



# **SMITHVILLE, MISSOURI**

## **Board of Aldermen - Regular Session**

**7:00 p.m.**

**March 2, 2021**

**(Revised 3/1/2021)**

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AGENDA



City of Smithville, Missouri  
Board of Aldermen – Regular Session Agenda  
March 2, 2021 - (Revised 3-1-2021)

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](mailto:ldrummond@smithvillemo.org) prior to the meeting to be invited via Zoom.

1. Call to Order
2. Pledge of Allegiance
3. Consent Agenda
  - Minutes
    - February 16, 2021 Board of Alderman Regular Session Minutes

**REPORTS FROM OFFICERS AND STANDING COMMITTEES**

4. Committee Reports
5. City Administrator's Report

**ORDINANCES & RESOLUTIONS**

6. **Bill No. 2887-21, Amending Section 120.030, Acknowledgement of Meeting Date Change – 2<sup>nd</sup> Reading**  
An Ordinance repealing section 120.030, Board of Aldermen meetings and enacting in its place a new section 120.030, Board of Aldermen meetings and acknowledgement of meeting date change. 1<sup>st</sup> reading by title only.

- 7. Bill No. 2888-21, Initial Zoning Certain Lots in Lakeside Crossing – 2<sup>nd</sup> Reading**  
An Ordinance to set the initial zoning of Lots 9, 14, 26 and 40 in Lakeside Crossing. 2<sup>nd</sup> reading by title only.
- 8. Bill No. 2889-21, Destruction of Records – 2<sup>nd</sup> Reading**  
An Ordinance authorizing staff to proceed with the destruction of certain administrative and finance documents as authorized by the retention and destruction schedule approved by the Secretary of State's Office. 2<sup>nd</sup> reading by title only.
- 9. Bill No. 2890-21, FY21 Budget Amendment No. 2, Sanitary Sewer Projects – Emergency Ordinance Sponsored by Mayor Boley – 1<sup>st</sup> & 2<sup>nd</sup> Reading**  
An Ordinance amending the FY21 Budget at add \$200,000 in budgeted expenditures in the Water and Wastewater Funds for water and sewer line projects. 1<sup>st</sup> and 2<sup>nd</sup> reading by title only.
- 10. Bill No. 2891-21, Amending Section 705.050, Sewer Winter Average – 1<sup>st</sup> Reading**  
An Ordinance amending Section 705.050, to clarify the available use of a winter sewer average for new users/customers of the sewer system. 1<sup>st</sup> reading by title only.
- 11. Resolution 889, Bid Award 21-03 Transportation Master Plan**  
A Resolution awarding Bid No. 21-03, Transportation Master Plan to Toole Design to complete the Transportation Master Plan in an amount not to exceed \$99,433.
- 12. Resolution 890, Bid Award 21-08 Sanitary Sewer Rehabilitation**  
A Resolution awarding Bid No. 21.08, Sanitary Sewer Rehabilitation to Insituform Technologies, LLC in an amount not to exceed \$78,216.
- 13. Resolution 891, Special Event Permit – Gravel Grinder**  
A Resolution approving a Special Event Permit for Humphrey's 100 Gravel Grinder Bike Race to be held Saturday, May 15, 2021.

### OTHER MATTERS BEFORE THE BOARD

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- 14. Public Comment**  
Pursuant to the public comment policy, **an email request must be submitted to the City Clerk at [ldrummond@smithvillemo.org](mailto: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.
- 15. 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](#).
- 16. Adjournment to Executive Session Pursuant to Section 610.021(1, 3, 13) RSMo.**

**CONSENT AGENDA**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**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 February 16, 2021 Board of Alderman Regular Session Minutes

**SUMMARY:**

Voting to approve would approve the Board of Alderman minutes.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

N/A

**FINANCIAL CONSIDERATIONS:**

N/A

**ATTACHMENTS:**

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

Board of Aldermen Minutes – February 16, 2021 Regular Session

### **SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION**

February 16, 2021 7:00 p.m.  
City Hall Council Chambers

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

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

**1. Call to Order**

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

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

**2. Pledge of Allegiance lead by Mayor Boley**

**3. Consent Agenda**

- **Minutes**

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

- **Financial Report**

- December Finance Report

No discussion.

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

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

### **REPORTS FROM OFFICERS AND STANDING COMMITTEES**

**4. Committee Reports**

Alderwoman Wilson reported on the February 9 Finance Committee meeting. They discussed the tax revenue for the first quarter compared to last quarter last year. Some tax revenues were down but others were up but over-all we are good.

They also discussed at what point the City could turn over to the state outstanding checks and we found out that once there were three years old or older, they can be turned over to the state as unclaimed property. Stephen Larson, Finance Director shared that after the Finance Committee meeting, he and his staff would prepare a procedure to start that process.

Alderwoman Wilson reported on the February 9 Planning and Zoning Commission meeting. They discussed the City ended the 2020 year with 50 single-family residential building permits and there are four so far this year.

Commercial building permits, there is a new building that is going up in the Market Place south of Scooters. The City has received the first new tenant finish application which means they will go ahead and finish that one section of that building for a new business that will be going in there. The First Industrial Park is looking to expand some of the lots in that final phase.

They also approved the initial zoning for four properties to R-1B that is on the agenda tonight.

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

Cynthia noted a few items in addition to what was included in the packet. Cynthia first introduced Anna Mitchell, the new Assistant City Administrator. Anna started with the City today and hit the ground running a little slowly as we opened City Hall a bit late this morning as we responded to the weather in the area.

The staff report includes information about our snow removal response through last Thursday. The street crew continues snow removal efforts continuing to treat and plow streets, as necessary.

The water department has responded to eleven frozen service lines, four frozen meters and repaired two main breaks. Over the weekend the north booster station lost power. The station fills the northwest tower and maintains pressure for the north end of town. We do have a generator at the station that powered up and maintained pressure and service for the area. The Risk and Resiliency Plan on the agenda this evening will address areas like this, it will review those areas of exposure, potential risk and make recommendations with regard to how to address threats and potential issues with regard to system capability. The Risk and Resiliency Plan will help with the assessment of those items necessary for providing safe drinking water to the community.

Cynthia noted that she had just received a text from our contact at Evergy that the next 24 to 48 hours remain critical in terms of potential for load reduction events including morning and evening peak hours. They continue to ask customers to conserve energy and they are working with large customers on voluntary curtailment of services. We can anticipate additional rolling blackouts.

Late this afternoon we received information from WCA. They are suspending their recycling collection this week in order to focus on trash collection. They will allow expanded volumes next week for their recycling pick-up.

This morning, staff met with the contractor and architects for renovation of City Hall. We have shifted services for the public from the front of the building on West Main Street to the rear of the building access through the West Meadow Street side entrance. Public parking is in the rear parking lot off West Meadow Street. The renovation demolition and renovation will begin next Monday, February 22. The contractor will place the dumpster for two to three weeks in front of City Hall. We anticipate that it will be placed next Monday.

Staff opened bids today for the slip line sewer project. Cynthia said that she and Chuck were talking late this afternoon and staff will bring a budget amendment forward on the next agenda to allow funding for that. Cynthia said if the Board will recall that information was outlined in the Administrator's report. \$200,000 was included in the 2020 budget that we did not expend for a maintenance program for older sewer lines. The bids came in far better than what staff had anticipated, and we would recommend still amending the budget to allow for the amount that was budgeted last year in order to do camera work on the lines under Main Street, so we know the condition of those lines prior to beginning Streetscape. Staff would also look at adding some work to the plan so that we can address more with the better bid. That information will be coming for Board action on March 2.

### **ORDINANCES & RESOLUTIONS**

**6. Bill No. 2886-21, Purchasing Agreement with Greenbush – 2<sup>nd</sup> Reading**

Alderman Chevalier moved to approve Bill No. 2886-21, authorizing the Mayor to sign on behalf of the City the Participation Agreement with Greenbush-The Southeast Kansas Education Service. 2<sup>nd</sup> reading by title only. Alderwoman Wilson seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2886-21 approved.

**7. Bill No. 2887-21, Amending Section 120.030, Acknowledgement of Meeting Date Change – 1<sup>st</sup> Reading**

Alderman Chevalier moved to approve Bill No. 2887-21, repealing section 120.030, Board of Aldermen meetings and enacting in its place a new section 120.030, Board



of Aldermen meetings and acknowledgement of meeting date change. 1<sup>st</sup> reading by title only. Alderman Sarver 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. 2887-21 approved first reading.

**8. Bill No. 2888-21, Initial Zoning Certain Lots in Lakeside Crossing – 1<sup>st</sup> Reading**

Alderman Chevalier moved to approve Bill No. 2888-21, setting the initial zoning of Lots 9, 14, 26 and 40 in Lakeside Crossing. 1<sup>st</sup> reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2888-21 approved first reading.

**9. Bill No. 2889-21, Destruction of Records – 1<sup>st</sup> Reading**

Alderman Chevalier moved to approve Bill No. 2889-21, authorizing staff to proceed with the destruction of certain administrative and finance documents as authorized by the retention and destruction schedule approved by the Secretary of State's Office. 1<sup>st</sup> reading by title only. Alderwoman Wilson seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2889-21 approved first reading.

**10. Resolution 880, Adopting the Wastewater Master Plan**

Alderman Chevalier moved to approve Resolution 880, adopting the Wastewater Master Plan to define and prioritize wastewater infrastructure improvement needs within the next ten years. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 880 approved.

**11. Resolution 881, Purchase of Sunshade Structure for the Splashpad**

Alderman Chevalier moved to approve Resolution 881, approving the purchase of the Sunshade Structure for the splashpad through the cooperative agreement with Greenbush in the amount not to exceed \$10,420. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 881 approved.

**12. Resolution 882, Amending the 2020-2021 Compensation Plan**

Alderman Chevalier moved to approve Resolution 882, amending the 2020-2021 Compensation Plan to include police officer signing incentives and field training pay. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 882 approved.

**13. Resolution 883, Event Fireworks Display Approval**

Alderman Chevalier moved to approve Resolution 883, approving a Fireworks Display at White Iron Ridge Event Center at 815 East 92 Highway on May 20, 2021. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 883 approved.

**14. Resolution 884, Residential Leak Adjustment**

Alderman Chevalier moved to approve Resolution 884, approving a leak adjustment of \$122.29 for residential utility billing customer David Petty, for his December 2020 utility bill. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 884 approved.

**15. Resolution 885, Authorization No. 93, Risk and Resiliency Assessment**

Alderman Chevalier moved to approve Resolution 885, authorizing, and directing the mayor to execute Authorization No. 93 with HDR Engineering, Inc. for engineering services for the AWIA Risk and Resiliency Assessment. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 885 approved.

**16. Resolution 886, Accepting Right-of-Way – Hillcrest Street and Raintree Lane**

Alderman Chevalier moved to approve Resolution 886, accepting certain road right-of-way for Hillcrest Street and Raintree Lane. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 886 approved.

**17. Resolution 887, Amendment No. 1, City Hall Renovation Project**

Alderman Chevalier moved to approve Resolution 887, approving Amendment No. 1, City Hall Renovation Project, in the amount not to exceed \$8,861. Alderman Sarver seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 887 approved.

**18. Resolution 888, Surplus City Property**

Alderman Chevalier moved to approve Resolution 888, directing the City purchasing agent to dispose of certain equipment in its possession as surplus and no longer of value. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 888 approved.

**OTHER MATTERS BEFORE THE BOARD**

**19. Public Comment**

None

**20. New Business from the Floor**

None

**21. Adjourn.**

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

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 7:17 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor

**CITY ADMINISTRATOR'S REPORT**



## **City Administrator's Report**

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February 25, 2021

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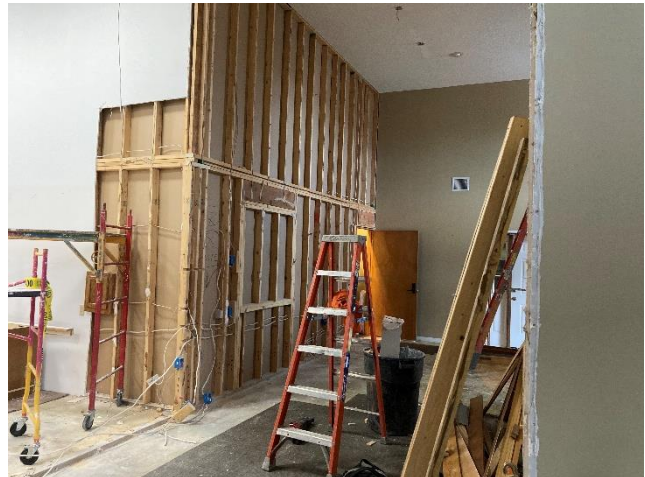
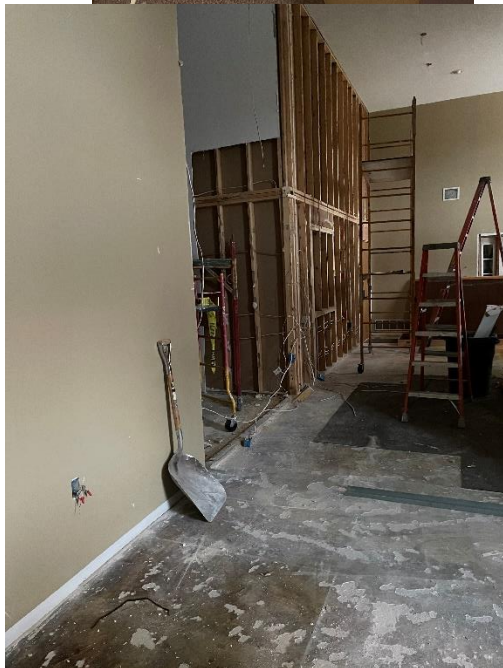
### **Streetscape Phase II Project Update**

Today staff, HDR, representatives of Sands Construction and utility representatives met for a preconstruction meeting for this project. The Notice to Proceed date is March 15, with work anticipated to begin thereafter. The contract allows 210 calendar days for final completion. Based on this schedule and barring extreme weather delays, the project should be complete by late October. The first phase of work to be completed will be the segment between Commercial and Smith Streets. The contractor has been instructed to limit road closures to one block at a time to allow traffic flow on Main Street. Staff will work to ensure communications with businesses and residents throughout the project.

### **City Hall Renovation**

This project began in earnest this week, with demolition in the lobby and administrative work area. The dumpster for the project was placed and is currently on Main Street. We anticipate this remaining in place for the next two to three weeks.

Residents and customers needing in person service have been directed to the rear access to the development department. Staff displaced from their office space are working in the Board Meeting Room.



Substantial completion of the project is anticipated in June.

### **Upcoming Meeting Schedule**

A reminder that the March 16 meeting has been moved to March 23 (to accommodate for the spring break schedule) and the April 6 meeting has been moved to April 5 (in recognition of the municipal election). Also please remember the Governing Body Retreat scheduled for all day Thursday, May 27 – location to be determined.

**ACKNOWLEDGEMENT OF MEETING DATE CHANGE**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Administration

**AGENDA ITEM:** Bill No. 2887-21, Repealing Section 120.030 Meeting Change – 2nd Reading

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**RECOMMENDED ACTION:**

A motion to approve Bill No. 2887-21, second reading by title only.

**SUMMARY:**

The Board of Alderman hold regular meetings on the first and third Tuesday of each month at 7:00 p.m. Occasionally, schedules conflict with these dates and meeting dates need to be changed in order for a quorum of the Board to be present. Amending this Bill will give the Mayor the authority to reschedule a meeting as soon as practical, but not later than eight (8) days prior to the regular meeting date unless approved by the Board.

Upcoming meeting date request changes due to conflict schedule with schools and election day, the March 16, 2021 to March 23, 2021 and the April 6, 2021 to April 5, 2021.

**PREVIOUS ACTION:**

Ordinance 2924-15, the Board of Alderman amended Section 120 concerning meetings and records.

**POLICY ISSUE:**

**FINANCIAL CONSIDERATIONS:**

N/A

**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. 2887-21**

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE REPEALING SECTION 120.030 BOARD OF ALDERMEN MEETINGS  
AND ENACTING IN ITS PLACE A NEW ORDINANCE SECTION 120.030 BOARD  
OF ALDERMEN MEETINGS AND ACKNOWLEDGEMENT OF MEETING CHANGE**

**WHEREAS** Section 120.030 Board of Aldermen currently reads as follows:

Section 120.030 Board of Aldermen Meetings.

- A. When Held. The Board of Aldermen shall hold regular meetings on the first and third Tuesday of each month at 7:00 P.M. except when legal or national holidays or other important special events conflict with the regularly scheduled meeting. The Board of Aldermen shall vote to set the date(s) of any meeting(s) that must be rescheduled due to such conflicts. The Mayor has the authority to cancel or postpone meetings due to emergencies and inclement weather. The Mayor may call special meetings of the Board of Aldermen whenever in his/her opinion the public business may require it or at the express written request of any two (2) members of the Board.
- B. Notice. Notice shall be given as required by Chapter 610, R.S.Mo.
- C. Place. All regular meetings of the Board of Aldermen shall be held in the City Hall of the City, unless otherwise stated on the notice.

**WHEREAS** the City of Smithville wishes to clarify the Mayor's authority to cancel or postpone meetings.

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

Effective Immediately Smithville City Ordinance Section 120.030 Board of Aldermen is repealed, and a new Section 120.030 Board of Aldermen is adopted which shall read as follow:

Section 120.030 Board of Aldermen Meetings.

- A. When Held. The Board of Aldermen shall hold regular meetings on the first and third Tuesday of each month at 7:00 P.M. except when legal or national holidays or other important special events conflict with the regularly scheduled meeting. The Board of Aldermen shall vote to set the date(s) of any meeting(s) that must be rescheduled due to such conflicts. The Mayor has the authority to cancel or postpone meetings due to emergencies, inclement weather, or a reasonable belief that a quorum of the Board is not likely to attend. Any such meeting canceled by the Mayor shall be reasonably rescheduled as soon as practical, but not later than eight (8) days prior to the

## Smithville Board of Aldermen

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regular meeting date unless otherwise approved by the Board. The Mayor may call special meetings of the Board of Aldermen whenever in his/her opinion the public business may require it or at the express written request of any two (2) members of the Board.

B. Notice. Notice shall be given as required by Chapter 610, R.S.Mo.

C. Place. All regular meetings of the Board of Aldermen shall be held in the City Hall of the City, unless otherwise stated on the notice.

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

The Board further acknowledges, authorizes, and approves the formally scheduled meetings of the Board for March 16, 2021 as being changed and reset to March 23, 2021 and April 6, 2021 as being changed and reset to April 5, 2021 at the same time and place.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the \_\_\_\_ day of March 2021.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

1<sup>st</sup> reading 2/16/2021

2<sup>nd</sup> reading \_\_/\_\_/\_\_



**INITIAL ZONING - CERTAIN LOTS IN LAKESIDE CROSSING**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Development

**AGENDA ITEM:** Bill No. 2888-21, Initial Zoning Certain Lots in Lakeside Crossing – 2nd Reading

**RECOMMENDED ACTION:**

A motion to Read Bill No. 2888-21 Initial zoning of certain lots in Lakeside Crossing by title only, for second reading.

**SUMMARY:**

The ordinance would set the initial zoning of the four most recently annexed lots in Lakeside Crossing to R-1B.

**BACKGROUND:**

**PREVIOUS ACTION:**

**POLICY ISSUE:**

**FINANCIAL CONSIDERATIONS:**

**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: Finding of Facts |                                   |

**FINDING OF FACTS AND  
CONCLUSIONS OF LAW**

Applicants: GPC Fund LLC; Michael and April Duncan; Jack and Jill Green; Pamela and Ronald Eason

Land Use Proposed: R-1B

Zoning: County Single Family

Property Locations: 2411 NE 157<sup>th</sup> Ter; 15726 N. Chestnut St.; 15701 N. Wabash St.; and 15808 N. Chestnut.

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in four public hearings of the Planning and Zoning Commission of the City of Smithville, held on February 9, 2021, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

**Finding of Facts**

1. Character of the neighborhood.  
The surrounding area is single family residential housing in a standard subdivision.
2. Consistency with the City's Comprehensive Plan and ordinances.  
The Comprehensive Plan in effect when the homes were built was approved on October 6, 2005 and calls for low density housing. The current plan adopted in November 2020 recommends that annexations occur to clean up the borders of the city limits. It complies with the plan.
3. Adequacy of public utilities and other needed public services.  
The lot is in a fully completed subdivision with all utilities and public services.
4. Suitability of the uses to which the property has been restricted under its existing zoning.  
The current use is single family residential formerly outside the city limits.
5. Length of time the property has remained vacant as zoned.  
The property was constructed in the county but had never previously annexed while the bulk of the lots in the subdivision were annexed over 15 years ago.
6. Compatibility of the proposed district classification with nearby properties.  
The proposed district matches the adjacent existing uses.

7. The extent to which the zoning amendment may detrimentally affect nearby property.  
No detriment is anticipated.
8. Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.  
No loss to landowners is expected.
9. That in rendering this Finding of Fact, testimony at the public hearings on February 9, 2021 has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

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

- A. This application and the Zoning of these properties from County Single Family Residential to R-1B is governed by Section 400.620 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of zoning the properties to R-1B.

**BILL NO. 2888-21**

**ORDINANCE NO. \_\_\_\_\_**

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

**WHEREAS,** The City of Smithville received an application for annexation of each of the properties identified as 2411 NE 157th Terrace; 15726 North Chestnut Street; 15701 North Wabash Street; and 15808 North Chestnut Street; and

**WHEREAS,** after the properties were annexed, the City is required to designate the initial zoning of newly annexed property, so a Public Hearing for each lot was conducted before the Planning Commission on February 9, 2021; and

**WHEREAS,** the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the initial zoning for the property as R-1B.

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

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

The property legally described as: Lot 9, Lot 14, Lot 26 and Lot 40, Lakeside Crossing 1st Plat, a subdivision in Clay County Missouri

is hereby set as R-1B.

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

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

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

First Reading: 02/16/2021

Second Reading / /

**Exhibit A**

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

**DESTRUCTION OF RECORDS**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Administration/Finance

**AGENDA ITEM:** Bill No. 2889-21, Destruction of Records - 2<sup>nd</sup> Reading

**RECOMMENDED ACTION:**

A motion to approve Bill No. 2889-21 for 2nd reading by title only.

**SUMMARY:**

The City keeps administrative, fiscal and legal records as required by the State of Missouri. The Secretary of State's Office publishes a records retention manual which establishes minimum retention periods for the administrative, fiscal and legal records created by local governments. Some records are permanent while others must be kept for various lengths of time. When non-permanent records have reached their retention date, the State recommends those records be destroyed by certified shred.

The Administration Department desires the destruction the applications of FY16 through FY18 Liquor Licenses, Fireworks Permits, Facility Reservation and FY11 through FY2018 Peddlers Permits. These documents have met the retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.

The Finance Department desires the destruction of FY16 through FY18 Dog Tag Applications, FY16 through FY19 Meals on Wheels monthly billing information and FY10 through FY19 Meals on Wheels discontinued services applications, FY14 through FY18 Business License applications, FY15 through FY17 Utility Billing Reports and FY15 and FY16 Utility Billing Adjustments. These documents have met the retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

Destroy documents per the records retention schedule published by the Secretary of State's Office.

**FINANCIAL CONSIDERATIONS:**

N/A

**ATTACHMENTS:**

- ☒ Ordinance
- ☐ Resolution
- ☐ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes



**BILL NO. 2889-21**

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS.**

**WHEREAS**, it has been determined that the applications of the FY16 through FY18 Liquor Licenses, Fireworks Permits, Facility Reservation and FY11 through FY2018 Peddlers Permits documents have met the retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.; and

**WHEREAS**, it has been determined that the FY16 through FY18 Dog Tag Applications, FY16 through FY19 Meals on Wheels monthly billing information and FY10 through FY19 Meals on Wheels discontinued service applications, FY14 through FY18 Business License Applications, FY15 through FY17 Utility Billing Reports and FY15 and FY16 Utility Billing Adjustments documents have met the minimum retention schedule listed in the Missouri Records Manual as outlined in Section 109.200 RSMo.; and

**WHEREAS**, it has been determined that the records and documents have no further administrative, legal, fiscal, research or historical value; and

**WHEREAS**, destruction of said records will allow for easier access to needed records, provide a better environment of records, allow more space for operations and increase storage space, which must be legally retained; and

**WHEREAS**, the Smithville Board of Aldermen wish to authorize the destruction of said records.

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

- Section 1. That the Board of Aldermen hereby elects, pursuant to Section 109.200 RSMo., to approve the destruction certain finance and administration documents that have met the requirements of the retention schedule and no longer have value.
- Section 2. The Board of Aldermen hereby directs the City Clerk to find a method of destruction approved by the State of Missouri.
- Section 3. This Ordinance shall take effect and be in full force from and after its passage according to law.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the \_\_\_\_ of March 2021.

## **Smithville Board of Aldermen**

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\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

\_\_\_\_\_  
Linda Drummond, City Clerk

First Reading:                      2/16/2021

Second Reading:                  / /2021

**BUDGET AMENDMENT NO. 2 – SANITARY SEWER PROJECTS**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Public Works/ Finance

**AGENDA ITEM:** Approve Bill No. 2890-21, FY21 Budget Amendment No. 2

**RECOMMENDED ACTION:**

Approve Bill No.2890, FY 21 Budget Amendment #2. It is recommended that this be read both first and second reading as an Emergency Ordinance Sponsored by Mayor Boley. This will allow award of bid for this project, which is a later item on this agenda.

**SUMMARY:**

Included in the 2020 City CIP was a project to complete Sanitary Sewer Rehabilitation (Slipline) in an amount of \$200,000. This project was not completed in 2020. Additionally, the project was not included in the approved 2021 City Budget.

At the October 20, 2020 meeting, the Board approved the fiscal year ending October 31, 2021 Budget.

On February 16<sup>th</sup>, 2021, the City opened bids for Project No. 21-08, Sanitary Sewer Rehab. The City received four bids. With the favorable low bid staff is recommending that the Board approve a budget amendment in the amount anticipated in the FY2020 Budget - \$200,000. This will allow the project to be expanded to include additional areas where sewer mains are in poor condition, including review of the line that runs down Main Street from Smith Street to Lakeland Drive. Review of this line will ensure the line is in good shape prior to initiation of the Streetscape project.

This Ordinance has been sponsored as an emergency ordinance by Mayor Boley.

**PREVIOUS ACTION:**

Project was previously included in the 2020 CIP  
Budget Amendment #1 was approved December 15, 2020

**POLICY ISSUE:**

Maintaining infrastructure

**FINANCIAL CONSIDERATIONS:**

Amend the FY21 Budget

**ATTACHMENTS:**

- ☒ Ordinance
- ☐ Resolution
- ☐ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes

**BILL NO. 2889-21**

**ORDINANCE NO. XXXX-21**

**AN ORDINANCE AMENDING THE FY21 OPERATING BUDGET TO ADD \$200,000 TO THE EXPENDITURE BUDGET.**

**WHEREAS**, pursuant to Ordinance 3074-20, passed on October 20, 2020, the City approved the fiscal year ending October 31, 2021 Budget; and

**WHEREAS**, not included in the approved fiscal year 2021 Budget are expenditures to complete various projects initiated in FY20 but not yet complete; and

**WHEREAS**, amendments to the Combined Water and Wastewater Systems Fund, and Capital Projects Fund, are required at this time.

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

**THAT** the fiscal year ending October 31, 2021 Budget is hereby amended to add:

- \$200,000 in expenditures in the Combined Water and Wastewater System Fund,

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 2nd day of March 2021.

\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

\_\_\_\_\_  
Linda Drummond, City Clerk

First Reading: 3/2/2021

Second Reading: 3/2/2021

**AMENDING SECTION 705.050 – SEWER WINTER AVERAGE**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Finance & Public Works  
(Utilities)

**AGENDA ITEM:** Bill No. 2891-21, Establish Winter Sewer Average for New Accounts – 1<sup>st</sup> reading

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**RECOMMENDED ACTION:**

A motion to approve Bill No. 2891-21, first reading by title only.

**SUMMARY:**

During the January 19, 2021 Board of Alderman Work Session, staff presented an overview of the current City of Smithville winter averaging program. During review, staff discussed how the current code states that if a customer has not established a winter sewer average, that customer shall elect to have either sewer charges based upon water used during the month, or when supplying the utility account application, provide a utility bill from their most recent previous address through which an average water usage can be derived. As a result, when a new resident completes landscaping, sodding, and other high water usage activities, and in conjunction, pays for sewer charges based upon volume/amount used, the resident will incur higher than normal charges on the sewer portion of the utility bill.

Following the presentation at the Work Session, the Board of Alderman directed staff to pursue changes to the Code of Ordinances which would allow for a new resident, who could not derive average water usage through a previous bill, to select for their sewer usage to be billed according to a City residential winter sewer average. This bill presents revised language to Section 705.050 Billing to enact a new billing method for new City of Smithville residents who cannot establish a winter average. For new customers who could not establish a winter average, this revision will significantly reduce the sewer usage portion of the utility bill when completing landscaping, sodding, and other high water usage activities. The average sewer usage for the months of December 2019, January 2020, and February 2020 for residential contributors with a ¾" Meter was 3,813 gallons.

**PREVIOUS ACTION:**

**POLICY ISSUE:**

N/A

**FINANCIAL CONSIDERATIONS:**

**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: Schedule of Fees |                                   |

**BILL NO. 2891-21**

**ORDINANCE NO.**

**AN ORDINANCE REPEALING ORDINANCE SECTION 705.050 BILLING AND ENACTING IN ITS PLACE A NEW ORDINANCE SECTION 705.050 BILLING**

**WHEREAS**, SECTION 705.050 BILLING currently reads as follows:

**Section 705.050 Billing.**

- A. Each account shall be billed separately and rendered monthly.*
- B. If the meter should fail to register for any reason, or if the meter reader should be unable to gain admittance to the premises at the time the meter is due to be read, an estimated bill will be submitted. Such bill will be based on a reasonable estimate of consumption.*
- C. During the billing periods of December, January and February, the City shall calculate the average water usage known as a "winter sewer average." The winter sewer average shall be applicable to the other nine (9) months of the calendar year.*
- D. If a customer has not established a winter sewer average, that customer shall elect either sewer charges be based on water used during the current month, or supply at the time of application the applicable months' bills from the most recent previous address through which an average water usage can be derived.*
- E. This Subsection exempts customers from the winter averaging formula. It is the intent of this policy to establish monthly sewer charges based on low-usage winter months so that customers are only charged for the theoretical amount of water that goes into the sewer. However, some enterprises endure peak water usage during the winter months and therefore should be exempt from the policy. If so exempted from this Section, the monthly sewer charges shall be based upon the current month's water usage. The following customers are exempt from the winter averaging policy:*
  - 1. Smithville School District.*
  - 2. Any public or private hospital.*
  - 3. Any commercial car wash.*
- F. The City Administrator, or designated representative, shall have the authority to amend bills for water and sewerage services attributable to billing process errors and/or discrepancies, or where the City Administrator, or designated representative, determines that a bill does not present a fair usage amount.*



**WHEREAS**, the City of Smithville wishes to clarify the available use of a winter sewer average for new users/customers of the sewer system.

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

Effective Immediately Smithville City Ordinance §705.050 BILLING is repealed, and a new 705.050 BILLING is adopted which shall read as follow:

**Section 705.050 Billing.**

- A. Each account shall be billed separately and rendered monthly.
- B. If the meter should fail to register for any reason, or if the meter reader should be unable to gain admittance to the premises at the time the meter is due to be read, an estimated bill will be submitted. Such bill will be based on a reasonable estimate of consumption.
- C. During the billing periods of December, January and February, the City shall calculate the average water usage known as a "winter sewer average" for Residential Contributors/Customers The winter sewer average shall (unless chosen otherwise under subparagraph D) be applicable to the other nine (9) months of the calendar year.
- D. Winter Average Sewer Rate System.
  - 1. Sewer rates to be charged for the collection and treatment facilities and services made available by the sewer system of the City shall be regulated and charged as follows:
    - a. **Contributors/Customers.** Residential contributors/customers shall mean any contributor to the City's sewer collection system whose structure is exclusively used for domestic dwelling purposes with no more than a single dwelling unit on each separate water meter. Users of a portion of a structure which portion is separately metered for water use and is used exclusively as a dwelling are also classified as residential contributors. Residential contributors shall not include the users of hotels, motels, boarding houses, nursing homes, residence halls, or multi-unit residential complexes served by a common water meter or meters. Exceptions may include contributors with a service contract approved by the Board of Aldermen. For residential contributors/customers, monthly sewer user charges shall be based on one (1) of the following:
      - (i) *Average* monthly water usage as determined by water meter usage during the months of December, January, and February, of which the readings will occur in at least two (2) of these months. Such *average* water usage thus

determined shall remain the basis for determining the contributor's monthly sewer charge until a new *average* consumption is determined following the next *winter averaging* period. If a residential contributor has not established an average, such contributor's user charge shall be the mean winter average charge of all other residential contributors or at the contributor's option, the volume method in (ii) below.

Or at the Residential Contributors/Customers' option, the volume method in (ii) below.

(ii) Residential Contributors choosing the volume method shall be billed each month based upon actual consumption.

b. All other sewer Contributors/Customers other than residential contributors/customers, monthly sewer charges shall be based upon said Customer's current month's water usage.

E. The City Administrator, or designated representative, shall have the authority to amend bills for water and sewerage services attributable to billing process errors and/or discrepancies, or where the City Administrator, or designated representative, determines that a bill does not present a fair usage amount.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the \_\_\_\_ of March 2021.

\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

\_\_\_\_\_  
Linda Drummond, City Clerk

First Reading: 3/2/2021

Second Reading: 3/23/2021

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**BID AWARD – TRANSPORTATION MASTER PLAN**

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**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Public Works

**AGENDA ITEM:** Approve Resolution 889 - Awarding RFQ 21-03 to Toole Design to complete a Transportation Master Plan in an amount of \$99,433

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**RECOMMENDED ACTION:**

A motion to approve Resolution 889.

**SUMMARY:**

A Transportation Master Plan is a strategic document that identifies transportation facilities, services and policies to guide future transportation infrastructure initiatives. The document is brought to life through long-range financial plans, mid-range implementation strategies, identifying near-term needs, and other guidelines to reflect and address a community's immediate and long-term transportation needs.

The transportation network serves as the backbone of our community. It shapes and defines our neighborhoods while providing the structure that allows us to accomplish our daily activities. It's the way we move our goods and provide our services and allows the opportunity to choose our methods of transportation whether we travel by foot, wheelchair, bike, car, bus or truck.

The City received seven submittals in response to RFQ 21-03, issued in December 2020. A selection committee including Alderwoman Wilson, Alderman Sarver, Mayor Boley, Matt Denton, Jack Hendrix, and Chuck Soules interviewed three firms and are forwarding the recommendation for Toole Design to complete the Transportation Master Plan.

Toole Design presented a team approach, working with Future iQ and Wilson and Company. Future iQ will provide continuity with the Community Strategic Plan, Comprehensive Plan and Parks and Recreation Master Plan. Wilson and Company will provide engineering and other technical services (traffic forecasting).

Project scope includes developing guidelines for complete streets, Safe Routes to Schools corridors, functional classification, East / West connectivity, access

management, connectivity with trails and a prioritized project list. The scope also includes public engagement with a web page, virtual and “pop-up” meetings. An advisory committee is recommended to guide the planning process. It is recommended that this committee include the Mayor, the Board of Aldermen representative to the Planning Commission and EDC, a chamber representative, School District representative and a community representative.

**PREVIOUS ACTION:**

This project was identified as a goal during the 2019 Board Strategic Planning Retreat and is included in the 2021 CIP.

**POLICY ISSUE:**

Strategic Planning, Comprehensive Plan and CIP

**FINANCIAL CONSIDERATIONS:**

The FY2021 CIP Budget includes \$100,000 for a Transportation Master Plan.

**ATTACHMENTS:**

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

**RESOLUTION 889**

**A RESOLUTION AWARDING RFQ 21-03 TO TOOLE DESIGN TO COMPLETE A TRANSPORTATION MASTER PLAN IN THE AMOUNT OF \$99,433**

**WHEREAS**, the fiscal year 2021 budget allocated funds for the Transportation Master Plan; and

**WHEREAS**, the City issued Request for Qualifications, RFQ 21-03 in December 2020; and

**WHEREAS**, a selection committee reviewed the submissions and conducted interviews with the three most qualified bidders; and

**WHEREAS**, the Committee recommends Toole Design as the best proposal for the process; and

**WHEREAS**, staff has completed negotiations with Toole Design for the development of the Transportation Master Plan in an amount not to exceed \$99,433.

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

**That** the Mayor is hereby authorized to execute an agreement with Toole Design for the completion of a Transportation Master Plan for the City of Smithville in an amount not to exceed \$99,433.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 2<sup>nd</sup> day of March 2021.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

**BID AWARD – SANITARY SEWER REHABILITATION**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Public Works

**AGENDA ITEM:** Approve Resolution 890 - awarding RFP 21-08 Sanitary Sewer Rehabilitation to Insituform Technologies in an amount of \$78,216.00

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**RECOMMENDED ACTION:**

A motion to approve Resolution 890 awarding RFP 21-08 for sanitary sewer rehabilitation.

**SUMMARY:**

Cured in Place Pipe, also known as CIPP lining, is a method of trenchless pipe repair restoration used in existing pipe repair. This process is done to preserve the current pipes that have been damaged by leaks, cracks, intruding roots, and rust. A fiberglass "sock" is saturated with an epoxy/resin and inserted into an existing pipe. Steam is sent through the liner pushing the liner against the wall of the old pipe and curing the resin. The result is a plastic liner providing a new smooth surface without intrusions such as tree roots. This also helps with infiltration into the sewer main. Finally, the service lines are re-established with a cutting tool that is sent through the pipe. This method of maintenance is very practical, avoiding digging up mains, providing a smooth interior surface, seals cracks and leaks and provides additional structural strength to the sewer main.

The City issued RFP 21-08 earlier this year and received four bids on February 16, 2021. The bid was requested as a base bid with two alternatives. Because this is the first time the City has requested bids for this service, staff was conservative with the quantities bid. The solicitation for bid specified that the bid award would be made based on the Base Bid. Insituform was the lowest Base Bid. When factoring in the alternatives, the total cost is \$103.50 higher than the bid submitted by Visu-Sewer.

Staff recommends awarding the total project bid, including the alternatives, based on the price for the Base Bid.

This project was included in the 2020 budget in an amount of \$200,000. The project was not completed in 2020 and was not carried over in the 2021 budget. A budget amendment is also provided for the Board approval this evening.

With the favorable bid, staff is recommending that the Board approve the budget amendment for the full amount of \$200,000. Staff would then work with the contractor to expand the project to include additional areas where sewer mains are in poor condition. This would include the line that runs down Main Street from Smith Street to Lakeland. This is an older main and while we have not had significant problems in this area, staff would like to ensure that the line is in good shape before initiation of the Streetscape Project.

**PREVIOUS ACTION:**

Project was previously included in the 2020 CIP.

**POLICY ISSUE:**

Maintaining infrastructure

**FINANCIAL CONSIDERATIONS:**

This project is not included in the 2021 CIP and a Budget Amendment is required.

**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: Bid Tab and photos |                                   |

**RESOLUTION 890**

**A RESOLUTION AWARDING RFP 21-08 SANITARY SEWER REHABILITATION TO INSITUFORM TECHNOLOGIES, LLC IN THE AMOUNT OF \$78,216**

**WHEREAS**, as part of the City's Sanitary Sewer Maintenance program is a process to reline sewer mains with an epoxy coated fiberglass "sock" tube; and

**WHEREAS**, the process called Cured in Place Pipe (CIPP) provides additional strength and seals cracks in the sewer mains; and

**WHEREAS**, this project continues the City's commitment to improving and maintaining the City's infrastructure; and

**Whereas**, the cost bid by Insituform Technologies is favorable to increasing the total linear footage of sewer main to be lined; and

**WHEREAS**, after a bid process, as outlined in the City Purchasing Policy, and reference checks, staff is recommending the bid received from Insituform Technologies is the most responsive and best bid received and the most advantageous to the City in an amount of \$78,216.

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

**THAT** Bid No. 21-08 is hereby awarded to Insituform Technologies in an amount of \$78,216; and

**THAT** staff is authorized to identify additional sanitary sewer up to the amended budget amount of \$200,000 and adding to the bid price.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 2<sup>nd</sup> day of March 2021.

\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

\_\_\_\_\_  
Linda Drummond, City Clerk



Proj 21-08 Sanitary Sewer Rehabilitation - Smithville, MO											
Base Bid				Insituform		Hydro -Klean		SAK Construction		Visu-Sewer	
	Unit	Quantity		Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
8" Sanitary	LF	1490		\$ 25.00	\$ 37,250.00	\$ 36.80	\$ 54,832.00	\$ 27.00	\$ 40,230.00	\$ 23.75	\$ 35,387.50
MH Rehab	VF	6		\$ 550.00	\$ 3,300.00	\$ 780.00	\$ 4,680.00	\$ 600.00	\$ 3,600.00	\$ 1,000.00	\$ 6,000.00
	Total Base Bid				\$ 40,550.00		\$ 59,512.00		\$ 43,830.00		\$ 41,387.50
Alt A											
8" Sanitary	LF	500		\$ 25.00	\$ 12,500.00	\$ 36.80	\$ 18,400.00	\$ 23.50	\$ 11,750.00	\$ 23.75	\$ 11,875.00
MH Rehab	VF	22		\$ 233.00	\$ 5,126.00	\$ 125.00	\$ 2,750.00	\$ 360.00	\$ 7,920.00	\$ 265.00	\$ 5,830.00
	Total Alt A				\$ 17,626.00		\$ 21,150.00		\$ 19,670.00		\$ 17,705.00
Alt B											
8" Sanitary	LF	600		\$ 25.00	\$ 15,000.00	\$ 36.80	\$ 22,080.00	\$ 25.00	\$ 15,000.00	\$ 23.75	\$ 14,250.00
MH Rehab	VF	18		\$ 280.00	\$ 5,040.00	\$ 125.00	\$ 2,250.00	\$ 360.00	\$ 6,480.00	\$ 265.00	\$ 4,770.00
	Total Alt B				\$ 20,040.00		\$ 24,330.00		\$ 21,480.00		\$ 19,020.00
Total Base Bid + Alt A + Alt B					\$ 78,216.00		\$ 104,992.00		\$ 84,980.00		\$ 78,112.50

Sanitary Sewer mains fail due to roots, cracking, and collapse



Cured in Place Pipe provides a new liner that stops root infestation and provided additional structure to the pipe.



**SPECIAL EVENT PERMIT – HUMPHREY’S GRAVEL GRINDER**



**Board of Alderman  
Request for Action**

**MEETING DATE:** 3/2/2021

**DEPARTMENT:** Parks & Recreation

**AGENDA ITEM:** Resolution 891 – Special Event Permit – Humphrey’s Gravel Grinder

**RECOMMENDED ACTION:**

A motion to approve Resolution 891, issuing a Special Event Permit for Humphrey’s Gravel Grinder on May 15, 2021.

**SUMMARY:**

Approval of this item will issue a Special Event Permit to Smithville Parks and Recreation Department for Humphrey Gravel Grinder, a bicycle race that will begin and end at Courtyard Park on May 15, 2021.

The requested permit will allow the participants to have alcohol (open container) at the event. The event is scheduled from 6:00 a.m. until 10:00 p.m. at Courtyard Park. Per City Ordinance 600.070 (G & H) the Board of Aldermen may grant a Special Event Permit to allow drinking in public.

The event coordinators will utilize Chops BBQ & Catering as the alcohol vendor. This business currently possesses appropriate City and State Alcohol Licenses.

**PREVIOUS ACTION:**

A Special Event Permit has been approved for this event in past years.

**POLICY ISSUE:**

n/a

**FINANCIAL CONSIDERATIONS:**

n/a

**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: Map and Ordinance 600.070 |                                   |

**RESOLUTION 891**

**A RESOLUTION APPROVING A SPECIAL EVENT PERMIT FOR SMITHVILLE  
PARKS AND RECREATION FOR HUMPHREY'S 100 GRAVEL GRINDER BIKE  
RACE AT COURTYARD PARK ON  
SATURDAY, MAY 15, 2021.**

**WHEREAS**, Smithville Parks & Recreation has submitted an application with all required documentation; and,

**WHEREAS**, a local and licensed business will supply the alcoholic beverages for a fee to the participants in a vendor area at Courtyard Park using their State and City licenses to sell alcohol; and,

**WHEREAS**, the applicant has submitted a map of the area and will monitor the area that will allow open consumption of alcohol in accordance with city code; and,

**WHEREAS**, Smithville police officers will assist in providing security at the event.

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

**THAT A SPECIAL EVENT PERMIT BE ISSUED TO SMITHVILLE PARKS &  
RECREATION DEPARTMENT FOR HUMPHREY'S 100 GRAVEL GRINDER BIKE  
RACE TO BE HELD MAY 15, 2021 IN ACCORDANCE WITH THE PLAN  
APPROVED BY THE CHIEF OF POLICE.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 2<sup>nd</sup> day of March 2021.

\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:

\_\_\_\_\_  
Linda Drummond, City Clerk

## Chapter 600. Alcoholic Beverages

### Section 600.070. Miscellaneous Offenses.

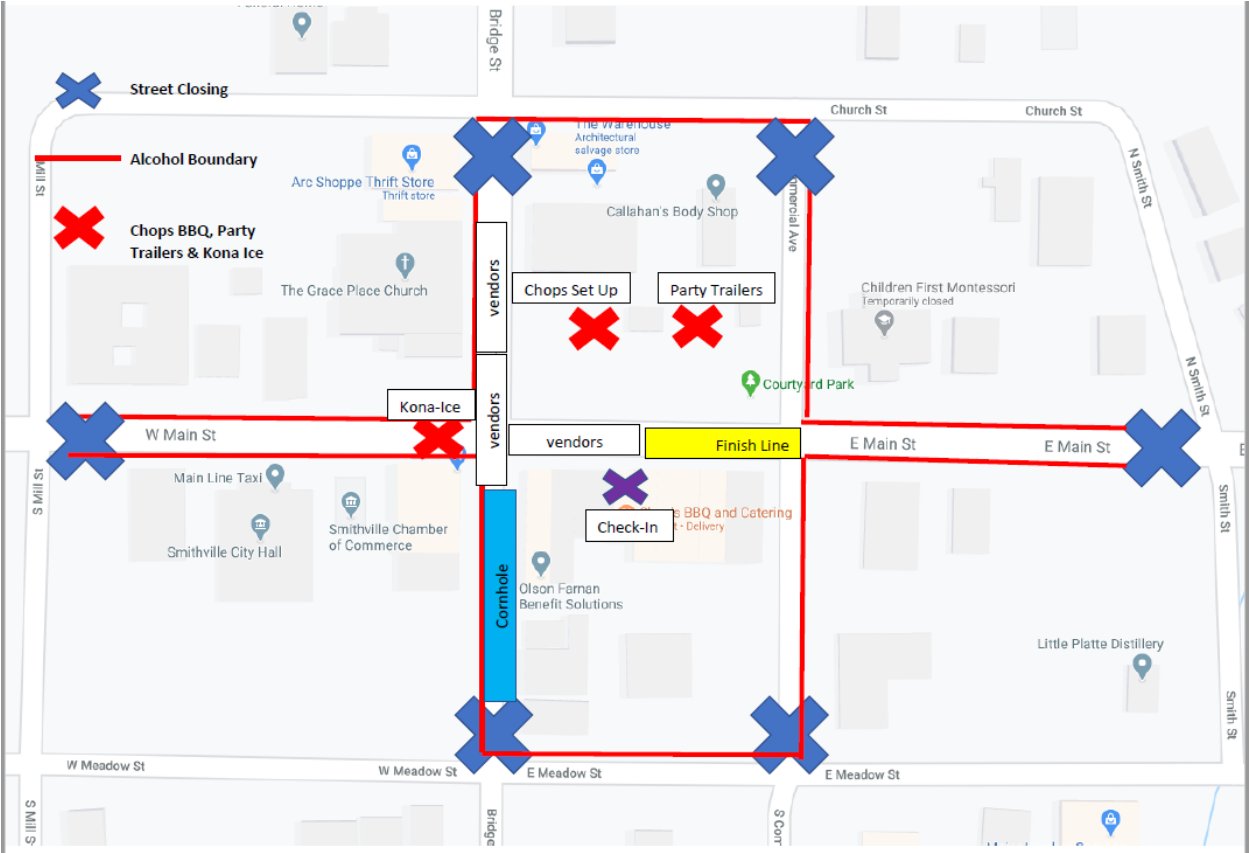
[Ord. No. 3039-19, 7-16-2019]

- A. **Unlawful For Licensed Retailer To Purchase From Other Than Licensed Wholesaler.** It shall be unlawful for any licensee to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this State. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this Section.
- B. **Packaging, Labeling, Repackaging Prohibited, When.** Any retailer licensed pursuant to this Chapter shall not:
1. Sell intoxicating liquor with an alcohol content of less than five percent (5%) by weight to the consumer in an original carton received from the wholesaler that has been mutilated, torn apart or cut apart; or
  2. Repackage intoxicating liquor with an alcohol content of less than five percent (5%) by weight in a manner misleading to the consumer or that results in required labeling being omitted or obscured.
- C. **Mixing Liquor With Drugs Prohibited.** No licensee, or any other person, shall for any purpose whatsoever mix or permit or cause to be mixed with any intoxicating liquor kept for sale, sold or supplied by him/her as a beverage any drug or form of methyl alcohol or impure form of alcohol.
- D. **Unlawful To Sell Unlabeled Liquor — Penalty.** It shall be unlawful for any person to sell any intoxicating liquor which has not been inspected and labeled according to the provisions of the Liquor Control Law of Missouri, and any such person upon conviction shall have his/her license revoked and shall be ineligible to receive any subsequent liquor license for a period of two (2) years thereafter.
- E. **Only Those Liquors Authorized By License To Be Kept On Premises.** It shall be unlawful for any licensee licensed for the sale of intoxicating liquor at retail by the drink for consumption on the premises to keep in or upon the premises described in such license any intoxicating liquor other than the kind of liquor expressly authorized to be sold by such licensee.
- F. **Persons Apparently Intoxicated Not To Be Provided With Intoxicating Liquor.** It shall be unlawful for any licensee, or his/her employee or agent, to sell or supply intoxicating liquor, or permit such to be sold or supplied, to a habitual drunkard or to any person who is under or apparently under the influence of intoxicating liquor.
- G. **Drinking In Public Places Prohibited.**
1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot.
  2. No person shall drink or ingest any intoxicating liquor in or on any public place.
  3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor while in or upon any public place.

4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor while within or on any motor vehicle while the same is being operated upon, or parked or standing in or upon, any public place. Any person operating a motor vehicle shall be deemed to be in possession of an open container contained within the motor vehicle he/she has control of whether or not he/she has actual physical possession of the open container.

H. **Special Event Permit.** The Board of Aldermen may grant a special event permit for purposes as identified in Section **600.070(G)(1)**, above, and under the following conditions:

1. An application must be filed with the Chief of Police that describes the applicant's name and business or interest in the event; the name(s) and contact information of any or all liquor license holders who will be involved in such event; the public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot to be included in the event area; the beginning and ending time of such event; and the telephone contact of the person in charge of and present at the event.
2. The estimated number of participants in the event shall be provided to the Chief of Police, and the applicant shall pay all costs of security needed as a result of the event to ensure compliance.



**EXECUTIVE SESSION**



**Board of Alderman  
Request for Action**

**MEETING DATE: 3/2/2021**

**DEPARTMENT:** Administration

**AGENDA ITEM: Adjournment to Executive Session Pursuant to Section 610.021(1, 3, 13) RSMo.**

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**RECOMMENDED ACTION:**

A motion to close the regular session for the purpose of discussing legal and personnel matters pursuant to Section 610.021(1, 3, 13) RSMo.

**SUMMARY:**

To allow the Board of Aldermen to adjourn to Executive Session to discuss legal and personnel matters.

**PREVIOUS ACTION:**

N/A

**POLICY ISSUE:**

The Board of Alderman will vote to close part of this meeting directly following the Board of Alderman Regular Session Pursuant to Section 610.021(1, 3, 13) RSMo. This Executive Session will be conducted via videoconference.

**FINANCIAL CONSIDERATIONS:**

Click or tap here to enter text.

**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 type="checkbox"/> Other:       |                                   |