

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

December 5, 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 7:01 p.m. A quorum of the Board was present: Melissa Wilson, Leeah Shipley, Marv Atkins, Dan Ulledahl and Ronald Russell. Dan Hartman was absent.

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

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

**3. Public Hearing - Annexation 809 Second Creek Road**

Mayor Boley called the public hearing for the annexation of 809 Second Creek Road to order at 7:02 p.m.

Jack Hendrix, Development Director, noted that the Board has adopted an annexation policy. This policy provides guidance to determine whether the property meets the City's goals and objectives. Jack explained that there is the declaration of intent and for this property it is to ensure residents outside of the corporate limits who benefit from the access to the City's utility facilities could contribute to property taxes and other revenues to help pay for those costs. This is the purpose for this request, so the homeowner can have to the City sewer that is already on the property.

Jack explained that the annexation should avoid creating island or donut holes within the City limits. This area is an existing donut hole and annexation will take part of it away. The property already has City water services and the proposed owners want to be able to connect to the City's sewer. They gave an easement for the City to run a sewer line through their property in 2019. There is also a requirement that the property be contiguous and compact to the City as defined in state law. That means not less than 15% if the perimeter of the parcel has to be touching the existing City limits and this lot has 50%: the north and west boundaries are touching the City's limits, so it meets those standards.

No public comment.

Mayor Boley declared the public hearing for the annexation 809 Second Creek Road adjourned at 7:04 p.m.

**4. Public Hearing - Annexation 14422 Mount Olivet Road**

Mayor Boley called the public hearing for the annexation of 14422 Mount Olivet Road to order at 7:05 p.m.

Jack Hendrix, Development Director, noted that this property is located at the northwest corner of Mount Olivet and 144<sup>th</sup> Street, across the street to the north from the Estates at the Ranch property that we annexed three or four year ago. Jack explained that the

declaration of intent for this property is to promote orderly growth by facilitating long-range planning for the provision of municipal services, applying appropriate land use regulations and developing property maintenance standards. Jack explained we have issues with our north/south traffic. zthis would get us over to Mount Olivet that also runs fairly far south, so it will give us another north south access in addition to 169 Highway.

Jack explained that the priority for the annexation in the policy for this case is to have a positive impact on the City financially. The City shall pursue annexation that adds to the economic stability of the City. This application for annexation is preceding a proposed application to develop this 185-acre parcel with 34 lots with an average size lot of 5.6 acres. It will have some larger acre tracts and some as small as 3.5-acre tracts. This property already has water available but there are no sewers in the area it is all private septic. Jack noted that the City will not have to extend any utilities to this property. Jack explained that the only future cost to the City will be the permanent maintenance of the roads that get annexed which will be part of 144<sup>th</sup> Street and part of Mount Olivet. Part of the development agreement we anticipate with this will include improvements to 144<sup>th</sup> Street and some improvements to Mount Olivet, plus a new road they will have to build later.

Jack noted that this property is required to be contiguous and compact which is the 15% standard and it has 19.28% of its perimeter touching the City limits. Jack noted that if the annexation for this property is approved, the developer will submit an application for rezoning and for development.

No public comment.

Mayor Boley declared the public hearing for the annexation 14422 Mount Olivet Road adjourned at 7:09 p.m.

## **5. Consent Agenda**

- **Minutes**
  - November 21, 2023 Board of Aldermen Work Session Minutes
  - November 21, 2023, Board of Aldermen Regular Session Minutes
- **Resolution 1294, Liquor License**

A Resolution approving a liquor license for SSS Missouri doing business as SQRL at 124 North 169 Highway.

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

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the consent agenda approved.

## **REPORTS FROM OFFICERS AND STANDING COMMITTEES**

### **6. Committee Reports**

Gina Pate, Assistant City Administrator, reported on the November 29 Economic Development Committee meeting. They met in closed session. They cancelled their

December meeting due to the holidays and their next meeting will be in January. Matt Denton, Parks and Recreation Director, will attend the meeting for the community arts program discussion. Gina noted that the Board should expect a staff report in a future meeting concerning Economic Development Committee. They would like feedback from the Board on some of the items they are working on.

Cynthia explained that the Economic Development Committee met in closed session for an orientation with the City Attorney as to the roles, responsibilities and expectations of the members of the committee.

Alderman Wilson reported on the November 28 Finance Committee meeting. They discussed the COP issuance and utility disconnection overviews. Alderman Wilson noted that Cynthia provided them with an update on the recruitment of the Finance Director position. Their next meeting will be the end of January to give time for City staff to work through changes for the new financial software migration.

## **7. City Administrator's Report**

Cynthia Wagner noted that she had asked Bob Lemley, Utilities Superintendent, to provide information about the ongoing concerns of the taste and odor of the water.

Bob gave a brief summary of why we have taste and odor issues. He explained that algae, quality of plant life, leaves, anything that runs into our watershed affect our water. Once in the water, it dies and then we have to deal with the organics that are left. Bob noted that this year has been particularly worse than in past years. He explained that the drought is not helping us, the spillway has not been opened and the water is just sitting. If we had a normal rainy season they would open the spillway and the water would circulate and flow through our system. We now have pretty much a mud puddle sitting there and we pull from that for our water supply.

Bob explained what fights the taste and odor: carbon, disinfection, chlorine dioxide, permanganate and filters. Permanganate is a chemical that will take the organics out and so will our filters. The carbon feeder has been down. It is almost 30 years old and has been fixed many times over the years. The chlorine dioxide feeder was just replaced a couple months ago at a cost of \$10,000 and that system is fully up and running. The permanganate really helps with the taste and odor. They were not able to feed the permanganate for about the last 8 months because of construction issues at the raw water pump station. They did not feel safe feeding the permanganate there without being able to monitor it and had to feed it from the plant. Bob explained that the water in the trunk line that runs from the dam to the water plant was not getting any treatment until it got to the water plant. That does not help with the taste and odor. They now have the permanganate online at the raw water pump station and it has been for about three weeks. Bob noted that they have noticed at the water plant that there is no odor and the water tastes fine they just have to get that water out into the system. Bob explained that would take a month or so to notice the improvement in the taste and odor of the water. Bob explained that it takes 21 days for one gallon of water from the plant to travel to Forest Oaks.

Bob noted that the filters we have are 30-year-old filters and are not 100% efficient. The carbon and chlorine dioxide both help with taste and odor but, when they designed and built the water plant in 1993, the technology was to feed both the carbon and chlorine dioxide at the plant, new technology tells us that you should not feed them both at the same place, but we do not have an option. The carbon, the disinfection and the filters are

all in the FY2024 budget to be replaced. The upgrades to the plant will go out to bid in January with a February bid opening and awarded in March. These improvements are going to address the taste and odor issues, but we should notice a difference with the permanganate. Bob noted that the estimate from the engineers to just do what we need to do to keep the water plant going and try to combat the taste and odor is just over \$1 million. Bob noted that the taste and odor issue will come back every year when the lake turns over. He explained that the lake does not flip all at one time, the coves flip first because they are shallow and if the spillway is open we pull those organics because our intakes are right at the dam. The lake takes a few months for the entire lake to flip over and that is why you have taste and odor issues during the summer months, because the lake heats up and that brings all the organics towards the dam.

Bob noted that the water is completely safe. They follow all the federal and state standards and turn in reports to the Department of Natural Resources (DNR). If DNR found any problem they would come and do an inspection to see what is going on. The water is safe and meets all of the state and federal standards. The staff at the water plant run over 300 tests a day and monthly they go out and collect samples to send to the state to test the entire system.

Alderman Russell asked if test results records are kept or sent somewhere.

Bob explained that we have to keep those test records for five years. He said that when the state comes to do inspections they want to see the daily operation records.

Alderman Russell asked how they know that they need to treat for the taste and odor.

Bob explained that they will notice the odor at the water plant because that is where the water comes in first and they will turn the permanganate and or the carbon up. They also test the drawdowns every two hours while the plant is running to ensure that all of the chemicals are feeding the correct amount.

Cynthia noted that the new water plant will address these issues, but the day that the new plant is built does not mean that is when the taste and odor issues are fixed. It will take time managing the chemical equations. It will be a learning curve just like the raw water pump station has been.

Bob noted that a new water plant will double our capacity.

Cynthia explained that we will have to figure the calculations for that. She said that the big thing with water on taste and odor is contact time, the amount of time that raw water has with those chemicals. Cynthia noted that staff is working to identify those needs for the system, and these are part of what goes into the rate structure and the needs that we have for that system.

Cynthia noted that Clay County is currently updating their comprehensive plan and they have gone through a process of significant public involvement. Cynthia and Jack Hendrix, Development Director, have been involved in some meetings of local officials. The [survey](#) is online and open through the end of this year. Cynthia strongly encouraged as part of this process, the governing body members and the public to go to the Clay County 2040 Compass website for comprehensive plan information and to participate in that [survey](#).

Cynthia noted that the schedule we will City Hall will be closed from 11:30 to 1:00 next Thursday for City employee holiday luncheon. City Hall will be closed Monday, December 25 for Christmas and Monday, January 1 for New Year's. The Mayor has cancelled the January 2 Board of Aldermen meeting since we do not have any urgent or pressing issue.

Cynthia provided an update on the recruitment process for the Finance Director. The applications for the Finance Director position are available online and the position is open until filled. The first review of applications started last Friday and so far we have had about 10 applications. She and Gina Pate, Assistance City Administrator, have reviewed those and are in the process this week of conducting pre-screen Zoom interviews with six candidates. The candidate have a wide variety of experience, several have local government experience, some have some financial experience from the military, we have people from different locations throughout the metro area. Cynthia noted that they are excited about the candidate pool and hope to narrow that down to two to four candidates to bring in for an in-person interview process. She explained that typically in looking at director positions we involve members of the governing body, the public and City staff in panel interviews. She explained that because the Finance Committee is directly involved with and works closely with the Finance Director, she and the Mayor discussed including them in the interviews. So, Mayor Boley, Alderman Wilson, Alderman Shipley and April Haddock will serve on the panel for the interview process. Cynthia noted that we are hopeful that after the first of the year we would have a candidate identified to have someone here the first part of February.

## **ORDINANCES & RESOLUTIONS**

### **8. Bill No. 3018-23, Declaring the November 7, 2023 Election Results – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 3018-23, declaring and certifying the results of the November 7, 2023 special election held in the City of Smithville, Missouri. 1<sup>st</sup> reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3018-23 approved first reading.

### **9. Bill No. 3019-23, Annexation 809 Second Creek Road – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 3019-23, annexing certain adjacent territory into the City of Smithville, Missouri. 1<sup>st</sup> 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 - Absent.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3019-23 approved first reading.

**10. Bill No. 3020-23, Annexation 14422 Mount Olivet Road – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 3020-23, annexing certain adjacent territory into the City of Smithville, Missouri. 1<sup>st</sup> reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

Alderman Atkins - Aye, Alderman Russell- Aye, Alderman Shipley – Aye,

Alderman Ulledahl - Aye, Alderman Hartman – Absent, Alderman Wilson - Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3020-23 approved first reading.

**11. Bill No. 3021-23, Agreement with MoDOT – 1<sup>st</sup> Reading**

Alderman Ulledahl moved to approve Bill No. 3021-23, authorizing and directing the mayor to execute a transportation alternatives funds program supplemental agreement with the Missouri Highways and Transportation Commission for improvements to Bridge Street from Church Street to First Street including infrastructure improvements encouraging safer routes for non-motorized users and improving the pedestrian environment. 1<sup>st</sup> reading by title only. Alderman Wilson seconded the motion.

Alderman Russell thanked Chuck Soules, Public Works Director, for the work to get this. He asked what the City's match amount will be.

Chuck noted that the entire project estimate is \$1.8 million. He met with HDR Engineers to work on reducing the cost of the project cost. We will be doing the full Streetscape Phase III project. We will not be doing the overlaying in the intersection. The project will now go to the actual end of Bridge Street right at First Street. A roundabout is going at that intersection in a couple of years and the overlay would be torn out. Chuck explained that we are pulling out the utilities part of the project other than the water line and it will be bid separately. Chuck noted that at the next Board of Aldermen meeting staff will bring forward for approval an amendment with HDR to pull the utility part out so it can be bid.

Chuck explained that the City's portion of the amount is 20% of the \$1.8 million which is \$372,000, but we will not be spending that much. He noted that it is an 80-20 grant.

Upon roll call vote:

Alderman Shipley - Aye, Alderman Wilson - Aye, Alderman Hartman – Absent,

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3021-23 approved first reading.

**OTHER MATTERS BEFORE THE BOARD**

**12. Public Comment**

None.

**13. New Business from the Floor**

Alderman Russell asked that the subject of the Christmas Parade be a topic of a work session to discuss the issues of throwing candy, children running into the street and the flyer on the ground.

Mayor noted that Matt had already discussed the trash issue with the parade organizers and more trash cans will be set out in the future.

Alderman Wilson noted that Charlene Bruce, the parade's organizer has already made the decision of no candy being thrown in at future Christmas parades.

**14. Adjourn**

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:35 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor