



SMITHVILLE, MISSOURI

Board of Aldermen

Regular Session

7:00 p.m.

March 23, 2021

Join Zoom Meeting

<https://us02web.zoom.us/j/89262841455>

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AGENDA



**City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda**

March 23, 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. Consent Agenda
 - Minutes
 - March 2, 2021 Board of Alderman Work Session Minutes
 - March 2, 2021 Board of Alderman Regular Session Minutes
 - Financial Report
 - Finance Report for January 2021

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports
5. City Administrator's Report

ORDINANCES & RESOLUTIONS

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

An Ordinance amending Section 705.050, sewer winter average for new customers. 2nd reading by title only.

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

An Ordinance amending the FY21 Budget to add \$110,000 to the expenditure budget and \$273,000 to the revenue budget. 1st and 2nd reading by title only.

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

An Ordinance approving the rezoning of 15901 North 169 Highway from R-1B and B-2 to R-3 and B-3. 1st reading by title only.

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

An Ordinance approving the rezoning of 319 East Main Street from R-1B to R-3. 1st reading by title only.

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

An Ordinance amending Section 610.110, eliminating the \$10 festival vendor fee under Section 610.130. 1st reading by title only.

11. Resolution 892, Final Plat – Eagle Ridge

A Resolution approving the final plat for the Eagle Ridge subdivision.

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

A Resolution approving Change Order No. 2 for the Main Street Trail Project in an amount of \$54,000.

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

A Resolution approving Change Order No. 1 to the Insituform contract to add \$107,000 for the addition of the sewer lines on Main Street and Liberty Road.

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

A Resolution authorizing the Mayor to enter a Memorandum of Understanding (MOU) with the Lion's Club for the 2021 Farmers and Makers Market.

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

A Resolution acknowledging Change Order No. 2 in the amount of \$7,250, which is within the purchase authority of the City Administrator, for the City Hall Renovation Project.

16. Resolution 897, Surplus City Property

A Resolution declaring certain property as surplus equipment.

17. Resolution 898, Residential Leak Adjustment - Truesdale

A Resolution approving a leak adjustment of \$53.14 for residential utility billing customer, Marilyn Truesdale for her February 2021 utility bill.

18. Resolution 899, Residential Leak Adjustment - Maxwell

A Resolution approving a leak adjustment of \$238.11 for residential utility billing customer, Jeffry Maxwell for his February 2021 utility bill.

19. Resolution 900, Residential Leak Adjustment – Wisecarver

A Resolution approving a leak adjustment of \$173.29 for residential utility billing customer, Theresa Wisecarver for her February 2021 utility bill.

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

A Resolution approving Amendment No. 1, to amend the contract with Mr. Electric to add a 400-amp panel and new conduit and service wire for the amount not to exceed \$10,386.86.

21. Resolution 902, Event Fireworks Display Approval

A Resolution approving a Fireworks Display at White Iron Ridge Event Center at 815 East 92 Highway on April 17, 2021.

OTHER MATTERS BEFORE THE BOARD

22. 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.

23. Appointment

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

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

Acknowledge the Steering Committee members for the Transportation Master Plan.
Alderman Chevalier, Kelly Kobylski, Carol Noecker, Charlene Bruce,
Mayor Boley and Smithville School District Representative

25. 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.

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

[Planning Calendar](#)

CONSENT AGENDA



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

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

Financial Report

- Approve the January 2021 Finance Report

SUMMARY:

Voting to approve would approve the Board of Alderman minutes and December 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 – MARCH 2, 2021 WORK SESSION

**SMITHVILLE BOARD OF ALDERMAN
WORK SESSION**

March 2, 2021 6:30 p.m.

City Hall Council Chambers

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

The meeting was streamed live on the city's FaceBook page.

1. Call to Order

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

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

2. Discussion of the Public Facility Use Policy

Matt Denton, Parks and Recreation Director, gave a brief overview of the Facility Use Policy.

The Facility Use Policy governs use of public facilities pursuant to Section 105.030 of the Municipal Code. The purpose of this policy is to provide access fairly and reasonably to City facilities for the Smithville community. It is the goal of the City to balance the needs of users to reserve facilities for exclusive use and the needs and expectations of residents so they will have access to City facilities.

The Facility Use Policy was last revised in 2015. Since then, the facility reservation and event process has changed for the convenience of Smithville residents. Staff reviewed the policy and has identified recommendations that reflect how facilities and events are currently handled. Based on Board feedback and direction, staff will update the policy and present it for Board approval. Once approved, staff will update the event application form to reflect the new policy. If any changes are made to the Schedule of Fees, staff will bring that to the Board for approval as well.

In 2016 the City established the steering committee to develop a solid waste management plan and that was attached to the staff report. The Solid Waste Management Plan was never adopted by the City. At that time, the City did request a proposal for residential collection services and WCA was awarded the contract. Their services started in 2017 and the contract is up March 31, 2022.

Matt went through the sections of the policy that staff would like direction from the Board on suggested changes.

Section II – a – Availability

Staff is looking for the Boards comments and suggestions for the recommendation to add the highlighted sentence to this section: "Planned parties should make a reservation prior to use."

This will allow staff to monitor and prepare for larger events. Most surrounding communities require paid reservations prior to use of organized events at City owned Shelter Houses. This change in policy would still allow individuals or families to utilize the space when it is not being used.

Alderwoman Wilson asked if we are wanting to make sure they make a reservation, "should" means they may be would not make it, so should that be "must"?

Matt said that obviously not everybody is going to make a reservation, basically what we would like is get the reservations so we can better prepare for people's larger events.

Alderwoman Wilson said that to her someone can still use the shelter house and the City would not necessarily know.

Mayor Boley said he believed the situation Matt is running into is people plan things and then if somebody does reserve it and it is being used by somebody else, they believe it is first come first serve.

Matt noted that staff plans to do a better job of advertising when facilities are being used, we plan to put up a sign system similar to the signage Clay County and the Corps of Engineers uses on their shelters. We hope this encourages people to reserve shelters online, so ensure it for their event.

Mayor Boley said he thinks the wording that does make a difference, to Alderwoman Wilson's point if this is it is not going to be a city policy, he does not think we should have it as "should" we should have it as "planned parties will make a reservation" or something like that. If we are going to acknowledge the use of it, you have to make a reservation.

Alderman Chevalier asked if this was going to prevent people from using the shelters if no one else is?

Mayor Boley said it is not going to change but the policy language should be clear with no gray areas. If you are going to use the facility you will make a reservation.

Cynthia suggested clarifying the wording to read "in order to ensure use only parties who have made reservation prior to use" or "parties who have made reservation prior to use". She said she believed staff could come up with some language that would address the situations discussed.

Mayor Boley agreed.

Alderman Chevalier said it could read "reservations take precedence".

Mayor Boley noted that the policy should be very clear for staff if someone wants to use the facility, they have to make a reservation.

Cynthia stated staff would come up with the language to bring back to the Board.

Alderman Atkins asked about the possibility of a bulletin board for posting reservations?

Matts said that Park staff is looking to better advertise when the facilities are reserved.

Section III - a – Senior Center

Staff is looking for the Boards comments and suggestions for the recommendation of adding "re-occurring" for the Senior Center.

Alderwoman Wilson asked if the wording should be recurring instead of re-occurring?

Matt explained that was the wording in the current policy.

This will allow other organizations to use the facility for regular meetings. The reservation fee would be different than a one-time event cost. If approved, the information will need to be updated in the Schedule of Fees.

Recommended Recurring Rental Fees:

Based on review of rates in comparable communities and an evaluation of staffing costs, staff recommends that we offer non-profit re-occurring rentals a fee of \$25 a week, to be paid monthly at \$100 a month. Staff then recommends for-profit groups with this request to pay \$250 per month for a re-occurring weekly reservation. This would include one weekly meeting of up to 2 hours that are scheduled one month in advance.

Mayor Boley stated that he thought it was great to add this. He believes it will get the Senior Center utilized more. He said that he was fine with the non-profit rate but thinks that we might have to have one more tier added for Smithville businesses since they are paying taxes here. He asked to hear from the rest of the Board on the subject. He did think that \$200 a month for businesses would be fine that way it is easier divided for doing a weekly rent.

Matt explained that he would refer to Brittanie on this since she did the research and will be in charge of the reservations.

Brittanie asked the Mayor to confirm was he suggesting adding a third tier or two additional tiers?

Mayor Boley said just to add a third tier and make it \$200 a month. Since staff recommends for profit groups, he suggests it say for-profit Smithville business license holders \$200 and then the next tier up is that \$75 a week. He said he was not sure if we have a lot of people outside of Smithville utilize the Senior Center and noted there is not a lot of event space available elsewhere in metro at this time.

Alderwoman Wilson noted that re-occurring means it could just happen one time and recurring means on a regular weekly, monthly, etc. basis.

Matt said that they would change the wording to recurring.

Alderwoman Wilson asked if someone rents it for every Wednesday and there are five Wednesdays in a month, is the Board okay with one free week?

The Board agreed to the one free week.

Mayor Boley asked if it is a once-a-month event, a non-profit group they pay \$50 for their one meeting a month?

Brittanie said that was correct and explained that in her calls to see what other comparable facilities were doing they did not break it down whether or not it was a one hour a week or an hour and a half a week. They had set rates and they have limits on those but instead of breaking them down individually like the exact time per hour they did up to two hours with a maximum of once a week per week each month. It was a one-month deal that could be cancelled by either party at any time after that month.

Mayor Boley confirmed if they were meeting once a month, they still just pay that up front? He asked if we need to add anything for inclement weather that says if you are a monthly rental and there is a snow day you will still be charged? He said he did not think we need to go back and refund for one week.

Matt explained that the changes to the cancellation is later in this document.

Alderwoman Wilson agreed with the Mayor.

Section III – a - City Hall Meeting Room

Staff is looking for the Boards comments and suggestions for the recommendation of removing the City Hall Meeting Room from this Facility Use Policy due to the recent improvements. Staff would recommend those interested in meeting space to use the Senior Center which has accommodations for larger groups.

Alderwoman Wilson asked about uses such as Shop with A Cop, would it be moved over to the Senior Center?

Cynthia said that she would envision those types of events like Shop with A Cop that is primarily a City staff event to be similar to a local government meeting that would be held in the City Hall meeting room they are both government related functions.

Mayor Boley said as long as there is staff or elected official that is part of the meeting that is what the use is for.

Cynthia noted that we do need to be careful that elected officials coordinate it with staff. She said it is not a rentable facility it would be a sponsored meeting.

Section III – c – Sports Fields

Staff is looking for the Boards comments and suggestions for the recommendation of replacing the sentence: "Sports fields are available for the sole use of the customer and may not be shared with others without approval by the City", with the following: "Sports Field reservations are available for the sole use of the customer and may not be traded, exchanged or resold without approval by the Parks and Recreation Department."

The updated sentence clearly states that one cannot sell, trade, or give another person their already purchased reservation without approval by the Parks and Recreation Department.

The original sentence was put into place to prevent subleasing of City sports fields.

No changes made.

Section IV – Rate Categories

Currently the rate categories are not reflected in the Schedule of Fees. Once the document was adopted the Rate Categories and the different fees associated were not well perceived by the community and categories were not enforced. Currently, if an event is not a city or city co-sponsored event, it is charged the regular price. Up to this point, there has not been an issue with this. Staff is looking for the Boards comments and suggestions for the recommendation that this section be updated to show how events application have been handled. Below is what staff is recommending:

Staff recommends keeping the Rate Categories, but the rate categories will be for special events only and reducing it into two categories. This would reflect how events application have been currently handled:

Category I: City or City Co-Sponsor – Free

Category II: Other – Fee according to approved Schedule of Fees

Mayor Boley asked if the definitions of City-sponsored and City co-sponsored were outlined somewhere?

Matt explained that in the past, groups have brought requests to staff asking the Board to co-sponsor their events by waiving the fees. Those recommendations are then brought to the Board of Aldermen for approval such as the City co-sponsoring of the Haunted Campground.

Mayor Boley stated he just wants to make sure that it is defined in the policy.

Matt said it could be added to the process of how groups apply for assistance.

Alderman Atkins said that earlier it was defined non-profit business and non-businesses and asked if the Board would want to consider that in this category?

Mayor Boley asked if staff was proposing in the Schedule of Fees a rate for non-profit versus and for-profit since it is being done as part of the Senior Center fees?

Matt said that staff could change this also and add the clause for Smithville businesses in Category II.

Mayor Boley suggested something for a non-profit at a different rate than a for-profit.

Matt said that we currently have a couple of non-profit groups paying the Category II rate with no issues. He gave the example of the Courtyard fee which is \$100 with a deposit.

Mayor Boley asked what the deposit for the Courtyard is?

Matt said he believed it was \$200 or \$250.

Mayor Boley said he would like to see some sort of language in the policy about the deposit refund process. He would like it to read that the Parks Director or the Assistant City Administrator sign off on the refund. This would ensure the facility was left in the condition it was in prior to the event. He would also like it brought to the Boards attention the next time the group request to rent the facility that they had an issue and did not receive their deposit back.

Cynthia stated if the Board wishes to add that staff need clarifying language on what that would be so that there is language that helps staff in understanding when the deposit would not be refunded, so draft language could be brought to the Board for review.

Mayor Boley said if it is not returned in the state it was provided. If staff has to do any type of cleanup or repairs, filling in holes, removing paint, etc. that should be deducted from the deposit. It would be the same for the Senior Center.

Section VII – a – Application

Staff is looking for the Boards comments and suggestions for the recommendation of removing the sentence: "A nonrefundable application fee of 10% or \$25 (whichever is higher) is required at the time of application. Once an application has been approved, the fee will be applied toward reservation fees". Currently staff does not accept a reservation request until payment is received in full.

Matt explained that to his knowledge this has never been done.

Mayor Boley clarified we have a non-refundable application fee, but we do not take a non-refundable fee?

Cynthia said that a lot of the items are the way they are, because of pushback at various times from the public in implementation of those they have by practice not been completed by staff. This is way it is being brought to the Board for direction in cleaning this policy up.

Matt said that the goal is to have this application be online once this is approved by the Board move forward on this but still have the option of doing the application in person.

Alderman Atkins asked to go back to the pervious section and asked what is the difference in renting the Senior Center and renting the Courtyard, they are both City owned property should they not be mirrored?

Cynthia asked if he meant be the same dollar wise or be the same classifications of expenditures?

Alderman Atkins said the dollar amount could be different, but the classification of expenditures be the same and support the local businesses at a cheaper rate.

Cynthia said she believe that is what the Mayor had mentioned earlier and as staff brings this forward it will have some items to review with regard to reservations in either Courtyard or Senior Center. She asked if the Board would want this extended to shelter houses as well?

Mayor Boley said just the Courtyard and the Senior Center.

Cynthia said as the City adds facilities this policy can be brought back for discussion.

Section VII – b – Changes and Cancellations

Staff is looking for the Boards comments and suggestions for the recommendation of adding "inclement weather" to the list of approved changes, allowing one change with a 48-hour advanced notice, and adding the ability to re-schedule within 7 days from reservation.

This arises with ball field and shelter house reservations when it rains or is predicted to rain. Currently, re-scheduling is not allowed under this policy. Staff believes this change in policy would benefit the community and be a reasonable way to handle last minute changes. This change will also protect the fields by allowing teams to re-schedule reservations on ball fields when conditions are too wet to utilize without causing harm to the field.

Mayor Boley asked if this can be handled through the software or would this always require a staff intervention?

Matt said it would require staff intervention.

Mayor Boley asked if staff tries to relocate the games if Heritage Park it too wet?

Matt said that staff reaches out to that customer to let them know the field is unplayable and give them options to use other areas of the park. He explained that staff does their part to make sure that their accommodations are met, and communication is at a high level.

Section VI – c – Changes

Staff is looking for the Boards comments and suggestions for the recommendation of removing the highlighted sentence: "Additional changes made will be charged an additional non-refundable application fee per change". This charge is not reflected in the Schedule of Fees. Staff is not sure why. Staff has not seen this as an issue and believe this change in policy would benefit the community.

The Board made no changes.

Section VI – f – Insurance

Staff is looking for the Boards comments and suggestions for the recommendation of removing the highlighted sentence: "Liquor liability insurance is required for all events serving alcoholic beverages" as this is no longer required anymore by the State.

Mayor Boley asked if staff checked with the City's insurance carrier to make sure that the million dollars is still appropriate?

Cynthia said staff will confirm that dollar amount per occurrence.

Section VIII – Alcohol Use – b

Staff is looking for the Boards comments and suggestions for the recommendation of removing this highlighted section: "Liquor liability insurance" as this is not required anymore by the State. Staff recommends adding what is currently required by the City and State:

"Completion of the Alcohol section of the Special Event Application and a Temporary Liquor License will need to be reviewed and approved by the Chief of Police and Board of Alderman for events serving alcoholic beverages."

The Board made no changes.

Section VIII – Alcohol Use – e

Staff is looking for the Boards comments and suggestions for the recommendation of removing the highlighted word "facility" since alcohol is not allowed in indoor facilities.

The Board made no changes.

Section XI – b – Reservation Times

Staff is looking for the Boards comments and suggestions for the recommendation of removing the following sentence: "If use of the facility begins prior to or ends after the schedule reservation, the City reserves the right to bill at 150% of the applicable rate". Staff has not seen this as an issue and believes this change in policy would benefit the community.

Alderman Atkins asked if someone rented the facility, such as the Senior Center for two hours for a birthday party and want to come in 30 minutes early to setup will they be charged for the set-up time?

Matt explained that with the rental of the Senior Center you are given a 30-minutes grace period for setup with your reservation.

Mayor Boley clarified that if someone were to rent the Senior Center, they would get it for the whole day.

Matt said this would apply more to the Courtyard, shelter or ballfields and staying past your time and someone else has it rented.

Section XI – c – Festival Vendors

Staff is looking for the Boards comments and suggestions for the recommendation of updating this ordinance to remove the \$10 festival vendor charge. This fee is currently located in Section 610.110 of the Municipal Code and would require an Ordinance amendment. Staff feels this can still be monitored by just collecting vendor names and contact information from the event organizer.

Mayor Boley asked if this was being charged?

Matt said that it was not being charged. He noted that it would be difficult to collect the fee from the vendors or organizers. Staff does believe they can make sure we have the vendor contact information.

Mayor Boley asked if it states on the application that this information is needed?

Matt stated it says vendors shall be subject to the fees required under Section 610.130 and must provide the information required under Section 610.040.

Mayor Boley said he is fine with taking the \$10 fee out, but should language be added to the application that the City needs the vendor contact information.

Matt said that on the event application has a place for the vendor's name and contact information and booth location to be listed.

Matt asked if there were any other sections in the policy the Board would want to see changes made.

Mayor Boley asked if the soccer fields gates were locked up?

Matt said we do not lock any gates.

Mayor Boley asked if the Corp of Engineers locks the yellow gates?

Matt said that they only lock them when there is snowy weather.

Matt thanked the Board and said that staff would make the changes for Board approval.

Mayor Boley asked if there have been any more issues with signs for events? Or if any changes need to be made to the sign Ordinance?

Matt said that staff did review that section of the Municipal Code and it does say that approval must be given and we as staff are going to make sure we do a better job of enforcing it going forward.

3. Adjourn

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:47 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

BOARD OF ALDERMEN MINUTES – MARCH 2, 2021 REGULAR SESSION

SMITHVILLE BOARD OF ALDERMEN

REGULAR SESSION

March 2, 2021 7:00 p.m.

City Hall Council Chambers

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

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

1. Call to Order

Mayor Boley present via Zoom, called the meeting to order at 7:00 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, Melissa Wilson, and Dan Ulledahl. Jeff Bloemker joined at 7:02 p.m. and John Chevalier joined the meeting at 7:17 p.m.

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 Regular Session Minutes

No discussion.

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

Ayes – 4, Noes – 0, motion carries. The Mayor declared the consent agenda approved.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Mayor Boley reported on the February 25 Parks and Recreation Committee meeting. The committee broke into teams and went through each park, park by park on ideas. Prior to this meeting the survey had not been out for a full week and had already received more than 200 responses which is great. Mayor Boley said that he had been sharing the survey with as many people as he could and Matt Denton, Parks Director, sent it out to the Parks and Recreation Committee members. He had Brittanie Propes, Recreation and Marketing Manager, get him some flyers with a QR code to the survey today to give to some of the businesses.

The community desires for Parks and Recreation are what we are used to hearing such as the Community Center and trails. Distributed Recreation is a great idea and programming those parks in a way that works. Mayor Boley stated that he believes we have a really good plan. We have worked with Future iQ on different projects, and they have always given us good plans. The Parks Master Plan completion target date is the end of May. Mayor Boley noted that the Board will have some plans to discuss during the budget process. He encouraged everyone to attend the Parks Master Planning sessions and to complete and share the survey.

5. City Administrator's Report

Cynthia shared some pictures of renovation on the interior of City Hall.



The first picture is taken from the administrative work area, they have removed the wall where the customer service window was, where the Finance Specialist I is located, and the construction worker is pictured in the entry way.

The second picture is where the alcove to the vestibule is. Customers will now walk straight ahead to the customer service window. The side doors will be closed in.

The third picture is the new wall and doorway for the conference room.

The last photo is the Police Clerks office, the front entrance, a hallway and the interview room next to it.

The contractors are making tremendous progress on getting the lobby reconfigured. You also can tell by the early pictures in the packet that they have gutted the administrative work area and have started framing in Cynthia's office to configure that into two offices for she and Anna Mitchell, Assistant City Administrator. The contractors anticipate completion in June and the way they are progressing we believe they are on track.

Cynthia noted that the board room is currently a co-workspace for Cindy, Thea, Anna and she while they are displaced from their offices. When the reconfiguration is completed, we will have more efficient workspaces. There will not be conference space available in Cynthia's office but there will be small table to conduct smaller group meetings.

We will continue in the co-workspace in the board meeting room until they complete the front office space and then Cindy, Thea, Anna and Cynthia will move into the reconfigured space and the contractors will work on the offices along the east side of the building where Linda, Chuck, and Stephen are located. At that time, they will move to the board meeting room.

Staff is excited about the reconfiguration even though it is a little bit dusty and at times a little bit noisy, but definitely worth the effort to have some more efficient workspaces.

Cynthia reminded the Board that public access is now through the rear of the building off Meadow Street with parking in the rear of the building. The customer service window is located at the Development Department entrance.

Cynthia shared information with the Board regarding police recruiting. She noted we have five officer vacancies currently and we are continuing the process of recruiting. Between January 1 and February 28, we had 42 applications. At a work session this summer we discussed the lengthy review process that includes several layers of screening, interviews and background checks. We have seven of those 42 applicants that continue to be active and continuing in the process. Three are scheduled for initial testing and three are awaiting interview scheduling.

At this point in time, we have seven who are continuing in the process. Staff continues to reach out to as many sources as we can in trying to encourage applications. In conversations with other police departments in the Metro area, several of those departments are also down several positions. She explained that the Board would probably hear from staff regarding sponsorship of applicants to the Police Academy, reminding them of the discussion about this during the

development of the 2019 budget. All of this will depend upon what the applicant pool looks like and if we are fortunate enough to have some applicants progress through the process that may not be POST-certified. She stated that the Board may have to have some serious discussions with potentially sponsoring multiple candidates.

The recruitment, hiring process and environment is a little different than even in 2019 so the Board will need to have some of those conversations.

Mayor Boley noted that there should be available funds in the Police Department budget since there are five salaries not being paid.

Cynthia said that is one of the things that will be discussed as we do anticipate with the five vacancies there is some salary savings.

Mayor Boley noted that there is a lot of construction going on downtown, City Hall is under renovation, the building at Main Street and Bridge Street is completely under renovation and Eric Craig Real Estate office demoed his patio to start building more offices because he is out of space.

Cynthia also said that later in the month we will issue the notice to proceed on the Streetscape Phase II.

ORDINANCES & RESOLUTIONS

6. Bill No. 2887-21, Amending Section 120.030, Acknowledgement of Meeting Date Change – 2nd Reading

Alderman Sarver 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. 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 – Absent, Alderman Atkins – Aye, Alderman Bloemker – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2887-21 approved.

7. Bill No. 2888-21, Initial Zoning Certain Lots in Lakeside Crossing – 2nd Reading

Alderman Sarver moved to approve Bill No. 2888-21, setting the initial zoning of Lots 9, 14, 26 and 40 in Lakeside Crossing. 2nd reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2888-21 approved.

8. Bill No. 2889-21, Destruction of Records – 2nd Reading

Alderman Ulledahl 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. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2889-21 approved.

9. Bill No. 2890-21, FY21 Budget Amendment No. 2, Sanitary Sewer Projects – Emergency Ordinance Sponsored by Mayor Boley – 1st & 2nd Reading

Alderman Ulledahl moved to approve Bill No. 2890-21, amending the FY21 Budget and add \$200,000 in budgeted expenditures in the Water and Wastewater Funds for water and sewer line projects. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2890-21 approved first reading.

Alderman Ulledahl moved to approve Bill No. 2890-21, amending the FY21 Budget at add \$200,000 in budgeted expenditures in the Water and Wastewater Funds for water and sewer line projects. 2nd reading by title only. Alderwoman Wilson seconded the motion.

No discussion.

Alderman Chevalier joined the meeting at 7:17 p.m.

Upon roll call vote via teleconference:

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Bill No.
2890-21 approved.

10. Bill No. 2891-21, Amending Section 705.050, Sewer Winter Average – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2891-21, amending Section 705.050, to clarify the available use of a winter sewer average for new users/customers of the sewer system. 1st reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

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

11. Resolution 889, Bid Award 21-03 Transportation Master Plan

Alderman Sarver moved to approve Resolution 889, 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. Alderman Atkins seconded the motion.

Mayor Boley thanked the Board members and staff that participated in this process.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 889 approved.

12. Resolution 890, Bid Award 21-08 Sanitary Sewer Rehabilitation

Alderman Sarver moved to approve Resolution 890, awarding Bid No. 21.08, Sanitary Sewer Rehabilitation, to Insituform Technologies, LLC in an amount not to exceed \$78,216. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 890 approved.

13. Resolution 891, Special Event Permit – Gravel Grinder

Smithville Board of Aldermen

Alderman Sarver moved to approve Resolution 891, approving a Special Event Permit for Humphrey's 100 Gravel Grinder Bike Race to be held Saturday, May 15, 2021. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 891 approved.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

None

15. New Business from the Floor

None

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

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

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned to Executive Session Pursuant to Section 610.021(1, 3, 13) RSMo. at 7:22 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

FINANCE REPORT – JANUARY 2021

FY21 BUDGET - FINANCIAL UPDATE

1/31/20

REVENUES, BY FUND	FY20 Actual	FY21 Budget	FY21 YTD	FY21 Projection	
GENERAL FUND	4,725,176.86	4,634,040.00	1,678,466.83	4,637,140.00	36.22%
CAPITAL PROJECTS FUND	-	-	6,250.00	6,250.00	#DIV/0!
CAPITAL IMPROVEMENT SALES TAX FUND	579,720.69	530,750.00	130,641.13	530,750.00	24.61%
DEBT SERVICE FUND	556,280.00	342,190.00	-	342,190.00	0.00%
TRANSPORTATION SALES TAX FUND	582,358.98	530,750.00	128,268.70	530,750.00	24.17%
COMBINED WATER & WASTEWATER SYSTEMS FUND	4,460,394.64	4,808,890.00	1,175,593.48	4,824,890.00	24.45%
SANITATION FUND	831,293.48	890,550.00	212,177.94	894,550.00	23.83%
SPECIAL ALLOCATION FUND	8,260.08	520,000.00	32,758.73	520,000.00	6.30%
PARK & STORMWATER SALES TAX FUND	-	442,290.00	87,614.63	442,290.00	19.81%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	-	165,000.00	40,000.00	165,000.00	24.24%
	11,743,484.73	12,864,460.00	3,491,771.44	12,893,810.00	27.14%

EXPENDITURES, BY FUND	FY20 Actual	FY21 Budget	FY21 YTD	FY21 Projection	
GENERAL FUND	4,909,573.90	5,701,540.00	1,059,104.54	5,633,611.00	18.58%
CAPITAL PROJECTS FUND	699,506.47	1,624,440.00	409,734.33	1,639,440.00	25.22%
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	34,338.08	955,820.00	3.59%
COMBINED WATER & WASTEWATER SYSTEMS FUND	5,434,892.12	7,325,260.00	815,491.53	7,325,260.00	11.13%
SANITATION FUND	813,356.26	885,710.00	219,310.53	885,710.00	24.76%
SPECIAL ALLOCATION FUND	-	520,000.00	-	520,000.00	0.00%
PARK & STORMWATER SALES TAX FUND	-	225,000.00	-	225,000.00	0.00%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	-	125,000.00	-	125,000.00	0.00%
	12,914,316.43	18,444,880.00	2,537,979.01	18,391,951.00	13.76%

[Full Finance Report](#)

CITY ADMINISTRATOR'S REPORT



City Administrator's Report

March 23, 2021

Police Department Assistance in Apprehension of Murder Suspect

Early in the morning of March 13, Sergeant Gearhart was advised that a person had called our dispatch center and reported a male party, who was possibly involved in a shooting, was at a residence in Smithville. He met with the reporting individual and was able to gather information to determine where the shooting had occurred and that it resulted in a homicide. Sgt. Gearhart then contacted a sergeant from the Kansas City Police Department's Homicide Unit. Based on the information Sgt. Gearhart had collected, a team of homicide detectives responded. Sgt. Gearhart, along with Officer Kammrie Redwood, Officer Melissa Knowles and officers from the Clay County Sheriff's Department and the Platte County Sheriff's Department responded to the residence and were able to take the suspect into custody without incident or use of force.

The suspect, a 28-year-old Sedalia man, was transported to Kansas City Police Headquarters and released to their custody.

Earlier this week we learned that the suspect was charged with Second Degree Murder and other charges.

The efforts and diligence of all involved is greatly appreciated!

Main Street Trail Ribbon Cutting

Completion of the trail project is on the horizon and people are starting to use the trail! A ribbon cutting has been targeted for April 6. This date marks the third anniversary of

the date the Board certified the results of the April 2018 election. In that election, voters approved a new sales tax and issuance of bonds which funded the streetscape project, 180th Street Trail, South Commercial Sidewalk and the Main Street Trail – all completed in the last three years!

Details (location, time, etc.) are to be determined and will be shared as soon as possible.

Electrical Upgrades at Smith's Fork Campground

Phase 1 of the campground electrical upgrade is nearing completion. Staff is currently waiting on Platte-Clay Electric to finish the final power connection so that power can be turned on to test the pedestals. We are on schedule to be ready for opening on April 1. Based on Board recommendation, Mr. Electric has submitted a change to the contract totaling \$10,011.10 to address the revised scope: New 400-amp panel \$4,698.21, New conduit and service wire for 400-amp panel \$5,312.89. The FY21 Budget includes \$37,500. This change will bring the contract amount to \$34,382.30.



Marketplace – Approval of Sale of Lot 5

In June 2019, the Board authorized administrative approval of the sale of lots within the Smithville Marketplace when that sale is consistent with prior plans. Earlier this year, the developer requested City approval of the sale of Lot 5 for construction of a Burger King. Notification of approval of this request was provided to the development team on March 11.

Pay and Classification Study and Health Insurance Broker RFQs Posted

Last week, an RFQ for a pay and classification study was posted. As you will recall, a staff goal for some time has been to conduct such a study to evaluate current compensation for all employee positions. This evaluation would include a review of job descriptions, internal equity review and external market review to ensure market competitiveness for all positions. Historically, internal review of positions using MARC compensation data was conducted to review employee compensation.

On Wednesday, an RFQ for Health Insurance Brokerage Service was also posted.

Parks and Recreation Master Plan Update

Work on the Parks and Recreation Master Plan continues. The community survey closed on Monday with responses from nearly 1,000 households. The project portal is live and includes discussion boards featuring “big idea” concepts. The Parks and Recreation Committee will meet again on March 25 to continue to review plan elements. Public input events are currently scheduled for the following Saturday during youth soccer at Smith's Fork Park and at Courtyard Park.

City Hall Renovation

The renovation project continues, with electrical and HVAC work for the main areas nearly complete. Drywall work proceeds and current estimates are that the first phase of employees will move to new workspace within the next two to two and a half weeks. Staff has earmarked proceeds from sale of the old Second Creek Road bridge for purchase of new furniture as furnishing costs were not included in the budget. The project budget did not include funds for new appliances in the kitchen area – proceeds from the sale of surplus furniture and equipment identified through the renovation have been earmarked for that.



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.

Spring Sports Participation Update

Soccer league and soccer clinic registrations have reached historical highs for participation! Registration for baseball, softball and t-ball are ongoing, but registrations to date are outlined below.

Soccer clinic: 40 (final)
Soccer league: 178 (final)
Baseball: 80 (open until 3/28)
Softball: 53 (open until 3/28)
T-Ball: 119 (open until 3/28)

Past season totals are below for reference:

Soccer Clinic:

Spring 2018: 37
Fall 2018: 17
Spring 2019: 34
Fall 2019: 26
Spring 2020: Cancelled due to Covid
Fall 2020: 35

Soccer League:

Spring 2018: 90

Fall 2018: 128

Spring 2019: 123

Fall 2019: 145

Spring 2020: Cancelled due to Covid

Fall 2020: 113

Building Inspection Audit

Last week the in-person audit for the Building Code Effectiveness Grading Schedule of ISO was completed. This audit is to determine the effectiveness of our enforcement of our building codes to inform insurance companies. This audit is similar to the ISO rating for fire hydrants and the Fire Districts ratings. Prior to 2007, Smithville was an unrated jurisdiction. Smithville was upgraded to a 7 rating in 2008 and improved to 6 in 2013. The previous audit in 2017 generated a 5 rating. We have completed our audit and now anticipate the results in about 60 days. We do not anticipate improving from the 5 rating we currently hold. It was explained that a city our size with our population and budget would have a difficult time reaching the 4 level, but we will continue to make strides to do just that. This is the first year we will receive points for having a fully certified residential inspector due to Jim Waddle's certification last September. By the next audit in 2024 all Smithville inspectors will be certified in both residential and commercial work.

Upcoming Meeting Schedule

A reminder that 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.

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 –
1st reading

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: | |

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

FY21 BUDGET AMENDMENT NO. 3



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: PUBLIC WORKS/ FINANCE

AGENDA ITEM: Approve Bill No. 2892-21, FY21 Budget Amendment No. 3

RECOMMENDED ACTION:

A motion to approve Bill No. 2892-21, FY21 Budget Amendment No. 3. It is recommended that this be read both first and second reading by title only as an Emergency Ordinance Sponsored by Mayor Boley.

SUMMARY:

This Budget Amendment adds budget authority for Main Street Trail project expenses, adds budget authority to receive Recreational Trail Program (RTP) Grant revenues related to the Main Street Trail project, and adds budget authority to receive revenue from payments in lieu of dedication for proposed development.

On December 1, 2020, the Board approved Bill No. 2881-20 (Budget Amendment #1), which added an additional \$1,074,000 to the FY21 Budget. This provided a total budget authority of \$1,298,000 for the Main Street Trail project. This budget amendment provides total additional authority of \$113,000. The \$113,000 is composed of \$50,000 for the force account, \$9,000 for the addition of decorative railing to the trail, and \$54,000 for the additional project items related to the change order.

In FY20, the City budgeted \$228,120 in revenue from the Recreational Trails Program (RTP) Grant. This action enacts budget authority to receive \$266,000 in RTP Grant revenue in the Capital Projects Fund. The RTP Grant provides a 20% match to the Main Street Trail project costs, and because project costs have increased, the match amount provided through the RTP Grant has also increased.

In addition, this action adds \$7,000 in budget authority to receive revenue from payments in lieu of dedication for proposed development as outlined in Section 425.220 (Payments in Lieu of Dedication). Dwelling units are assessed a fee of \$625, which is payable as a condition to approval of a final plat. These fees will be deposited in the Capital Projects Fund and tracked independently so that revenues can be earmarked for the use of enhancing and improving amenities of public parks through capital improvements.

This Ordinance has been sponsored as an emergency ordinance by Mayor Boley in order to provide funds for this project in a timely manner.

PREVIOUS ACTION:

The Main Street Trail project was previously included in the 2020 CIP.

Budget Amendment #2 was approved March 2, 2021.

POLICY ISSUE:

Maintaining infrastructure

FINANCIAL CONSIDERATIONS:

Amend the FY21 Budget

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. 2892-21

ORDINANCE NO.

AN ORDINANCE AMENDING THE FY21 OPERATING BUDGET TO ADD \$113,000 TO THE EXPENDITURE BUDGET AND \$273,000 TO THE REVENUE 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 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:

- \$113,000 in expenditures in the Capital Projects Fund.
- \$273,000 in revenues in the Capital Projects Fund.
-

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 3/23/2021

Second Reading: 3/23/2021

REZONING 15901 NORTH 169 HIGHWAY



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: DEVELOPMENT

AGENDA ITEM: Bill No. 2892-21, Rezoning 15901 North 169 Highway

RECOMMENDED ACTION:

A motion to approve Bill No. 2892-21 for First Reading by title only to rezone 15901 North 169 Highway.

SUMMARY:

The Ordinance seeks to rezone an 18-acre parcel on 169 Highway from R-1B and B-2 to R-3 and B-3, commercial and apartment zoning districts.

BACKGROUND:

The property is the vacant land just north of the old Lowman's restaurant location. The roughly 18-acre tract is unused land that the new owner seeks to redevelop into apartments and commercial uses. There is no definitive development plan, so any proposal is subject to additional planning and zoning meetings or hearings.

PREVIOUS ACTION:

This is the first action on the parcels.

POLICY ISSUE:

Comprehensive Plan, Water and Wastewater Masterplans all implicated.

FINANCIAL CONSIDERATIONS:

None Known.

ATTACHMENTS:

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

**FINDING OF FACTS AND
CONCLUSIONS OF LAW**

Applicant: High Tide Properties, LLC

Land Use Proposed: R-3, B-3

Zoning: R-1B, B-2

Property Location: 15901 N. 169 Hwy

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on March 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 a predominantly R-1B on the north and east of the project area, with some R-3, B-3 and B-2 uses in operation to the northwest and along the south areas.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan, in section HN1.1 of the Implementation Matrix for housing states "Support providing additional housing stock throughout the city of Smithville to meet current and future residents needs by encouraging new residential development in areas identified in the Future land Use Map."
In addition, section HN2.1 states: "Encourage infill residential development of underutilized sites prime for residential uses, particularly in and near Smithville's Downtown."
3. *Adequacy of public utilities and other needed public services.*
The property is approximately 18.25 acres of undeveloped land that has stood vacant and unused for its' entire time in the city limits. The property fronts upon 169 Hwy across from the new Smithville Marketplace development and is bisected by a new waterline, and access to sewers on the east side. Any development would be required to upgrade the water, sewer, and stormwater infrastructure to meet the ultimately proposed density, and both vehicular and pedestrian access will be subject to Site Plan review.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*

The current use is a vacant tract of land that was previously an unused field. The site had grown up with a large amount of small thorny locust shrubs and weeds. With frontage and primary access off 169, the site is not significantly compatible with its' existing zoning of small lot single family. The highest and best use would be some form of residential and commercial mix to step down the uses as it transitions into single family to the east.

5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing district classification presumably when Smithville implemented zoning in 1966.
6. *Compatibility of the proposed district classification with nearby properties.*
The property primarily fronts onto 169 Hwy and is surrounded by commercial uses to its north and south on that frontage. The remainder of the land that is adjacent, is primarily single-family residential land that backs up to this unused field.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*
No detrimental effects are anticipated to the adjacent property values and will not add additional traffic through adjacent residential streets.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*
No detrimental effects are anticipated to adjacent properties, but the view and solitude of a vacant 18-acre parcel will be removed. The addition of additional housing near downtown and shopping will provide substantial public gain.
9. That in rendering this Finding of Fact, testimony at the public hearing on March 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 Rezoning of this property from R-1B to R-3 and B-3 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 rezoning the property to R-3 and B-3.

BILL NO. 2892-21

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND ENTERING INTO A DEVELOPMENT AGREEMENT.

WHEREAS, The City of Smithville received an application for rezoning a portion of 15901 North 169 Highway on January 28, 2021; and

WHEREAS, the public was notified by publishing in the Courier Tribune paper on February 18, 25 and March 4, 2021 and notices were mailed to adjoining property owners on February 19, 2021.

WHEREAS, a Public Hearing was conducted before the Planning Commission on March 9, 2021; and

WHEREAS, the rezoning is to change the zoning from single to multifamily; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the rezoning request; and,

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 council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

Changed from R-1B to R-3 Description:

A Part Of The Northwest Quarter Of The Northwest Quarter Of Section 26, Township 53 North, Range 33 West, Smithville, Clay County, Missouri. Commencing At The Northwest Corner Of Section 26; Thence South 00 Degrees 22 Minutes 53 Seconds West Along The West Line Of The Northwest Quarter Of The Northwest Quarter 352.50 Feet; Thence North 88 Degrees 57 Minutes 02 Seconds East Departing Said Line 134.12 Feet; Thence South 89 Degrees 41 Minutes 41 Seconds East 176.29 Feet; Thence South 89 Degrees 47 Minutes 13 Seconds East 118.64 Feet To The Point Of Beginning. Thence North 00 Degrees 25 Minutes 40 Seconds East 325.13 Feet To The Southerly Right-Of-Way Of West Summit Street As Now Located; Thence South 89 Degrees 49 Minutes 14 Seconds East Along Said Right-Of-Way 50.26 Feet; Thence South 00 Degrees 21 Minutes 16 Seconds West Departing Said Right-Of-Way 327.56 Feet; Thence South 89 Degrees 50 Minutes 49 Seconds East 137.41 Feet; Thence North 00

Degrees 09 Minutes 11 Seconds East 327.50 Feet To The Said Southerly Right-Of-Way Of West Summit Street As Now Located; Thence South 89 Degrees 48 Minutes 50 Seconds East Along Said Right-Of-Way 182.99 Feet; Thence South 00 Degrees 03 Minutes 27 Seconds East Departing Said Right-Of-Way 324.50 Feet; Thence North 87 Degrees 47 Minutes 46 Seconds West 49.47 Feet; Thence South 00 Degrees 28 Minutes 16 Seconds West 197.51 Feet; Thence South 00 Degrees 28 Minutes 16 Seconds West 150.00 Feet; Thence South 89 Degrees 25 Minutes 36 Seconds East 82.15 Feet; Thence South 03 Degrees 42 Minutes 17 Seconds West 63.20 Feet To The Northwest Corner Of Lot A-3 As Per Book H Page 15; Thence South 89 Degrees 33 Minutes 53 Seconds East Along The Northerly Line Of Said Lot 132.09 Feet; Thence South 03 Degrees 40 Minutes 40 Seconds West 168.21 Feet; Thence South 89 Degrees 35 Minutes 34 Seconds East 154.90 Feet; Thence South 50 Degrees 45 Minutes 39 Seconds East 39.67 Feet To The Westerly Right-Of-Way Of Commercial Street As Now Located; Thence South 03 Degrees 42 Minutes 08 Seconds West Along Said Right-Of-Way 102.50 Feet; Thence North 89 Degrees 33 Minutes 53 Seconds West Departing Said Right-Of-Way 319.40 Feet; Thence South 04 Degrees 46 Minutes 33 Seconds West 255.62 Feet To The South Line Of The Northwest Quarter Of The Northwest Quarter; Thence North 89 Degrees 30 Minutes 55 Seconds West Along Said Line 554.34 Feet The Easterly Right-Of-Way Of Missouri State Highway "169" As Now Located And Along The Following Described Calls; Thence North 07 Degrees 42 Minutes 47 Seconds West 93.72 Feet; Thence North 30 Degrees 27 Minutes 16 Seconds West 172.87 Feet; Thence North 10 Degrees 39 Minutes 51 Seconds West 148.45 Feet; Thence North 73 Degrees 24 Minutes 11 Seconds East Departing Said Right-Of-Way 139.60 Feet; Thence North 12 Degrees 41 Minutes 08 Seconds East 252.50 Feet; Thence North 32 Degrees 01 Minutes 16 Seconds East 253.86 Feet; Thence North 00 Degrees 25 Minutes 40 Seconds East 65.80 Feet; To The Point Of Beginning Containing 14.91 Acres More Or Less

Changed from B-2 and R-1B to B-3 Description:

A Part Of The Northwest Quarter Of The Northwest Quarter Of Section 26, Township 53 North, Range 33 West, Smithville, Clay County, Missouri. Commencing At The Northwest Corner Of Section 26; Thence South 00 Degrees 22 Minutes 53 Seconds West Along The West Line Of The Northwest Quarter Of The Northwest Quarter 352.50 Feet To The Point Of Beginning. Thence North 88 Degrees 57 Minutes 02 Seconds East Departing Said Line 134.12 Feet; Thence South 89 Degrees 20 Minutes 54 Seconds East 59.73 Feet; Thence South 89 Degrees 52 Minutes 20 Seconds East 116.56 Feet; Thence South 89 Degrees 47 Minutes 13 Seconds East 118.64 Feet; Thence South 00 Degrees 25 Minutes 40 Seconds West 65.80 Feet; Thence South 32 Degrees 01 Minutes 16 Seconds West 253.86 Feet; Thence South 12 Degrees 41 Minutes 08 Seconds West 252.50 Feet; Thence South 73 Degrees 24 Minutes 11 Seconds West 139.60 Feet To The Easterly Right-Of-Way Of Missouri State Highway "169" As Now Located And Along The Following Described Calls; Thence North 10 Degrees 51 Minutes 00 Seconds West 236.76 Feet; Thence North 14 Degrees 43 Minutes 47 Seconds West 83.79 Feet; Thence North 20 Degrees 55 Minutes 46 Seconds West 111.45 Feet To The West Line

Smithville Board of Aldermen

Of The Northwest Quarter Of The Northwest Quarter; Thence North 00 Degrees 22 Minutes 53 Seconds East Along Said West Line 148.50 Feet; To The Point Of Beginning Containing 3.52 Acres More Or Less.

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

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

PASSED THIS _____ DAY OF _____, 20____

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 03/23/2021

Second Reading: / /

REZONING 319 EAST MAIN STREET



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: DEVELOPMENT

AGENDA ITEM: Bill No. 2893-21, Rezoning 319 East Main Street

RECOMMENDED ACTION:

Approve Bill No. 2893-21 for First Reading by title only to rezone 319 East Main Street.

SUMMARY:

The Ordinance seeks to rezone a .79-acre tract of land to match the properties adjacent to it for multi-family housing.

BACKGROUND:

The property is a double frontage lot on Main and Meadow with an older white house. The new owner wants to demolish the old house and construct multifamily housing on the lot. There are no specific plans for development, and any proposal is subject to additional planning and zoning meetings or hearings.

PREVIOUS ACTION:

No previous actions known.

POLICY ISSUE:

Comprehensive Plan

FINANCIAL CONSIDERATIONS:

None Known.

ATTACHMENTS:

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

**FINDING OF FACTS AND
CONCLUSIONS OF LAW**

Applicant: LMW Investments, LLC

Land Use Proposed: R-3

Zoning: R-1B

Property Location: 319 E. Main St.

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on March 9, 2020, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. *Character of the neighborhood.*
The surrounding area is a mix of R-3 multifamily and R-1 single family housing, in a clearly transitional area.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan, in section HN1.1 of the Implementation Matrix for housing states "Support providing additional housing stock throughout the city of Smithville to meet current and future residents needs by encouraging new residential development in areas identified in the Future land Use Map."
In addition, section HN2.1 states: "Encourage infill residential development of underutilized sites prime for residential uses, particularly in and near Smithville's Downtown."
3. *Adequacy of public utilities and other needed public services.*

Streets and Sidewalks:

Adjacent streets are fully constructed, with improvements planned on the Main St. area this 2021 construction season. The Meadow St. side of the property has sidewalks the entire length, but the Main St. side only has sidewalks through half of the property. During the review of any proposed construction project, extending and improving the north side of the lot's sidewalk will be required along the entire property length.

Water, Sewer and Storm water

The city has adequate water, sewer, and stormwater infrastructure in this developed area. A stormwater evaluation will be required as a part of the site plan process prior to any construction.

All other utilities

Future Development will be conditioned upon installation of all needed upgraded utilities at the cost of the development.

4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is an old single-family home that has had multiple additions over time. The house sits on a very large lot (.79 acre) with frontage on two streets.
5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing district classification presumably when Smithville implemented zoning in 1966.
6. *Compatibility of the proposed district classification with nearby properties.*
The adjacent land on the north half of the property is zoned multifamily, although the properties to the east are developed with single family homes. The south half has mainly single family uses, on varying districts (R-1 or R-3) with some vacant lots.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*
No detrimental effects are known in this clearly transitional area of the city. Investment in the area to rehabilitate viable housing stock and future development has significantly increase in the last three years.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*
With no detrimental effects known, no great loss is expected.
9. That in rendering this Finding of Fact, testimony at the public hearing on March 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 Rezoning of this property from R-1B to R-3 is governed by Section 400.620 of the zoning ordinance of Smithville, Missouri.

Smithville Board of Aldermen

- 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 rezoning the property to R-3.

BILL NO. 2893-21

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND ENTERING INTO A DEVELOPMENT AGREEMENT.

WHEREAS, The City of Smithville received an application for rezoning a portion of 319 East Main Street on January 28, 2021; and

WHEREAS, the public was notified by publishing in the Courier Tribune paper on February 18, 25 and March 4, 2021 and notices were mailed to adjoining property owners on February 19, 2021.

WHEREAS, a Public Hearing was conducted before the Planning Commission on March 9, 2021; and

WHEREAS, the rezoning is to change the zoning from single to multifamily; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the rezoning request; and,

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 council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

All of Lots 5 and 6 in Block 2, CALVIN SMITH'S ADDITION to the City of Smithville, comprising a strip of land 60 feet wide East and West and 240 feet long North and South and running from Main Street on the North to Meadow Street on the South and bounded on the East on December 15, 1892 by R.P. Russell and on the West by Mary M. DeBerry. ALSO a tract of land described as follows: Beginning in the South line of Main Street at the Northeast corner of Lot 5, in Block 2, CALVIN SMITH'S ADDITION, and running thence South 240 feet to the Southeast corner of Lot 6, in Block 2, aforesaid in the North line of Meadow Street, thence East 55 feet, more or less, to Jacob C. Creek's corner, thence North 120 feet, thence West 35 feet to a point 20 feet East of the Northeast corner of said Lot 6, thence North 120 feet to the South line of Main Street, thence West 20 feet to the Place of Beginning, subject to that part, if any, in streets, roadways, highways or other public rights-of-way. is hereby changed from R-1B to R-3.

Smithville Board of Aldermen

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

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

PASSED THIS _____ DAY OF _____, 20____

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 03/23/2021

Second Reading: / /

AMENDING SECTION 610.110 NON-PERMANENT VENDOR



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: PARKS AND RECREATION

AGENDA ITEM: Bill No. 2895-21, Amending Section 610.110 Festival, Non-Permanent And Fireworks Vendors Of The Municipal Code – 1st reading

RECOMMENDED ACTION:

A motion to approve Bill No. 2895-21, first reading by title only.

SUMMARY:

During the March 2, 2021 Board of Alderman Work Session, staff presented an overview of the current City of Smithville Facility Use Policies. Following the presentation at the Work Session, the Board of Alderman directed staff to pursue changes to the Code of Ordinances which would remove the \$10 festival vendor charge. This bill presents revised language to Section 610.110, Festival, Non-Permanent and Fireworks Vendors to eliminate the vendor charge, while ensuring that festival organizers provide contact information for vendors.

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. 2895-21

ORDINANCE NO.

AN ORDINANCE REPEALING ORDINANCE SECTION 610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS AND REPLACING IT WITH A NEW ORDINANCE SECTION 610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS.

WHEREAS, SECTION 610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS currently reads as follows:

SECTION 610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS

A. All festival vendors shall be subject to a fee of ten dollars (\$10.00) in lieu of the fees required under Section 610.130. Festival vendors shall be required to provide the following information in order to obtain a license:

1. The name of the festival organizer or contact person.
2. The booth number or location assigned to the operation.
3. If a food-service-related operation, a Clay County Health Department approval letter.

WHEREAS, the City of Smithville wishes to remove the ten-dollar (\$10.00) festival vendor fee under Section 610.130 and subrogate all responsibility to festival organizers.

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

Effective Immediately Smithville City Ordinance §610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS is repealed, and a new 610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS is adopted which shall read as follow:

Section 610.110 FESTIVAL, NON-PERMANENT AND FIREWORKS VENDORS:

A. All Festival Organizers shall be required to provide the following information in order to obtain a license:

1. The name of the festival organizer or contact person.
2. The booth number or location assigned to each vendor.
3. If a food-service-related operation, a Clay County Health Department approval letter.

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

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 3/23/2021

Second Reading: 4/5/2021

FINAL PLAT – EAGLE RIDGE



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: DEVELOPMENT

AGENDA ITEM: Resolution 892 – Final Plat – Eagle Ridge

RECOMMENDED ACTION:

A motion to approve Resolution 892 authorizing the recording of Eagle Ridge subdivision's first Final Plat

SUMMARY:

Approving this Resolution would authorize the Final Plat for Eagle Ridge subdivision to be recorded upon payment of the park dedication fees, as well as construction and acceptance of public infrastructure improvements in accordance with Chapter 425 of the Code.

BACKGROUND:

The Preliminary Plat was amended by Resolution 777 on March 24, 2020 to reflect some lot changes related to additional density of the two-family zoning districts and certain lot corrections. As a part of that approval, the payment in lieu of park dedication formula changed, and since that time, the Parks Master Plan work is underway. The plat includes 43 lots that are all zoned for two-family buildings, which equates to 86 dwelling units. This new calculation requires a parks fee of \$51,229.34 to be paid at the time of Final Plat release. In accordance with Section 425.285 of the Code, City staff and the City Engineers must review the final plat for substantial compliance with the approved Preliminary Plat. The City Engineer confirmed on November 25, 2020 that the Final Plat matches the Preliminary Plat, so the Final Plat can now be approved by the Board. If the Board approves this Final Plat, the developer will complete construction of the roads. All other infrastructure improvements have been inspected and approved in accordance with the approved plans. Upon inspection and acceptance of the street improvements; submittal of a proper maintenance bonding; and payment of the parks fee, the developer can record this document and begin selling lots.

PREVIOUS ACTION:

Resolution 777, adopted on March 24, 2020 changed the density of the subdivision and approved the Preliminary Plat.

POLICY ISSUE:

Complies with the Comprehensive Plan in effect at the time of approval.

FINANCIAL CONSIDERATIONS:

n/a

ATTACHMENTS:

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

RESOLUTION 892

A RESOLUTION APPROVING THE FINAL PLAT FOR EAGLE RIDGE

WHEREAS, the Planning Commission recommended approval of the Preliminary Plat for this portion of the subdivision on March 10, 2020, and;

WHEREAS, the Board of Aldermen adopted the recommendation and Passed Resolution 777 approving the Preliminary Plat on March 24, 2020, and;

WHEREAS, the developer submitted a proposed Final Plat for a portion of the approved area, along with construction plans for public infrastructure, and;

WHEREAS, pursuant to Section 425.285 of the Code, the City Engineers reviewed the submittal for compliance with the Preliminary Plat and determined the proposed Final Plat complies with the approved Preliminary Plat and recommends approval.

WHEREAS, the release of the Final Plat for recording is conditioned upon receipt of payment for any outstanding invoices (including Parks Dedication Fees) and proper bonds in accordance with Chapter 425.

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

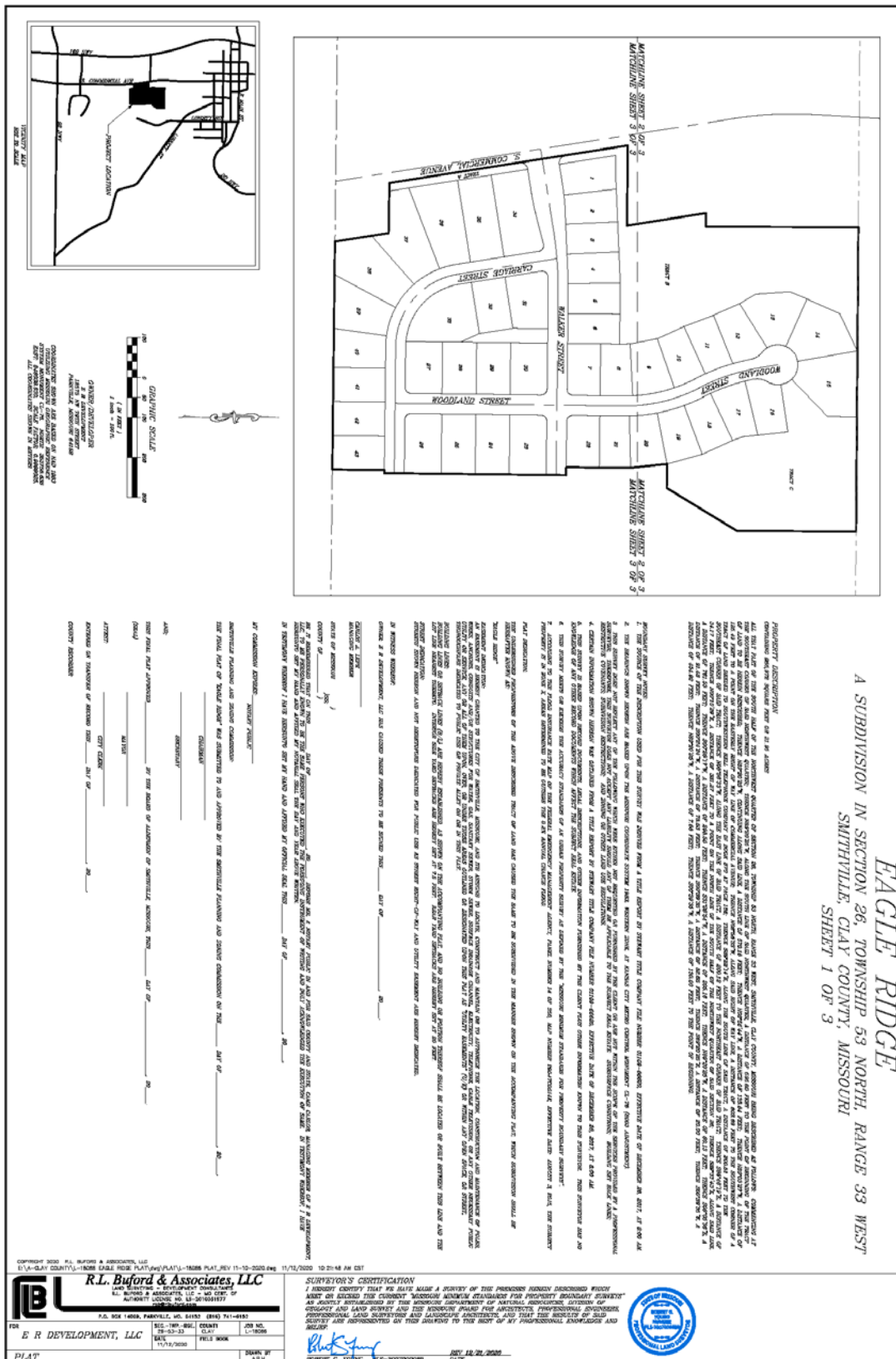
THAT THE FINAL PLAT FOR EAGLE RIDGE IS HEREBY APPROVED AND MAY BE RECORDED UPON COMPLETION OF THE CONDITIONS ABOVE.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

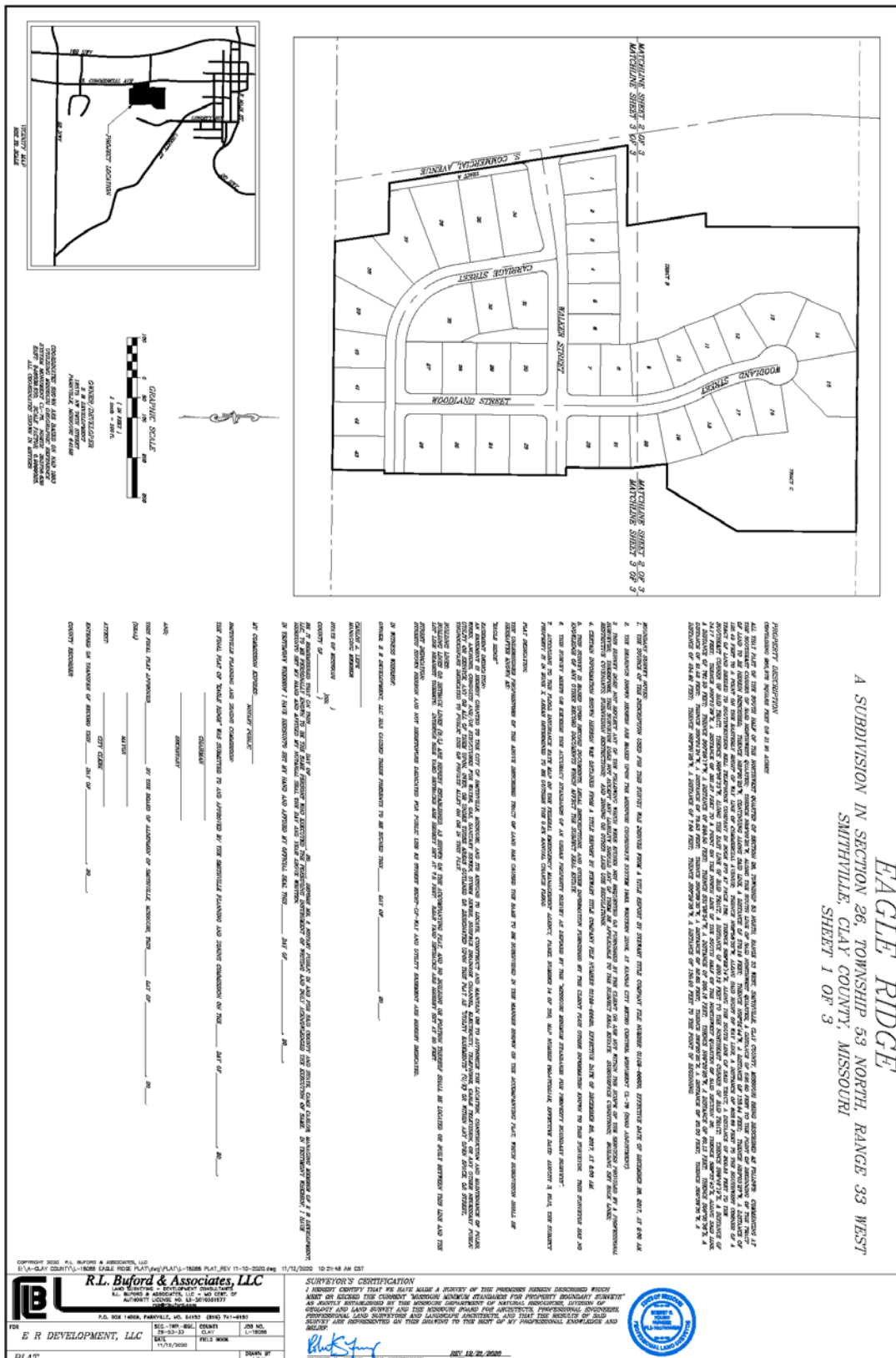
Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



[illegible]



CHANGE ORDER NO. 2, MAIN STREET TRAIL PROJECT



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: PUBLIC WORKS

AGENDA ITEM: Resolution 893 - Change Order To The East Main Street Trail Project
20-07 In The Amount Of \$54,000

RECOMMENDED ACTION:

A motion to approve Resolution 893 - Change order to the East Main Street Trail Project 20-07 in an amount of \$54,000.

SUMMARY: The East Main Street Trail Project is nearing completion.

On December 15, 2020, the Board approved Resolution 864 increasing the Trail project \$21,000 for added curb (\$12,000) and decorative railing on the bridge (\$9,000).

After further review of the slope behind the curb, there is not sufficient backfill to hold the curb against the pavement. Thus, the concern is that should a vehicle hit or rub the curb, it may pull away from the edge of the pavement. Amino has provided a cost to install guard rail in this same area. The is cost is \$22,106. This would be in lieu of the curb (\$12,000).

Looking over the costs for the project:

Bid	\$1,183,426.45
Alt 1 Rock Embankment	\$ 34,432.90
Alt 2 Playground Parking	<u>\$ 79,926.75</u>
TOTAL	\$1,297,786.10

(The contract was awarded with a Force Account of \$50,000)

Pet Fountain	<u>\$ 3,580.00</u>
Original Project Cost	\$ 1,301,366.10

In 2020 the City expended \$224,000 and on December 1, 2020 the Board approved Bill No. 2881-20, Budget Amendment #1, for construction of the Trail in an amount of \$1,074,000. This brought the expenditure/budget amount for the Trail to \$1,298,000

for budget years 2020 and 2021. Not included in the budget amendment was the \$50,000 Force Account.

Currently, the City will receive the Recreational Trails Program (RTP) Grant of \$265,538.10. Bringing the City cost to \$1,039,958.88

As the project progressed, there have been adjustments to quantities and some changes to complete the work totaling \$102,486.79. Attached is the breakdown.

A few of the larger items include:

- On October 14, staff reported to the Board in the City Administrators Report that we were increasing the thickness of the trail from 4" to 5" of Concrete. This was an increase of \$30,596.90
- The plan for the playground parking lot specified a 6" base course material. This is Course mix and very open graded. This was changed to a 4" base and 2" surface course materials. The total was \$30,499.74 and the plan material was deducted (\$20,043). Net increase of \$10,456.74.
- Res 864 – increase of \$21,000 for Curb and gutter (\$12,000) and Railing (\$9,000)

Should we add the Guard rail instead of the curb this will add \$10,106 to the already completed changes (\$102,486.79) bringing the total changes / overage to \$112,592.79. If DNR approves and funding is available, the City could receive an increase to the Grant (20.34%) or \$22,900.

For the Board consideration and approval:

- Approve a Change Order to the Trail Project in an amount of \$54,000. This amount is the remaining overage after the approved Force Account (\$50,000) and the CO for the curb and railing (\$21,000).
- Approve a budget amendment for the total amount of change orders in an amount of \$113,000 (Bill No. 2892-21)

PREVIOUS ACTION:

- On July 21, 2020, the Board approved Resolution 800 Awarding the East Main Street Trail bid to Amino Brothers Construction.
- On Oct 14, 2020, the City Administrator reported an additional cost to the project for the Trail concrete thickness, \$30,596.90
- On Dec 15, 2020, the Board approved Res 864 adding \$21,000 for curb and Rail

POLICY ISSUE: Infrastructure

FINANCIAL CONSIDERATIONS:

Sales Tax revenues have performed better than the 2021 budget projections providing sufficient funds in the Capital Improvement Sales Tax Fund for this additional cost.

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: Change Order items | |

RESOLUTION 893

A RESOLUTION APPROVING A CHANGE ORDER TO THE EAST MAIN STREET TRAIL PROJECT 20-07 FOR AN AMOUNT OF \$54,000.

WHEREAS, on July 21, 2020 the Board approved Resolution 800 awarding the East Main Street Trail to Amino Brothers Construction; and

WHEREAS, several changes and adjustments had to be made to the project due to unknown issues and to better tie the project into existing infrastructure; and

WHEREAS, the project is nearing completion and the total changes amount to \$54,000.

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

THAT the change order in an amount of \$54,000 is approved.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Smithville Board of Aldermen

Change Order Items

Smithville - East Main Street
3/10/2021

Pet Fountain Change Order Items:

Sub Total \$3580.00

Pay Item	Overrun or (Underrun)	Unit	Unit Price	Amount
Concrete Multi-Use Path	48.0	SY	\$ 49.15	\$ 2,359.20
6" Concrete Driveway	(115.0)	SY	\$ 61.95	\$
Curb and Gutter Type CG-1	20.0	LF	\$ 30.30	\$ 606.00
18" HDPE End Section	1.0	Eac	\$ 510.00	\$ 510.00
Stone Rip-Rap	36.0	CY	\$ 103.00	\$ 3,708.00
Increase Trail Thickness from 4" to 5"	48.0	SY	\$ 5.02	\$ 240.96
Rock Backfill of Integral Wall	1.0	LS	\$ 1,726.00	\$ 1,726.00
Area inlet at Church	1.0	LS	\$ 2500.00	\$ 2500.00
			Sub Total	\$4525.91

T&M Pay App #1

Modify storm box
Locate Watermain
Relocate Sewer

Sub Total \$5,479.00

Pay App #3

Cut Down Jct Box 6"	1 LS	\$ 744.00	\$ 744.00
Incr. Trail Thickness	6095 SY	\$ 5.02	\$ 30,596.90
adj. 5'x5'inlet	1 LS	\$ 2,721.50	\$ 2,721.50
Cut 15' Dia. In inlet	1 LS	\$ 1,377.00	\$ 1,377.00
12" yard Drain, Liberty/Main	1 LS	\$ 1,522.00	\$ 1,522.00
Dowel Sidewalk at curb	1 LS	\$ 1,900.00	\$ 1,900.00
Labor to restack cap	1 LS	\$ 1,000.00	\$ 1,000.00
4"Type 1 Asph Base	843 SY	\$ 17.53	\$ 14,777.79
2"Type 3 Asph Surface	843 SY	\$ 18.65	\$ 15,721.95
Delete 6" Type 1	-765 sy	\$ 26.20	\$ (20,043.00)
#4 rebar at driveways	1 LS	\$ 1,297.00	\$ 1,297.00
Fill Cistern	1 LS	\$ 459.00	\$ 459.00
Remove Trees	1 LS	\$ 2,950.00	\$ 2,950.00
Junct boxD-2-2	1 LS	\$ 2,760.00	\$ 2,760.00
Clearing Sta 57+29 - 59+00	1 LS	\$ 1,382.20	\$ 1,382.20
48" Barrel Section on Litton Way	1 LS	\$ 1,430.67	\$ 1,430.67
driveway ShotRock	1 LS	\$ 1,377.55	\$ 1,377.55
Remove Maple Tree	1 LS	\$ 2,840.71	\$ 2,840.71
Convert Area inlet to curb inlet	1 LS	\$ 1,357.54	\$ 1,357.54
Extend 6" pipe at Church	1 LS	\$ 814.64	\$ 814.64
Subgrade repair	1 LS	\$ 914.43	\$ 914.43
Sub total			\$ 67,901.88

Res 864: Curb and Gutter	\$ 12,000.00
Railing	<u>\$ 9,000.00</u>
Sub Total	<u>\$21,000.00</u>

TOTAL	\$102,486.79
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Add Guard Rail	\$22,106.00
<u>Deduct Curb and Gutter</u>	<u>(\$12,000.00)</u>

Total Changes	\$112,592.79
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Less Previously approved Res 800 (Force Acct)	\$ 50,000.00
Less Previously Approved Res 864 Railing only	\$ 9,000.00

TOTAL Change Order	\$54,000.00
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CHANGE ORDER NO. 1, INSITUFORM CONTRACT



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: PUBLIC WORKS

AGENDA ITEM: Resolution 894 - Change Order No. 1 To Sanitary Sewer Rehabilitation To Insituform Technologies

RECOMMENDED ACTION:

A motion to approve Resolution 894 – Change Order No. 1 to Sanitary Sewer Rehabilitation bid with Insituform Technologies.

SUMMARY:

The City received 4 bids on February 16, 2021 for Project # 21-08 Sanitary Sewer Rehabilitation. On March 2, 2021, the Board awarded the contract to Insituform Technologies in an amount of \$78,216.

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 was also provided on March 2, 2021 for the full amount of \$200,000. The intent was that with the favorable bid pricing, staff would recommend additional sanitary sewer to be lined.

The Streetscape project is beginning and the sewer main lies under Main Street from Smith Street to Lakeland Drive. This is an older main, we have not had significant problems in this area but after videoing the line we are recommending this section of main be added to the Sanitary Sewer Rehabilitation project. The cost for this work is \$67,000 bringing the total cost to \$145,126.

Staff is recommending that the Board approve a Force Account of \$40,000 for additional work for Manhole Rehabilitation on Main Street and Liberty Road.

PREVIOUS ACTION:

Project was previously completed in the 2020 CIP.
Bid Award March 2, 2021, Resolution 890
Budget amendment March 2, 2021, Bill 2890-21

POLICY ISSUE:

Maintaining infrastructure

FINANCIAL CONSIDERATIONS:

This project is included in the 2021 Amended 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: map | |

RESOLUTION 894

**A RESOLUTION 894 AUTHORIZING A CHANGE ORDER NO. 1 TO RFP 21-08
SANITARY SEWER REHABILITATION TO INSITUFORM TECHNOLOGIES IN AN
AMOUNT OF \$67,000.00**

WHEREAS, on March 2, 2021 the Board approved Resolution 891 awarding RFP 21-08 Sanitary Sewer Rehabilitation to Insituform Technologies in an amount of \$67,000.00; and

WHEREAS, staff has reviewed video of the sewer line on Main Street and Liberty Road and are recommending to add these lines to the project in an amount of \$67,000; and

WHEREAS, staff is recommending that the Board of Alderman approve a Force Account of \$40,000 for manhole rehabilitation and other additional work that may be necessary to complete the project due to unforeseen issues: and

WHEREAS, on March 2, 2021 the Board approved a budget amendment for this project in the amount of \$200,000.

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

THAT Change Order No. 1 in an amount of \$67,000 and a Force Account of \$40,000 is approved.

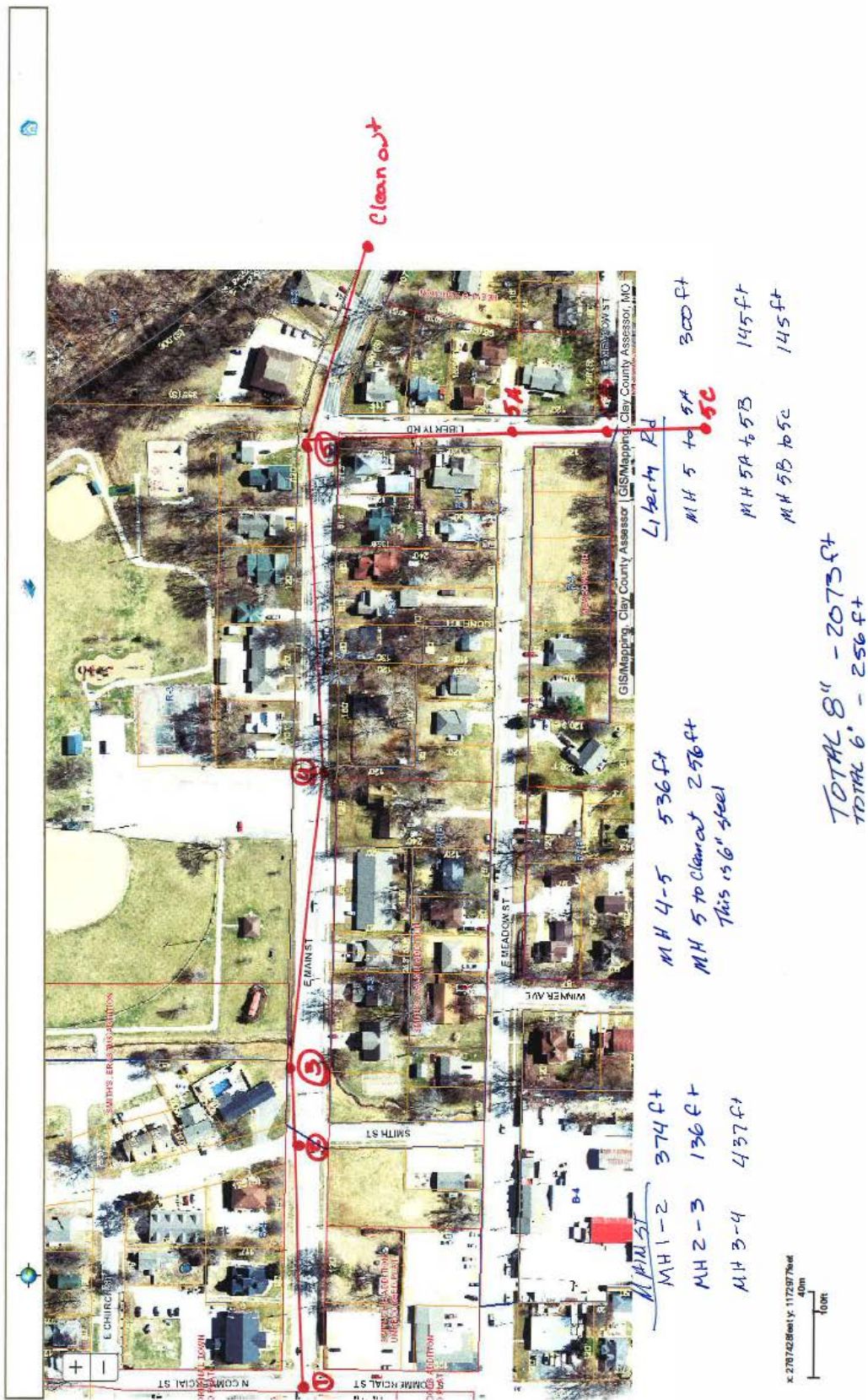
PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Clay County Assessor



FARMER'S MARKET MOU FOR 2021 SEASON



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: ADMINISTRATION

AGENDA ITEM: Resolution 895, Farmers And Maker's Market MOU For 2021

SUMMARY:

This Resolution will authorize the Mayor to enter a Memorandum of Understanding (MOU) with the Smithville Lions Club for the 2021 Farmers and Maker's Market.

PURPOSE:

The public facility use policy allows the City so sponsor events if a written agreement is executed that describes the obligations between the parties, and if executed, removes the obligation for the group to reserve the facility or pay fees. In addition, the EDC Strategic Plan encourages partnerships between the City and local 'partners' to implement plan goals. This agreement is intended to help "foster a sense of community" as contained in Goal 5 of the EDC Strategic Plan.

The Lions Club once again wishes to host a Farmers and Maker's Mark on Wednesdays in the summer months. The attached MOU also outlines the commitments of both parties, including the Farmers and Maker's Market understanding of the requirement to comply with any existing public health and safety requirements of the Clay County Public Health Center relating to COVID-19.

PREVIOUS ACTION:

None.

POLICY ISSUE:

Economic Development Policy.

FINANCIAL CONSIDERATIONS:

None.

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 895

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE LION'S CLUB FOR SPONSORSHIP OF THEIR FARMERS AND MAKERS MARKET

WHEREAS, the Lion's Club organized and operates a Farmers and Makers Market at the Downtown Courtyard Park on Wednesdays throughout the summer; and,

WHEREAS, the EDC Strategic Plan encourages the City to assist entities in promoting a sense of community such as this market; and,

WHEREAS, the Public Facility Use Policy authorizes the City to sponsor such events, but ONLY if there is a written agreement; and,

WHEREAS, an initial Memorandum of Understanding was approved with the 2018 season;

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 THE LION'S CLUB FOR THE FARMERS AND MAKERS MARKET FOR 2021.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Memorandum of Understanding
Between the City of Smithville, Missouri
And the
Smithville Lion's Club
For the
Smithville Farmers and Makers Market

This agreement is entered into between the City of Smithville, Missouri, a Municipal Corporation, and the Smithville Lion's Club, a Missouri Not for Profit Organization for the express purpose of complying with the Joint Use agreement requirement in the City's Public Facility Use Policy, and for the following stated purposes:

Whereas, the Smithville Lion's Club members have created and hosted the Smithville Farmers and Makers Market since 2015 in the downtown Courtyard Park; and,

Whereas, the market provides opportunity for local vendors to set up booth spaces in the park and to bring customers and citizens to the center of downtown; and,

Whereas, an integral part of any community's economic development is the sense of community created with programming activities to foster community pride; and,

Whereas, the City and the Lions Club desire to enter into an agreement for the 2021 season that creates a partnership between them.

Now, therefore, the parties do hereby agree to the following terms:

The City of Smithville shall:

1. Reserve the Courtyard Park each Wednesday from 3:00 pm until 8:00 pm from the first Wednesday in June until the last Wednesday in September 2021 on behalf of the Lion's Club.
2. Waive the \$100 daily rental fee and \$200 deposit associated with the cost of Courtyard rental. (Total waiver of \$2,000).
3. Clean and stock the restrooms (when open), empty trashcans and generally clean the park of trash each Wednesday prior to the event.
4. Authorize the placement of a banner along the back of the stage, except with prior notice to the Club if a different entity has reserved the Courtyard on any day during the months of June – September.
5. Authorize placement of a temporary sign on City property at 169 Highway and Main Street from June through September advertising the Market.

6. Provide signage on parking spots directly north of Courtyard Park reserving parking from 3:00 to 8:00 pm on Wednesdays from June through September for market vendors.
7. Provide promotional assistance on its' social media presence.

The Lion's Club shall:

1. Identify a person who will be the Lion's Club's official Responsible Party for each evening's event. The responsible party must:
 - a. Sign the check-in sheet in order pick up the keys.
 - b. Agree to be present during the entire time the event is operating that evening and provide a cell phone number where they can be reached in the event of an issue at the park.
 - c. Fasten all locks to the electric and water services and return the keys to the City Hall drop box.
 - d. Pick up and place all trash in the bins provided at the end of the evening.
2. Ensure the Farmers and Makers Market participants are complying with Clay County Public Health Center guidelines relating to COVID-19.
3. Inform and Enforce the Park Rules, along with any additional reasonable rules set by the Club, on all its' vendors and patrons each evening. If the Responsible Party cannot resolve any such rules violation, they should contact the Smithville Police department for assistance.
4. Allow non-profit participation in Farmer's Market free of charge with completed application and verification of non-profit status.

The City of Smithville and the Lion's Club recognize and agree that this agreement is for the 2021 summer season, and it shall expire following the end of the last event in September.

Smithville Lion's Club

Date

City of Smithville

Date

ACKNOWLEDGEMENT OF CHANGE ORDER NO. 2 – CITY HALL RENOVATION



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: ADMINISTRATION

AGENDA ITEM: Resolution 896, Acknowledgement Of Amendment #2 To The Contract With Hartline Construction, Llc For The City Hall Renovation Project

SUMMARY:

The Board approved a contract with Hartline Construction, LLC for renovation of City Hall on February 2, 2020. The contract total was \$292,500. Staff, the contractor and architect met in a project kickoff meeting and reviewed the project scope and timing.

On February 16, 2021, the Board approved Amendment #1 to the Hartline Construction Contract in the amount of \$8,861, bringing the amount to \$301,361.

During a walkthrough meeting with the contractor and architect, additional needs were identified for the completion of the project. This includes a new door actuator for ADA access to the building, additional data drops for employees to plug into the internet, moving one wall in the current police clerk area to allow for a standard hallway entrance, and an added floor drain to the men's bathroom.

This change order comes to the amount of \$7,250 which is within the purchase authority of the City Administrator.

The FY21 Budget includes \$315,000 for this project. This change will bring the total contract amount to \$308,611.50.

PREVIOUS ACTION:

Approval of Resolution 877, contract with Hartline Construction, LLC on February 2, 2021. Approval of Resolution 887, Amendment #1 to the Hartline Construction on February 16, 2021.

POLICY ISSUE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

The FY21 Budget includes \$315,000 for this project.

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: Amendment Document | |

RESOLUTION 896

A RESOLUTION ACKNOWLEDGING AMENDMENT NO. 2 TO THE CONTRACT WITH HARTLINE CONSTRUCTION, LLC FOR THE CITY HALL RENOVATION PROJECT.

WHEREAS, the Fiscal Year 2021 Budget allocates funds totaling \$315,000 for the City Hall Renovation project; and

WHEREAS, Bid No. 21-02 was awarded to Hartline Construction, LLC and the Mayor executed Resolution 877 on February 2, 2021 in an amount not to exceed \$292,500; and

WHEREAS, Hartline Construction, LLC submitted Amendment No. 1 for an additional \$8,861 as a result of on-site discussions and/or changes made to project and was approved on February 16, 2021; and

WHEREAS, Hartline Construction, LLC submitted Amendment No. 2 for an additional \$7,250 as a result of on-site discussions and/or changes made to project; and

WHEREAS, the purchase is within the City Administrator's authority according to the City purchasing policy, and was approved on March 9, 2021; and,

WHEREAS, staff recommend Board acknowledgement of Amendment No. 2.

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

THAT THE APPROVAL OF AMENDMENT NO. 2 TO THE HARTLINE CONSTRUCTION CONTRACT IS ACKNOWLEDGED AS PURCHASED IN THE AMOUNT OF \$7,250.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



751 East 63rd Street, Suite 107 • Kansas City, Missouri • 64110

Ph: 816-921-6002 / FAX: 816-920-0502

PR No: 02_Existing Condition Changes

Smithville City Hall Renovation
107 East Main Street, Smithville, MO 64089

Date: 2/10/2021

To: a3G Architects
Attention: Brandi Atwell
Email: batwell@a3garchitects.com
Phone: 816-581-6332

PR No: 02
Smithville City Hall Renovation
107 East Main Street
Smithville, MO 64089

Hartline Construction, LLC is W/D/SLBE certified by The City of Kansas City Missouri and States of MO and KS.

Scope of Work:

On the above noted project, per revised plans, as requested by a3G Architects and Smithville Administration per OAC 3.4.2021. Hartline Construction presents this PR No 2.

Proposal Request 2 Breakdown Includes Material and Install:

- | | |
|-----------------------------------------------------|-------------|
| • New Door Actuator at 101-B | \$ 1,992.00 |
| • Data per Drawing A1 dated 2/16/2021 | \$ 2,392.00 |
| • Demolish & New Rebuild 10 linear feet at Ct Clerk | \$ 2,331.00 |
| • New Drains in Men 114 | \$ 535.50 |

Notes:

- Davis Bacon wage order 27.
- Work performed from 7 am to 3:30 pm, Monday –Friday.
- Daily cleanup and final clean of scope of work noted above.

Work Excluded:

- Hazardous material testing and/or removal.
- Overtime labor.
- Taxes

SURPLUS CITY PROPERTY



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: ADMINISTRATION

AGENDA ITEM: Resolution 897, Surplus City Property

RECOMMENDED ACTION:

A motion to approve Resolution 897, declaring certain items surplus.

SUMMARY:

In September 2020, the Board of Alderman approved Resolution 821 to authorize the City to enter into an agreement with Enterprise Fleet Management for acquisition, maintenance, and leasing services of the city fleet. As staff continue to identify vehicles for turn-in, a 2004 Ford F-350 pickup truck was identified as a vehicle that was in the possession of the City without a vehicle title. Following this discovery, staff has performed an inventory of all vehicles in the city fleet to ensure all other vehicles are titled. During the inventory, a 9.8 horsepower Mercury outboard motor was also logged as an item not actively utilized by the City. In the effort to dispose of the vehicle and boat motor, staff have identified the vehicle and boat motor as surplus.

In order to be disposed of, both the vehicle and boat motor must be identified by the Board as surplus.

Staff recommends disposal of items in an appropriate manner in compliance with City Ordinance 2916-15. Staff recommends that the vehicle be auctioned on GovDeals.com with a starting bid of \$1,000 and that the boat motor be auctioned on GovDeals.com with a starting bid of \$50.

Staff further recommends revenue from the sale of the vehicle and boat motor would be deposited into the Vehicle and Equipment Replacement Fund as Sale of Property and earmarked for vehicle replacement.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

Proceeds from sale are recommended to be deposited into the Vehicle and Equipment Replacement Fund.

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 type="checkbox"/> Other: | |

RESOLUTION 897

A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS EQUIPMENT.

WHEREAS, the Board of Alderman approved Resolution 821 to authorize the City to enter into an agreement with Enterprise Fleet Management for acquisition, maintenance, and leasing services of the city fleet; and,

WHEREAS, the City of Smithville has identified a 2004 Ford F-350 Pickup Truck and 9.8 horsepower Mercury outboard motor as surplus property; and,

WHEREAS, staff recommends that the Board of Aldermen of the City of Smithville identify this vehicle and boat motor as surplus equipment.

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

THAT the identified property is declared as surplus outlay and the City purchasing agent is directed to dispose of such property in accordance with City Ordinance 2916-15.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

RESIDENTIAL LEAK ADJUSTMENT - TRUESDALE



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: FINANCE / UTILITIES

AGENDA ITEM: Resolution 898, Leak Adjustment For Marilyn Truesdale

RECOMMENDED ACTION:

A motion approving Resolution 898, authorizing a credit of \$53.14.

SUMMARY:

The City has received notice from Marilyn Truesdale, a residential utility billing customer, of a water leak and is requesting a leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about February 25, 2021 the Utilities Department obtained electronic reads of water usage for the month of February. Those reads were uploaded to the billing system later the same day which provides warnings for customers with no, little, or high usage. Mrs. Truesdale had a read of 289, with a consumption of 22,700 gallons.

Mrs. Truesdale submitted the necessary documentation (attached) satisfying the requirements of the policy. Staff is bringing forward the one-month leak adjustment request according to the policy and recommends its approval.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

Click or tap here to enter text.

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: Signed Request, Repair documentation,
and Adjustment Calculation | |

RESOLUTION 898

**A RESOLUTION APPROVING A WATER AND WASTEWATER LEAK
ADJUSTMENT REQUEST.**

WHEREAS, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and,

WHEREAS, Marilyn Truesdale, a residential utility billing customer with account 01-000240-00, has notified the City of a water leak and is requesting a leak adjustment; and,

WHEREAS, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and,

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$53.14;

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

A water leak adjustment in the amount of \$53.14 shall be credited to account 01-000240-00 of residential utility billing customer Marilyn Truesdale.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: MarilynTruesdale

Utility Service Address: 601 E Brasfield St Smithville, MO 64089

Utility Account Number: 01-000240-00

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be \$ 53.14 at the Board of Alderman meeting on 3/23/2021.



I, Marilyn Truesdale, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, Marilyn Truesdale, shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

Marilyn Truesdale
Customer's Signature

3-4-2021
Date

DAY'S TREE & REMODELING SERVICE
INVOICE

 OWNER: DARRELL DAY
816-532-0864 

Customer Name: Marilyn Truesdale
Address: 601 E. Basfield
Phone Number: 816-665-9669
Date: 2-21-2021

Description of Work Completed for Payment:

This was to replace water lines
under bathroom

Darrell Day

Amount Due: 200⁰⁰ paid in full

Please Make Checks Payable To:

DARRELL DAY
16070 N. WINAN ROAD
PLATTE CITY, MO 64079



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: Marilyn Truesdale

Utility Service Address: 601 E Brasfield

Utility Account Number: 01-000240-00

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

- The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): \$7.43
 Average monthly water usage for this property: 1,400 gallons

- Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): \$4.76

- If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.
 If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): \$4.85
 Average monthly wastewater usage for this property: 1,400 gallons
 Was the leak inside or outside the home: inside
 Was the wastewater billed winter average or actual usage: actual usage

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1		MONTH 2 (if applicable)	
Original Water Bill Amount		Original Water Bill Amount	
22,700 gallons @ 7.43 per 1,000 gallons =	168.66	0 gallons @ 7.43 per 1,000 gallons =	0.00
Adjusted Water Bill Amount		Adjusted Water Bill Amount	
2,800 gallons @ 7.43 per 1,000 gallons =	20.80	0 gallons @ 7.43 per 1,000 gallons =	0.00
+ 19,900 gallons @ 4.76 per 1,000 gallons =	94.72	+ 0 gallons @ 4.76 per 1,000 gallons =	0.00
	115.52		0.00
Water Discount =		Water Discount =	
	53.14		0.00
Original Wastewater Bill Amount		Original Wastewater Bill Amount	
22,700 gallons @ 4.85 per 1,000 gallons =	110.10	0 gallons @ 4.85 per 1,000 gallons =	0.00
Adjusted Wastewater Bill Amount		Adjusted Wastewater Bill Amount	
22,700 gallons @ 4.85 per 1,000 gallons =	110.10	0 gallons @ 4.85 per 1,000 gallons =	0.00
Wastewater Discount =		Wastewater Discount =	
	0.00		0.00
		Total Discount =	
		53.14	

RESIDENTIAL LEAK ADJUSTMENT - MAXWELL



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: FINANCE / UTILITIES

AGENDA ITEM: Resolution 899, Leak Adjustment For Jeffry Maxwell

RECOMMENDED ACTION:

A motion approving Resolution 899, authorizing a credit of \$238.11.

SUMMARY:

The City has received notice from Jeffry Maxwell, a residential utility billing customer, of a water leak and is requesting a leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about February 25, 2021 the Utilities Department obtained electronic reads of water usage for the month of February. Those reads were uploaded to the billing system later the same day which provides warnings for customers with no, little, or high usage. Mr. Maxwell had a read of 1,316, with a consumption of 37,400 gallons.

Mr. Maxwell submitted the necessary documentation (attached) satisfying the requirements of the policy. Staff is bringing forward the one-month leak adjustment request according to the policy and recommends its approval.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

[Click or tap here to enter text.](#)

FINANCIAL CONSIDERATIONS:

[Click or tap here to enter text.](#)

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: Signed Request, Repair documentation,
and Adjustment Calculation | |

RESOLUTION 899

**A RESOLUTION APPROVING A WATER AND WASTEWATER LEAK
ADJUSTMENT REQUEST.**

WHEREAS, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and,

WHEREAS, Jeffry Maxwell, a residential utility billing customer with account 02-004060-01, has notified the City of a water leak and is requesting a leak adjustment; and,

WHEREAS, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and,

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$238.11;

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

A water and wastewater leak adjustment in the amount of \$238.11 shall be credited to account 02-004060-01 of residential utility billing customer Jeffry Maxwell.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Jeffry Maxwell

Utility Service Address: 212 Prairie Rose Circle

Utility Account Number: 02-004060-01

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be \$ 237.42 at the Board of Alderman meeting on 3/16/2021 3/23/2021. 238.11

I, Jeff Maxwell, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, Jeff Maxwell, shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

Jeff Maxwell
Customer's Signature

3/9/2021
Date

jlegmaxwell@gmail.com

Legacy 1 Plumbing

1201 Lakeview Circle
 Smithville, MO 64089
 816-529-1702
 legacy1plumbing@hotmail.com

Invoice

Date	Invoice #
3/10/2021	2389

Bill To
Jeff Maxwell 212 Prairie Circle Smithville, MO 64089

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			3/10/2021			
Quantity	Item Code	Description			Price Each	Amount
	14 Plumbing	Repaired frozen water line going to irrigation system.			0.00	0.00



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **JEFFRY MAXWELL**

Utility Service Address: **212 PRAIRIE ROSE CIRCLE**

Utility Account Number: **02-004060-01**

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

1. The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): **\$7.43**
 Average monthly water usage for this property: **4,233 gallons**

2. Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): **\$4.76**

3. If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.
 If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): **\$4.85**
 Average monthly wastewater usage for this property: **4,233 gallons**
 Was the leak inside or outside the home: **outside**
 Was the wastewater billed winter average or actual usage: **actual usage**

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1		MONTH 2 (if applicable)	
Original Water Bill Amount		Original Water Bill Amount	
	37,400 gallons @ 7.43 per 1,000 gallons = 277.88		gallons @ 7.43 per 1,000 gallons = 0.00
Adjusted Water Bill Amount		Adjusted Water Bill Amount	
	8,466 gallons @ 7.43 per 1,000 gallons = 62.90		0 gallons @ 7.43 per 1,000 gallons = 0.00
	+ 28,934 gallons @ 4.76 per 1,000 gallons = 137.73		+ 0 gallons @ 4.76 per 1,000 gallons = 0.00
	200.63		0.00
	Water Discount = 77.25		Water Discount = 0.00
Original Wastewater Bill Amount		Original Wastewater Bill Amount	
	37,400 gallons @ 4.85 per 1,000 gallons = 181.39		0 gallons @ 4.85 per 1,000 gallons = 0.00
Adjusted Wastewater Bill Amount		Adjusted Wastewater Bill Amount	
	4,233 gallons @ 4.85 per 1,000 gallons = 20.53		0 gallons @ 4.85 per 1,000 gallons = 0.00
	Wastewater Discount = 160.86		Wastewater Discount = 0.00
		Total Discount = 238.11	

RESIDENTIAL LEAK ADJUSTMENT - WISECARVER



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: FINANCE / UTILITIES

AGENDA ITEM: Resolution 900, Leak Adjustment For Theresa Wisecarver

RECOMMENDED ACTION:

A motion approving Resolution 900, authorizing a credit of \$173.29.

SUMMARY:

The City has received notice from Theresa Wisecarver, a residential utility billing customer, of a water leak and is requesting a leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about February 25, 2021 the Utilities Department obtained electronic reads of water usage for the month of February. Those reads were uploaded to the billing system later the same day which provides warnings for customers with no, little, or high usage. Mrs. Wisecarver had a read of 1,822, with a consumption of 69,500 gallons.

Mrs. Wisecarver submitted the necessary documentation (attached) satisfying the requirements of the policy. Staff is bringing forward the one-month leak adjustment request according to the policy and recommends its approval.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

Click or tap here to enter text.

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: Signed Request, Repair documentation,
and Adjustment Calculation | |

RESOLUTION 900

**A RESOLUTION APPROVING A WATER AND WASTEWATER LEAK
ADJUSTMENT REQUEST.**

WHEREAS, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and,

WHEREAS, Therese Wisecarver, a residential utility billing customer with account 02-002030-00, has notified the City of a water leak and is requesting a leak adjustment; and,

WHEREAS, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and,

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$173.29;

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

A water leak adjustment in the amount of \$173.29 shall be credited to account 02-002030-00 of residential utility billing customer Therese Wisecarver.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Therese WisecarverUtility Service Address: 504 Kindred DriveUtility Account Number: 02-002030-00

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be \$ 173.29 at the Board of Alderman meeting on 3/23/2021.

I, TERESE WISECARVER, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, TERESE WISECARVER, shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

Therese Wisecarver
Customer's Signature

10 March 2021
Date



Taylor Plumbing Services, Inc.
400 Park Drive Smithville, MO 64089
(816) 532-0737

Work Order/Invoice

15853

TO:

Terri Wiscarver
504 Kindred Dr
Smithville, MO

DATE OF ORDER <i>2/22/21</i>	HOME TEL.
ORDER TAKEN BY	WORK TEL.
PAID BY <input type="checkbox"/> CHECK <input type="checkbox"/> CASH <input type="checkbox"/> C.C.	
C.C. #	
<input type="checkbox"/> 10 DAY BILLING <input type="checkbox"/> 30 DAY BILLING AUTH. BY	
INVOICE DATE	JOB TEL.

CHECKMARKS DENOTE: <input type="checkbox"/> WORK TO BE DONE <input type="checkbox"/> WORK COMPLETED		TERMS: DUE UPON RECEIPT Like us on Facebook				
NO WATER BURST PIPE(S) THAW PIPE(S) BLOCKAGE - MAIN DRAIN BLOCKAGE - DRAINS KITCHEN SINK INSTANT HOT WATER FILTER DISPOSAL FAUCET BATH (1) (2) (3) LAVATORY WATER CLOSET BATH TUB SHOWER STALL / HEAD FAUCET LAUNDRY FAUCET(S) SILL COCK SUPPLY LINE(S) TRAP(S) / DRAIN(S) GATE / BALL VALVE(S) WATER LINE(S) PRESSURE TANK SUMP / EFFLUENT PUMP BACKFLOW PREVENTER WATER HEATER SAFETY VALVE VENT PIPES		JOB LOCATION / INSTRUCTIONS <i>Leaking wall behind wall hydrant</i> <i>Exposed sweatcock - found (leak)</i> REMARKS <i>split w pipe from freeze + burst</i> <i>Repaired</i>				
		QTY.	ITEM #	DESCRIPTION	UNIT	AMOUNT
				Service Call		
		<i>(1)</i>	<i>PN0000</i>	<i>Repair 1/2 pipe</i>		<i>195 32</i>
		<i>DC</i> <i>Check</i> <i>5994</i> <i>Thank you!!</i>				
I certify that the water pressure measured to be _____ psi. I do hereby state that the above work has been installed in a workmanlike manner. Technician Signature Date		WORK ORDERED BY <i>X</i> AUTHORIZED SIGNATURE DATE			SUBTOTAL DIAGNOSTIC CHARGE TRIP CHARGE PERMIT FEE TAX TOTAL <i>195 32</i>	
Thank You! A service charge of 2% per month will be added on overdue accounts. Minimum \$2.00. WWW.TAYLORPLUMBINGSERVICESINC.COM						



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Therese Wisecarver**

Utility Service Address: **504 Kindred Drive**

Utility Account Number: **02-002030-00**

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

1. The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): **\$7.43**
 Average monthly water usage for this property: **2,300 gallons**

2. Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): **\$4.76**

3. If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.
 If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): **\$4.85**
 Average monthly wastewater usage for this property: **2,300 gallons**
 Was the leak inside or outside the home: **inside**
 Was the wastewater billed winter average or actual usage: **actual usage**

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1	MONTH 2 (if applicable)
Original Water Bill Amount 69,500 gallons @ 7.43 per 1,000 gallons = 516.39	Original Water Bill Amount gallons @ 7.43 per 1,000 gallons = 0.00
Adjusted Water Bill Amount 4,600 gallons @ 7.43 per 1,000 gallons = 34.18 + 64,900 gallons @ 4.76 per 1,000 gallons = 308.92 343.10	Adjusted Water Bill Amount 0 gallons @ 7.43 per 1,000 gallons = 0.00 + 0 gallons @ 4.76 per 1,000 gallons = 0.00 0.00
Water Discount = 173.29	Water Discount = 0.00
Original Wastewater Bill Amount 69,500 gallons @ 4.85 per 1,000 gallons = 337.08	Original Wastewater Bill Amount 0 gallons @ 4.85 per 1,000 gallons = 0.00
Adjusted Wastewater Bill Amount 69,500 gallons @ 4.85 per 1,000 gallons = 337.08	Adjusted Wastewater Bill Amount 0 gallons @ 4.85 per 1,000 gallons = 0.00
Wastewater Discount = 0.00	Wastewater Discount = 0.00
	Total Discount = 173.29

CHANGE ORDER NO. 1, SMITH'S FORK CAMPGROUND ELECTRICAL



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: PARKS AND RECREATION

AGENDA ITEM: Resolution 901, Amendment #1 To Contract With Mr. Electric For The Campground Electrical Upgrade

RECOMMENDED ACTION:

A motion to approve Resolution 901, amending the contract with Mr. Electric

SUMMARY:

The Board approved a contract with Mr. Electric for the Campground Electrical Upgrade project on November 2, 2020. The contract total was \$24,371. With the recommendation by the Board, staff worked with Mr. Electric regarding a potential amendment to prepare for Phase 2 since the project came in lower than the budgeted amount. While working to add the new 400-amp panel, it was found that the existing 400-amp panel was labeled 400-amp but was wired as a 200-amp panel. Due to time constraints, staff made the call to add in the 400-amp panel and wire that was planned for Phase 2 to keep the panels the same.

Mr. Electric has submitted a change to the contract totaling \$10,386.86 to address the revised scope:

New 400-amp panel \$4698.21

New conduit and service wire for 400-amp panel \$5312.89

CT meter installed \$375.76 (Requested by Platte-Clay Electric)

The FY21 Budget includes \$37,500. This change will bring the contract amount to \$34,758.06

Staff recommends approval of the amendment to the contract.

PREVIOUS ACTION:

Approval of Resolution 901, contract with Mr. Electric on November 2, 2020.

POLICY ISSUE:

[Click or tap here to enter text.](#)

FINANCIAL CONSIDERATIONS:

The FY21 Budget includes \$37,500 for this project.

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: Amendment Document | |

RESOLUTION 901

A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE CONTRACT WITH MR. ELECTRIC FOR THE CAMPGROUND ELECTRICAL UPGRADE

WHEREAS, the Fiscal Year 2021 Budget allocates funds for the Campground Electrical Upgrade; and

WHEREAS, Bid No. was awarded to Mr. Electric and the Mayor executed Resolution 844 on November 2, 2020 in an amount not to exceed \$24,371; and

WHEREAS, Mr. Electric has submitted Amendment No. 1 for an additional \$10,386.86 as a result of Board recommendation to project; and

WHEREAS, staff recommends acceptance of Amendment No. 1.

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

THAT the contract with Mr. Electric for the Campground Electrical Upgrade be amended and the Mayor is hereby authorized to execute Amendment No. 1 for an additional amount of \$10,386.86

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

EVENT FIREWORKS DISPLAY APPROVAL



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: DEVELOPMENT

AGENDA ITEM: Resolution 902 - Fireworks Display Approval 815 East 92 Highway – White Iron Ridge

RECOMMENDED ACTION:

A Motion to approve Resolution 902 – Approving a Fireworks Display at 815 East 92 Highway on April 17, 2021.

SUMMARY:

The White Iron Ridge Event Center at 815 East 92 Highway seeks approval to discharge fireworks in the evening of April 17, 2021 as a part of a wedding celebration. The City Code, Section 205.2210.B.5. states, in relevant part: "Fireworks may only be discharged in accordance with the following: . . . 5. In an approved fireworks display." Without specific instructions in the Code only the Board of Alderman may approve such a request.

The request is for approval to discharge "Class C" fireworks, (now known as 1.4G Consumer Fireworks) at the sendoff of the bride and groom for approximately ten minutes. The anticipated time of the display is between 10:30 p.m. and 10:45 p.m. The type of fireworks is standard consumer level fireworks, so no certified shooter is required. The Smithville Area Fire Protection District has indicated that they have no regulatory authority over this class of Fireworks.

PREVIOUS ACTION:

The Board approved Resolution 861 on December 1, 2020 for a wedding at White Iron Ridge and directed that future requests be reviewed for adoption by the Board of Aldermen on a case-by-case.

POLICY ISSUE:

Current code does not describe any specifics other than Board approval.

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 type="checkbox"/> Other: | |

RESOLUTION 902

**A RESOLUTION APPROVING A FIREWORKS DISPLAY AT 815 EAST 92
HIGHWAY (WHITE IRON RIDGE) ON APRIL 17, 2021**

WHEREAS, City Code Section 205.2210 restricts the discharge of fireworks to certain days and/or under certain conditions, and

WHEREAS, one such condition that allows fireworks to be discharged is in Section 205.2210.B.5. which states, "In an approved fireworks display.", and

WHEREAS, without further description in the code, only the Board of Aldermen may grant such approval, and

WHEREAS, the applicant seeks to discharge 1.4G Consumer Fireworks for approximately ten minutes on April 17, 2021 as a sendoff to the bride and groom between 10:30 p.m. and 10:45 pm.

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

**THAT WHITE IRON RIDGE EVENT CENTER IS HEREBY APPROVED TO
DISCHARGE FIREWORKS ON APRIL 17, 2021 FOR APPROXIMATELY 10
MINUTES AND TO BE COMPLETED BETWEEN 10:30PM AND 10:45PM.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 23rd day of March 2021.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

APPOINTMENT



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: ADMINISTRATION

AGENDA ITEM: Appointment To The Housing Authority Board

RECOMMENDED ACTION:

A roll call vote will be needed for the nomination.

SUMMARY:

Appointment of the Resident Commissioner to the Housing Authority Board. The Mayor will make the nomination and the Board will vote.

As recommended by the Housing Authority Director, Bob Foster, the Mayor will make the nomination of William "Doc" Huber for the Resident Commissioner to the Housing Authority Board.

PREVIOUS ACTION:

Bill Rittman was appointed June 5, 2018

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

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

ACKNOWLEDGEMENT OF STEERING COMMITTEE



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: PUBLIC WORKS

AGENDA ITEM: Acknowledging Appointments To The Transportation Master Plan Steering Committee

RECOMMENDED ACTION:

A motion to acknowledge appointments to the Transportation Master Plan Steering Committee.

SUMMARY:

Appointments to the Transportation Master Plan Steering Committee will assist in the development of the City's Transportation Plan.

The Steering Committee will work with the City's consultant, Toole Design and Future iQ, in the development of this plan.

The Transportation Master plan will provide the City a "roadmap" as to how we would like our community's transportation network to develop.

The plan will be an all-inclusive plan for all modes of transportation including vehicular, bike, pedestrian and accessibility for all ages and physical capabilities. The plan will include complete streets, access management, major thoroughfares, Safe Routes to schools, traffic management, residential and commercial access, connectivity to our trail system and guidelines for evaluation of new development impacts on the transportation network.

The Steering Committee's role will include providing guidance and input to develop recommendations and policies for our future transportation system.

Mayor Boley and staff have identified the following community members to serve on the committee. All have agreed to serve along with Mayor Boley, a representative from the Smithville School District and staff representatives, Chuck Soules and Jack Hendrix.

Alderman John Chevalier
Kelly Kobylski
Carol Noecker (EDC)
Charlene Bruce

PREVIOUS ACTION:

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

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: | |

AJOURNMENT TO EXECUTIVE SESSION



**Board of Alderman
Request for Action**

MEETING DATE: 3/23/2021

DEPARTMENT: ADMINISTRATION

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

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 Section 610.021(1, 3, 13) RSMo. This Executive Session will be conducted via videoconference.

FINANCIAL CONSIDERATIONS:

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: | |