

**SMITHVILLE BOARD OF ALDERMEN  
REGULAR SESSION**

July 7, 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 7:01 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, John Chevalier, Jeff Bloemker, Dan Ulledahl 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.

**2. Pledge of Allegiance lead by Alderman Atkins**

**3. Consent Agenda**

• **Minutes**

- June 16, 2020 Board of Alderman 6:00 p.m. Regular Session Minutes
- June 16, 2020 Board of Alderman Work Session Minutes
- June 16, 2020 Board of Alderman 7:00 p.m. Regular Session Minutes
- June 23, 2020 Board of Alderman Special Meeting Minutes

No discussion.

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

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

**REPORTS FROM OFFICERS AND STANDING COMMITTEES**

**4. Committee Reports**

Alderman Chevalier reported on the June 25 Parks and Recreation committee meeting. They discussed the basketball court at Heritage Park and placing it where the existing old playground equipment is now. They also discussed the possibility of Dog Park moving forward soon.

City Administrator Cynthia Wagner reported that she had not heard anything recently about the Dog Park but would contact Nicole Brown at Clay County. She also said she believed approval from the Corps of Engineers is still in progress.

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

Cynthia highlighted items in the City Administrator's report. As of yesterday, we have received 15 applications for the Small Business CARES Grant. Applications close Friday.

On July 21, staff will be bringing the touchless fixtures bid information back to the Board for action. On the August 4 agenda staff will bring forward bid information for action on the Wi-Fi for Heritage Park as well as the Council Room sound system. Staff has met with vendors who provided information to create specifications for both of these items.

Included in the packet are photos from upgrades to the restrooms at Smith's Fork Campground. The shower houses and restrooms at Smith's Fork Campground reopened last Friday. Cynthia thanked Matt and the Parks and Recreation staff for all their work. Later this week or early next week staff will begin renovations on the restrooms at Heritage Park.

Also included in the packet is a picture of the renovation of the Council Room in City Hall. Work is almost complete, the only things left for this initial phase are the ceiling tile installation this week and a walkthrough on the punch list. The delivery of the dais is anticipated on July 16.

## **ORDINANCES & RESOLUTIONS**

### **6. Bill No. 2861-20, Creation of CARES Act Stimulus Fund – 2<sup>nd</sup> Reading**

Alderman Bloemker moved to approve Bill No. 2861-20, to approve the creation of the CARES Act Stimulus Fund to account for the receipt of and expenditures from that allocation separate from any other monies. 2<sup>nd</sup> reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2861-20 approved.

### **7. Bill No. 2862-20, Budget Amendment No. 2 – 2<sup>nd</sup> Reading**

Alderman Bloemker moved to approve Bill No. 2862-20, to amend the FY20 Budget to add \$945,400 in budgeted revenue to the newly created CARES Act Stimulus Fund and to add \$945,400 in budgeted expenditures for the necessary expenses incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). 2<sup>nd</sup> reading by title only. Alderman Sarver seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2862-20 approved.

**8. Bill No. 2863-20, Annexation of 2412 NE 157th Terrace – 2<sup>nd</sup> Reading**

Alderman Bloemker moved to approve Bill No. 2863-20, to approve the annexation of 2412 NE 157th Terrace legally described as Lakeside Crossing 1st Plat, Lot 11. 2<sup>nd</sup> reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2863-20 approved.

**9. Resolution 793, Reimbursement for Prior CARES Related Expenditures**

Alderman Sarver moved to approve Resolution 793, approving expenditures on CARES-related expenses for the months of March, April, and May 2020 and authorize reimbursement from the CARES fund. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 793 approved.

**10. Resolution 794, Addendum 3 of Authorization No. 79, for Streetscape**

Alderman Bloemker moved to approve Resolution 794, authorizing Addendum No. 3 of Authorization No. 79 for the Downtown Streetscape for the East Streetscape in an amount not to exceed \$15,120 for the redesign of the proposed eight-foot multi-use trail to a five-foot sidewalk between Smith Street and Liberty Road. Alderwoman Wilson seconded the motion.

Public Comment:

Leann Rick, 332 East Main Street, spoke to the Board about the project taking part of her yard. She stated she was glad that it was changed to a five-foot sidewalk but asked that the Board consider taking the trail through Heritage Park instead of in front of her house. She said she was concerned for the safety of people crossing the street there.

Carl Jones, 321 East Main Street, stated that the sidewalk in front of his house was adequate. He asked the Board to consider taking the trail through Heritage Park. He explained that if the project included an eight-foot sidewalk it would have taken a

mature tree from his yard and he would not have been happy. He asked that in the future the City send out registered letters to notify the residents involved in project like this.

Shelly Raszler, 322 East Main Street, stated that she had only recently moved into her home and did not know about the trail project. She wants a small sidewalk because she would like to keep her yard. She asked the Board to consider taking the sidewalk to the curb.

Alderman Atkins said he saw that we took the eight-foot sidewalk down to five-foot and asked if we could take it down to three- or four-foot?

Mayor Boley explained we went from eight-foot to five-foot because that is where the temporary easements are and five-foot keeps it in the right-of-way.

Chuck explained that to be handicap assessable, a five-foot sidewalk is required. He recommended the five-foot sidewalk several months ago because it is the minimum residential standard sidewalk. Five-foot sidewalks allow two people to walk side by side or one pass others without having to step off the sidewalk. Chuck explained the reason he does not recommend the sidewalk butting up to the curb is if a kid is riding a bike and accidentally falls. There is also the issue with snowplows pushing the snow off the street onto the sidewalk and then it freezes making it really hard for residents to get out there and move it and open the sidewalk back up. He said it is more comfortable if pedestrians are not walking directly next to traffic.

Alderman Bloemker asked if it was a three-foot distance between the curb and the sidewalk?

Chuck said that was correct. The City owns 13-feet of right-of-way and going with the five-foot sidewalk three-foot from the curb only takes eight-foot of the yards. Instead of the eight-foot sidewalk four-foot from the curb that would have taken 12-foot of their yards. Chuck explained that the yards are smaller on that side of Main Street and we are trying to leave those residents as much of their yard as possible.

Alderman Bloemker said he was concerned with going from the eight-foot trail sidewalk down to the five-foot trail sidewalk in that short of an area.

Mayor Boley explained that the entire north side will be five-foot, and it will go to eight-foot once you cross Liberty Street. The trail will be consistent on the south side all the way to the bridge and on out to the dam. The construction of the trail from Heritage Park to Litton Way is all part of the ballot language.

Chuck said that it will be eight-foot in front of Heritage Park because there will be more activity in that area.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 794 approved.

**11. Resolution 795, Sports League Contract**

Alderman Bloemker moved to approve Resolution 795, authorizing and directing the Mayor to enter into an agreement with the Smithville Warrior Youth Football Club for the use of city park land for the 2020 season. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 795 approved.

**12. Resolution 796, Rescinding Resolution 790, Audit Services**

Alderman Bloemker moved to approve Resolution 796, to rescind Resolution 790, for audit services and approve Resolution 796, for audit services with the correct dates. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 796 approved.

**13. Resolution 797, Special Event Permit, Smithville Lake Festival**

Alderman Bloemker moved to approve Resolution 797, to approve a Special Event Permit to the Smithville Festival Committee (Chairman, Barbara Lamb) for Lakefest, to be held at Courtyard Park August 28, 29 and 30, 2020. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 797 approved

**14. Resolution 798, Temporary Liquor License**

Alderman Bloemker moved to approve Resolution 798, to approve a Temporary Liquor License to Barbara Lamb, doing business as Smithville Festival Committee, to be part of a Special Event being held at the Courtyard Park on August 28, 29 and 30, 2020. Alderwoman Wilson the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 798 approved.

**OTHER MATTERS BEFORE THE BOARD**

**15. Public Comment**

None

## 16. Appointments

- **Finance Committee**

Mayor Boley nominated Alderwoman Wilson and Alderman Sarver.

By roll call vote.                      Alderwoman Wilson - Abstained  
Alderman Sarver - Abstained  
Alderman Atkins – Aye  
Alderman Bloemker - Aye  
Alderman Chevalier – Aye  
Alderman Ulledahl - Aye

Ayes – 4, Noes – 0, Abstained – 2, motion carries. The Mayor declared Alderwoman Wilson and Alderman Sarver Finance Committee Representatives.

- **Fire District Liaison Committee**

Mayor Boley nominated Alderman Atkins and Alderman Ulledahl.

By roll call vote.                      Alderman Ulledahl – Abstained  
Alderman Chevalier - Aye  
Alderman Bloemker – Aye  
Alderman Wilson – Aye  
Alderman Sarver – Aye  
Alderman Atkins - Abstained

Ayes – 4, Noes – 0, Abstained – 2, motion carries. The Mayor declared Alderman Atkins and Alderman Ulledahl Fire District Liaison Committee Representatives.

- **School District Liaison Committee**

Mayor Boley nominated Alderman Bloemker and Alderman Chevalier.

By roll call vote.                      Alderman Atkins - Aye  
Alderman Sarver – Aye  
Alderwoman Wilson – Aye  
Alderman Ulledahl – Aye  
Alderman Chevalier - Abstained  
Alderman Bloemker - Abstained

Ayes – 4, Noes – 0, Abstained – 2, motion carries. The Mayor declared Alderman Bloemker the School District Liaison Committee Representative.

- **NRAD Liaison Committee**

Mayor Boley nominated Alderman Atkins and Alderman Ulledahl.

By roll call vote.                      Alderman Sarver - Aye  
Alderman Atkins – Abstained  
Alderwoman Wilson – Aye  
Alderman Chevalier – Aye

Alderman Ulledahl– Abstained  
Alderman Bloemker – Aye

Ayes – 4, Noes – 0, Abstained – 2, motion carries. The Mayor declared Alderman Atkins and Alderman Ulledahl the Fire District Liaison Committee Representative.

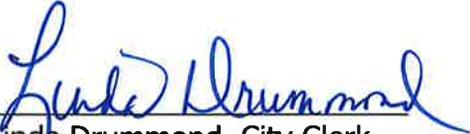
**17. New Business from the Floor**

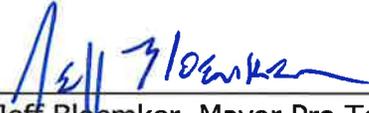
Mayor Boley reminded the Board he would be out of town for the July 21 meeting.

**18. Adjourn**

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

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

  
Linda Drummond, City Clerk

  
Jeff Bloemker, Mayor Pro Tem