

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

July 21, 2020 7:00 p.m. or immediately following the Work Session
City Hall Council Chambers

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

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

1. Call to Order

Mayor Pro Tem Bloemker, present, called the meeting to order at 6:21 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, John Chevalier, Dan Ulledahl and Melissa Wilson. Mayor Boley was absent. 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 Ulledahl

3. Consent Agenda

- **Minutes**

- July 7, 2020 Board of Alderman Work Session Minutes
- July 7, 2020 Board of Alderman Regular Session Minutes

- **Finance Report**

- Financial Report for July

No discussion.

Alderman Sarver moved to approve the consent agenda. Alderwoman Wilson seconded the motion.

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderwoman Wilson reported on the July 7 Planning and Zoning Commission. She stated that it was shared we have 25 single family residential permits year-to-date, that number is way down. There is a lot of activity this year on the commercial side, Porter's is targeting hopefully the middle of October to be open and Price Chopper may be a little bit behind that there are some timing issues. The Herzog Foundation could possibly bring something before the Planning Commission in September.

5. City Administrator's Report

Cynthia reported that she had some follow up information on items included in the packet and a couple of new items to report on. She acknowledged and thanked the extra efforts of our water department staff for their work last week in response to a water line break on the north end of town. She said that with the significant amount of rainfall we had it made locating the leak difficult and when the leak was finally found it was under a creek. It was a tremendous amount of work and a long day for staff and we appreciate their efforts.

Included in the packet is a report from Chuck Soules, Public Works Director, on the closing out of the pump station project. She asked that if the Board had any questions about the that please let staff know.

Cynthia reminded everyone to RSVP to attend the Comprehensive Plan Focus Group meetings next week. There will hybrid meetings throughout the week Monday through Thursday, starting at 4:00 p.m. and should be wrapped up by 6:00 p.m. She said she believes there is actually about an hour-and-a-half agenda. We will offer Zoom opportunities or in person at the High School in the Performing Arts Center. For those who do attend at the high school, masks and social distancing will be required based on Clay County Public Health Center's recommendations.

Monday, July 27 - Housing and Neighborhood Options

Tuesday, July 28 - Business and Economic Development

Wednesday, July 29 - Recreation and Connectivity

Thursday, July 30 - Small-town Feel and Sense of Community

Cynthia stated that she and Jack Hendrix, Development Director, had communications with the Corps of Engineers about the proposed annexation of Smith's Fork Park.



Cynthia said that after discussion with the Board in June, she sent a letter to the Corp of Engineers to begin the process to annex Smith's Fork Park. Discussion today expands the potential annexation area. The expanded map area shows that it includes not only Smith's Fork Park, but also the control tower at the dam, the Visitor Center, Litton Way, the Overlook and the maintenance shop. She explained that the Corps is looking to expand law enforcement support to their Park Rangers. She said with Board approval, staff will send the map to the Corp of Engineers along with hard copy of the letter that she emailed to them earlier, they will then forward it up their chain of command for review. The Corps will be recommending that we provide law enforcement assistance. Laura Vacca, with the Corps of Engineers, has indicated that we may have a response from the Corps for additional maintenance on the part of the city for the tow road and the parking lots. Cynthia said that would be something that we can look at in the future, but she believes that is probably a fair trade off.

Reminders for the Board:

August 3 there is a Board and School District joint meeting.

August 4 Board of Alderman Meeting will be held as a hybrid meeting. Board members who wish to meet in the Council Chamber may, others join meet via Zoom. Masks and social distancing will be required. The new sound system will not be in but the bid is scheduled to be awarded at that meeting.

ORDINANCES & RESOLUTIONS

6. Bill No. 2864-20, Zoning 2412 NE 157th Terrace to R-1B – 1st Reading

Alderman Sarver moved to approve Bill No. 2864-20, to the zoning of 2412 NE 157th Terrace, Lakeside Crossing that was recently annexed into the City Limits, to R-1B. The initial zoning needs to be set by the City. 1st 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, Mayor Pro Tem Bloemker – Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Bill No. 2864-20 approved.

7. Resolution 799, Hazardous Mitigation Plan

Alderman Atkins moved to approve Resolution 799, to adopt the 2020 Multi-Jurisdictional Hazard Mitigation Plan required by FEMA. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Resolution 799 approved.

8. Resolution 800, Award Bid No. 20-07, East Main Street Trail

Alderman Chevalier moved to approve Resolution 800, to award Bid No. 20-07 and authorize and direct the Mayor Pro-Tem to enter into an agreement with Amino Brothers Co., Inc for the amount of \$1,297,786.10 and authorize a contingency/force account in an amount of \$50,000. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Resolution 800 approved.

9. Resolution 801, Assessment of Utility Late Fees

Alderman Sarver moved to approve Resolution 801, approving the reinstatement of the application of delinquent charges and continued suspension of discontinuance of water service. Alderwoman Wilson seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Resolution 801 approved.

10. Resolution 802, Nehemiah Festival 2020

Alderman Chevalier moved to approve Resolution 802, authorizing, and directing the Mayor Pro Tem to execute an agreement with Grace Community Church for use of Smith's Fork Park to host a music festival. Alderman Sarver seconded the motion.

Mayor Pro Tem Bloemker asked if they would get a refund if they had to cancel?

Cynthia said that they would.

Public Comment

David Lin spoke to the Board about how he liked the agreement this year and explained how they had used an agreement with the City in the very first years. He said this is the 14th year for this event. He said that this agreement really clarifies a lot of the things that they lost in the last few years when the City changed just to the Facility Use Application. He explained that in the last few years they were able to ask for the Economic Development Event Assistance, but this year there were some timing issues and they missed out on the assistance. Mr. Lin said they always want to try to get the community more involved in this and he is appealing to the Board to consider possibly considering being a co-sponsor for the event. He also said that City staff had been very good to work with.

No further discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Resolution 802 approved.

11. Resolution 803, City Hall Improvement Contract Addendum No. 1

Alderman Chevalier moved to approve Resolution 803, to approve Addendum No. 1 to the contract with Bruner Contracting Co., LLC for an additional amount of \$5,168. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Resolution 803 approved.

12. Resolution 804-805, CARES Act Funding

Approve Resolutions related to CARES Act Funding.

A. Resolution 804, Award Business Grants

Alderman Sarver moved to approve Resolution 804, to authorize distribution of the small business grants as recommended by Clay County EDC and reviewed by the Board of Aldermen. Alderman Ulledahl seconded the motion.

Mayor Pro Tem Bloemker thanked Clay County Economic Development Committee for their help with the process.

Ayes – 6, Noes – 0, motion carries. Mayor Pro Tem Bloemker declared Resolution 804 approved.

B. Resolution 805, Award Bid No. 20-09, Touchless Fixtures

Alderman Chevalier moved to approve Resolution 805, to award Bid No. 20-09 to Lexington Plumbing and authorize and direct the Mayor Pro-Tem to execute an agreement in an amount not to exceed \$124,000. Alderman Ulledahl seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 805 approved.

13. Resolution 806, Addendum to the City Administrator's Contract

Alderman Sarver moved to approve Resolution 806, to approve the addendum to the contract with Cynthia Wagner for services as City Administrator based on the review conducted by the Board of Aldermen. Alderwoman Wilson seconded the motion

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 806 approved.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

None

15. New Business from the Floor

None

16. Adjourn

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

Ayes – 6, Noes – 0, motion carries via teleconference. Mayor Pro Tem Bloemker declared the regular session adjourned at 6:41 p.m.



Linda Drummond, City Clerk



Jeff Bloemker, Mayor Pro Tem