

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

August 16, 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 7:00 p.m. following the Work Session. A quorum of the Board was present: John Chevalier, Kelly Kobylski, Ronald Russell, Marv Atkins and Dan Ulledahl. Dan Hartman was present via Zoom.

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

**2. Pledge of Allegiance led by Alderman Kobylski**

**3. Consent Agenda**

- **Minutes**

- August 2, 2022, Board of Aldermen Work Session Minutes
- August 2, 2022, Board of Aldermen Regular Session Minutes

- **Finance Report**

Finance Report for July 2022

- **Resolution 1097, Agreement with Grace Community Church**

A Resolution authorizing and directing the Mayor to execute an agreement with Grace Community Church for use of Smith's Fork Park September 15, 16, and 17, 2022 for the purpose of hosting Nehemiah Festival.

- **Resolution 1098, Renaming Hawthorne Park**

A Resolution approving the renaming of Hawthorne Park to the "Humphrey and Nancy Smith Park."

- **Resolution 1099, Purchase of Winter Materials**

A Resolution authorizing the purchase of winter materials from Central Salt, LLC in the amount of \$74.77 per ton.

- **Resolution 1100, Destination Safe Grant**

A Resolution authorizing and directing the Mayor to sign the contract with the Missouri Highway and Transportation Commission for the Destination Safe Grant.

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

No discussion.

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

## REPORTS FROM OFFICERS AND STANDING COMMITTEES

### 4. Committee Reports

Mayor Boley reported on the August 9, 2022, Planning and Zoning Commission meeting. Currently we have approximately 50 building permits for the year. We have received a permit from NAPA Auto Parts to be located in the old Price Chopper building. He noted that we now have \$35 million in new commercial business.

Alderman Hartman reported on the August 9, 2022, Finance Committee meeting. They reviewed two months of reconciled checks since they did not meet the previous month. They reviewed the FY2022 budget nine-month update. They also looked at next year's proposed budget and provided some feedback on it. He is excited about all the work Stephen Larson, Finance Director and his staff have done putting this together.

### 5. City Administrator's Report

Cynthia highlighted the information on the TIF Commission appointment process outlined in the memo in the packet from Megan Miller from Gilmore Bell. The Mayor will be signing the executive agreement tomorrow and we will proceed with that process.

Members of management team had the opportunity to tour the CPC facility yesterday. Cynthia noted that it is an impressive facility. They did have their final inspection for temporary occupancy today and that went well. They have not started the grow process yet, but staff was able to tour the entire infrastructure. Staff was able to ask a lot of questions on the production process and also their process of bill payments. One of the things when the amendment was passed a few years ago was concern about cash management. Staff learned they do not pay in cash as originally thought, they now have financial institutions available to them.

Cynthia noted that the aerator for the water treatment plant is on back order and staff will make adjustments to projects as necessary.

Cynthia acknowledged Festiville which was held this past weekend. Staff estimated that this was probably the largest crowd, by a pretty significant amount estimated between 5,000 and 6,000 people in the downtown area. Cynthia noted that came off remarkably well for that large of a crowd. She said the Police Department will be reaching out to the organizer and think through some changes and enhancements for future events.

Alderman Ulledahl asked if there were any medical calls.

Cynthia said we were not sure if there were any. The only issues the police dealt with were four children missing from parents and a missing wallet that was located.

Alderman Russell noted that he had nothing but positive feedback on it.

## ORDINANCES & RESOLUTIONS

### 6. Bill No. 2952-22, Re-Adopt the Code of Ethics – 2<sup>nd</sup> Reading

Alderman Ulledahl moved to approve Bill No. 2952-22, to re-adopt the Code of Ethics to comply with Missouri Ethics Commission standards. 2<sup>nd</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2952-22 approved.

**7. Bill No. 2953-22, Term of Office of the Mayor and Aldermen – 2<sup>nd</sup> Reading**

Alderman Hartman moved to approve Bill No. 2953-22, calling for the questions regarding the length of the term of office for the Mayor and the Board of Aldermen increasing the term from two years to four years to be placed on the November 8, 2022, election ballot. 2<sup>nd</sup> reading by title only. Alderman Kobylski seconded the motion.

Alderman Russell noted that he would agree to this if there could be a term limit and reminded that at the last meeting staff noted that is not an option.

Alderman Chevalier noted that he would have preferred a term limit but to let the voters decide.

Upon roll call vote:

Alderman Russell – No, Alderman Atkins – Aye, Alderman Hartman – Aye,  
Alderman Chevalier – Aye, Alderman Kobylski – Aye, Alderman Ulledahl- Aye.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 2953-22 approved.

**8. Bill No. 2955-22, Amending Section 225.090 – Smoking in City Parks – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2955-22, amending Section 225.090 to include a regulation stating that smoking is prohibited at all indoor and outdoor parks and facilities, except at individual camp sites at the campground. 1<sup>st</sup> reading by title only. Alderman Russell seconded the motion.

Alderman Russell asked how this would be enforced?

Matt Denton, Parks Director, said that this is more of a deterrent than an enforcement. Matt noted that we already have a no smoking policy in some areas in the parks and with the approval of this signage will be posted. He said that it will take time, but the goal is to try to deter smoking in the parks as much as possible.

Alderman Ulledahl noted that it would probably be more complaint based.

Cynthia said yes more complaint based but also peer enforcement, people feel more comfortable calling someone out if there is a sign.

Alderman Chevalier asked if as we are rolling this out there could be staff presence in the parks to help give the people reminders of this.

Matt said that could be done.

Cynthia noted that in coaches meetings staff could remind them of the rules so the coaches could let the parents know and we could also create an informational campaign.

Alderman Russell asked if there were designated smoking areas where people could be pointed to.

Mayor Boley explained that the current Ordinance allowed for smoking in designated areas only and this amendment is removing those areas.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2955-22 approved first reading.

**9. Bill No. 2956-22, Budget Amendment No. 5 – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 2956-22, amending the FY2022 budget to operating budget to add \$200,000 to the expenditure budget and \$15,000 to the revenue budget. 1<sup>st</sup> reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Upon roll call vote:

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. 2956-22 approved first reading.

**10. Resolution 1101, Final Plat, Hildebrand Estates**

Alderman Ulledahl moved to approve Resolution 1101, approving the final plat for Hildebrand Estates creating one lot of 11 acres at the corner of Lowman Road and 16<sup>th</sup> Street. Alderman Russell seconded the motion.

Alderman Hartman recused himself.

Alderman Russell asked if the City would have a need of this land in the future?

Jack Hendrix explained that the City owns 66 acres of land in that area so would have no need for it.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1101 approved.

**OTHER MATTERS BEFORE THE BOARD**

**11. Public Comment**

None

**12. New Business from the Floor**

Alderman Hartman noted that he has had residents contact him wanting to build ADUs (Accessory Dwelling Units) on their existing property. He said that with current zoning it does not allow them. He noted that it is one of the excerpts in the City's Comprehensive Plan and it lists exploring, incorporating accessory dwelling units as part of Smithville's housing policy. Alderman Hartman explained that he would like to see the current code changed to allow this.

Jack Hendrix, Development Director explained that this calls for a SWAT analysis that staff have get prepped for it to be presented to the Planning and Zoning Commission for approval first. He noted that it would be better for staff to work on in the winter months when they were not a busy. He did say that he had begun some of the work on it.

**13. Adjournment to Executive Session Pursuant to Section 610.021(1&2)RSMo.**

Alderman Ulledahl moved to adjourn to Executive Session pursuant to Section 610.021(1&2)RSMo. Alderman Kobylski the motion.

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned to the Executive Session at 7:18 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor