

**SMITHVILLE BOARD OF ALDERMEN
SPECIAL SESSION**

August 28, 2023 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 7:51 p.m. following the work session. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Ronald Russell, Dan Ulledahl and Dan Hartman.

Staff present: Cynthia Wagner, Gina Pate, Chief Lockridge, Jack Hendrix, Stephen Larson, Matt Denton, Linda Drummond, Mayra Toothman, Bob Lemley, Allan Jensen and Dave Schuerger.

2. Pledge of Allegiance lead by Mayor Boley

3. Consent Agenda

- **Minutes**

- July 18, 2023 Board of Aldermen Work Session Minutes
- July 18, 2023 Board of Aldermen Regular Session Minutes
- August 1, 2023 Board of Aldermen Regular Session Minutes

- **Financial Report**

- Finance Report for July 2023

- **Resolution 1251, Temporary Liquor License**

A Resolution issuing a Temporary Liquor License to Smithville Main Street District for the whiskey vendors for Whiskey Trail to be held Saturday, September 23, 2023.

- **Resolution 1252, Municipal Lease Agreement for Tractor and Boom Mower**

A Resolution authorizing the city to enter into a lease purchase agreement for a tractor and boom mower attachment.

- **Resolution 1253, Tyler Technology ERP Pro 10 Migration**

A Resolution approving the City to proceed with the software migration to Tyler Technologies ERP Pro 10.

- **Resolution 1254 SBR Basins Cleanings, Repairs and Maintenance**

A Resolution approving SBR (sequencing batch reactor) basin cleaning, maintenance, and repair project at the wastewater treatment plant.

- **Resolution 1255, Purchase of Winter Materials**

A Resolution authorizing the purchase of winter materials from Central Salt, LLC for the 2023-2024 winter season.

- **Resolution 1256, Emergency Purchase**

A Resolution authorizing emergency repair of the storm sewer on Richardson Street.

Alderman Shipley moved to amend the consent agenda and remove Resolution 1251 to be voted on separately. Alderman Wilson seconded the motion.

No discussion.

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

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

No discussion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Wilson reported on the August 8, Finance Committee meeting. They discussed the budget information that was presented during the work session this evening.

Alderman Hartman reported on the August 23, Economic Development Committee meeting. Jack Hendrix, Development Director, was present to discuss the 2030 Comprehension Plan specific to the Economic Development Committee considerations. They also discussed the community art programs for the University of Missouri Extension and what the next steps are for us. They also had updates on art, tourism and business development.

Alderman Shipley reported on the August 24, Parks and Recreation Committee meeting. The Haunted Campgrounds sold out in 7 minutes this year, beating last years' time of 8 minutes. We have pickleball on Fridays at the Smithville United Methodist Church from 10:00 a.m. to noon. This is a free program that is open to the public. They discussed the Diamond Crest Park and Splash Pad parking lot, shelter house and restrooms. The discussed replacing some water fountains on the Main Street Trail, the cost of repairs is about as much as new, so they are looking at options for replacements. The playground resurfacing is going on now at Smith's Fork Park and when it is completed they will begin at Heritage Park. They discussed the possibility of receiving the grant for the OK Railroad, previously the Diamond Crest Trail, since we made it to the second-round interviews. They also discussed relocating Humphrey and Nancy Smith Park from the north side of the river to the south side where the riverwalk will be located since this is the actual location of the original mill.

Alderman Wilson reported on the Mayor's Special Advisory Committee on Seniors and Faciality Needs. She noted that they met today, and they worked on their first draft to present to the Mayor on their discussions on meeting senior needs. She explained they have been very successful in the discussions they have had and believes everyone will be pleased with their presentation to the Mayor. Their next meeting is September 25, at 10:00 a.m. at the Housing Authority. Alderman Wilson invited the Mayor and the public to attend.

Alderman Russell added that he believed that they have had a good mix of conversation and they have been able to compile answers to the questions they had been tasked with.

Mayor Boley asked how many had been attending the meeting.

Alderman Russell said there had been on an average of 8-10 people attending their meetings.

5. City Administrator's Report

Cynthia Wagner noted that a number of project updates and information are in the City Administrator's report in the [packet](#). She noted that on the September 19 Board of Aldermen meeting agenda we have setting the property tax rate. In the past, we have had to wait for Clay County to get us a revised assessment information. As of now we are hopeful we can follow the September 19 timeframe, but if we do not receive the assessment from Clay County by September 13 we will have to have a special meeting later in the month. Staff will keep the Board updated on this process.

Cynthia also noted there was information in her report concerning a Senior Center grant. In discussion with the Special Advisory Committee of the Senior Center and a Facility Needs, staff has had additional discussions with Clay County Senior Services with regard to a potential grant to fund a part-time position. Matt Denton, Parks and Recreation Director, continues to work with the Clay County Senior Services staff on this and we anticipate being able to answer any questions for them to hopefully receive a grant. That grant would pay for 100% of the funds for a part-time position to assist in that. Cynthia explained that if the grant was approved that would be added to the budget with no impact because it would have the offsetting revenues for it.

ORDINANCES & RESOLUTIONS

6. Bill No. 2999-23, Amending Chapter 640 Peddlers, Solicitors and Canvassers – 2nd Reading

Alderman Ulledahl moved to approve Bill No. 2999-23, amending Chapter 640 concerning Peddlers, Solicitors and Canvassers. 2nd reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2999-23 approved.

7. Bill No. 3000-23, Conditional Use Permit – Transfer Station – 2nd Reading

Alderman Ulledahl moved to approve Bill No. 3000-23, approving a conditional use permit for a transfer station at 14820 North Industrial Drive on land zoned I-1. 2nd reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3000-23 approved.

8. Bill No. 3001-23, Ballot Language for ½% Public Safety Sales Tax – Emergency Ordinance Sponsored By Mayor Boley – 1st and 2nd Reading

Alderman Ulledahl moved to approve Bill No. 3001-23, calling for the question of imposing a ½% sales tax for public safety on the ballot for the November 7, 2023 election. 1st reading by title only. Alderman Wilson seconded the motion.

Cynthia noted that the Board has been discussing this since May, and with the passage of the State Statute Chapter 94.900 that goes into effect today, we now have the ability to take to the voters the ballot question to assess a public safety sales tax. Cynthia explained that if this is approved by the Board this evening it will be taken to Clay and Platte County Board of Election tomorrow for certification for the November 7, 2023 election. She also noted that staff will be putting together an information campaign for the public. This would consist of a page on the City website that would outline the information about the tax, there will be a QR code that will link to that information. Staff will also provide that information in the citizen newsletter that will be distributed with the utility bills in October. Residents will also be offered a presentation of the information on the City's website. All of the information that will be provided in the informational campaign will be reviewed by legal council to ensure that we are only providing information and not campaigning.

Mayor Boley noted that this was passed by the legislature in May and signed by the Governor and went into effect today. He explained that it has taken five year of work by past Representative Ken Wilson and present Representative Josh Hulbert to get this passed.

Alderman Hartman noted that there was information floating around that the City waited till the last minute to get this done, but by law we had to wait until this evening. He said that we live in a democracy and are able to put this forward to the voters. Alderman Hartman noted that a sales tax is not a burden on those who live in Smithville it is for those who visit Smithville and utilize our services.

Alderman Russell noted that he definitely supports the police. He just wondered if the timing was right and if it was needed. He said that this is supporting the ballot language this evening and he supports it. He is just not sure it is needed right now and could have waited on this to a future date.

Alderman Wilson noted that we have had legislators that have worked on this for over five years to get this where it is at today. She said she thinks it behooves the Board to go ahead and act instead of waiting until later.

Public Comment:

Debra Dotson, 2004 NE 196th Place, read an email that she sent to the Mayor.

Taxes. The word "tax" was a political dog whistle long before anyone here was born. Taxes sparked a revolution. But...Taxes build bridges and infrastructure. Taxes support schools and libraries. Taxes...keep fire engines running and fire houses professionally staffed.

Some taxes...like property taxes...there is no choice. Citizens must pay or lose their home.

But a Sales Tax is a choice! We choose where our money is spent and what community is supported. It's the fairest kind of tax because everyone...local-non local or just passing through... contributes to our community.

Warning! Outrage Bait Alert: "Defund the Police!" "Support The Blue!"

This Sales Tax affirms Smithville's support and commitment to our police officers.

***Two more officers mean better coverage and lessens the time burden on existing officers.*

***Citizens have repeatedly said we need a dedicated ACO/program.*

***Better equipment and benefits. Do we not owe the officers who protect us the very best equipment?*

I have a grandson currently serving as a Gladstone police officer. My heart froze when I heard reports of an officer involved shooting....the officer had been injured. Fairway Kansas just lost a wonderful police officer and family man.

A NO vote on this Sales Tax is actually defunding the police and ignoring the public's stated desire for a dedicated ACO/program.

Vote YES to Bill # 3001-23 Ballot Language for ½% Public Safety Sales Tax.

Vote YES to Support The Blue

Vote YES to fund an ACO/program.

Vote YES to Consumer Choice

Vote YES...and let the citizens exercise their right to vote.

Support The Blue.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3001-23 approved first reading.

Alderman Ulledahl moved to approve Bill No. 3001-23, calling for the question of imposing a 1/2% sales tax for public safety on the ballot for the November 7, 2023 election. 2nd reading by title only. Alderman Wilson seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3001-23 approved.

9. Bill No. 3002-23, Amending Section 705.110 Commercial Wastewater Leak Adjustment – 1st Reading

Alderman Ulledahl moved to approve Bill No. 3002-23, repealing Ordinance Section 705.110 water and wastewater leak adjustment and enacting in its place a new Ordinance Section 705.110 water and wastewater leak adjustment. 1st reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3002-23 approved first reading.

10. Bill No. 3003-23, Amending Section 700.040 Service Connection Fees – 1st Reading

Alderman Ulledahl moved to approved Bill No. 3003-23, amending Section 700.040 of the Code of Ordinances. 1st reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3003-23 approved first reading.

11. Resolution 1257, MOU with Smithville School District

Alderman Ulledahl moved to approve Resolution 1257, authorizing the Mayor to sign a Memorandum of Understanding (MOU) with Smithville R-II School District. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1257 approved.

12. Resolution 1258, Engineering Authorization No. 101 for Stonebridge Lift Station

Alderman Ulledahl moved to approve Resolution 1258, authorizing and directing the Mayor to execute Authorization No. 101 with HDR Engineering, Inc. for engineering services for Stonebridge Lift Station and Force Main Improvements. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1258 approved.

13. Resolution 1259, Agreement Renewal – Camp Host

Alderman Ulledahl moved to approve Resolution 1259, authorizing renewal of an agreement with Janet Terry and Chris Dunkin for camp host services at Smith's Fork Campground. Alderman Wilson seconded the motion.

Alderman Hartman noted that he had heard great things about the camp host.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1259 approved.

14. Resolution 1260, Change Order No. 3, Fourth Street Terrace

Alderman Ulledahl moved to approve Resolution 1260, approving Change Order No. 3 with Menke Excavating for Fourth Street Terrace in the amount of \$89,936.67. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1260 approved.

15. Resolution 1251, Temporary Liquor License

Alderman Hartman moved to approve Resolution 1251, issuing a Temporary Liquor License to Smithville Main Street District for the whiskey vendors for Whiskey Trail to be held Saturday, September 23, 2023. Alderman Atkins seconded the motion.

No discussion.

Ayes – 4, Noes – 0, Abstained – 2, (Alderman Shipley and Alderman Ulledahl) motion carries. Mayor Boley declared Resolution 1251 approved.

OTHER MATTERS BEFORE THE BOARD

16. Public Comment

Chelsea Dana, 19407 Mulberry Lane, noted that she had been attending the meetings for the Senior Center. She asked that the Board keep communicating with the residents and to be transparent. Ms. Dana said that she had attended the Parks and Recreation Committee meeting and they had a discussion on whether to do a Request For Proposal (RFP) or not. She said she did not understand why they would not do the RFP to be consistent with the City's bid process.

Mayor Boley explained that the City partners with a Cooperative Purchasing Agency and can usually get better prices and materials.

Cynthia explained that the purchasing agency was Greenbush through the Mid-America Regional Council (MARC).

17. New Business from the Floor

None

18. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 8:24 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor