a five-year plan for recommended water and sewer structure changes and rate increases. The change in structure and first increase were approved by the Board on March 3, 2019 and were effective with the June 2019 utility bills (which mailed in early July 2019).

The Board has asserted that it would like to move forward with implementing the third increase effective with the March 2021 utility bills (which would mail in early April 2021). Staff is looking for a direction from the Board as to continuing with the recommended rates from Raftelis.

PROPOSED CALENDAR

RSMO requires that a Public Hearing be held prior to increasing sewer rates and requires that notification of the Public Hearing be published in a newspaper of general circulation in Smithville at least 30 days prior to the hearing. Below is a projected calendar for the adoption of new water and sewer rates, should the Board so direct.

Date	Action
December 1, 2020	Board of Aldermen Work Session discussing rates proposal
December 11, 2020	Deadline to send Notice of Public Hearing to Courier-Tribune
December 17, 2021	Notice of Public Hearing published in Courier-Tribune
January 3, 2021	Proposed rate information provided in newsletter with December utility bills
January 7-17, 2021	Proposed rate information provided via social media
January 19, 2021	Public Hearing at Board of Aldermen Meeting
February 2, 2021	Resolution to Amend the Schedule of Fees at Board of Aldermen Meeting
March 1, 2021	Implementation of new rates
April 3, 2021	First utility bill produced under new rate structure

UTILITY RATE HISTORY

The following charts compare the proposed water and sewer structure and rates with water and sewer structure and rate history dating back to the first increase effective June 1, 2019. The changes effective June 1st, 2019 were the only changes since November 1st, 2015. The amounts listed are for both residential and commercial customers, except for those marked with an asterisk (*), where the first amount listed is for residential customers and the second amount listed is for commercial customers.

Water Meter Service Charge	3/1/21 (recommended)	3/1/20 (current)	6/1/19
3/4" Meter	11.21	10.68	10.65
1" Meter	11.21/17.64*	10.68/16.80*	10.65/15.92*
2" Meter	52.97	50.45	47.63
3" Meter	103.95	99.00	94.28
4" Meter	162.18	154.45	145.65
6" Meter	322.78	307.41	289.81

Water Usage Rate by Volume	3/1/21 (recommended)	3/1/20 (current)	6/1/19
Per 1,000 gallons	7.89	7.43	6.99

Wastewater Service Charge	3/1/21 (recommended)	3/1/20 (current)	6/1/19
3/4" Meter	14.56	13.00	12.87
1" Meter	14.56/23.15*	13.00/20.67*	12.87/19.10*
2" Meter	70.40	62.86	57.81
3" Meter	149.52	133.50	116.09
4" Meter	216.42	193.24	177.46
6" Meter	431.17	384.97	353.42

Wastewater Rate by Volume	3/1/21 (recommended)	3/1/20 (current)	6/1/19
Per 1,000 gallons	5.84	4.85	3.77

EFFECT ON A TYPICAL RESIDENTIAL UTILITY BILL

All residential customers have a 3/4" or 1" meter servicing the residence. With the monthly service fees identical for both size meters, below is a projected utility bill for a residential customer with a 3/4" meter and 5,000 gallons of usage.

Projected Utility Bill for 5,000-gallon User	3/1/21 (recommended)	3/1/20 (current)
3/4" Water Meter Service Charge	11.21	10.68
Water Usage Charge for 5,000 gallons	39.45	37.15
Residential Water Sales Tax (1.000%)	0.51	0.48
DNR Fee for 3/4" Meter	0.31	0.31
Wastewater Service Charge	14.56	13.00
Wastewater Usage Charge for 5,000 gallons	29.20	24.25
TOTAL	95.24	85.87

IMPACT ON CONTRACTED USER'S UTILITY BILL

The City has a contract with PWSD #8 to supply water at a special rate (this is the only special contract the City has for water services). That contract was effective November 2nd, 2016 and runs through November 2nd, 2031. The current rate is \$4.44 per 1,000 gallons. Section C-3 of that contracts dictates that "any increase in such rates shall not be greater than the same percentage of increase as [the] City charges its own citizen retail customers" and that "any such change in rate shall become effective at the same time as such change becomes effective to [the] City's own citizen retail customers." The proposed percentage increase in water usage charges for citizen retail customers is 6.3%. Therefore, the proposed rate for this contract would increase to \$4.72 per 1,000 gallons. A projected bill for PWSD #8 is provided below.

Projected Utility Bill for PWSD #8 at 188th Street (avg. 2,525,000-gallon user) [tax exempt, water only]	3/1/21 (recommended)	3/1/20 (current)
Water Usage Charge for 2,525,000 gallons	11,918.00	11,211.00
DNR Fee for 4" Meter w/o Sewer	3.43	3.43
TOTAL	11,921.43	11,207.57

IMPACT ON COMMERCIAL USERS' UTILITY BILLS

The City's largest customer is Clay County Parks, who has two accounts with the City. Projected bills for both of Clay County Parks' accounts are provided below. Projected utility bills for several of the City's largest remaining customers are provided after.

Projected Utility Bill for Clay County Parks DD Hwy (avg. 650,000-gallon user) [tax exempt, water only]	3/1/21 (proposed)	3/1/20 (current)
Water Usage Charge for 650,000 gallons	5,128.50	4,829.50
DNR Fee for 6" Meter w/o Sewer	6.87	6.87
TOTAL	5,135.37	4,836.37
Projected Utility Bill for Clay County Parks F Hwy (avg. 275,000-gallon user) [tax exempt, water only]	3/1/21 (proposed)	3/1/20 (current)
Water Usage Charge for 275,000 gallons	2,169.75	2,043.25
DNR Fee for 4" Meter w/o Sewer	3.43	3.43
TOTAL	2,173.18	2,046.68
Projected Utility Bill for St. Luke's Northland Hospital (avg. 340,000-gallon user) [tax exempt]	3/1/21 (proposed)	3/1/20 (current)
4" Water Meter Service Charge	162.18	154.45
Water Usage Charge for 340,000 gallons	2,682.60	2,526.20
DNR Fee for 4" Meter	4.26	4.26
Wastewater Service Charge	216.42	193.24
Wastewater Usage Charge for 340,000 gallons	1,985.60	1,649.00
TOTAL	5,051.06	4,527.15
Projected Utility Bill for Smithville Living Center (avg. 250,000-gallon user) [tax exempt]	3/1/21 (proposed)	3/1/20 (current)
2" Water Meter Service Charge	52.97	50.45
Water Usage Charge for 250,000 gallons	1,972.50	1,857.50
DNR Fee for 2" Meter	0.87	0.87
Wastewater Service Charge	70.40	62.86
Wastewater Usage Charge for 250,000 gallons	1,460.00	1,212.50
TOTAL	3,556.74	3,184.18

Projected Utility Bill for Pro Car Wash on Park Drive (avg. 215,000-gallon user)	3/1/21 (proposed)	3/1/20 (current)
3" Water Meter Service Charge	103.95	99.00
Water Usage Charge for 215,000 gallons	1,696.35	1,597.45
Business Water Sales Tax (7.975%)	143.57	135.29
DNR Fee for 3" Meter	4.26	4.26
Wastewater Service Charge	149.52	133.50
Wastewater Usage Charge for 215,000 gallons	1,255.60	1,042.75
TOTAL	3,353.25	3,012.25
Projected Utility Bill for Pro Car Wash on W Second Street (avg. 150,000-gallon user)	3/1/21 (proposed)	3/1/20 (current)
2" Water Meter Service Charge	52.97	50.45
Water Usage Charge for 150,000 gallons	1,183.50	1,114.50
Water Sales Tax (7.975%)	98.61	92.90
DNR Fee for 2" Meter	0.87	0.87
Wastewater Service Charge	70.40	62.86
Wastewater Usage Charge for 150,000 gallons	876.00	727.50
TOTAL	2,282.35	2,049.08
Projected Utility Bill for Smithville Housing Authority (avg. 155,000-gallon user) [tax exempt]	3/1/21 (proposed)	3/1/20 (current)
2" Water Meter Service Charge	52.97	50.45
Water Usage Charge for 155,000 gallons	1,222.95	1,151.65
DNR Fee for 2" Meter	0.87	0.87
Wastewater Service Charge	70.40	62.86
Wastewater Usage Charge for 155,000 gallons	905.20	751.75
TOTAL	2,252.39	2,017.58

AFFIDAVIT OF PUBLICATION

NPG Newspapers, Inc., P.O. Box 29, St. Joseph, MO 64502

Reference: 269213 P.O. :
Ad ID: 6668445 DESC. :Sewer charge revisions.Hearing 1/19/21

JACK HENDRIX
CITY OF SMITHVILLE
107 W. MAIN
SMITHVILLE, MO 64089

County of Clay
State of Missouri

I, SANDRA RIDINGS, being duly sworn according to law, state that I am the Legal Advertising Coordinator of THE COURIER TRIBUNE, a weekly newspaper of general circulation in the County of Clay County, State of Missouri, where located; which newspaper has been admitted to the Post Office as periodical class matter in the City of Liberty, Missouri, the city publication; which newspaper had been published regularly and consecutively for a period of four years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agree to pay a state price for a subscription for a definite period of time. Affiant further declares that said newspaper is qualified under and has complied with provision of Section 493.050 to 493.090, Missouri Revised Statutes 1949, as amended. The affixed notice appeared in said newspaper on the following consecutive week(s):

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

NOTICE OF PUBLIC HEARING

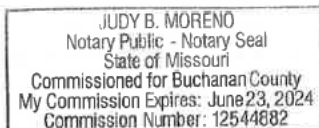
Pursuant to Section 250.233 RSMo., a public hearing will be held during the City of Smithville Board of Alderman meeting beginning at 7:00 p.m. Tuesday, January 19, 2021, at Smithville City Hall, 107 W. Main Street, Smithville, Missouri, at which time citizens may be heard on proposed revisions to sewer charges for the City of Smithville. 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.

Run Dates: 12/17/20 to 12/17/20
Appearances: 1
AD SPACE: 38

(Signed) 

Subscribed and sworn before me this
17 day of Dec. 2020

 Notary Public



My Commission Expires: 6/23/24

PUBLIC HEARING – ANNEXATION



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Development

AGENDA ITEM: Annexation Public Hearing

RECOMMENDED ACTION:

Mayor to Conduct a Public Hearing for the Annexation of Lot 9, Lakeside Crossing.

SUMMARY:

The public hearing process will allow interested parties to provide input on whether Lot 9 in Lakeside Crossing should be annexed into the city limits.

BACKGROUND:

Lakeside Crossing subdivision was partially annexed during initial construction, and all lots were required to annex when asked in order to connect to the city sewer system.

PREVIOUS ACTION:

none

POLICY ISSUE:

Annexation Policy

FINANCIAL CONSIDERATIONS:

Will increase general tax revenues, but reduce sewer use fees.

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: Public Notice | |

Smithville Board of Aldermen

AFFIDAVIT OF PUBLICATION

NPG Newspapers, Inc., P.O. Box 29, St. Joseph, MO 64502

Reference: 269213 P.O. :
Ad ID: 6669298 DESC. :Hearing Jan 19.Voluntary Annexation Appl

JACK HENDRIX
CITY OF SMITHVILLE
107 W. MAIN
SMITHVILLE, MO 64089

County of Clay
State of Missouri

I, SANDRA RIDINGS, being duly sworn according to law, state that I am the Legal Advertising Coordinator of THE COURIER TRIBUNE, a weekly newspaper of general circulation in the County of Clay County, State of Missouri, where located; which newspaper has been admitted to the Post Office as periodical class matter in the City of Liberty, Missouri, the city publication; which newspaper had been published regularly and consecutively for a period of four years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agree to pay a state price for a subscription for a definite period of time. Affiant further declares that said newspaper is qualified under and has complied with provision of Section 493.050 to 493.090, Missouri Revised Statutes 1949, as amended. The affixed notice appeared in said newspaper on the following consecutive week(s):

(Published in the Courier-Tribune
Thurs., 12/31/20)

NOTICE OF PUBLIC HEARING

To whom it may concern and to all parties interested, notice is hereby given that at 7:00 PM on January 19, 2021, the Smithville Board of Aldermen in City Hall, 107 W. Main St., Smithville, Mo. will conduct public hearings on the following Voluntary Annexation applications:

Lot 9, Lakeside Crossing First Plat, a subdivision of land in Clay County, Missouri, according to the recorded plat thereof, more commonly known as 2411 NE 157th Ter.

All persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed changes to the city limits will be considered by the Board as provided by law.

Run Dates: 12/31/20 to 12/31/20
Appearances: 1
AD SPACE: 46

(Signed) 

Subscribed and sworn before me this
31 day of Dec. 2020

 Notary Public

JUDY B. MORENO
Notary Public - Notary Seal
State of Missouri
Commissioned for Buchanan County
My Commission Expires: June 23, 2024
Commission Number: 12544882

My Commission Expires: 6/23/24

CONSENT AGENDA



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

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 January 5, 2021 Board of Alderman Regular Session Minutes

Financial Report

- Approve the November 2020 Finance Report

SUMMARY:

Voting to approve would approve the Board of Alderman minutes and November finance report.

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 checked="" type="checkbox"/> Other: Finance Report | |

Board of Aldermen Minutes – January 5, 2021 Regular Session

SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

January 5, 2021 7:00 p.m.
City Hall Council Chambers

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

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

1. Call to Order

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

Staff present via Zoom: Cynthia Wagner, Chuck Soules, Chief Jason Lockridge, Matt Denton, Stephen Larson, and Linda Drummond. John Reddoch, City Attorney was also present vis Zoom. Jack Hendrix was present at City Hall

2. Pledge of Allegiance lead by Mayor Boley

3. Public Hearing – Involuntary Annexation of Certain Lots in Lakeside Crossing

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

Mayor Boley opened the Public Hearing at 7:01 p.m.

Jack Hendrix, Development Director gave testimony on behalf of the City and presented the following twenty items.

1. 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.
2. 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 ¶13 "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."

3. 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.
4. 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.
5. 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:
6. Lot 4, Lakeside Crossing First Plat, Clay County Missouri 15719 North 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. An application was received today for voluntary annexation.

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.

7. 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.
8. The City's Ordinances apply to most of the lots in the Lakeside Crossing subdivision but not all.
9. The City is charging two different sewer rates to lots within the same subdivision.
10. Last 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.. One has asked to be annexed others refused to respond. 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.
11. The process for involuntary annexation is set forth in § 71.015, R.S.Mo.
12. 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.
13. 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.
14. The City has published in a newspaper of general circulation qualified to publish legal matters in the Clay County at least three weeks before the hearing notice of the hearing regarding the proposed involuntary annexation of the above said property. The publications occurred on December 10, December 17 and December 24.

15. The boundaries of each of the above said properties comply with the statutory requirements of §71.015 R.S.Mo. regarding Involuntary Annexation.
16. 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.
17. The City believes that the annexation of each of the above said properties is reasonable and necessary to the proper development of the City.
18. 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..
19. Upon annexation each of the above said properties will be zoned R-1B Single Family pursuant to the Ordinances of the City of Smithville.
20. 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 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 in the City limits.

Public Testimony

Russ Woollums, 2224 NE 158th Street, Lot 34, stated that he and his wife are the original purchaser and current occupant. He said the primary point he would like to make to the Board of Alderman was that they would be willing to sign off on a voluntary annexation however they would request a one-year lead time before the effective date.

Kevin O'Brien, 2402 NE 158th Street, Lot 36, stated that he and his wife Regina purchased their home in 2006. Shortly after they purchased the home, they were approached by the City of Smithville asking if they would like to voluntarily annex. They decided not to and were told they did not have to but whoever purchased the house from them would have be forced to annex into the City.

He said that he had consulted a lawyer and was told that he if brought the case to court he would probably win but it would cost him his life savings.

Pam Faulkner, 15705 N. Wabash Street, Lot 24, stated that she did not address the issue because her home is for sale. She had a contract on it, and they were to close but one week prior to closing the buyer backed out. She explained that she called the City Monday to find out what advantage it would be to annex. She stated that they moved there in 2003 and were told they would always be in the County unless they sold, then the home would have to be annexed into the City. She also said that the City did not inform them when the Lakeside Crossing subdivision plat was changed to include larger lots.

Adjourn Public Hearing for Involuntary Annexation of Lakeside Crossing

Mayor Boley closed the Public Hearing at 7:16 p.m.

4. Consent Agenda

- **Minutes**

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

No discussion.

Alderwoman Wilson moved to approve the consent agenda. Alderman Ulledahl seconded the motion.

Ayes – 5, Noes – 0, Abstained – 1, motion carries. The Mayor declared the consent agenda approved.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

5. Committee Reports

Alderman Chevalier reported on the December 17 Parks and Recreation Committee meeting. They met with the Future iQ, Landworks Studio and JS & A consultants to discuss the process for the Parks Master Plan.

Mayor Boley thanked Alderwoman Wilson for attending the meeting and encouraged the Alderman to attend future Parks Master Plan meetings.

6. City Administrator's Report

Cynthia noted that in the packet was information about staff preparing to respond to the winter events last week. Chuck Soules and Allen Jensen have provided additional information on those events. Tuesday was basically a rain event that turned to ice and slush, City crews spent about nine and a half hours and dispersed approximately 25 tons of salt. The Friday event was more extensive and all our crews as well as the contractor, Lotus, were called in to begin work around 1:00 a.m. to pretreat hills and stops. The rain and sleet started around 3:00 a.m. and

ended around 2:00 p.m. with as all snow. City crews remained working until about 7:45 p.m. on Friday evening and at that point in time had most roads clear. Lotus worked until about 9:00 p.m. Lotus was responsible for the Hills of Shannon, Harborview, Ashmont, Basswood and Emerald Ridge subdivisions. We did receive some complaints with regard to the areas where the contractor removed the snow, and we are working through those.

Cynthia said she believed it was a communication issue of ensuring the public knows what to expect of both the City crew as well as the contract crew. Staff has scheduled a debrief with both the City crew and the contract crew for later this week and hope that we can work through that. One of the things we did find in conversations with a number of the members of the Board was an improvement in the areas cleared by City crews because they were able to focus their time on some of those other areas while the contract crews took some of that pressure off. There are some kinks to work out, but Cynthia feels it was a good first start.

Mayor Boley said that he appreciated that City crews removed the piles of snow from the downtown area Monday for the businesses.

Cynthia also indicated the crews had used a total of about 80 tons of salt and 10 tons of salt and sand mix. We do have another 100 tons of salt on order to replenish our stores.

Cynthia noted there is a memo in the packet with regard to grant applications for Mid-America Regional Council (MARC) grant funding. Cynthia indicated she had not heard from the Board with questions or concerns about the timing outlined in the memo. She said unless the Board had concerns staff would proceed as outlined.

Today the management team, Alderwoman Wilson, Alderman Sarver, Mayor Boley and Kelly Kobylski participated in the process to interview four candidates for the Assistant City Administrator position. Cynthia explained we had a good pool and have a couple candidates that we are looking to continue through the process as outlined in the packet. We are hopeful to have someone onboard mid-February.

Cynthia noted that Chuck has confirmed with Evergy that the new electric poles going up 169 Highway will be a loop for the electric power. The service will tie into the existing power around 180th Street. This system should reduce the frequency of power outages.

Alderman Chevalier asked about the grant funding timeline from MARC and what was the reason for not receiving the funding until 2023-2024 and is there any way they would fund them sooner?

Staff Memo on MARC Grant Funding

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 streetlights; 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 preceding year (2023 funding becomes available on October 1, 2022. 2024 funding becomes available October 1, 2023.)

Chuck explained that MARC schedules these grants out two years. They have already awarded the federal funding for 2021 and 2022. The federal funds will not be available for this round until October of 2022 and that is reason for the scheduled dates of these projects. Chuck explained that the grant process is a long process and staff has been working on this one since April 2020 and MARC is just now getting around to awarding the funds. He noted that if they have a project that does not go through, we can be ready to proceed with ours. There are some rights-of-way we will have to obtain for the sidewalk on Commercial Street, but Chuck believes that we have all of the rights-of-way for the Streetscape project. We will still have to meet the FHWA guidelines for a design and MoDOT is going to have to review it. This is a yearlong process just to get through the design phase. Staff will start on that as soon as we get written confirmation from MARC. Chuck said that if they have funds available earlier, we can sure see if we can get on the schedule, sometimes projects do not move forward as quickly as they think.

Alderwoman Wilson asked when the north phase of Streetscape is scheduled or is it dependent on the funds from MARC?

Mayor Boley noted that the north phase of Streetscape is Bridge Street and is slated as Phase III. He said that in the memo the two projects on Main Street the sidewalk

project and Streetscape Phase II. He asked if the Board would want to flip flop those projects or were, they good with the way they stand now?

Alderwoman Wilson said she would rather see Streetscape Phase III be completed first. She would rather see the Streetscape be completed before the Commercial Street sidewalks.

The Board agreed with Alderwoman Wilson.

Mayor Boley asked if we would be alright with revenue to flip the projects?

Cynthia said she believes that will work.

Mayor Boley confirmed the Board recommendation is starting Streetscape III in October 2022 based on the time the funds are scheduled to be received from MARC, the project being part of the FY23 budget, then the Commercial Street sidewalks project. He asked if the Board was all in agreement?

The Board all agreed with the schedule change for the projects.

ORDINANCES & RESOLUTIONS

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

Alderman Chevalier 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. 2nd 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 – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2882-20 approved.

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

Alderman Chevalier moved to approve Bill No. 2883-21, annexing certain lots in Lakeside Crossing. 1st reading by title only. Alderwoman Wilson seconded the motion.

Alderman Chevalier asked Mr. Woollums why he requested one-year lead time?

Mr. Woollums said it was because they were in the process of constructing a new home and would prefer to wait until the home was sold or January 1, 2022.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2883-21 approved for first reading.

9. Resolution 865, Final Plat, Landmark Farms

Alderman Chevalier moved to approve Resolution 865, approving the final plat for Landmark Farms at 18523 County Line Road. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 865 approved.

10. Resolution 866, November and December CARES Funding

Alderman Chevalier moved to approve Resolution 866, approving eligible expenditures incurred through December 30, 2020 totaling \$604,476.31 in the CARES Act Stimulus Fund. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 866 approved.

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

Alderman Chevalier moved to approve Resolution 867, to renew the agreement with Dennis and Katrina Reeves for Camp Host services for the FY21 camping season. Alderman Atkins seconded the motion.

Alderwoman Wilson and Alderman Atkins said they were pleased to see the positive comments for the Reeves.

Mayor Boley said he had not received any complaints and asked Matt Denton to please convey a message to the Reeves that they have done a stellar job.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 867 approved.

12. Resolution 868, Acknowledgement of Purchase of Auto Sampler

Alderman Chevalier moved to approve Resolution 868, acknowledging the purchase of an Auto Sampler for the Wastewater Plant. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 868 approved.

OTHER MATTERS BEFORE THE BOARD

13. Public Comment

None

14. New Business from the Floor

None

15. Adjourn.

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

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 7:32 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

Finance Report – November 2020**FY21 BUDGET - FINANCIAL UPDATE****11/30/20**

REVENUES, BY FUND	FY20 Actual	FY21 Budget	FY21 YTD	FY21 Projection	
GENERAL FUND	4,725,176.86	4,634,040.00	231,426.15	4,634,040.00	4.99%
CAPITAL PROJECTS FUND	-	-	-	-	#DIV/0!
CAPITAL IMPROVEMENT SALES TAX FUND	579,720.69	530,750.00	32,589.69	530,750.00	6.14%
DEBT SERVICE FUND	556,280.00	342,190.00	-	342,190.00	0.00%
TRANSPORTATION SALES TAX FUND	582,358.98	530,750.00	32,589.52	530,750.00	6.14%
COMBINED WATER & WASTEWATER SYSTEMS FUND	4,460,383.48	4,808,890.00	421,125.42	4,808,890.00	8.76%
SANITATION FUND	831,293.48	890,550.00	66,613.23	890,550.00	7.48%
	11,735,213.49	11,737,170.00	784,344.01	11,737,170.00	6.68%

EXPENDITURES, BY FUND	FY20 Actual	FY21 Budget	FY21 YTD	FY21 Projection	
GENERAL FUND	4,909,573.90	5,701,540.00	341,480.43	5,701,540.00	5.99%
CAPITAL PROJECTS FUND	699,506.47	1,624,440.00	6,568.75	1,624,440.00	0.40%
CAPITAL IMPROVEMENT SALES TAX FUND	556,280.00	752,250.00	-	752,250.00	0.00%
DEBT SERVICE FUND	325,017.50	329,860.00	-	329,860.00	0.00%
TRANSPORTATION SALES TAX FUND	175,690.18	955,820.00	2,113.59	955,820.00	0.22%
COMBINED WATER & WASTEWATER SYSTEMS FUND	5,434,892.12	7,325,260.00	369,306.61	7,325,260.00	5.04%
SANITATION FUND	813,356.26	885,710.00	80,250.24	885,710.00	9.06%
	12,914,316.43	17,574,880.00	799,719.62	17,574,880.00	4.55%

[Full Finance Report – November 2020](#)

CITY ADMINISTRATOR'S REPORT



City Administrator's Report

January 14, 2021

Facility Use Policy Review and Senior Center Use for Public Health Purposes

As you may recall, in November scheduling and programming coordination for the Senior Center was moved to the Parks and Recreation Department under the direction of Recreation and Marketing Manager Brittanie Propes. I've asked Brittanie and Parks and Recreation Director Matt Denton to work with Administration and Police Department staff to review the current facility use policy for recommended changes. This will include a review of the special event application and process as well as park facility use. We hope to have recommended changes to this policy to bring to the Board in a work session in the next couple of months.

In the interim, the City has had an inquiry from Heart to Heart International, who is partnering with Clay County Public Health Center, to use the Senior Center as an indoor testing site for COVID19. Staff has scheduled a call with Heart to Heart International to obtain more information about this request.

Police Department Grant Award

The Smithville Police Department has received notice that an application for the FY2020 Local Law Enforcement Block Grant has been approved. This grant awards money to departments to improve officer safety. This year the department requested funding to replace worn trauma/first aid kits for each car and individual first aid kits for each officer to carry. The award is for just under \$3,200, and the grant is 100% funded with no match from the City. Sergeant Dan Gearhart identified this grant opportunity, completed the application process and is administering the grant.

Recruitment Processes

Police Officer

As you are aware, we currently have four vacancies in the Police Department. Chief Lockridge and members of staff have identified some additional outreach and

Smithville Board of Aldermen

recruitment efforts in order to broaden our scope of search for candidates for this position. Recruitment is ongoing.

Assistant City Administrator

Members of the management team are meeting Thursday afternoon with a final candidate for the position. Depending on the outcome of those discussions and potential negotiations if an offer is extended, we still hope to have a new person on board by mid-February.

Campground Electrical Upgrades

This week, the parks and recreation maintenance team began prep work at Smith's Fork campground to start the first phase of the electrical upgrade project. The contractor, Mr. Electric, also started their work on the project this week. The project is on schedule to be completed before the opening of the campground April 1. Matt is working with Mr. Electric to add an additional 400-amp main panel to prepare for phase two and three of upgrades since the bid came in lower than the budgeted amount.



WCA Annual Report

Attached is a residential trash and recycling report from WCA. As noted, WCA has been the city's residential trash hauler since January 1, 2017. The current contract with WCA expires March 31, 2022. Staff will be coming to the Board in a work session in the coming months to discuss a bid process for service commencing in January 2022.

City Hall Closed Monday

City Hall and city facilities will be closed on Monday in observance of Martin Luther King Jr. Day.

**STAFF REPORT**

Date: 01/11/2021
Prepared By: Chuck Soules
Subject: WCA Annual Report

In 2017 the City entered into an agreement with WCA (Waste Corporation of Missouri) for residential solid waste services. The services provided include solid waste, recycling and yard waste collection and disposal. The City has 3,621 accounts for solid waste.

In 2020 WCA collected 3,274 tons of residential waste, 626 tons of single-stream recyclables and 550 tons of organic materials.

There were a total of 533 issues reported including:

- 297 calls related to service
- 108 container related (i.e. request additional cart)
- 17 general comment / complaint
- 111 missed pick up

WCA collected Bulky Items during May 11-15 and again September 21-25.

WCA requested a 3.1% increase for 2021 bringing the cost to \$19.90 / household.

In October WCA was acquired by GFL Environmental. This acquisition will not change services in Smithville.

Smithville's agreement expires March 31, 2022 and requires a six month notice if service is to be terminated. In 2021 the City will need to discuss putting out an RFP for solid waste collection services and any additional services the community desires. Notice of any change in vendor or service changes will need to be sent to WCA (GFL Environmental) by the first of October.



January 7, 2021

Cynthia Wagner
City Administrator
City of Smithville, MO
107 W Main Street
Smithville, MO 64089

Ms. Wagner:

WCA of Missouri, LLC is pleased to provide the enclosed report for residential trash and recycling collection in Smithville.

As you know, WCA has been the city's residential hauler since January 1, 2017, and the company enjoys the relationships we have built with the Smithville community since that day. We understand the weekly privilege we enjoy by traveling on every street in every residential neighborhood, and we remain committed to providing safe, courteous and efficient solid waste service.

WCA appreciates the support, patience and cooperation that you, your staff and Smithville residents provided as we made operational changes to ensure both employee safety and efficient collection in a COVID-19 environment. We are proud that we were never forced to delay Smithville collections or suspend specific materials in the face of new employee protocols and episodic staffing challenges.

Thank you for your time and attention. Please call me with any questions or comments that arise from the report.

Tom Coffman
WCA Municipal Manager

cc: Charles F. Soules, P.E., Public Works Director

[WCA 2020 Solid Waste Report](#)

INVOLUNTARY ANNEXATION – LAKESIDE CROSSING



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Development

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

RECOMMENDED ACTION:

A motion to approve Bill No. 2883-21 Involuntary Annexation for second reading by title only.

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 also known as 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 also known as 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

Smithville Board of Aldermen

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 also known as 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 19th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond
City Clerk

First Reading 01/05/2021
Second Reading / /

ANNEXATION – LOT 9 LAKESIDE CROSSING



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2884-21, Annexation 2411 NE 157th Street – 1st Reading

RECOMMENDED ACTION:

A motion to approve Bill No. 2884-21 for first reading by title only.

SUMMARY:

Approving this ordinance would annex Lot 9 of Lakeside Crossing 1st Plat into the City.

BACKGROUND:

This is one of the remaining lots in Lakeside Crossing that was requested to voluntarily annex in accordance with a Sewer Service Agreement for the subdivision executed in 1996.

PREVIOUS ACTION:

none

POLICY ISSUE:

Annexation

FINANCIAL CONSIDERATIONS:

Would increase general tax revenues and reduce sewer use fees.

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 checked="" type="checkbox"/> Other: Staff Report | |

BILL NO. 2884-21

ORDINANCE NO. XXXX-21

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

WHEREAS, on the 3rd day of December 2020, a verified petition was signed by all owners of the real estate hereinafter described, requesting annexation of said territory into the City of Smithville, Missouri and filed with the City Clerk; and

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

WHEREAS, a public hearing concerning said matter was held at City Hall in Smithville, Missouri, at the hour of 7 p.m. on the 19th Day of January, 2021; and

WHEREAS, notice of said public hearing was given by publication of notice hereof on the 31st day of December 2020 in the Courier Tribune, a weekly newspaper of general circulation, in the County of Clay, State of Missouri; and

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

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

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

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

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

Lot 9, Lakeside Crossing 1st Plat

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

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

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

PASSED THIS ____ DAY OF FEBRUARY 2021.

Damien Boley, Mayor

ATTEST

Linda Drummond
City Clerk

First Reading: 1/19/2021

Second Reading / /



STAFF REPORT

January 19, 2021

Annexation of Parcel Id # 05-908-00-03-031.00

Bill No. 2884-21

Application for Voluntary Annexation of Land to the City

Code Sections:	State Law Section 71-012 Annexation
Property Information:	Address: 2411 NE 157 th St.
	Owner: GPC Fund I LLC
Notice Date:	December 31 st , 2021

GENERAL DESCRIPTION:

The applicant seeks to annex Lot 9 of Lakeside Crossing into the city.

COMPLIANCE WITH COMPREHENSIVE PLAN

Voluntary annexation is a request by a property owner and is subject to the discretion of the City. The Comprehensive Plan currently identifies certain areas that can be considered for annexation. The subject property is surrounded by the city limits on three sides and a part of the Lakeside Crossing subdivision.

CONTIGUOUS AND COMPACT

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

ABILITY TO PROVIDE SERVICES

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

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed annexation.

Respectfully Submitted,

Zoning Administrator

AMENDING SECTION 150.080 - EXCEPTIONS TO THE PURCHASING POLICY



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Finance

AGENDA ITEM: Bill No. 2885-21, Amending Section 150.080 Exceptions to the Purchasing Policy – 1st Reading

RECOMMENDED ACTION:

A motion to approve Bill No. 2885-21 Amending Section 150.080, Exceptions to the Purchasing Policy, for first reading by title only.

SUMMARY:

This Ordinance expands the City's ability to take advantage of pricing from purchasing cooperatives.

BACKGROUND:

The City's Purchasing Policy allows the use of cooperative purchasing agreements and purchases have been made under such agreements, including through the State of Missouri and Mid America Regional Council. Staff has been made aware of an additional purchasing cooperative in Kansas which has a particular focus on parks and recreation equipment and supplies. In review of the cooperative, the City Attorney recommended amendment to the Purchasing Policy to expand the exceptions section to allow more flexibility in using such cooperative agreements to achieve the best pricing available.

PREVIOUS ACTION:

POLICY ISSUE:

Amend City's Purchasing Policy.

FINANCIAL CONSIDERATIONS:

Allows the City to obtain best possible pricing for purchases of equipment and other supplies commonly used.

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. 2885-21

ORDINANCE NO. _____

**ORDINANCE REPEALING ORDINANCE SECTION 150.080 EXCEPTIONS [TO
THE PURCHASING POLICY] AND ENACTING IN ITS PLACE
A NEW ORDINANCE SECTION 150.080 EXCEPTIONS**

WHEREAS SECTION 150.080 EXCEPTIONS [to the Purchasing Policy] of the Smithville City Ordinances currently reads as follows:

Section 150.080 Exceptions.

A. *Emergencies. "Emergency situations" are defined as when a purchase is immediately necessary for the preservation of life or property for the continued operation of the department involved. Note: Failure to complete purchasing forms before the item was needed does not constitute an emergency. Emergency purchases will be made only when a situation as defined above exists.*

1. *In every case involving an emergency, the nature of the emergency must be sufficiently documented as such.*
2. *In all emergency situations every effort will be undertaken to contact the purchasing agent for authorization prior to making an emergency purchase.*

B. *Single-Source Vendor. The purchasing agent may waive the requirement of competitive bids or proposals for supplies when the purchasing agent has determined in writing that there is only a single feasible source for the supplies. Immediately upon discovering that other feasible sources exist, the purchasing agent shall rescind the waiver and proceed to procure the supplies through the competitive processes as described in this Chapter. A single feasible source exists when:*

1. *Supplies are proprietary and only available from the manufacturer or a single distributor; or*
2. *Based on past procurement experience, it is determined that only one (1) distributor services the region in which the supplies are needed; or*
3. *Supplies are available at a discount from a single distributor for a limited period of time.*

C. *Cooperative Procurement. The purchasing agent may contract directly with other governmental entities for the purchase of supplies. The purchasing agent may also participate in, sponsor, conduct or administer a cooperative purchasing agreement whereby supplies are procured in accordance with a contract established by another governmental entity, provided that such contract was established in accordance with the laws and regulations applicable to the establishing governmental entity.*

WHEREAS Section § 70.220(1) R.S.Mo. provides as follows: *1. Any municipality or political subdivision of this state, as herein defined, may contract and cooperate with*

any other municipality or political subdivision, or with an elective or appointive official thereof, or with a duly authorized agency of the United States, or of this state, or with other states or their municipalities or political subdivisions, or with any private person, firm, association or corporation, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; provided, that the subject and purposes of any such contract or cooperative action made and entered into by such municipality or political subdivision shall be within the scope of the powers of such municipality or political subdivision.

WHEREAS Section § 70.220(1) R.S. Mo. allows the City to enter into cooperative agreements that are broader in scope than provided for in §150.080(C) of the Smithville City Ordinances.

WHEREAS the City of Smithville wishes to put everyone on notice that in an attempt to save money and to streamline the necessary purchasing and contracting process that the City may as an additional exception to the general purchasing policy, contract and cooperate with any other municipality or political subdivision, or with an elective or appointive official thereof, or with a duly authorized agency of the United States, or of this state, or with other states or their municipalities or political subdivisions, or with any private person, firm, association or corporation, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service as provided in § 70.220(1) R.S. Mo.

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

Effective Immediately Smithville City Ordinance §150.080 EXCEPTIONS is repealed and a new §150.080 EXCEPTIONS is adopted which shall read as follow:

Section 150.080 Exceptions.

A. *Emergencies. "Emergency situations" are defined as when a purchase is immediately necessary for the preservation of life or property for the continued operation of the department involved. Note: Failure to complete purchasing forms before the item was needed does not constitute an emergency. Emergency purchases will be made only when a situation as defined above exists.*

1. *In every case involving an emergency, the nature of the emergency must be sufficiently documented as such.*

2. *In all emergency situations every effort will be undertaken to contact the purchasing agent for authorization prior to making an emergency purchase.*

B. *Single-Source Vendor. The purchasing agent may waive the requirement of competitive bids or proposals for supplies when the purchasing agent has determined in writing that there is only a single feasible source for the supplies.*

Immediately upon discovering that other feasible sources exist, the purchasing agent shall rescind the waiver and proceed to procure the supplies through the competitive processes as described in this Chapter. A single feasible source exists when:

- 1. Supplies are proprietary and only available from the manufacturer or a single distributor; or*
- 2. Based on past procurement experience, it is determined that only one (1) distributor services the region in which the supplies are needed; or*
- 3. Supplies are available at a discount from a single distributor for a limited period of time.*

C. Cooperative Procurement. The purchasing agent may contract directly with other governmental entities for the purchase of supplies. The purchasing agent may also participate in, sponsor, conduct or administer a cooperative purchasing agreement whereby supplies are procured in accordance with a contract established by another governmental entity, provided that such contract was established in accordance with the laws and regulations applicable to the establishing governmental entity.

D. SECTION 70.220 R.S.MO AUTHORITY. The City may as an additional exception to the general purchasing policy, upon approval of the Board of Aldermen, contract and cooperate with any other municipality or political subdivision, or with an elective or appointive official thereof, or with a duly authorized agency of the United States, or of this state, or with other states or their municipalities or political subdivisions, or with any private person, firm, association or corporation, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service.

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

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

1st reading 01/19/2021

2nd reading __/__/__

RECORDS MANAGEMENT SOFTWARE AGREEMENT



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Police Department

AGENDA ITEM: Resolution 869 - Purchase of Police Records Management System

RECOMMENDED ACTION:

A motion to approve Resolution 869 authorizing the Mayor to approve the purchase of a records management system from CentralSquare Technologies, LLC.

SUMMARY:

The current records management software used by the Smithville Police Department was purchased in 2000. Since then, there has been one major update, in 2007.

The Platte County Sheriff's Department implemented a new records management system in 2018. Since the Platte County Sheriff's Department (PCSD) dispatches for the Smithville Police Department, they have offered to allow us to use the same vendor but utilize their servers and system to operate. This would allow us to save money while replacing our dated system. By utilizing the same system, the Platte County Sheriff's Department and the Smithville Police Department would be able to share information regarding calls and crimes. The patrol officers would have access to dispatched information and both agencies would be able to share information and data about crimes, trends, and individuals.

By utilizing this option the City of Smithville will save approximately \$90,000 versus implementing a new stand-alone system. The costs for software, hardware, installation and support total \$91,579.35.

The software currently used by the PCSD is Central Square Public Safety. Multiple agencies in the KC Metro Area are utilizing this software. All these agencies have the ability to share information with one another. In addition to the PCSD, the following agencies are, or will be, utilizing Central Square: Excelsior Springs, Gladstone, Blue Springs, Lee's Summit, Liberty (2021), Kearney (2021), Grandview (2021) and Ray County. As this list grows so does the interoperability and the information sharing abilities of all the agencies involved.

Some of the key features of the Central Square Public Safety Suite include fine-grained permissions, MULES/NCIC queries, configurable user dashboards, redaction abilities,

agency-base configurability, custom forms and modules, alerts, fleet management, inventory management, equipment tracking, self-dispatching, scheduled calls, mapping integration, record alert notifications, automatic vehicle location and routing. Records is the report writing management module within Public Safety Suits that consolidates and automates records processing for agencies. Records provides a smooth workflow for case reporting, case management and approval. Information is pulled from the dispatching entry into the case, reducing redundant data entry. The eCitations module works hand in hand with the Records module.

Central Square provides customer support 24 hours per day, 7 days a week, 365 days per year. They manage the servers running their software and monitor them for performance. Central Square replaces these servers on a regular basis to make sure agencies are performing at optimal levels. This management includes backing up of data for security at least every 30 minutes.

This as recommended is a sole source purchase, as allowed for under City Code Section 105.080.B, Single-Source Vendor. This software is the only option that the Platte County Sheriff's Department will allow to interface with their current system.

The attached contacts have been reviewed and approved by the City's legal counsel.

PREVIOUS ACTION:

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

FY 21 Budget included \$100,000 for this project.

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 869

A RESOLUTION AUTHORIZING THE PURCHASE OF A RECORDS MANAGEMENT SOFTWARE SYSTEM FROM CENTRALSQUARE TECHNOLOGIESI LLC IN AN AMOUNT NOT TO EXCEED \$91,579.35.

WHEREAS, software designed for public safety computer-aided dispatching, records management systems software, and ancillary systems were evaluated; and

WHEREAS, the CentralSquare TechnologiesI LLC software far exceeded the capabilities of other products evaluated; and

WHEREAS, the proposal offered by CentralSquare Technologies, LLC provides a "Cooperative Procurement" for government entities to serve as "sole source" provider; the proposal from CentralSquare Technologies, LLC is recommended.

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

THAT, the Mayor of Smithville is hereby authorized to approve the purchase of records management software for the Police Department from CentralSquare Technologies, LLC in an amount not to exceed \$91,579.35.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

MOU WITH PLATTE COUNTY SHERIFF'S DEPARTMENT



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Police Department

AGENDA ITEM: Resolution 870 - Memorandum of Understanding with Platte County allowing access to records management software

RECOMMENDED ACTION:

A motion to approve Resolution 870 authorizing the Mayor to sign a Memorandum of Understanding with Platte County.

SUMMARY:

This Memorandum of Understanding, between Platte County and the City of Smithville, is for the use of the Zuercher/Central Square Records Management System (RMS) of the Platte County Sheriff's Department (PCSO). The PCSO will be the host site for the City's new RMS system. This agreement outlines duties, responsibilities, and expectations. The City's legal staff have worked with Platte County to develop the MOU. Legal staff has also consulted with the City's I.T. contractor to discuss technical points of concern related to implementation of the system. The attached MOU is being presented for approval and signature.

PREVIOUS ACTION:

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

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: MOU | |

RESOLUTION 870

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH PLATTE COUNTY FOR THE SHARED USE OF A POLICE RECORDS MANAGEMENT SYSTEM.

WHEREAS, the Platte County Sheriff's Department has recently implemented a new records management system; and

WHEREAS, the Platte County Sheriff's Department dispatches calls for service for the Smithville Police Department; and

WHEREAS, the City of Smithville seeks to update the Smithville Police Department's records management system; and

WHEREAS, the Platte County Sheriff's Department and the Smithville Police Department desire to further their interoperability with one another; and

WHEREAS, the Platte County Sheriff's Department will provide these services to the City of Smithville, but ONLY if there is a written agreement; and

WHEREAS, entering into this agreement is in the best interests of the City of Smithville.

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

THAT THE MAYOR BE AUTHORIZED TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND PLATTE COUNTY FOR THE COOPERATIVE USE OF THE ZUERCHER/CENTRAL SQUARE RECORDS MANAGERMENTS SYSTEM.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Records Management System Host Site Memorandum of Understanding/Cooperative Agreement

This memorandum of understanding/Cooperative Agreement (hereinafter “MOU”) is being executed between the County of Platte (hereinafter “COUNTY”), the Platte County Sheriff’s Office (hereinafter “PCSO”) and the City of Smithville (hereinafter “CITY”) for the utilization of the Zuercher/Central Square Records Management System (RMS) (also known as **Public Safety Software System**) of the PCSO as a host site for CITY’s RMS in conjunction with the agreement entered into by both parties with Central Square, Zuercher and/or their affiliates. The organizations agree to abide by the terms and provisions of this MOU.

This MOU shall be effective upon the date of the MOU is signed by the last signing party and shall automatically renew for each successive calendar year thereafter unless terminated by any party. Participating organizations can terminate this MOU by providing a thirty-day advance written notice to each of the other organizations participating with the MOU.

PURPOSE AND MISSION

The mission of the collective organization will be to enhance public safety within their respective jurisdictions through utilization of shared RMS resources.

GENERAL AGREEMENT

During this agreement CITY agrees to utilize the same RMS utilized by the PCSO. PCSO currently utilizes the Zuercher RMS operated by CentralSquare Technologies (hereinafter “Zuercher”). COUNTY through PCSO agrees to function as a host site for the Zuercher RMS which would allow CITY to connect to Zuercher RMS servers via the PCSO Zuercher RMS.

DUTIES AND RESPONSIBILITIES

The following duties and responsibilities are mutually agreed upon by the PCSO and the CITY and will consist of, but not be limited to, the following:

- a) PCSO will maintain its computer network in a manner consistent with the FBI Criminal Justice Information Services (CJIS) Security Policy and with applicable regulations of the Missouri State Highway Patrol (MSHP) CJIS program, commonly referred to as MULES.
- b) CITY will maintain its law enforcement computer network in a manner consistent with the FBI CJIS Security Policy and with applicable regulations from MULES.
- c) CITY will maintain its law enforcement network with security devices and protocols identified by PCSO, to limit any security concerns to PCSO’s network.
- d) CITY will connect its RMS to the PCSO RMS through a Virtual Private Network (VPN) service, which shall be specified by the PCSO Information Technology Unit. CITY agrees that it will not utilize VPN software that has not been approved by the PCSO Information Technology Unit. CITY further agrees that it, nor any of its, employees,

officers, volunteers or contractors will utilize the VPN to access any areas of the PCSO networks other than those specifically authorized in writing by the PCSO Information Technology Unit.

- e) CITY will be responsible for the costs of VPN licenses required for connection to the PCSO RMS, any cost associated with the construction of the VPN and any associated maintenance costs for the VPN, including but not limited to costs associated with troubleshooting or vendor helpdesk services related to the VPN. CITY further agrees that it will only use vendors approved by the PCSO Information Technology Unit for acquisition and maintenance of the VPN.
- f) PCSO will furnish CITY with a list of approved VPN software and approved vendors. PCSO reserves the right to designate as many or as few vendors as it determines is appropriate in order to maintain security of the PCSO networks.
- g) Only authorized members of CITY's law enforcement agency shall be allowed to access the CITY RMS and the VPN connection to the PCSO. Authorized members are defined as licensed peace officers of and civilian staff of CITY's law enforcement agency who have successfully completed CJIS security training and are authorized under FBI CJIS and MULES regulations to have access to CJIS records. To ensure compliance with FBI CJIS and MULES regulations, CITY agrees to provide the PCSO Information Technology Unit with the names and requested identifying information of CITY's staff who will need access to the CITY RMS. CITY further agrees that whenever a member of CITY's staff with access to the CITY RMS separates employment with CITY or needs to have access to the CITY RMS disabled, CITY will notify the PCSO Information Technology Unit within 24 hours of the separation or the event necessitating the disabling of the employee's access.
- h) CITY agrees to provide the PCSO Information Technology Unit with reasonable and necessary access to CITY's computer network for the purpose of conducting security audits. The PCSO Information Technology Unit will audit CITY's computer network prior to the connection of CITY's law enforcement computer network to the PCSO network via VPN. The PCSO Information Technology Unit will periodically audit CITY's network during the life of this MOU to ensure applicable security standards are met. CITY agrees to remedy any security deficiencies identified by the PCSO Information Technology Unit. PCSO, upon approval of the Sheriff of Platte County, may restrict or terminate CITY's access to the PCSO network at anytime if the PCSO Information Technology Unit identifies a security concern on CITY's network until such security concern is remedied.

- i) Any costs associated with bringing CITY's law enforcement network into compliance with the FBI CJIS and/or MULES policies and regulations shall solely be borne by CITY.
- j) That the CITY costs are only those identified herein as both parties agree that cooperation between them is in the best interest of all of the members of the public served by the use of the RMS.
- k) CITY shall have the right to maintain, obtain and/or keep access to and ownership of all records added to the RMS system by CITY.
- l) PCSO agrees to reasonably provide continuous access to the CITY to the RMS and other systems identified in subparagraph (a) above and to reasonably maintain the Server Hardware, maintained by PCSO, as identified in the RMS agreements of the parties in good working order such that the RMS functions as designed. CITY understands and acknowledges that portions of the Server Hardware are maintained and serviced by Zuercher and are therefore outside of PCSO's ability to maintain. CITY further acknowledges that such portions of the Server Hardware shall be maintained by Zuercher and are not the responsibility of PCSO.

EFFECT ON OTHER AGREEMENTS

The parties recognize and acknowledge that nothing in this MOU shall be interpreted to affect that party's contractual relationship with CentralSquare Technologies and that neither COUNTY, PCSO, nor any of its employees, officers or officials serve as agents for CentralSquare Technologies. The parties further recognize and acknowledge that the existence of this MOU is predicated on PCSO and CITY both using Zuercher as their respective RMS. If either PCSO or CITY, in their sole discretions, ceases utilizing Zuercher as their RMS or Zuercher ceases to support the arrangement contemplated by this MOU, then this MOU shall terminate. If PCSO or CITY intend to replace their RMS with a product other the Zuercher and thereby terminate this MOU, they should notify the designated point of contact of the other party according to the termination notice provisions contained in this MOU.

POINTS OF CONTACT

For the COUNTY AND PCSO

Name: Erik G. Holland
Lockridge
Title: Undersheriff
Phone: 816-858-3450
Email: erikholland@plattesherriff.org

For the CITY

Name: Jason

Title: Chief of Police
Phone: 816-532-0500
Email: jlockridge@smithvillemo.org

In WITNESS WHEREOF, the parties have hereunto set their hands and seals on the
____ day of _____, 20__

For the COUNTY and PCSO

Ron Schieber, Presiding Commissioner
Platte County, Missouri

Mark S. Owen, Sheriff
Platte County, Missouri

Attest: _____
Platte County Clerk

For the CITY

Name:
Title:

Attest: _____
City Clerk

CRIME STOPPERS TIPS HOTLINE PROGRAM



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Police Department

AGENDA ITEM: Resolution 871 - A Contract Agreement with Crime Stoppers TIPS Hotline

RECOMMENDED ACTION:

A motion to approve Resolution 871.

SUMMARY:

Approval of this item will continue the City's support of the Kansas City Metropolitan Crime Commission. The TIPS Hotline enables the Police Department to use every available resource in obtaining information needed to solve crimes in our community. The TIPS Hotline has taken over service of our anonymous tips in the school district as well. During 2020 the police department received eleven anonymous tips through the TIPS Hotline. These TIPS included; underage drinking, drug activity, burglary, assault, weapons violation, and homicide.

PREVIOUS ACTION:

This contract has been approved annually (most recently Resolution 764 on 1/21/2020).

POLICY ISSUE:

n/a

FINANCIAL CONSIDERATIONS:

Monies were budgeted for this expense

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: Letter and Contract | |

RESOLUTION 871

AN RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH THE KANSAS CITY METROPOLITAN CRIME COMMISSION TO PROVIDE SERVICES TO THE CITY THROUGH PARTICIPATION IN THE TIPS HOTLINE PROGRAM.

WHEREAS, the City of Smithville Police Department can benefit by using the TIPS Hotline as an investigative and informational resource in solving crimes; and

WHEREAS, the Crime Stoppers TIPS Hotline has an established and proven record in assisting law enforcement agencies in the apprehension of the criminals; and

WHEREAS, the Smithville Board of Alderman wishes to contract with the Kansas City Metropolitan Crime Commission for the purposes of providing the TIPS Hotline service.

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

That the Mayor is hereby authorized and directed to execute the attached contract agreement with the Kansas City Crime Commission for the purpose of providing the services previously described and further detailed in the attached agreement.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 19th day of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



**The Kansas City Metropolitan
Crime Commission**

OFFICERS

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BRAD SPRONG, PAST CHAIR
DAVE JOHNSON, CHAIR-ELECT
CHRIS FISHER, VICE CHAIR
SARAH SMITH, VICE CHAIR
KARL ZOBRIST, VICE CHAIR
RON JURY, TREASURER
NANCY CREASY, SECRETARY
RICK ARMSTRONG, PRESIDENT

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TERRY KILROY
CAROL MARINOVICH
ROBERT REINTJES, SR.
KENT SUNDERLAND

January 3, 2021

Chief Jason Lockridge
107 West Main
Smithville, MO 64089

Chief Jason Lockridge:

Thank you for being a loyal supporter of Crime Stoppers. Without your support Crime Stoppers, would not exist. Your support and partnership are very important to us, and we know you are one of the reason's the **TIPS Hotline is successful.**

It is time for the renewal of your contract with the Crime Stoppers TIPS Hotline. Here are just a few reasons to continue your support of Crime Stoppers:

➤ Crime Stoppers has received more than 4,000 TIPS leading to over 100 arrests through October 2020.

In cooperation with the Kansas City, Missouri Police Department and the City of Kansas City, Missouri, Crime Stoppers introduced enhanced rewards of "up to \$25,000.00" for KCMO homicides in June of 2019. Since then, 18 KCMO homicides have been solved taking our program total to 660 homicides solved since inception.

➤ Kansas City's Most Wanted Newspaper publishes 50+ local fugitives, giving area departments and citizens easy access to the wanted fugitives' listings. There have been 583 arrests from the Kansas City's Most Wanted Newspaper since 2006.

➤ Scholastic Crime Stoppers has seen success in combating school-based issues including, fifteen (15) suicide interventions and the program is in over 70 schools in the metropolitan area.

➤ Visit the newly redesigned Crime Stoppers website "www.kccrimestoppers.com" to view Unsolved Crimes, Wanted Suspects, Upcoming Events and more.

Like you, Crime Stoppers is passionate about fighting crime and making our communities safer. Thank you for being a Crime Fighter. Together we get hundreds of dangerous fugitives off our streets and out of our neighborhoods.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Armstrong".

Rick Armstrong
President

Your File Copy

CONTRACT

This Contract is entered into this year, 2021, by and between the City of Smithville and the Kansas City Metropolitan Crime Commission a Missouri not-for-profit corporation located at 3100 Broadway, Suite #1234, Kansas City, Missouri 64111.

WHEREAS, the Crime Commission has run and continues to run a Crime Stoppers program promoting the 816-474-TIPS Hotline Program in the Greater Kansas City area, which includes Johnson and Wyandotte Counties in Kansas and Cass, Clay, Jackson, Lafayette, Platte and Ray Counties in Missouri.

WHEREAS, the City of Smithville wishes to contract with the Crime Commission to provide this service in Smithville, MO.

NOW, THEREFORE, the parties agree as follows:

1. The City of Smithville will pay the Crime Commission an annual fee of \$250.00 dollars, payable on the date hereof and on each anniversary date of the date hereof during the term of this contract. Such annual fee may be adjusted each year as the parties hereto may agree.
2. The Crime Commission will provide its Crime Stoppers Program in Smithville which the program shall include, at a minimum, the following services:
 - a) Maintain the Crime Stoppers Hotline, (currently 816-474-TIPS) which will be answered a minimum of eight hours per day;
 - b) Provide publicity concerning the availability of the Crime Stoppers TIPS Hotline;
 - c) Provide rewards for information leading to the arrest, issuance of a warrant or indictment, which results from calls to the Crime Stoppers TIPS Hotline;
 - d) Forward information received on the Crime Stoppers TIPS Hotline regarding crimes in Smithville, MO.

3. The parties agree, that the services to be provided by the Crime Commission are being provided strictly on a contract basis and that the Crime Commission is not and shall not be considered a part of Smithville, MO or the City of Smithville.

The Crime Commission shall not be subject to any control by Smithville, MO or the City of Smithville.

4. This contract shall be for an initial term of one year, commencing on the date hereof. Upon expiration of the initial term of this Contract, and upon expiration of each additional one year period thereafter, the term of this Contract shall be extended automatically for a period of one year, unless and until either party hereto gives written notice to the other party hereto of its intent not to extend the term of this Contract for an additional one year period.

5. This Contract shall not be assignable without the prior written consent of both parties. Any purported assignment without such written consent shall be void.

IN WITNESS WHEREOF, the parties have executed this Contract the year and date first above written.

Smithville, MO

By _____

ATTEST: _____

KANSAS CITY METROPOLITAN CRIME COMMISSION

By 
Rick Armstrong

ATTEST: _____

Crime Commission Copy

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Smithville, MO

By _____

ATTEST: _____

KANSAS CITY METROPOLITAN CRIME COMMISSION

By 
Rick Armstrong

ATTEST: _____

BID AWARD – REBUILD TRANSFER HIGH SERVICE PUMPS



**Board of Alderman
Request for Action**

MEETING DATE: 1/19/2021

DEPARTMENT: Public Works - Water

AGENDA ITEM: Resolution 872 – Award Bid 21-04 Rebuild Transfer and Service Pumps

RECOMMENDED ACTION:

A motion to approve Resolution 872 to award Bid #21-04 to Sargent Drilling to rebuild the Transfer Pump Base Bid A and to Mid-America Pump to Rebuild High Service Pump Base Bid B.

SUMMARY:

The Transfer Pump and High Service are part of the department's maintenance program. There are three of each and we schedule refurbishing the pumps, to ensure they are working properly. The transfer pumps send water through the water plant and the high service pumps send the treated water from the plant into the distribution system throughout the City. These pumps are critical to maintaining water service to our residents and should they fail then the City's ability to provide water to the community would be diminished.

In accordance with the City's Municipal Code, Chapter 150 – Purchasing Policy, a Request for Proposal (RFP) was issued on July 20, 2020 with a closing time of 11:00 a.m. on August 5, 2020.

The bids requested companies to refurbish / rebuild the worn components of the pumps. There are basic rebuild kits available however once the pumps are taken apart we may find that additional work is needed. Four responses were received (included in the packet).

City Staff is recommending Sargent Drilling as being the most responsive bid, in the City's best interest and the lowest bid to rebuild the Transfer Pump Base Bid A.

Sargent Drilling specializes in this brand of pump and they are the low bidder.

City staff is recommending Mid-America Pump as being the most responsive bid, in the City's best interest, to rebuild the High Service pump Base Bid B. Mid-America Pump is not necessarily the lowest bid, however Mid-America Pump has extensive experience providing service on these pumps and a thorough knowledge of the City's water plant.

Smithville Board of Aldermen

Mid-America Pump was also awarded this bid last year and have the best understanding of the work needed.

Staff has contacted both vendors and they are accepting of each being awarded their respective part of the bid.

Staff is also recommending awarding the bid in an amount not to exceed \$22,828.49 to Mid-America Pump and \$13,750 to Sargent Drilling. These are the total costs to replace both pumps. Our plan is to rebuild the pumps but if replacement is necessary then we would be able to proceed.

Funding was approved in the 2021 Combined Water and Waste-Water Utility operating budget.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

Funds are available in the 2021 Combined Water and Waste-Water Operating Budget

ATTACHMENTS:

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

RESOLUTION 872

A RESOLUTION AWARDDING RFP 21-04, REBUILD TRANSFER PUMP TO SARGENT DRILLING IN AN AMOUNT NOT TO EXCEED \$13,750 AND REBUILD HIGH SERVICE PUMP TO MID-AMERICA PUMP IN AN AMOUNT NOT TO EXCEED \$22,828.49

WHEREAS, as part of annual routine maintenance, bids were received to rebuild the Transfer Pump and the High Service Pump at the Water Treatment Plant; and

WHEREAS, staff has conducted a bid process as outlined in the City Purchasing Policy; and

WHEREAS, after a bid process and reference checks, staff has made a recommendation for accepting the most responsive and best bid received as being the most advantageous to the City.

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

THAT Bid No. 21-04 is hereby awarded to Sargent Drilling to rebuild the Transfer Pump in an amount not to exceed \$13,750 and to Mid-America Pump to rebuild the High Service Pump in an amount not to exceed \$22,828.49.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 19th of January 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Recommendation for repair of Transfer pump and High service pump at the water plant.

This year's budget we budgeted to repair and or replace one each High service pump and one each Transfer pump at the water plant.

This is a preventive maintenance practice. We have three each of both pumps.

The high service pump pumps water to the towers and the North and South booster stations.

The transfer pump pumps water to the clear wells at the water plant.

We received four bids to repair and or replace.

JIC

Douglas pump

Mid-American pump.

Sargent drilling.

After reviewing the bids, it is my recommendation that we award the High service pump to Mid-American. They have rebuilt the high service pumps in the past and gave a more detailed scope of the work that will be done.

After reviewing the bids for the transfer pump, it is my recommendation we award the transfer pump bid to Sargent drilling. They were low bid, and this brand of pump is what they specialize in.

I called both companies to ensure that they were ok with getting one part of the bid and not both. They both agreed.

I realize that I did not pick the lowest bids. But I must take into consideration experience with other companies that bid. Also, it is hard to bid a pump repair before you tear it down and see what condition the inside of the pump is in. Most of the time you get a basic bid and once they break the pump down the price goes up.

Bid #21-04 City of Smithville , Mo

Bid opening: January 7, 2021 at 11:00am

Bidder	Base Bid A	Alt 1	Base Bid B	Alt 2
Mid America Pump	\$ 16,078.98	\$ 32,501.51	\$ 12,828.49	\$ 22,812.59
JCI	\$ 12,498.00	\$ 14,212.00	\$ 8,009.00	\$ 13,298.00
Douglas Pump	\$ 10,323.00	\$ 35,101.63	\$ 9,490.00	\$ 19,098.00
Sargent Drilling	\$ 9,100.00	\$ 13,750.00	\$ 16,562.00	\$ 33,362.50