

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

November 21, 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 7:09 p.m. following the work session. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Dan Ulledahl, Dan Hartman and Ronald Russell.

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

2. Pledge of Allegiance lead by Stephen Larson

3. Consent Agenda

- **Minutes**

- November 6, 2023 Board of Aldermen Work Session Minutes
- November 6, 2023, Board of Aldermen Regular Session Minutes

- **Financial Report**

- Finance Report for October 2023

- **Resolution 1290, Amending Agreement With Premier Pyrotechnics, Inc.**

A Resolution amending the original agreement with Premier Pyrotechnics, Inc. for the annual fireworks displays.

- **Resolution 1291, Engineering On-Call Services**

A Resolution approving and establishing a pre-qualified on-call professional services listing.

- **Resolution 1292, Purchase of a John Deere Gator**

A Resolution authorizing the expenditure of funds for the purchase of a John Deere Gator from Heritage Tractor for the Parks and Recreation Department through the cooperative purchasing agreement with Sourcewell in the amount of \$20,370.

- **Resolution 1293, Amendment to the Employee Compensation Plan**

A Resolution adopting amendments to the Employee Compensation Plan.

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

No discussion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Wilson reported on the November 14, Planning and Zoning Commission meeting. She noted that they had a public hearing and a rezoning of 17 lots in Second Creek Meadows, which is on the agenda tonight. There is commercial construction going on in the City.

5. City Administrator's Report

Cynthia Wagner recognized staff for their work securing a grant for the OK Trail Phase One. Staff applied for a grant through Missouri Department of Natural Resources. The OK Trail used to be called the Old Diamond Crest Trail. It is located on the northern end of the City. The grant totals about \$164,000. We just received official word last week that we were successful in receiving the grant. Matt Denton, Chuck Soules and Mayra Toothman were involved in that grant application process. Cynthia noted that we are really excited to be able to get that funding and to be able to move forward on that project.

Cynthia noted that staff has had ongoing conversation with regard to Streetscape Phase III. There is significant information in the [City Administrator's Report](#) included in the packet. Chuck Soules, Public Works Director, was able to provide additional information to Mid-America Regional Council (MARC). MARC had some projects that were not able to be completed this year, so they had excess funds to be able to use. Chuck was able to leverage an additional \$1,000,000 for the Streetscape Phase III project. With the additional funding we will be able to do the full project and will not have to reduce the scope as significantly as we thought. We will have to rebid the project. She noted that Chuck has spent a significant amount of time with HDR Engineering staff looking at re-engineering. Staff anticipates the project going out to bid again after the first of the year.

Cynthia noted that we also received an update on ARPA funds that are being administered through MARC for road improvements throughout the county. The bid came in a bit lower than what was anticipated, and we will receive funding to cover the entire cost of the overlay project we submitted for this project. No city match will be required.

Cynthia noted that Parks and Recreation staff offered a Parent and Me Painting Class a couple weeks ago that was very successful. Some great pictures are included in the City Administrator's. They plan to offer the event again after the first of the year.

Cynthia noted that this past weekend we hosted a Bulky Item Drop Off event. Mayra Toothman and Keowa Norton planned the event. They worked together to get dumpsters and opened it up for the community to bring their items. 62 trucks come through, filling two and a half dumpsters. Mayra said she counted no less than a dozen mattresses, there were also couches and appliances. The event was a success! Cynthia expressed a special thanks to Mayra and Keowa for working on that event and to the City staff that volunteered to provide assistance with it.

Cynthia reminded the Board and the public that City Hall will be closed Thursday and Friday in observance of Thanksgiving. She wished the Board and their families a Happy Thanksgiving.

ORDINANCES & RESOLUTIONS

6. Bill No. 3014-23, Creation of a Fairview Crossing CID Financial Fund – 2nd 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. 2nd reading by title only. Alderman Atkins 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.

7. Bill No. 3016-23, FY2024 Budget Amendment No. 1 – Emergency Ordinance Sponsored by Mayor Boley – 1st and 2nd Reading

Alderman Ulledahl moved to approved Bill No. 3016-23, amending the FY2024 operating budget to add \$732,000 to the expenditure budget. 1st reading by title only. Alderman Wilson seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3016-23 approved 1st reading.

Alderman Ulledahl moved to approved Bill No. 3016-23, amending the FY2024 operating budget to add \$732,000 to the expenditure budget. 2nd reading by title only. Alderman Wilson seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3016-23 approved.

Alderman Hartman recused himself from agenda item No. 8.

8. Bill No. 3017-23, Rezoning NE Corner of Second Creek and Lowman Road – Emergency Ordinance Sponsored by Mayor Boley – 1st & 2nd Reading

Alderman Ulledahl moved to approved Bill No. 3017-23, approving the rezoning of the northeast corner of Second Creek and Lowman Road from R-1B and R-3 to R-1 and R-1B. 1st reading by title only. Alderman Wilson seconded the motion.

Roberta Lowman, 16251 Lowman Road, said she had some concerns about the language of the lawsuit in the RFA. She did appreciate the Board changing the zoning back to R-1. She noted that the settlement of her lawsuit was not contingent to the rezoning. Ms. Lowman noted that she and the neighbors also had concerns about the water flow.

Alderman Russell asked if the Ordinance should be amended to correct the language about the lawsuit.

Cynthia and Mayor Boley explained that the language concerning her lawsuit was in the Request for Action but was not in the Ordinance so there would be no reason to amend it.

Upon roll call vote:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3017-23 approved first reading.

Alderman Ulledahl moved to approved Bill No. 3017-23, approving the rezoning of the northeast corner of Second Creek and Lowman Road from R-1B and R-3 to R-1 and R-1B. 2nd reading by title only. Alderman Wilson seconded the motion

No discussion.

Upon roll call vote:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3017-23 approved.

Alderman Hartman returned to the meeting.

OTHER MATTERS BEFORE THE BOARD

9. Public Comment

None.

10. New Business from the Floor

None.

11. 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 7:25 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor