

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

November 6, 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 7:00 p.m. following the work session. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Dan Ulledahl and Dan Hartman. Ronald Russell was present via Zoom.

Staff present: Cynthia Wagner, Gina Pate, Chuck Soules, Chief Lockridge, Matt Denton and Linda Drummond.

Cynthia Wagner, City Administrator, requested that Bill No. 3015-23 be removed from the agenda, to allow for additional discussion with the school district. Public comments on this item may be heard during public comment.

Alderman Hartman moved to amend the agenda to remove Bill No. 3015-23, amending Schedule III of the Traffic Code by adding parking restrictions at certain locations. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3015-23 removed from the agenda.

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

**3. Proclamation**

- **National American Indian Heritage Month**  
(Haether Ward was unable to attend but will receive the proclamation on Tuesday.)

**4. Consent Agenda**

- **Minutes**
  - October 17, 2023, Board of Aldermen Work Session Minutes
  - October 17, 2023, Board of Aldermen Regular Session Minutes
- **Resolution 1284, HHW Agreement with MARC for 2024**  
A Resolution authorizing and directing the Mayor to enter into an agreement with Mid-America Regional Council to participate in the Regional Household Hazardous Waste program for 2024.
- **Resolution 1285, Agreement with Mid-Continent Public Library**

A Resolution authorizing and directing the Mayor to enter into an agreement with Mid-Continent Public Library for the purpose of providing Outreach Services at the Smithville Senior Center.

- **Resolution 1286, Agreement with Clay County Senior Services**

A Resolution authorizing and directing the Mayor to enter into an agreement with Clay County Senior Services for grant funding for the purpose of providing senior services.

- **Resolution 1287, MOU with Ray County Cyber Crimes Task Force**

A Resolution authorizing and directing the Mayor to enter into a Memorandum of Understanding with Ray County Cyber Crimes Task Force for the shared use of a police records management system.

- **Resolution 1288, Employee Assistance Program Services**

A Resolution authorizing and directing the Mayor to enter into an agreement with ComPsych for the purpose of providing Employee Assistance Program Services.

- **Resolution 1289, Change Order No. 1, Tyler Technologies**

A Resolution approving Change Order No. 1 in the amount of \$9,070 for the ERP Pro 10 Personnel and Financial Management Software migration.

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

Alderman Russell asked if they would hold the Household Hazardous Waste event in the High School parking lot again.

Mayor Boley noted that it would not be held in Smithville again until 2025.

Cynthia explained that staff coordinates with the School District to host the event at the High School parking lot.

Alderman Russell also noticed that the location required access to restrooms, drinking water and several other requirements and wanted to bring it to everyone's attention.

Cynthia explained that the High School site meets those requirements. She added that for the household hazardous waste collection event, we have partnered with Mid-America Regional Council (MARC) for a number of years. MARC does multiple collections throughout the metro area on an annual basis. They work with a contractor who comes in and they set up the site. They segregate the area for different types of recycling and the hazardous materials are separated in the appropriate manner. The contractor knows what can and cannot be taken and they also have MARC staff on site to check every vehicle to ensure that the people are from the participating metropolitan communities, and they keep track of the numbers. Cynthia noted that in 2025 when we will be hosting again, we will need volunteers.

Alderman Russell questioned Resolution 1287. He noted that it establishes a political subdivision and since it is funded indirectly through the Department of Justice a Federal organization. He asked if it would be crossing a line with the Freedom of Information Act requests and the Sunshine Law requests. With this being a political subdivision and going through the Internet Crimes Against Children (ICAC) and directly funded through the Department of Justice.

Cynthia explained that the Freedom of Information Act pertains to the federal government and any local investigation would have to comply with the Sunshine Law. This program is administered and hosted through the Ray County Sheriff's Office so they would be in charge of complying with the Sunshine Law requests from the overall investigations. Cynthia noted that the City's attorneys have reviewed the agreement and agreed to all the language.

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

## REPORTS FROM OFFICERS AND STANDING COMMITTEES

### 5. Committee Reports

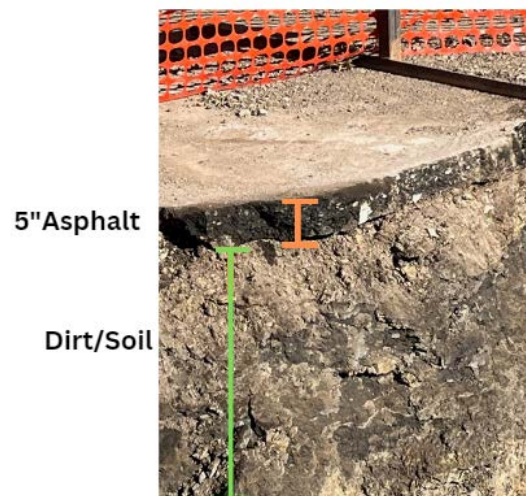
Alderman Hartman reported on the October 24, Economic Development Committee meeting. They now have a full committee. They invited David Slater, the Clay County Economic Development Executive Director; he gave a report on what is happening with economic development in Clay County and in the greater Kansas City area. He noted that it was a very beneficial update for the EDC members to hear. They also discussed the upcoming priorities for the community art program and the Board of Aldermen will receive updates on that in the future.

### 6. City Administrator's Report

Cynthia Wagner noted that the timeline for the Neighborhood Beautification Grant information did not get added to her report. Letters will be sent out to Homeowner's Associations (HOAs) the week of December 4. We do provide an option for those HOAs to submit their draft for us to review and provide any committee feedback and those will be due February 3. The final submission date will be March 8. The reviews the grants and staff anticipates bringing a Resolution forward to the Board of Aldermen on April 1.

Cynthia provided an update on the Quincy Boulevard project. The water mains and service connections have been fully installed and the stormwater work is close to being completed. The remaining work includes the installation of street improvements and sidewalks. The contractor's goal is to finish the overlay of Quincy Boulevard from Maple Street to Owens Street including sidewalks and repair for driveway approaches, contingent on favorable weather conditions. With winter approaching and cold weather setting in, the contractor will temporarily halt work on the section of Quincy from Hawthorne to Owens. Operations will resume next spring completing the reconstruction of Quincy driveway repairs and sidewalks.

This picture shows a cut of the street that reveals the underlying layers. It does show the reason behind the failure of Quincy Boulevard street surface. It is evident that the existing five inches of asphalt covering the underlying soil is insufficient to support traffic and contributing to the streets deteriorating condition. The upcoming street improvement from Hawthorne to Owens will provide the necessary reinforcement to the road to provide for its future. Cynthia noted that five inches is not a sufficient amount of asphalt.



Cynthia noted that on the 4<sup>th</sup> Street and 4<sup>th</sup> Terrace project, the contractor has finished the water, sanitary and stormwater improvements. Remaining work includes street improvements and driveway repairs.

Mayor Boley asked Chuck Soules, Development Director to provide the current specs on base and asphalt.

Chuck Soules, Department Director, noted that on Quincy Boulevard, 4<sup>th</sup> Street and 4<sup>th</sup> Terrace is a compacted subgrade, then six to nine inches of AB3 or fly ash. The AB3 can be packed to 98% proctor. Chuck explained that the packed AB3 turns very hard like concrete. Then eight inches of asphalt or seven of concrete.

Chuck noted that today on 4<sup>th</sup> Street we anticipated our contractor, Minke Excavation, to start doing the subgrade prep and then by the end of the week we would see curb machines going in and work on pavement would begin. That was pushed off because this morning we found a gas line underneath where the old pavement was, and we had a big gas leak. That is slowing the contractor down today and tomorrow. We still anticipate by the end of next week and probably be seeing curbs getting started up there. The processes is to get the subgrade done on 4<sup>th</sup> Street and they will then come in and start laying the curb while they're working on 4<sup>th</sup> Terrace. Once 4<sup>th</sup> Street is complete they will work on the subgrade and curb on 4<sup>th</sup> Terrace.

Chuck noted that all of the residents have been terrific, he said that even the trash men are helping the contractor haul the trash bins back up to the people's property. One lady moved this weekend, and the contractor went out and helped her move. The contractor is really working trying to get it done by Christmas.

Alderman Hartman asked if City staff are out there checking the project and watching the process.

Cynthia explained that we have two City Project Inspectors that monitor the projects.

Chuck noted that they monitor all of the projects going on in the City. At this time there are several projects they are monitoring: Fairview Crossing, McBee's Carwash, and several smaller projects but they are checking them all.

Cynthia reported that our Police Department discovered vandalism in the Courtyard Park restroom last weekend. Tomorrow staff will be meeting with MPR, the City's insurance provider who sometime do provide rewards for reports on these incidents. Staff is working to clean up and repair the restroom. She explained that



there may come a point where we have to step up some sort of different access to the restrooms.

Cynthia thanked Public Works and Parks and Recreation staff who today took down the spring/fall banners downtown and replaced them with the winter banners. Parks and Recreation staff has also put up the holiday decorations. They have also worked with the American Legion and put the flags out for Veteran's Day. The plan going forward is to put the flags out and take them down for each holiday.

Cynthia announced that Stephen Larson, Finance Director, has submitted his letter of resignation. He has accepted a position with the City of Greenwood Missouri as their City Administrator starting the first of December. His last day with the City is November 29. The position has been posted and we have begun recruiting for it. In the interim, Gina Pate will be filling that role until the position is filled. Cynthia said that we are very happy for Stephen and that this is a professional advancement for him. He has done a lot for the City to improve our financial reporting information and the documents that staff provides in that analysis.

## **ORDINANCES & RESOLUTIONS**

### **7. Bill No. 3012-23, Establishment of the Fairview Crossing North CID – 2<sup>nd</sup> Reading**

Alderman Ulledahl moved to approved Bill No. 3012-23, approving the petition for establishment of the Fairview Crossing Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district. 2<sup>nd</sup> reading by title only. Alderman Atkins 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. 3012-23 approved.

### **8. Bill No. 3013-23, Short-Term Rentals – 2<sup>nd</sup> Reading**

Alderman Ulledahl moved to approved Bill No. 3013-23, enacting a new chapter 625 of the Code of Ordinances pertaining to short-term rentals. 2<sup>nd</sup> reading by title only. Alderman Wilson seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Bill No. 3013-23 approved.

### **9. Bill No. 3014-23, Creation of a Fairview Crossing CID Financial Fund – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 3014-23, approving the creation of the Fairview Crossing CID Financial Fund to account for the receipt of and expenditures from that allocation separate from any other monies. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3014-23 approved first reading.

#### **10. Bill No. 3015-23, Amendment of Schedule III of the Traffic Code – Removed**

### **OTHER MATTERS BEFORE THE BOARD**

#### **11. Public Comment**

Johanna (Jo) Pruitt, 1009 NE 188<sup>th</sup> Street, spoke to the Board about her concerns regarding the no parking on 188<sup>th</sup> Street. She noted that she had contacted her Aldermen, and they were not informed on this matter. Ms. Pruitt said that the purpose for the change was not stated. She said that citizens should made be aware that this would be happening. She said it was wrong to have a policy with no purpose and it was wrong to put an item on the agenda without the Aldermen being aware of it. Ms. Pruitt said that people do matter and that the Board works for the people and not the other way around.

#### **12. New Business from the Floor**

Alderman Wilson asked that the no parking on 188<sup>th</sup> Street be on a future work session.

Cynthia noted that she and Chief Lockridge are scheduled to meet with the School District to discuss this and then it would be added to a work session for discussion.

#### **13. Adjourn**

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:27 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor