

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

February 20, 2025 7:00 p.m.  
City Hall Council Chambers and Via Videoconference

**This meeting was rescheduled to 7:00 p.m. Tuesday, February 25  
due to emergency facility issues**

**1. Call to Order**

Mayor Boley, present, called the meeting to order at 7:03 p.m. A quorum of the Board was present: Marv Atkins, Leeah Shipley, Kelly Kobylski and Ronald Russell. Dan Hartman was present via Zoom. Melissa Wilson was absent.

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

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

**3. Consent Agenda**

- **Minutes**

- January 21, 2025, Board of Aldermen Special Session Minutes
- January 21, 2025, Board of Aldermen Work Session Minutes
- January 21, 2025, Board of Aldermen Regular Session Minutes

- **Finance Report**

- Financial Report for January 2025

- **Resolution 1441, Crime Stoppers TIPS Hotline**

A Resolution authorizing and directing the Mayor to execute a contract with the Kansas City Metropolitan Crime Commission to provide services for the Metro Crime Stoppers Program and the TIPS Hotline Program.

- **Resolution 1442, Leak Adjustment**

A Resolution approving a water and wastewater leak adjustment request for April Cunningham in the amount of \$103.30.

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

No discussion.

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

**REPORTS FROM OFFICERS AND STANDING COMMITTEES**

**4. Committee Reports**

Alderman Shipley reported on the January 23 Parks and Recreation Committee meeting. Emerald Ridge Parks is usable, but we are waiting for nicer weather to install the shelter. Once the shelter is installed they will schedule the ribbon cutting. Included in this year's budget is resurfacing the pavement Smith's Fork Campground. Alderman Shipley noted that

the Chamber Awards and Legacy Fund Banquet is this Thursday. Smithville Parks received a grant to expand senior meals at the Senior Center so they will be serving meals Monday through Friday. She also noted that they also had an overview presentation about the Parks and Recreation Committee.

Mayor Boley reported on the February 11 Planning and Zoning Commission meeting since Alderman Wilson was out sick this evening. He noted that there is a lot of construction going on and we have issued more building permits this year than all of last year. They discussed the rezoning and the site plan items that are on the agenda this evening

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

Cynthia noted that we will present an emergency ordinance for a budget amendment to cover the April election costs. The total cost, as provided by Clay County, is \$6,802.25, and it is due on March 18. Therefore, we bring the budget amendment forward for approval on the agenda for next Tuesday evening.

We have made efforts to improve communication within the community. Recently, we initiated a Friday News Flash to share weekly updates with residents. We have also enhanced communication to employees by providing a weekly employee newsletter.

Assistant City Administrator, Gina Pate has shared information about an educational series related to Proposition P, which concerns the public safety sales tax. Cynthia reminded the Board that there will be a public information meeting on Wednesday, March 5, at 6:00 p.m. and encouraged Board members to attend if possible.

We are approaching the two-year mark for the sculpture in downtown. The draft for the Sculpture on the Move process will be later in March.

Cynthia thanked the Board for their understanding of moving the board meeting last Thursday to today. We experienced building related sewer issues here at City Hall. She noted that there will be discussions about the necessary sewer repairs at City Hall as we move through the budget process.

## **ORDINANCES & RESOLUTIONS**

### **6. Bill No. 3054-25, Rezoning Northeast Corner of Second Creek Bridge Road and Lowman Road – 1<sup>st</sup> Reading**

Alderman Atkins moved to approve Bill No. 3054-25, changing the zoning classifications or districts of certain lands located in the City of Smithville. 1<sup>st</sup> reading by title only. Alderman Kobylski seconded the motion.

Jack Hendrix, Development Director, explained that the owner has requested that if this item passes this evening it not be brought forward at the next meeting. They have asked that it be put on hold for a brief period of time so they can reevaluate some aspects. Bringing it back before the Board will be based on the developer's recommendations.

Roberta Lowman, 16251 Lowman Road, asked what the area was being rezoned to.

Jack explained it was being rezoned to from R-1B (single family residential) to AR (agricultural).

Ms. Lowman said that she is in favor of the AR and the 10-acre lots and single-family homes but is not in favor of it being rezoned AR because of the possibility of a Conditional Use Permits. Ms. Lowman said that it was her understanding that the plans included building a 5,000 - 6,000 square foot steel building with 10 bedrooms and the owner not reside there but use it for a bed and breakfast. She said if this is for a business and not single-family homes it was not in her previous agreement. Ms. Lowman said that if this were going to be approved she would like it to be conditional for only single-family homes and not some form of a business.

Alderman Russell asked what the difference was between R-1B and AR and why do we need to rezone this.

Jack explained that in the R-1 district there is a frontage limitation to depth. For instance, if you have a 200 foot of frontage lot the maximum depth of the lot is 500 feet (two and a half times). These lots have a depth of 1,300 feet and approximately 300 feet of frontage so they will not work as 10-acre lots unless it is zoned something other than a residential designations. They have to be in the A1 and AR categories in order to be deeper lots.

Alderman Russell asked if you could have a businesses and single family homes in AR.

Jack explained that they would require approval of a Conditional Use Permit. The R-1B district can have businesses on it with a Conditional Use Permit.

Mayor Boley noted that state statute does not limit your home being a homebased business.

Jack added that cities have lost a lot of authority over homebased businesses.

Mayor Boley explained that cities cannot require homebased businesses to have a business license per state statute.

Alderman Russell asked if someone could have a homebased business in R-1B and AR why rezone it.

Jack explained that it is primarily because of the lot size. He added that if someone wanted to put the steel building bed and breakfast it would have to go through the Planning and Zoning Commission to obtain a Conditional Use Permit a process similar to the rezoning. Jack explained that every single zoning district has the option for a conditional use, and they are identified in the ordinance. The ordinance outlines which uses are allowable for each district.

Upon roll call vote:

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

Ayes – 4, Noes – 1, motion carries. Mayor Boley declared Bill No. 3054-25 approved first reading.

## **7. Bill No. 3055-25, Destruction of Records – 1<sup>st</sup> Reading**

Alderman Atkins moved to approve Bill No. 3055-25, authorizing the destruction of certain records. 1<sup>st</sup> reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Upon roll call vote:

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 3055-25 approved first reading.

**8. Resolution 1443, Lift Station Control Panel**

Alderman Atkins moved to approve Resolution 1443, authorizing the purchase of a lift station control panel from Mid-America Pump in the amount of \$15,493.42. Alderman Kobylski seconded the motion.

Alderman Russell asked if with this control panel would be compatible with other equipment.

Chuck Soules, Public Works Director, explained that this is a generic control panel. We purchased the original from FTC. FTC's cost was similar to Mid-America but had a longer lead time. Chuck noted that Mid-America is also the representative for the controls and would have to provide the control panel for the communications between the plant and the lift station. He added that getting this equipment replaced before it fails is necessary.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1443 approved.

**9. Resolution 1444, Site Plan – Walston Architectural Products**

Alderman Atkins moved to approve Resolution 1444, authorizing the Site Plan approval for construction of Walston Architectural Products at 14901 North Industrial Drive. Alderman Kobylski seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1444 approved.

**10. Resolution 1445, Amendment to the Employee Compensation Plan**

Alderman Atkins moved to approve Resolution 1445, adopting amendments to the Employee Compensation Plan. Alderman Kobylski seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1445 approved.

**OTHER MATTERS BEFORE THE BOARD**

**11. Public Comment**

Randall Palmer, 14702 Shamrock Way, provided the Board pictures of his property and fence issues. He said that he lives directly behind GEO Outdoors. Mr. Palmer said that he now has mud issues on his property and because of it needs five or six fence panels replaced and four or five fence posts leveled. He said that the property owner moved a drainage dig off of their property onto his property and he now has running water in his backyard when it rains. He asked that it be addressed as soon as possible. Mr. Palmer said that they were promised trees planted between the property and that has not happened. He also said the lights shine directly in their windows at night. He asked that the property south of GEO be improved since

they were not going to build on it. He asked that he receive a quick response on this issue from anyone in the City if not he will have to seek legal repercussions.

**12. New Business from the Floor**

None

**13. Adjourn**

Alderman Kobylski moved to adjourn. Alderman Russell seconded the motion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:23 p.m.

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Linda Drummond, City Clerk

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Damien Boley, Mayor