

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

May 12, 2020 7:00 p.m.  
City Hall Council Chambers

**Due to the COVID-19 pandemic this meeting was held via teleconference.**

**Mayor, Aldermen and staff attended via Zoom meeting. The meeting was streamed live on the city's YouTube page and also linked to the city's FaceBook page. Attendance in person by members of the public was not permitted.**

**1. Call to Order**

Mayor Boley, present, called the meeting to order at 7:09 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, John Chevalier, Jeff Bloemker, Josh Hurlbert and Melissa Wilson. Staff present via Zoom: Cynthia Wagner, Nickie Lee, Chuck Soules, Chief Jason Lockridge, Jack Hendrix, Dan Toleikis, Matt Denton and Linda Drummond. City Attorney, John Reddoch was also present via Zoom.

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

**3. Mayor's Proclamations**

- National Public Works Week – May 17-23
- Recognition and Remembrance – Collins F. "Colonel" Kindred

**4. Consent Agenda**

- **Minutes**
  - March 24, 2020 Board of Alderman Regular Session Minutes
- **Finance Report**
  - Finance Report for March 2020
  - Finance Report for April 2020

No discussion.

Alderman Bloemker moved to approve the consent agenda. Alderman Hurlbert seconded the motion.

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

**REPORTS FROM OFFICERS AND STANDING COMMITTEES**

**5. Committee Reports**

Alderman Sarver reported on the May 10 Planning and Zoning Commission meeting. They held a public hearing to rezoning eight acres at 18601 169 Highway from B-3 and

R-1B to B-2. The commission then discussed and approved the recommendation of the final plat for Herzog Foundation subdivision that is on the agenda tonight. Mayor Boley asked how many building permits?

Jack Hendrix, Development Director, stated that he did not have that information this evening.

Mayor Boley requested that Jack provide the number of deck and fence permits issued at the next meeting.

Mayor Boley stated that we have a lot of commercial development with Price Chopper, White Iron Ridge and Porters currently under construction.

Mayor Boley asked if KCI RV Storage had begun any additional construction?

Jack explained that they have the foundation in for one building and are installing their waterline for their fire loop.

Mayor Boley asked if there would be items for the June Planning and Zoning Commission meeting.

Jack said there are currently three items.

Alderman Chevalier asked Jack if he had the status of any of the medical marijuana facilities?

Jack stated that the dispensary is rehabbing the inside of their building. The manufacturing facility is still in design.

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

Cynthia provided updates related to COVID-19. City Hall remains closed to the public, staff is available via phone and email from 8:00 a.m. to 5:00 p.m. Staff on-site is still being staggered with some working from home and some working at City Hall, to continue practicing social distancing. We have installed a Ring Doorbell to accommodate people who do come to City Hall and allow them to interact with staff. Facemasks are available for staff and individuals that need to speak with staff in-person. Staff will continue to monitor Clay County Public Health Center's phasing information and recommendations. Cynthia explained that we might continue this process until June 1.

A few of the park amenities have opened back up. The park trails remain open. The pickle ball courts, tennis courts and skate parks have now opened. With occupancy restriction and concerns with high touch areas, the playgrounds, shelter houses, restrooms, basketball court and ball field reservations remain closed. Smith's Fork Campground will not open until June 1, which is consistent with Clay County Parks and Recreation and Army Corp of Engineers directives.

The next Board of Alderman meeting will be after the June 2 election and is scheduled for June 16. Cynthia said we anticipate that meeting being conducted via ZOOM also in anticipation of the approval of the City Hall renovation (Council Meeting Room) item on the agenda this evening. We had anticipated having that meeting at the Smithville Senior Center, however that would restrict the ability for social distancing.

Cynthia stated there were several items in the City Administrator's report related to items that Public Works Director, Chuck Soules, outlined in the Work Session: construction standards, waterline replacement and MARC grant funding opportunities. He is moving forward on several items and hopes to bring information to the Board later this year on the grant funding. We also anticipate implementing the construction standards later this year to change our requirements to be consistent with industry standards and assist in our long-term infrastructure needs.

East Main Street waterline replacement began this week, there was full lane closure on Monday, but the contractor does not anticipate significant full lane closures during the rest of the project.

The Comprehensive Plan has taken a turn in a different direction based on social distancing and inability to meet in large groups. We had anticipated intensive work on obtaining public input in mid-March. The consultants have been working with staff and have turned the process around a bit. The consultants are taking information from the Strategic Plan, information gleaned in the initial Comprehensive Plan meeting and survey result information to start developing draft chapters of a Comprehensive Plan for public feedback and input over the summer. Jack and Cynthia continue to have meetings with the consultants on this process. Staff had initially anticipated this document coming to the Board for adoption this September and that is now pushed back to October or November due to COVID-19.

Cynthia announced that we have hired Brittanie Propes as the new Parks and Recreation Marketing Manager to fill Matt Denton's former position.

Mayor Boley asked if we had any open positions?

Cynthia said that we have one Police Officer position open and a Street Department Maintenance position open.

Mayor Boley asked John Reddoch, City Attorney, how we will handle the meeting after the election, and can the newly elected officials be sworn in via Zoom?

John stated that the current Alderperson will continue until the newly elected officials can be sworn in and that they can be sworn in via Zoom.

## **ORDINANCES & RESOLUTIONS**

**7. Bill No. 2858-20, Rezoning Herzog Foundation**

**Emergency Ordinance Sponsored by Mayor Boley - 1st & 2nd Reading**

Alderman Bloemker moved to approve Bill No. 2858-20, to approve rezoning the north 8 acres of Good Shepherd Catholic Church property at 18601 169 Highway from B-3 and R-1B to B-2. 1<sup>st</sup> reading by title only. Alderman Hurlbert seconded the motion.

No discussion.

Upon roll call vote via teleconference:

Alderman Atkins – Aye, Alderman Sarver – Aye, Alderwoman Wilson – Aye,  
Alderman Bloemker – Aye, Alderman Chevalier – Aye, Alderman Hurlbert – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2858-20 approved first reading.

Alderman Hurlbert moved to approve Bill No. 2858-20 to approve rezoning the north 8 acres of Good Shepherd Catholic Church property at 18601 169 Highway from B-3 and R-1B to B-2. 2<sup>nd</sup> reading by title only. Alderman Bloemker seconded the motion.

Alderman Bloemker voiced that he was excited to see this development coming to Smithville.

Upon roll call vote via teleconference:

Alderman Bloemker – Aye, Alderman Chevalier – Aye, Alderman Hurlbert – Aye,  
Alderwoman Wilson – Aye, Alderman Sarver – Aye, Alderman Atkins – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2858-20 approved

**8. Resolution 778-779, MoDOT Highway Safety Grant Agreement for 2020**

Alderman Sarver moved to approve Resolutions 778 and 779, authorizing and approving applications with MoDOT Highway Safety Division. Alderman Hurlbert seconded the motion.

**A. Resolution 778, Hazardous Moving Violation Grant Agreement 2020**

**B. Resolution 779, DWI Enforcement Grant Agreement 2020**

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolutions 778 and 779 approved.

**9. Resolution 780, Bid No. 20-05, City Hall Improvements**

Alderman Chevalier moved to approve Resolution 780, to award Bid #20-05 to Bruner Contracting Company, LLC in an amount not to exceed \$95,747 for the improvements to the Board meeting room. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 780 approved.

**10. Resolution 781, Amendment No. 2 to the A3G Agreement**

Alderman Chevalier moved to approve Resolution 781, to amend the agreement with A3G to provide architectural services for a reduced-scope design development, construction documents and construction administration for a reduced-scope City Hall Improvement Project for the amount not to exceed \$1,800. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 781 approved.

**11. Resolution 782, Leak Adjustment**

Alderwoman Wilson moved to approve Resolution 782, to approve a leak adjustment of \$81.54 for residential utility billing customer, Dale Klamm for his February utility bill. Alderman Hurlbert seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 782 approved.

**12. Resolution 783, Authorization No. 91 Highland Sanitary Sewer**

Alderman Chevalier moved to approve Resolution 783, to authorize the Mayor to execute Authorization No. 91 with HDR, Inc. for engineering services for the Highland sanitary sewer in an amount not to exceed \$83,760. Alderman Hurlbert seconded the motion.

Alderman Chevalier stated that he believed that the city should provide the extended line and deeper manhole.

Alderwoman Wilson said she agreed.

Mayor Boley agreed that we would be doing the right thing.

Chuck Soules, Public Works Director, stated that he would investigate grant opportunities to assist with the cost. He said that by approving Authorization No. 91 we could start the design.

Cynthia assured the Board that residents affected were notified of this meeting and staff would let them know the plans.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 783 approved.

**13. Resolution 784, Final Plat, Herzog Foundation**

Alderman Hurlbert moved to approve Resolution 784 to approve the Final plat for Herzog Foundation, eight-acres at 18601 169 Highway. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 784 approved.

**14. Resolution 785, Emergency Purchase, Outdoor Warning Sirens**

Alderman Hurlbert moved to approve Resolution 785, to acknowledge the emergency purchase of expenditures to repair the outdoor warning siren damaged by lighting located on the Harborview water tower in an amount of \$8,079.78. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 785 approved.

**15. Resolution 786, To Resend Resolution 776**

Alderman Hurlbert moved to approve Resolution 786, to resend Resolution 776 and approve the payment to Ace Pipe Cleaning and Sunbelt Rentals in the new amount of \$21,050.90. Alderman Sarver the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 786 approved.

**16. Resolution 787, Farmer's Makers Market MOU**

Alderman Chevalier moved to approve Resolution 787, to authorize the Mayor to enter into a Memorandum of Understanding (MOU) with the Lion's Club for the 2020 Farmers and Makers Market. Alderwoman Wilson seconded the motion.

Mayor Boley explained that he had been in contact with the organizers and they will not take as many vendors and will be taking social distancing precautions.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 787 approved.

**17. Resolution 788, Utility Late Fees and Shut Off**

Alderman Hurlbert moved to approve Resolution 788, to approve the temporary waiver of the application of delinquent charges and discontinuance of water service. Alderman Chevalier seconded the motion.

As decided in the Work Session the temporary waiver of the application of delinquent charges and discontinuance of water service will continue until June 30.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 788 approved.

#### **18. Resolution 789, CARES Funding**

Alderman Hurlbert moved to approve Resolution 789, to authorize the Mayor to accept CARES funds for unanticipated expenses related to Coronavirus response and recovery, and for uses that may subsequently be authorized by the federal or state government. Alderman Chevalier seconded the motion.

Cynthia clarified that the City had verification from the County that we should receive \$945,000. Staff is reviewing funding opportunities and will bring recommendations to the Board in June. The funds are restricted to COVID-19 related expenses and must be remitted to the County by October 31, 2020 and expended by the end of this calendar year. Cynthia will be reaching out to the Fire and Ambulance District since they did not receive a separate funding allocation. Staff will also investigate economic development funding possibly in the way of grants for small businesses.

Mayor Boley stated that he would put together a committee or possibly give this to the Finance Committee to ensure the correct use of the funds. Mayor thanked staff for their work on this. He also thanked the Board and staff for their professionalism and the respect we show each other.

Alderman Bloemker stated he would like to share a few thoughts on this topic. "First, I want to thank this body for the respect which we have shown each other. Even when we disagree, we do so in a respectful fashion and understand the principled stance which each member brings to their office. This extends to the staff who is professional and respectful of our work. This body exhibits the professionalism worthy of elected officials and our fine city.

Having said that, I have followed Clay County's debate around the CARES act funding and am greatly troubled by the level of mistrust of municipalities and our role in responding to the unique needs of the cities we serve.

We are in the midst of a pandemic who knows no political boundary and whose timing is not set by political bodies. For the county to artificially create timelines and restrictions when we don't yet know the timing of this pandemic or our true needs is foolhardy. Just today the Kansas City area has been named a hotspot to watch. I am dumbfounded by the comments and mistrust I heard from the County debate and won't even comment on their own continued disfunction.

I believe creating additional requirements and artificial timelines for the sake of politics is misguided and dangerous. Therefor I will be voting "no" on this measure. It is my hope that our County Leadership will visit the fine municipalities across the Clay County and maybe pick up some ideas on how to be transparent, fiscally responsible, and responsive to their constituents."

Ayes – 3, Noes – 3, Mayor Boley voted Aye to break the tie. Mayor Boley declared Resolution 789 approved.

## **OTHER MATTERS BEFORE THE BOARD**

### **19. Public Comment**

None

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

None

### **21. Appointment**

#### **Parks and Recreation Committee**

Mayor Boley nominated Todd Fleishmann.

By roll call vote:

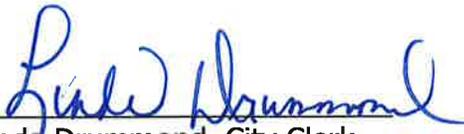
- Alderman Bloemker - Aye
- Alderman Chevalier - Aye
- Alderman Hurlbert – Aye
- Alderman Atkins - Aye
- Alderman Sarver - Aye
- Alderwoman Wilson – Aye

Ayes – 6, Noes – 0, motion carries via teleconference. The Mayor declared Todd Fleishmann a member of the Parks and Recreation Committee. He will be filling a vacancy.

### **22. Adjourn**

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

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 7:51 p.m.

  
Linda Drummond, City Clerk

  
Damien Boley, Mayor