

## **SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION**

November 19, 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 7:03 p.m. following the Work Session. A quorum of the Board was present: Marv Atkins, Melissa Wilson, Leeah Shipley, Dan Hartman and Ronald Russell. Kelly Kobylski was present via Zoom.

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

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

### **3. Consent Agenda**

- **Minutes**

- November 5, 2024, Board of Aldermen Work Session Minutes
- November 5, 2024, Board of Aldermen Regular Session Minutes

- **Finance Report**

- Financial Report for October 2024

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**

### **4. Committee Reports**

Alderman Wilson reported on the November 12 Planning and Zoning Commission meeting. They discussed the item on the agenda, Resolution 1423. She noted that Jack Hendrix, Development Director, reported that construction at Fairview Crossing was moving forward and we could be seeing construction activity at Clay Creek Meadows in the near future.

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

Cynthia Wagner noted that the Bulky Item Drop Off Event held on November 2. She acknowledged City staff, Mayra Toothman and Keowa Norton for their efforts in organizing and working the event. She also thanked Will Stubbs and Chief Lockridge for helping work the event. Cynthia noted appreciation for their efforts for the successful event.

Cynthia noted that Emerald Ridge Park is near completion. The sidewalk was installed last week and the shelter will be installed in the very near future. The park will be playable by Thanksgiving and we are planning a ribbon cutting for 2:00 p.m. on Saturday, December 7.

Cynthia reminded everyone that City Hall will be closed Thursday, November 28 and Friday, November 29 in observance of Thanksgiving.

Mayor Boley noted that Emerald Ridge Park was pretty amazing and encouraged everyone to go and walk it.

## **ORDINANCES & RESOLUTIONS**

**6. Bill No 3044-24, FY2025 Budget Amendment No. 1 – Emergency Ordinance – Sponsored by Mayor Boley – 1<sup>st</sup> and 2<sup>nd</sup> Reading**

Alderman Atkins moved to approve Bill No. 3044-24, amending the FY2025 Operating Budget to add \$50,500 to the General Fund expenditure budget. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3044-24 approved first reading.

Alderman Atkins moved to approve Bill No. 3044-24, amending the FY2025 Operating Budget to add \$50,500 to the General Fund expenditure budget. 2<sup>nd</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3044-24 approved.

**7. Bill No. 3045-24, Agreement with West Central Missouri Regional Lodge #50 – Emergency Ordinance Sponsored by Mayor Boley – 1<sup>st</sup> and 2<sup>nd</sup> Reading**

Alderman Atkins moved to approved Bill No. 3045-24, authorizing the City to enter into a labor agreement with West Central Missouri Regional Lodge #50 of the Fraternity Order of Police representing the supervisory bargaining unit. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3045-24 approved first reading.

Alderman Atkins moved to approved Bill No. 3045-24, authorizing the City to enter into a labor agreement with West Central Missouri Regional Lodge #50 of the Fraternity Order of Police representing the supervisory bargaining unit. 2<sup>nd</sup> reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

Alderman Russell - No, Alderman Hartman - Aye, Alderman Shipley - Aye,  
Alderman Kobylski - Aye, Alderman Atkins - Aye, Alderman Wilson - No.

Ayes – 4, Noes – 2, motion carries. Mayor Boley declared Bill No. 3045-24 approved.

**8. Bill No. 3046-24, Amending Section 705.140 of the Code of Ordinances – 1<sup>st</sup> Reading**

Alderman Atkins moved to approve Bill No. 3046-24, amending Section 705.140 of the Code of Ordinances of the City of Smithville concerning lead in water systems. 1<sup>st</sup> reading by title only. Alderman Hartman seconded the motion.

Alderman Russell asked if there were any issues with lead pipes since we did not have this Ordinance in place.

Chuck explained that the EPA is asking every public water supplier in the United States to go through their customers and verify if they have lead or copper services lines. We just recently finished our inspection with the EPA and we do not have any lead or copper service lines in our systems.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 3046-24 approved.

**9. Resolution 1423, Site Plan – 110 West Main Street**

Alderman Atkins moved to approve Resolution 1423, authorizing site plan approval for construction of the Main and Mill mixed-use project at 110 West Main Street. Alderman Hartman seconded the motion.

Alderman Kobylski said she would like to see brick added above the stone masonry on the first floor of the building just on the corner of Mill Street and Main Street. She said it would be on the retail areas only.

Jack Hendrix, Development Director, explained that building design has stone at the four foot interval on the front. Alderman Kobylski's request is to put brick above that stone to the top of the first floor level just on the retail side of the building. Jack explained that the rest of the building is all residential.

Mayor Boley noted that he brick would tie in with the Senior Center and the other adjacent buildings.

Alderman Russell asked if Alderman Kobylski's request would be part of this Resolution.

Jack explained that it would if the Board desired it and made the amendment.

Alderman Hartman agreed with Alderman Kobylski that it would be more aesthetic.

Alderman Kobylski noted that it would be more cohesive to our downtown.

Alderman Kobylski moved to amend the Resolution to include brick above the masonry to the first floor roof line for the retail space on Main Street and Mill Street. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the amendment to Resolution 1423 for brick to be added above the stone masonry to the top of the first floor retail space approved.

Alderman Russell said that he has been against this project even though it is going through. He has issues with the wording “should” and wants to make sure there are no assumptions. He said that in visiting with Jack earlier and he cleared that up for him.

Mayor Boley asked Jack to clear up the parking issues and the additional parking in lieu of park fees.

Jack explained that included in the [packet](#) was the staff letter that was sent to the applicant addressing numerous issues. Staff met with one of the project representatives and walked through each of the issues. The project representative agreed to every change. They also discussed design changes to the parking lot on the corner of Meadow and Mill Street that is their obligation under the TIF and property sale. Staff explained that all of this was a condition of staff’s approval. They have made some changes and the [plans](#) linked in the packet show the adjusted design.

Jack explained that the parking lot on the north side of Church Street will be one of the very last part of the project to be completed. They will use that area as a laydown area for their construction equipment and materials. He noted that when Cynthia Wagner, Chuck Soules and he walked the property with project representative, Carlos Lepe, they discussed the Riverwalk Trail and if it goes through it would be beneficial to have an additional parking lot behind the north Church Street parking lot for access to the trail. Jack explained that the park fees associated with the project would cover the cost of the additional parking lot, but in order to access that lot we would have to drive through their parking lot or use the 20 foot wide access off Bridge Street. Jack said with this in mind they came up with the idea to keep the design the way it is and add a lease agreement that would include a short encroachment on City land with parking spaces on the condition that they gave us access to the trailhead parking through their lot. This change would require the developer to build a gravel parking lot for the Riverwalk Trail. At this time, we do not know the construction cost for the parking lot, but they have agreed to use their park fee of \$53,000 to build a trailhead with at least eight parking spaces. Jack noted it will most likely be late next year before the construction of the parking lots will occur.

Alderman Wilson asked if the lease agreement would be for the encroachment on City land for the parking.

Jack explained that it would be for their encroachment on City land and for our access through their parking lot to the trailhead.

Alderman Wilson asked if there was not a thoroughfare street off of Bridge Street that would access the trailhead parking.

Jack explained that there is, but it is not available at this time because of the construction of the Streetscape project on Bridge Street.

Mayor Boley noted that this would give us two accesses to the trailhead parking lot. He asked if we would also be concreting part of the parking lot for the apartments on Bridge Street where the access is.

Chuck Soules, Public Works Director, explained that there will be an asphalt alleyway and concrete parking for the apartments and Rosewood Cottage.

Alderman Wilson asked if we should consider going ahead and doing the lease agreement.

Jack explained that if the Board chose to do that, the recommendation would be to pull any approval related to the north side of Church Street and the park fees until such time as a lease agreement that addresses those issues is negotiated.

Alderman Russell asked if we give them the encroachment on City property for their parking spaces and we do not receive access through their parking lot, the only access we would have to the trailhead parking lot would be off of Bridge Street.

Jack explained that it would. He said if the agreement is not approved, the developer would flip their design to have 33 parking spaces and we would not have access through it.

Alderman Hartman asked if they could approve this Resolution with an amendment to add the lease agreements or would the site plan have to be redone.

Jack explained that the site plan would not have to be redone. This pertains only to the parking lot issues. The developer will still have to submit construction plans for a parking lot and that will not happen for months.

Alderman Wilson moved to remove from the approval the parking lot on the north side of Church Street and the park fees exchange for the gravel lot from this Resolution. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the amendment to remove from the approval of the parking lot on the north side of Church Street and the park fees exchange for the gravel lot from this Resolution approved.

Mayor Boley asked the Board to vote on Resolution 1423 as amended.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1423 approved as amended.

#### **10. Resolution 1424, Agreement with Placer Labs, Inc.**

Alderman Atkins moved to approve Resolution 1424, authorizing and directing the Mayor to enter into an agreement with Placer Labs, Inc. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1424 approved.

## **OTHER MATTERS BEFORE THE BOARD**

### **11. Public Comment**

None

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

Alderman Hartman requested that a developer could request documents from the Development Department without it being a record request or having to go to Clay County Recorder to get the documents. He suggested having a way for developers to pay the Development Department directly or having a way to pay online.

Jack explained if the documents are recorded, Clay County would have them. He said that the City may have a copy. Jacked noted that if you want a copy of the records the City has you have to put in the request, staff does the work and there is a fee.

Alderman Russell thanked City staff for putting the Thanksgiving week trash schedule online.

### **13. Adjournment to Executive Session Pursuant to Section 610.021(1)RSMo.**

Alderman Hartman moved to adjourn to Executive Session Pursuant to Section 610.021(1) RSMo. Alderman Wilson seconded the motion.

Upon roll call vote:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned to the Executive Session at 7:30 p.m..

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Linda Drummond, City Clerk

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Damien Boley, Mayor