

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

March 5, 2024 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 6:59 p.m. A quorum of the Board was present: Marv Atkins, Leeah Shipley, Ronald Russell, Dan Hartman and Dan Ulledahl. Melissa Wilson was present via Zoom.

Staff present: Cynthia Wagner, Gina Pate, Chuck Soules, Chief Lockridge, Jack Hendrix and Rick Welch. Linda Drummond was present via Zoom.

2. Acknowledgement of Certification

- Alderman Wilson – Municipal Governance Institute Certification
Since Alderman Wilson could not be in person this is moved to the March 19 meeting.

3. Pledge of Allegiance lead by Mayor Boley

4. Consent Agenda

- **Minutes**
 - February 6, 2024, Board of Aldermen Work Session Minutes
 - February 6, 2024, Board of Aldermen Regular Session Minutes
- **Resolution 1312 - 1319, Leak Adjustments**
Resolutions approving water and wastewater adjustments.
 - Resolution 1312 – Lora Evens in the amount of \$113.93
 - Resolution 1313 – Clarus William in the amount of \$171.23
 - Resolution 1314 – Michael Marshall in the amount of \$120.41
 - Resolution 1315 – Shantelle Mathis in the amount of \$75.06
 - Resolution 1316 – Kelsey Mertz in the amount of \$66.25
 - Resolution 1317 – Larry Skibsted in the amount of \$131.40
 - Resolution 1318 – Lindsay Nelson in the amount of \$147.42
 - Resolution 1319 – Megan Holland in the amount of \$186.33
- **Resolution 1320, MOU with the Lion's Club**
A Resolution authorizing the Mayor to execute a Memorandum of Understanding with the Smithville Lion's Club for sponsorship of their Farmers and Maker's Market.
- **Resolution 1321, Agreement with GBA Design Services**
A Resolution authorizing and directing the Mayor to enter into an agreement with GBA Engineering Services for the Second Creek and Riverwalk design.
- **Resolution 1322, Bid Award No. 24-06 Street Maintenance Program**
A Resolution awarding Bid No. 24-06, Street Maintenance Program to Asphaltic Surfaces in the amount of \$262,573.
- **Resolution 1323, Sidewalk Maintenance Program**
A Resolution awarding Bid No. 24-03, to KC Concrete to complete improvements in Harborview as part of the Sidewalk Replacement Program in the amount not to exceed \$16,151.68 and authorize a force account of approximately \$10,000.

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

No discussion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

5. Committee Reports

Aldermen Wilson reported on the February 13, Planning and Zoning Commission meeting. They discussed that the current activity has been mostly commercial. Jack Hendrix, Development Director, indicated there was a possibility of a couple of residential developments being submitted sometime in the near future. Alderman Wilson noted that items nine, 10 and 18 were on the agenda this evening were presented during the February Planning Commission meeting.

Alderman Wilson also shared that she and Alderman Hartman attended the Missouri Municipal League Legislative update in Jefferson City, February 20 and 21. They learned about several bills that are in the current legislative session that could have positive or negative effects on municipalities. She noted that they were also able to meet with two local state representatives and discuss these bills and she believes they both left armed with knowledge to help our community be better prepared for the possible actions taken by our state legislatures.

Alderman Shipley reported on the February 22, Finance Committee meeting. They discussed everything that was presented in the work session. They discussed first quarter numbers, and everything looks to be on track. She noted that they are excited to see the numbers for second quarter to see if the trends keep tracking.

Alderman Shipley reported on the February 22, Parks and Recreation Committee meeting. Staff provided an update and participation is up so far for the year. They continued the discussion for the park design at Emerald Ridge. There are two applicants that are still being considered, Athco and Kompan. The committee is trying to make sure that Emerald Ridge Park is inclusive for everyone, specifically targeting ages 2 to 12.

Alderman Hartman reported on the February 28, Economic Development Committee meeting. Besides their typical reports they reviewed the Replica data for the 2023 trends. Smithville has a cooperative agreement with Clay County for a subscription with the Replica to include access to analytical data, including population, transportation, economic, and workforce data. This allows us to look at data in Smithville such as; work trips, social trips, shopping, eating and recreation. Alderman Hartman noted that it is very enlightening to see the overall movement in and out of Smithville through the Replica data.

They also discussed reviewing our EDC goals and objectives. Alderman Hartman said that he thinks there is a lot of thoughts and ideas surrounding how to drive economic business, not only to downtown but the City of Smithville. They discussed the importance of following the Strategic Plan. Alderman Hartman noted that they discussed coming up with a way we can let folks who visit Smithville such as the campground or even in Clay County. The ideas ranged from handing out fliers, as well as having a QR code that would direct them to the Clay County EDC website. They feel like this will be a good test for this summer at Smith's Fork Campground and hopefully we will see some additional business.

6. City Administrator's Report

Cynthia Wagner noted that we received an additional \$460,000 secured for the Commercial Street Sidewalk Project. She thanked Chuck Soules, Public Works Director, for his continued work in ensuring that we are able to leverage monies that we have budgeted and to be able to use that money to obtain grants that help us complete projects. Cynthia noted that when we look at that \$460,000 additional funding for the Commercial Street sidewalks as well as the funding that we obtained for Streetscape Phase III, plus the funding for the Capital Improvement Projects that we have identified in the coming years for the Riverwalk, Second Street sidewalk and the Bridge Street roundabout it is almost \$5 million in federal money coming to us.

Cynthia noted that Mid-America Regional Counsel (MARC) had additional funds available for overlay work in the metro area. Work on Winner Avenue will be funded totally by MARC. That should take place late summer, early fall. That project will be completed by MARC, and we are appreciative of that. Cynthia explained that the Calls For Projects are ongoing and Chuck has been putting information together on projects we have discussed before. Cynthia noted that staff wanted to make the Board aware that the next round of Metropolitan Transportation Plan Funding we would like to get on the list for funding is Wayfinding, Maple Lane sidewalks and Eagle Trail Parkway. Those projects will be placed in the CIP in the future.

In the City Administrator's Report are links to two reports that Public Work's staff has put together the [Stormwater Management Plan and MS4 permit, the 2023 Annual Review](#) and our [2023 Annual Review on Solid Waste](#). Cynthia noted that this information is in the [City Administrator's Report](#) that is included in the agenda online as well in the [Big Takeaway](#) that is posted following meetings.

Cynthia highlighted some HR updates. At the next Board of Aldermen meeting, we will have the official ceremonial pinning of our newest Sergeant. Officer Kurt Johnson has been promoted to the position of Sergeant filling our one vacancy. Sergeant Johnson has been with the City for about a year and a half and came to us with prior experience with the Johnson County Sheriff's Office. We are thrilled to be able to promote him from within. It will be official Sunday, but he has been acting Sergeant in that vacant position. Last week Amy Alexander started as our Senior Services Coordinator. This is a part-time position and one of the things that we discussed at the Board retreat and in ongoing discussion this fall. Staff was able to work with Clay County Senior Services and obtain a grant to fund this position. We are excited to welcome Amy. We also have two new Police recruits that have been hired. They start the Kansas City Regional Police Academy on Tuesday March 19. Jacob Leonard started with the department yesterday and Jared Bane will start on Monday, March 11. They will graduate from the Academy mid-September. This does bring our vacancies down to two. We still have two officers on long-term medical leave. Last month, officer Edward Neil graduated and graduated the Kansas City Regional Police Academy. He is in early phases of field training. It is anticipated that he will complete his field training around the first of June. We also have contingent offers out to three people that were interviewed last week for positions in our water and sewer divisions. Once we fill those positions, we will be fully staffed in both the Water and Sewer Divisions.

Cynthia noted that she emailed the Board earlier today about an emergency purchase. During a recent inspection of the Wastewater Plant a waste valve for the SBR #1 was leaking. If the valve fails we would need to take two basins offline and it could cause significant issues. Staff has gotten bids for the work. Option one would be at a cost of \$19,811 with a delivery of

about 8 to 10 weeks. Option two is just a different brand of valve and actuator. That cost is \$12,500 but it would take an estimated 42 weeks for delivery. Cynthia noted that the \$12,500 is within her spending authority but she has given staff the authority to make an emergency purchase of the \$19,811 plug valve and actuator to receive it sooner and we would have less opportunity for catastrophic issues. Cynthia noted that staff will bring that forward at the March 19 Board of Aldermen meeting as an acknowledgment of an emergency purchase.

Cynthia noted that today staff submitted the lead and copper rule inventory to the Missouri Department of Natural Resources. This is in adherence with an EPA mandate for all water suppliers. The comprehensive inventory covers various aspects including: service line material size, type of residence, water main material and more. The objective of the inventory is to aid in identifying residences that may have lead. The Public Works Department led a collaborative effort achieving completion of the inventory for over 4,000 service lines. The deadline to complete this work was October of 2024. Staff has completed and submitted it and we believe we may have been one of the first ones in the state. Once it was submitted today we received a very nice acknowledgment back from the state. Cynthia noted that she will include more information in the March 19 City Administrator's Report. Cynthia explained that staff consulted with engineers to possibly do the work. The engineers were going to charge us \$200,000. By staff doing it in house we were able to save that. Cynthia expressed her gratitude to Norm Wells, Mayra Toothman, Bob Lemley, Dave Schuerger, Grant Clesson, Brian Gleason and Zack Kent who put a significant amount of time into this and saving us \$200,000. Missouri Department of Natural Resources also acknowledged that this submission is the largest inventory submitted in Missouri so far.

ORDINANCES & RESOLUTIONS

7. Bill No. 3024-24, Destruction of Records – 2nd Reading

Alderman Ulledahl moved to approve Bill No. 3024-24, authorizing staff to proceed with the destruction of certain administrative, police, finance and parks documents as authorized by the retention and destruction schedule approved by the Secretary of State's Office. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3024-24 approved.

8. Bill No. 3025-24, FY2024 Budget Amendment No. 2 – Emergency Ordinance Sponsored by Mayor Boley – 1st and 2nd Reading

Alderman Ulledahl moved to approved Bill No. 3025-24, amending the FY2024 Operating Budget to add \$30,000 to the General Fund and \$200,831.87 to the CWWWS (Combined Water and Wastewater System) expenditure budget. 1st reading by title only. Alderman Hartman seconded the motion.

Cynthia noted that this is the second budget amendment of this fiscal year. She explained projects budgeted for completion in FY2023 were not able to be completed. When we were putting the FY2024 budget together in August 2023 that we thought those projects would be completed. In November, after the FY2024 budget was adopted we amended the budget to be able to provide the budget authority for us to spend funds in those identified ways. We

realized that we had not included all of those project, when putting this budget together. There are some items in this budget amendment that reflect items that were budgeted but not spent or not fully spent in 2023. There is also a new project and the funds for that is outlined in the award of bid for the improvements on the south end of town. We also have the authority for a contract that is on the agenda for later this evening for the Police Union contract. This budget amendment provides the authority to amend the budget to allow for those expenditures. It does not secure those expenditures contracts later will do that.

Alderman Wilson moved to amend Bill No. 3025-24 and make two separate bills, one for the General Fund and one for the Combined Water and Wastewater System Funds. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3025-24 amended to now be two separate bills, one for the General Fund and one for the Combined Water and Wastewater System Funds.

Alderman Ulledahl moved to approved Bill No. 3025-24-1, amending the FY2024 Operating Budget to add \$30,000 to the General Fund expenditure budget. 1st reading by title only. Alderman Atkins seconded the motion.

Alderman Russell asked for clarification that the \$30,000 takes effect with the first pay period in July and encompasses the rest of the expenditures over the remainder of FY2024.

Cynthia confirmed that the estimated cost for the remainder of FY2024 is \$30,000 for that increase for the implementation of the step plan that is outlined to take effect on the first pay period in July.

Upon roll call vote:

Alderman Wilson - No, Alderman Shipley- Aye, Alderman Russell – Aye,
Alderman Hartman- Aye, Alderman Ulledahl – Aye, Alderman Atkins - Aye.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 3025-24-1 approved first reading.

Alderman Ulledahl moved to approved Bill No. 3025-24-1, amending the FY2024 Operating Budget to add \$30,000 to the General Fund expenditure budget. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Shipley - Aye, Alderman Wilson - No, Alderman Hartman – Aye,
Alderman Atkins - Aye, Alderman Russell – Aye, Alderman Ulledahl - Aye.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 3025-24-1 approved.

Alderman Ulledahl moved to approved Bill No. 3025-24-2, amending the FY2024 Operating Budget to add \$200,831.87 to the CWWWS (Combined Water and Wastewater System) expenditure budget. 1st reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3025-24-2 approved first reading.

Alderman Ulledahl moved to approved Bill No. 3025-24-1, amending the FY2024 Operating Budget to add \$200,831.87 to the CWWWS (Combined Water and Wastewater System) expenditure budget. 1st reading by title only 2nd reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3025-24-2 approved.

9. Bill No. 3026-24, Amending Site Plan Regulations for all Conditional Use Permits – 1st Reading

Alderman Ulledahl moved to approve Bill No. 3026-24, amending sections of Chapter 400 of the Zoning Code related to site plan review for all Conditional Use permits. 1st reading by title only. Alderman Russell seconded the motion.

Alderman Russell asked if this would have any impact on staff.

Cynthia said it would not.

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. 3026-24 approved first reading.

10. Bill No. 3027-24, Rezoning 16000 and 16100 North 169 Highway to R-3 – 1st Reading

Alderman Ulledahl moved to approve Bill No. 3027-24, changing the zoning classifications or districts of certain lands located in the City of Smithville, Missouri located at 16000 and 16100 North 169 Highway. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. Mayor Boley declared Bill No. 3027-24 approved first reading.

11. Bill No. 3028-24, Agreement with Central Missouri Regional Lodge #50 - 1st Reading

Alderman Ulledahl moved to approve Bill No. 3028-24, authorizing the City to enter into a labor agreement with West Central Missouri Regional Lodge #50 of the Fraternal Order of Police representing the non-supervisory bargaining unit. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Russell- Aye, Alderman Atkins – Aye, Alderman Ulledahl - Aye,
Alderman Shipley – Aye, Alderman Wilson - No, Alderman Hartman - Aye.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 3028-24 approved first reading.

12. Bill No. 3029-24, Fairview Crossing CID Cooperative Agreement – 1st Reading

Alderman Ulledahl moved to approve Bill No. 3029-24, approving the cooperative agreement among the City of Smithville, Missouri, the Fairview Crossing Community Improvement District and Kansas City Properties & Investments, LLC to implement the Fairview Crossing Community Improvement District. 1st reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

Alderman Ulledahl- Aye, Alderman Wilson- Aye, Alderman Russell – No,
Alderman Atkins - Aye, Alderman Hartman – Aye, Alderman Shipley - Aye.

Ayes – 5, Noes – 1, motion carries. Mayor Boley declared Bill No. 3029-24 approved first reading.

13. Resolution 1324, Purchase of Backwash Pump

Alderman Ulledahl moved to approve Resolution 1324, approving the purchase from Mid-America Pump for the replacement of a Backwash Pump at the water Treatment Plant in the amount of \$18,136.40. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1324 approved.

14. Resolution 1325, Award Bid No. 24-01, Water Treatment Plant Improvements

Alderman Ulledahl moved to approve Resolution 1325, awarding Bid No. 24-01, Water Treatment Improvements to David E. Ross Construction Company in the amount of

\$1,363,800 and approving a force account of \$100,000 for a total project cost of \$1,463,800. Alderman Atkins seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1325 approved.

15. Resolution 1326, Award Bid No. 24-07, First and Bridge Street Waterline

Alderman Ulledahl moved to approve Resolution 1326, awarding Bid No. 24-07, First and Bridge Street Waterline improvement to Engemann Drainage Company in the amount of \$116,713.60. Alderman Hartman seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1326 approved.

16. Resolution 1327, Reappointing City Attorney

Alderman Ulledahl moved to approve Resolution 1327, authorizing the reappointment of John Reddoch as City Attorney and Scott Sullivan as Assistant City Attorney at a new hourly rate of \$200 per hour. Alderman Russell seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1327 approved.

17. Resolution 1328, Improvements to Water Distribution System

Alderman Ulledahl moved to approve Resolution 1328, approving a bid from Fleshman Construction for improvements to the water distribution system in the amount of \$26,322. Alderman Atkins seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1328 approved.

18. Resolution 1329, Site Plan - Construction of a Transfer Station

Alderman Ulledahl moved to approve Resolution 1329, authorizing site plan approval for construction of a transfer station facility at 14890 North Industrial Drive in accordance with the approved Conditional Use Permit. Alderman Hartman seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1329 approved.

19. Resolution 1330, Change Order No. 4 for Fourth Street Improvements

Alderman Ulledahl moved to approve Resolution 1330, approving the Changer Order No. 4 with Menke Excavating for Fourth Street in the amount of \$16,760. Alderman Russell seconded motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1330 approved.

OTHER MATTERS BEFORE THE BOARD

20. Public Comment

None

21. New Business from the Floor

None

22. Adjournment to Executive Session Pursuant to Section 610.021(3)RSMo.

Alderman Ulledahl moved to adjourn to Executive Session Pursuant to Section 610.021(3)RSMo. Alderman Atkins seconded the motion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned to Executive Session at 7:34 p.m.



Linda Drummond, City Clerk

Damien Boley, Mayor