

SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

May 3, 2022, Following the 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 7:00 p.m.

A quorum of the Board was present: John Chevalier, Dan Ulledahl, Kelly Kobylski, Ronald Russell and Marv Atkins. Dan Hartman was present via Zoom.

Staff present: Cynthia Wagner, Captain Tony Roetman, Chuck Soules, Anna Mitchell, Jack Hendrix, Stephen Larson and Linda Drummond.

2. Pledge of Allegiance led by Mayor Boley

3. Proclamations

May is Older Americans Month



Figure 2 Mayor Boley presented to Deb Dotson

Professional Municipal Clerks Week May 1-7



Figure 1 Mayor Boley presented to Linda Drummond

Public Works Week May 15-21, 2022



Figure 4 Mayor Boley presented to Chuck Soules

National Police Week



Figure 3 Mayor Boley presented to Captain Tony Roetman

4. Consent Agenda

- **Minutes**

- April 19, 2022, Board of Alderman Regular Session Minutes – 1st Meeting
- April 19, 2022, Board of Alderman Regular Session Minutes – 2nd Meeting
- April 19, 2022, Board of Alderman Work Session Minutes

- **Resolution 1052, Special Permit – Lake Fest**

A Resolution approving a Special Event Permit to the Smithville Festival Committee (Chairman, Barbara Lamb) for Smithville Lake Festival to be held at Courtyard Park on June 16, 17 and 18, 2022.

- **Resolution 1053, Temporary Liquor License**

A Resolution issuing a Temporary Liquor License to Barbara Lamb, doing business as Smithville Lake Festival Committee for Smithville Lake Festival on June 17 and 18, 2022 at Courtyard Park.

- **Resolution 1054, Engineering Agreement for Fourth Street and Fourth Terrace**

A Resolution authorizing the Mayor to sign an engineering services agreement with Veenstra & Kimm Inc. in the amount of \$87,290 for watermain improvements to Fourth Street and Fourth Terrace.

- **Resolution 1055, Award Bid No. 22-16, Sanitary Sewer Rehabilitation**

A Resolution awarding RFP 22-16 Sanitary Sewer Rehabilitation to SAK Construction, LLC in an amount not to exceed \$128,408.

- **Resolution 1056, Mower Purchase**

A Resolution approving the purchase of a John Deere zero turn mower with a 72-inch deck from Heritage Tractor as part of the John Deere's Sourcewell cooperative purchasing agreement in the amount of \$15,984.43.

- **Resolution 1057, Fireworks Event White Iron Ridge**

A Resolution approving a fireworks event at White Iron Ridge on May 31, 2022, 9:00 p.m. to last approximately five to eight minutes.

- **Resolution 1058, Fireworks Event White Iron Ridge**

A Resolution approving a fireworks event at White Iron Ridge on June 25, 2022, 9:30 p.m. to last approximately fifteen to twenty minutes.

Alderman Kobylski moved to amend the consent agenda to remove Resolutions 1052 and 1053 from the consent agenda and move it to later in the meeting. Alderman Ulledahl seconded the motion.

Alderman Ulledahl moved to approve the consent agenda as amended. Alderman Kobylski seconded the motion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

5. Committee Reports

Alderman Atkins reported on the April 26, 2022, Economic Development Committee meeting.

The Chamber of Commerce reported that a first ribbon cutting was held for the Academy of Hair Design and Beauty, they also reported they have nine new members for the month.

The school district report they had good feedback from the community forum, that feedback will help update their master building plan. The process has already begun for replacing Superintendent, Todd Schutz, who is stepping down. Ms. Denise Hardwood has been appointed the interim superintendent.

The Smithville Main Street is still looking for more volunteers for the upcoming events.

So far there are eighteen special events for scheduled downtown for 2022.

We have 47 residential permits so far this year which is up from 25 last year and no commercial permits yet for this year.

The sales tax revenue is up 10% and the usage tax revenue is up 20%. Business license renewals are at 625 for the year.

Anna Mitchell, Assistant City Administrator, attended a week-long Economic Development training seminar and reported on that.

Alicia Neth was re-elected as Chairman and Jason Hoyt is the new Vice Chairman.

Neighborhood Improvement District program was reviewed and discussed. They will make recommendations to the Board of Aldermen.

Mayor Boley added that the Chamber of Commerce requested a list of businesses licensed with the City to use that information to reach out to new businesses for possible new chamber members.

Alderman Hartman reported on the April 28, 2022, Parks and Recreation Committee meeting. Matt Denton, Parks Director updated the committee on Diamond Crest Park. Alderman Hartman noted that we are very excited about the new park. He drove by it last Friday and it is beautiful, he has also received several good comments on it.

The Parks and Recreation committee had a resignation from one of the committee members due to time constraints. They will be actively looking for a Park and Recreation committee member.

Mayor Boley added that we are accepting applications from residents that have knowledge about Parks and Recreation and live in city limits. Applications can be acquired at City Hall or filled out online.

6. City Administrator's Report

Cynthia noted the report in the packet includes pictures of the new playground at the Diamond Crest park. There will be an official ribbon-cutting scheduled once all amenities are complete.

Cynthia noted that on Wednesdays after Board of Aldermen meetings, staff will post The Big Takeaway to the website and on social media. This will provide an overview of items that were approved in the agenda. This is a continued effort to try to provide information as follow up and communicating with the residents.

There is information in the packet with regard to a grant opportunity through Clay County of ARPA funds for tourism. Anna Mitchell is working with the Smithville Main Street group to develop an application for wayfinding signs. There is a quick turnaround on that submission so staff will submit it and let the Board know how that process goes. If approved, it will be included as part of budget discussion because there is a match associated with the grant.

In the packet are the results of the E-Waste and Shredding Event. This was our first annual event that was included as part of contract with GFI/WCA.

Later in the summer, the City website will have a fresh look, some color changes, different background and more. Staff is also working to ensure that we have updated information on a regular basis.

The mill and overlay project on Tillman Road was completed this weekend and we have received some compliments and appreciation for it.

Chuck had a progress meeting on the status of the raw water pump station in the Smith's Fork pump station project. The raw water pump station building is constructed. The original schedule was for that project to be completed in August but supply chain issues have delayed delivery of the pump. We cannot complete that project until we have it. The pump delivery is anticipated in August. The valve box cannot be constructed until the pumps are installed so that is going to slow down the progress. The months of August and September are heavy water demand months so we will not take that down during that high usage volume period. We anticipate completion of the project later in October or November.

The lift station is progressing, because of the rain and the location they are running into significant groundwater and have had to do significant dewatering to the hole. Chuck did provide pictures and they will be included in The Big Takeaway. The lift station is expected to be complete and in service in June except for backup generator which delivery is delayed until March of 2023. The lift station will be placed into service and the backup will be installed at a later date.

Pending unforeseen weather and other issues we do anticipate being able to open the campground back up to full use of all sites the July Fourth weekend. We will open up the campground for reservations depending on weather and other issues. She explained that we had done a rolling reservation to look at reservations open through Memorial Day. We are opening them up next week for reservations beginning June 1. Staff will continue to evaluate what sites are available as construction progresses. Matt Denton is also involved in those progress meetings, so he is monitoring that timeline.

Cynthia reminded the Board to make sure they have May 25 on their calendar for the all-day retreat or financial summit. The meeting will be held at 6889 North Oak Trafficway in Gladstone.

Alderman Russell asked if the campground is expected to be opened on July 4 or for the weekend of July 4?

Cynthia clarified that the weekend of July 4 is the goal, weather dependent.

Alderman Ulledahl asked if the construction was at the very back of Smith's Fork where one of the main turnarounds for the campgrounds is located?

Cynthia said that sewer pump station construction is located there and also at the front of the campground where they are working on the raw water pump station. The construction located in the back of Smith's Fork is the one that is impacted the campgrounds.

ORDINANCES & RESOLUTIONS

7. Bill No. 2937-22, Marketplace TIF Revenue Bond – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2937-22, approving the Issuance of Tax Increment Revenue Bonds (Smithville Commons Project), Series 2022. 1st reading by title only. Alderman Chevalier seconded the motion.

Alderman Hartman noted that the economic and financial data provided with this bill was outstanding and it is clear that this will help the community for several years moving forward.

Megan Miller and Sid Douglas of Gilmore and Bell, the City's special economic development council and bond council we present. Megan noted that these are tax revenue bonds, these bonds will be issued by the City, but they are only secured by the revenue generated within the TIF and the CID. There are no City revenues backing this. The City is not going to be obligated to cover any shortfall if there is one. The TIF currently operates on a pay-as-you-go basis is what obviously allow for quicker repayment to the developer. However, with a pay-as-you-go TIF when the developer has costs that are certified per the redevelopment agreement that is between the developer and the city. The outstanding costs generate interest so currently under the redevelopment agreement the interest rate is prime rate as reported by The Wall Street Journal plus one up to a maximum of 6%. This issuance would allow us to have a fixed rate of interest. Megan noted that with this current interest rate market and after discussions with the City's financial advisor they think that we probably hit that

maximum interest rates pretty quickly and right now with what the preliminary numbers and with what the placement agent is showing we would have a lower interest rate that would save about a million dollars. That money would go back to the tax jurisdictions and be a savings to the taxpayers. Megan explained that within the Ordinance there are parameters that would provide for an interest rate of under 5%. They think that is probably the maximum interest rate or the bonds will not sell. She noted that they do expect that rate to be quite a bit lower. She said that they are showing a maximum of 4.254 Series A and then a maximum of 4.75 for the Series B, tax exempt bonds. This also provides a maximum principal rate amount. With that maximum rate the developer will only receive the cap them out that is under the redevelopment agreement and the CID agreement. They will not receive any more money than they are entitled to. Those project monies are completely certifiable, and everything is legal under the TIF Act and the CID Act and is within the cap set back in 2017. Megan also noted that based on the projections noted by PGAV Planners, LLC that did the revenue study and UMB, the annual revenues are expected to be 1.4 times the projected annual debt service. With those projected surpluses it will fund a business interruption fund which is essentially just cover for a shortfall if it were to occur. After that is filled, it will start redeeming bonds early and start paying things back. Based on all these documents the bonds are fully expected to be paid off in 2035. The pay-as-you-go basis would also be paid off in 2035 based on this predictions but with the interest rate savings there is that million-dollar difference.

Upon roll call vote:

Alderman Kobylski – Aye, Alderman Russell – Abstained, Alderman Atkins – Aye, Alderman Hartman – Aye, Alderman Ulledahl – Aye, Alderman Chevalier- Aye.

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Bill No. 2937-22 approved first reading.

8. Bill No. 2938-22, Rezoning & Conceptual Plan – Fairview Crossing - 1st Reading

Alderman Ulledahl moved to approve Bill No. 2938-22, approving the rezoning to B-3P and R-3P and the Conceptual Plan for Fairview Crossing at the northeast corner of 169 Highway and 144th Street. 1st reading by title only. Alderman Chevalier seconded the motion.

Doug Orton, 1000 NE 145th Terrace, spoke to the Board about the possibility of 144th Street being paved with the project?

Jack Hendrix, Development Directed explained that the road that connects to this piece of property would have to be curbed and paved, but only the road that aligns with the piece of property.

Mr. Orton also has concerns with the stormwater runoff.

Jack explained that this is only the conceptual plan, and the stormwater and other concerns would be brought to the next Planning and Zoning Commission meeting for consideration.

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2938-22 approved first reading.

9. Bill No. 2939-22, Conceptual Plan – McBee’s Carwash – 1st Reading

Alderman Chevalier moved to approve Bill No. 2939-22, amending the FY22 operating budget to add revenue and expenditure authority to the newly created CID Fund. 1st reading by title only. Alderman Kobylski seconded the motion.

No discussion.

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2939-22 approved first reading.

10. Resolution 1059, Special Request – Hot Summer Nights

Alderman Chevalier moved to approve Resolution 1059, agreeing to sponsor Hot Summer Nights Events that will take place at the Courtyard on August 6, 20 and 27, 2022. Sponsorship of this event would waive event rental fees and deposits. Alderman Atkins seconded the motion.

Mayor Boley reiterated that this was a request for sponsorship to waive the fees. He asked if it would include Festiville?

Cynthia explained that this would only be for the dates of August 6, 20 and 27 and does not include Festiville.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1059 approved.

11. Resolution 1060, Award of 2022 Neighborhood Beautification Grants

Alderman Ulledahl moved to approve Resolution 1060, awarding the 2022 Neighborhood Beautification Grants. Alderman Kobylski seconded the motion.

Alderman Chevalier recused himself from Resolution 1060 because he is on the board of his HOA which is receiving a grant.

Alderman Hartman noted he appreciated that as a City we now offer this grant opportunity to subdivisions. He also said that he is excited to see the changes.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1060 approved.

12. Resolution 1061, Final Plat – Diamond Creek

Alderman Ulledahl moved to approve Resolution 1061, approving the final plat for Diamond Creek that would create thirty-nine of the approved 58 lots on 20.36 acres east of

Smithville Downs at Manzanola Lane and Sixth Street. Alderman Kobylski seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1061 approved.

13. Resolutions Moved from Consent Agenda

- **Resolution 1052, Special Permit – Lake Fest**

A Resolution approving a Special Event Permit to the Smithville Festival Committee (Chairman, Barbara Lamb) for Smithville Lake Festival to be held at Courtyard Park on June 16, 17 and 18, 2022.

- **Resolution 1053, Temporary Liquor License**

A Resolution issuing a Temporary Liquor License to Barbara Lamb, doing business as Smithville Lake Festival Committee for Smithville Lake Festival on June 17 and 18, 2022 at Courtyard Park.

Alderman Russell moved to approve Resolution 1052 and 1053 pertaining to Lake Fest.

Alderman Ulledahl asked for more information from the applicant for the layout of the vendors, he noted that they needed to leave access to the alley way for deliveries for the businesses.

Mayor Boley agreed that the vendors layout should be included in the application and would like to have more information for the event.

Alderman Ulledahl moved to postpone the Resolution 1052 and 1053 to May 17 to give the applicant time to provide the information requested. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolutions 1052 and 1053 postponed to the May 17 Board of Alderman meeting.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

None

15. New Business from the Floor

None

16. Adjourn

Alderman Ulledahl moved to adjourn to the regular session. Alderman Russell seconded the motion.

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 7:38 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor