

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

October 18, 2022, 7:00 p.m.  
City Hall Council Chambers and Via Videoconference

**1. Call to Order**

Mayor Boley, present, called the meeting to order at 6:59 p.m. A quorum of the Board was present: John Chevalier, Leeah Shipley, Marv Atkins, Dan Ulledahl, Dan Hartman and Ronald Russell.

Staff present: Cynthia Wagner, Anna Mitchell, Chief Lockridge, Chuck Soules, Stephen Larson, and Linda Drummond.

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

**3. Mayor Boley called the public hearing for the Sewer Rates to order 7:00 p.m.**

No Public Comment.

**4. Adjourn Public Hearing for Sewer Rates**

Mayor Boley declared the public hearing adjourned at 7:00 p.m.

**5. Consent Agenda**

- **Minutes**

- October 4, 2022, Board of Aldermen Work Session Minutes
- October 4, 2022, Board of Aldermen Regular Session Minutes

- **Financial Report**

- Finance Report for September 2022

- **Resolution 1126, Liquor License – Nissa True**

A Resolution approving a issuance of a liquor license to Nissa True doing business as Pizza Shoppe located at 101 US 169 Highway.

- **Resolution 1127, Award Bid No. 22-21 – Utility Fence Replacement**

A Resolution awarding Bid No. 22-21 to Quality Fence, LLC for the replacement of utilities fencing in an amount not to exceed \$57,010.

- **Resolution 1128, Acknowledgement of Emergency Expenditure**

A Resolution acknowledging and approving the expenditure of \$7,970 for the repair of a transfer pump at the water treatment plant by Mid-America Pump.

- **Resolution 1129, Sewer Line Repairs at First Baptist Church**

A Resolution authorizing payment for sewer service investigation and sewer repair at the First Baptist Church at 300 South Bridge Street in an amount not to exceed \$10,921.45.

- **Resolution 1130, Repairs for Police Patrol Interceptors**

A Resolution authorizing the purchase of repairs and maintenance services for police patrol interceptors in an amount not to exceed \$9,578.09 to Wright Automotive.

- **Resolution 1131, Election Expenditure**

A Resolution authorizing payment to the Clay County Board of Election Commissioners for the City's share of General Election expenses in an amount not to exceed \$8,424.62 for the November 8, 2022 election.

- **Resolution 1132, Employee Assistance Program Services**  
A Resolution authorizing the Mayor to sign an agreement with ComPsych for Employee Assistance Program Services.

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

No discussion.

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

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

### **6. Committee Reports**

Cynthia reported that they did not have quorum for the October 14 Legacy Fund meeting and their next meeting will be next month. Mayor Boley noted that he and Erica Winston from the Chamber met today at 5:00 p.m. to discuss the February 23, 2023, Legacy Fund Fundraiser/Chamber Awards Dinner. He said that they have five tables sold so far and around 200 people attending so far and the tickets are selling fast.

Alderman Chevalier reported on the October 11 Planning and Zoning Commission meeting. They discussed the Herzog Foundation's plans for the Herzog Lodge and voted against the proposed plan. Alderman Chevalier noted that there are 56 residential building permits to date this year. NAPA and Express Stop businesses are now open.

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

Cynthia noted one of the items in her report related to a change in contribution to the employee LAGERS retirement program. It was discussed at the retreat as part of the budget planning process and is included in the budget document that is to be considered for approval for second reading on the agenda this evening. If the budget is approved, staff will work to proceed with that change to the retirement system. The change will be for employees to go from a contributory program of contributing 4% to their retirement on an annual basis to a reduction of 2% with the City contributing the other 2%. The state law outlines the process for that change including an actuarial valuation. This study has been requested and received. Statute further requires that the valuation study be made available for public inspection for at least 45 calendar days before the Board may take the action to approve a Resolution adopting proposed changes. The document will be available in the City Clerk's office and on the City's website beginning tomorrow, Wednesday, October 19. A Resolution adopting these changes will be on the December 6 agenda. If approved that information will be forwarded to LAGERS and the change to the retirement contribution will be reflected in the first paycheck of January.

Cynthia noted that staff received word that the order that we had placed for four police interceptors for 2022 has been cancelled. When the original order was placed we also ordered four police interceptors for 2023. Staff made a unilateral decision to go ahead and place an order for eight of the interceptors for 2023. She explained that there is price increase on all of those across-the-board. Chief Lockridge had indicated to Cynthia earlier

that he had heard from other departments who were purchasing vehicles had already had their orders cancelled. We are hopeful that the manufacture of those vehicles and will begin soon to start filling those orders.

Cynthia noted that there is an item on the agenda tonight for police vehicle repairs and Alderman Atkins had asked her if those repairs were for the leased vehicles. She explained that it is for the vehicles that we own that are aging and aging quickly. Staff is working to do what they can to try get the new leased vehicles in and pursue any other mechanisms. She noted staff is hoping that in 2023 we are able to get all eight vehicles we have on order. Staff will keep the Board posted on this issue.

Cynthia noted that staff received information today on the replacement of a skid steer loader for the utilities division that is included the budget as an annual lease of \$15,000. Staff worked with Sourcewell for pricing and received prices from Heritage Tractor for a purchase and/or lease of a new skid steer loader. Purchasing the skid steer loader outright will save about \$12,000 over the life of the lease. Staff recommends that we purchase rather than lease. Staff has had contact from Heritage Tractor that their fiscal year is very similar to ours and they are encouraging us to get the order in sooner rather than later. Staff did go ahead today and place that order we will not be invoiced until we receive the equipment that would probably be next summer. Cynthia explained that the FY2023 budget only includes \$15,000 so staff will bring a budget amendment forward to include the entire cost and will own the skid steer outright.

Allan Jensen, Streets Superintendent, provided a report on snow preparations. He reported that last year, the City responded to 10 winter weather events and used approximately 400 tons of salt.

Allan noted that the Streets Division is finally fully staffed. They have seven trucks that are equipped for snow removal. We have 350 tons of salt on hand at this time. The department will continue to report to the Public Works Director after each event.

In September, Public Works staff attended an APWA Supervisor Winter Maintenance Training. Based on this training, the Streets Division has recommended operation changes to reflect best management practices of winter maintenance.

The City has purchased a new salt brine maker, which will allow the pre-treatment of City streets. They will apply the pre-treatment to the main thoroughfares problem areas such as hill, intersections, shady areas, etc. The pre-treatment helps to keep the snow and ice from bonding to the road until the temperatures get below 15 degrees.

The City purchased a pre-wetting system that wets the salt coming out of the spreader which will pre-activate the salt making it work a lot faster. Only one truck will be equipped with this piece of equipment at this time.

Staff will receive training on the new pre-treatment equipment, general winter maintenance training by Midwest Public Risk (MPR). Staff will receive stormwater good housekeeping training at their winter training to reduce our environmental impact to our local waterways.

Additionally, the City has renewed the contract for residential snow removal services with R&S Lawn Service for the following neighborhoods: Rollins Landing, Harborview, and Greyhawke with the possibility of adding Wildflower.

Staff has updated the Snow and Ice Control Policy to reflect the pre-treatment, contracted snow removal services, and the updated shared road list with Clay County.

Alderman Russell asked if the pre-wetting system and the pre-treatment system would be done by the same truck?

Allan explained that the brine solution is in a big tank with a spray bar on the back will be used on the main thoroughfares. The pre-wetting solution will be sprayed right in the chute of the spreader truck as it is spreading salt.

Alderman Chevalier asked if it would be possible to add Marcus Road and Murphy Road since they are adjacent to Rollins Landing to the areas that R & S Lawn Service remove snow.

Allan said that would be doable since they would be in that area.

Alderman Hartman added that he thought these were fantastic snow removal practices and he was glad that we were going to a brine system and pre-wetting the salt.

Cynthia noted that the Street Department as Allan mentioned is fully staffed and have the newly added position hired and he will begin on Thursday.

Chuck Soules, Public Works Director, gave a presentation of the issues the City is having at the Wastewater Plant.

## Influent Pump Station at Wastewater Plant



Chuck explained that this slide shows where all the wastewater from the city comes into the Wastewater Plant. The debris shown in the picture is mostly the wipes that say they

are flushable. He noted that if we were able to purchase the four-million-dollar bar screen we would catch all that debris unfortunately the bar screen that we do have does not.

## Influent Pump Station at Wastewater Plant



This slide shows a closer up view where you can see there is also plastic debris, candy wrappers, etc. that does not degrade.

## In Service SBR#2 at Wastewater Plant



This slide shows SBR#2 that is currently running in good condition but has a lot of debris on the surface that will make it through the current bar screen.

## SBR#1 at Wastewater Plant



This slide shows SBR#1 that is in need of repair. The knee brace support is broken. Chuck explained that the pipe is flexible and floats up and down on those supports. It is still being supported by the braces but if it falls it will break our aeration. It needs to be fixed. Staff is recommending for that brace replace it with stainless steel. In order to make the repairs SBR#1 will have to be completely cleaned out. The decanter also has ports that spray out and diffuse into the SBR unit and they are all clogged by the wipes. Chuck noted that staff will clean it out the best they can. Mid-America Pump will come and lift the decanter up and out take the knee brace apart and fabricate another knee brace out of stainless steel then we will have to pump out the sludge from the bottom.

Chuck noted that the Wastewater Plant has been here since 1994 and the SBR#2 is in need of similar repairs to those recently made to the SBR#3. He also noted that Bob Lemley, Utility Superintendent, explained that we did not have this issue with the wipes until COVID started and the wipes do not disintegrate.

Chuck explained that to fix SBR#2 staff is estimating the cost around \$20,000 to \$25,000 to replace the knee brace and clean up the debris and around \$10,000 to pump out the sludge on the bottom.



## SBR#1 at Wastewater Plant



In this picture you can see more of the debris.

## SBR#3 at Wastewater Plant



Chuck explained that the picture on the left is SBR#3 before it was cleaned out and the one on the right is after it was cleaned out and before the decanter was put back in.

## Current situation: lift station with excessive grease



Chuck noted that we are also having issues with is grease. This is a picture of one of the lift stations. The grease comes from restaurants, businesses and also residents. The grease shown in these pictures plugged up the lift station. Staff applies Dawn dish soap to hold it in place so they can go in and skim it off and haul it away.

Alderman Russell asked how often the ports on the SBR's have to be cleaned and are they flushed out in routine maintenance.

Chuck explained that we just had to do SBR#3 and now we have to do SBR#1. Staff will be looking at SBR#2. He said that these have been working very well for years and it has just been recently that the performance has started failing. He noted that since he has been with the City SBR#2 has been cleaned out because we had an aerator issue. Chuck noted that they are not cleaned on an annual basis because of the work it entails but staff is going to start looking at them more frequently as they see the performance start to deteriorate.

Alderman Chevalier asked if there was something that we could have restaurant do to mitigate the grease issue.

Chuck noted that ideally he would like to have an Ordinance similar to backflow prevention where we would require them to be inspected and certified and have that turned into the City annually to allow us to keep track of that. He explained that all restaurants, car washes, mechanic shops, anything that has oils and grease or a mud trap or a grease trap need to be serviced annually.

Cynthia noted that this is the reason staff has brought this to the Board's attention so we can start looking at the various options for addressing these concerns.

Cynthia noted that this would be Anna Mitchell, Assistant City Administrator's last Board of Aldermen meeting. She has taken a job with International City/County Management



Association in research and publication role. Her last day with the City is Thursday this week and we appreciate all she has done in her 20 months with the City and wish her well.

## **ORDINANCES & RESOLUTIONS**

### **8. Bill No. 2962-22, Adopt the FY2023 Operating Budget – 2<sup>nd</sup> Reading**

Alderman Hartman moved to approve Bill No. 2962-22, adopting the FY2023 Annual Operating Budget. 2<sup>nd</sup> reading by title only. Alderman Ulledahl seconded the motion.

No discussion.

Upon roll call vote:

Alderman Atkins – Aye, Alderman Russell – Aye, Alderman Ulledahl – Aye,  
Alderman Shipley – Aye, Alderman Chevalier – Aye, Alderman Hartman - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2962-22 approved.

### **9. Bill No. 2963-22, Amending Chapter 510, Right of Way Management – 2<sup>nd</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2963-22, amending Chapter 510, Right of Way Management. 2<sup>nd</sup> reading by title only. Alderman Shipley seconded the motion.

No discussion.

Upon roll call vote:

Alderman Hartman – Aye, Alderman Atkins – Aye, Alderman Russell – Aye,  
Alderman Shipley – Aye, Alderman Ulledahl – Aye, Alderman Chevalier - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2963-22 approved.

### **10. Resolution 1133, Amending the Schedule of Fees**

Alderman Ulledahl moved to approve Resolution 1133, adopting amendments to the Schedule of Fees. Alderman Atkins seconded the motion.

Alderman Russell asked if this also included the adjustment to the fees for water.

Mayor Boley noted that it is for water, sewer, parks and police.

Cynthia explained that as the budget was developed this summer staff brought forward a number of changes to the fees and they are reflected in the schedule of fees as outlined.

Alderman Russell asked if this Resolution did not pass what would that do to the budget?

Cynthia explained that there would be lower revenues than anticipated.

Alderman Russell asked if the operating budget that just passed would remain in effect if this Resolution failed.

Cynthia explained that the budget would remain in effect, staff would have to look at what impact that would have on the projected revenue and bring those changes back to the Board in terms of a budget amendment.

Alderman Russell said that Cynthia, Stephen and his team had done a great job on looking for opportunities. The retreat was a great opportunity for the Board to look at opportunities with the schedule of fees. He noted that with this current situation economy he cannot support the increase in the water and sewer rates to the constituents.

Alderman Chevalier explained that the reason that we have these fees, and the water Master Plan is to be able to afford to fix the equipment and do the upgrades needed. He noted that the increase to these fees has to happen.

Mayor Boley thanked Chuck for the presentation because the residents have made the choice to flush the wipes over the last couple of years and need to change their habits. These are the maintenance costs that we are incurring now that we did not have before.

Alderman Russell said that he has toured the facilities and sees what staff is up against daily and fixing repairs that should have been done 20 years ago. He noted that he did not disagree that the maintenance and repairs are needed with the growth we are having.

Ayes – 5, Noes – 1 (Alderman Russell), motion carries. Mayor Boley declared Resolution 1133 approved.

**11. Resolution 1134, Amending the Employee Compensation Plan**

Alderman Ulledahl moved to approve Resolution 1134, adopting amendments to the Employee Compensation Plan. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1134 approved.

**12. Resolution 1135, Amending the Employee Handbook**

Alderman Ulledahl moved to approve Resolution 1135, adopting amendments to the Employee Handbook. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1135 approved.

**13. Resolution 1136, Amending the Policy Manual**

Alderman Hartman moved to approve Resolution 1136, adopting amendments to the Policy Manual. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1136 approved.

**14. Resolution 1137, Agreement with Clay County for Winter Storm Maintenance**

Alderman Ulledahl moved to approve Resolution 1137, authorizing the Mayor to sign a Winter Storm Maintenance Agreement with Clay County. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1137 approved.

**15. Resolution 1138, Authorization No. 97 – Little Platte River Crossing Design**

Alderman Ulledahl moved to approve Resolution 1138, authorizing and directing the Mayor to execute Authorization No. 97 with HDR Engineering, Inc. for design and construction services for Little Platte River Crossing. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1138 approved.

**16. Resolution 1139, Awarding RFQ No. 22-20 – Wayfinding Sign Design**

Alderman Ulledahl moved to approve Resolution 1139, awarding RFQ No. 22-20, authorizing and directing the Mayor to enter an agreement with KMA Design for the completion of a Wayfinding and Signage Design Guideline Project in an amount not to exceed \$19,390. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Resolution 1139 approved.

**OTHER MATTERS BEFORE THE BOARD**

**17. Public Comment**

Jennifer Pease, 206 Hampton Drive, works for Public Water Supply District #8. Jennifer explained that District #8 buys their water from the City of Smithville and have been in the process of negotiating a new contract with the City since November 2021. She asked for an executive session meeting with the Board to address this contract.

Mayor Boley explained that the Board could not meet with their board in an executive session due to the Sunshine Law and transparency.

Alderman Chevalier suggested a liaison meeting between their board, City staff, the Mayor and two Aldermen.

Mayor Boley told Ms. Pease that he would meet with her and their board member that was also present after the meeting.

**18. Appointment**

The Mayor will nominate appointment to the Economic Development Committee, and the Board will vote:

Upon roll call vote:

Alderman Ulledahl – Aye, Alderman Chevalier – Aye, Alderman Shipley – Aye,  
Alderman Atkins – Aye, Alderman Hartman – Aye, Alderman Russell – Aye.

Ayes – 6, Noes – 0, motion carries. The Mayor declared Kelly Kobylski appointed member of the Economic Development Committee.

**19. New Business from the Floor**

None

**20. Adjourn**

Alderman Ulledahl moved to adjourn. Alderman Hartman the motion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:43 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor