



SMITHVILLE, MISSOURI
Board of Aldermen - Regular Session

7:00 p.m.

January 7, 2020

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AGENDA



**City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda
January 7, 2020
7:00 pm - Council Chambers**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Consent Agenda**
 - **Minutes**
 - December 17, 2019 Board of Alderman Work Session Minutes
 - December 17, 2019 Board of Alderman Regular Session Minutes
 - **Financial Report**
 - Finance Report for November 2019

REPORTS FROM OFFICERS AND STANDING COMMITTEES

- 4. Committee Reports**
- 5. City Administrator’s Report**

ORDINANCES & RESOLUTIONS

- 6. Bill No. 2850-19, FY20 Budget Amendment No. 1 – 2nd Reading**

An Ordinance to amend the FY20 approved budget to:

 - add \$739,520 to the Combined Water and Wastewater Systems Fund capital projects expenditure budget for the FY19 carryover from the Influent Pump Station, Excess Flow Holding Tank, and Sewer Interceptor project

- add \$371,600 to the Capital Projects Fund capital projects expenditure budget for the FY19 carryover from the S. Commercial Trail & Sidewalks project
 - add \$287,800 to the Combined Water and Wastewater System Fund professional services expenditure budget for the engineering of the Valve Box, Raw Water Pump Station, and Zebra Mussel Control project
 - add \$228,120 to the Capital Projects Fund grant revenue budget for the Recreational Trails Program reimbursement for the Main Street Trail project
 - add \$8,570 to the Capital Projects Fund capital project expenditure budget for the Downtown Streetscape East project
 - add \$242,630 to the Capital Improvement Sales Tax Fund capital projects expenditure budget for the Downtown Streetscape East project
 - add \$228,730 to the General Fund capital projects expenditure budget for the Downtown Streetscape East project
- 2nd reading by title only.

7. Bill No. 2851-20, Parks and Recreation/Stormwater Sale Tax Ballot Language – Emergency Ordinance sponsored by Mayor Boley – 1st and 2nd Readings

An Ordinance to formally call for an election on the issue of implementing a 1/2-cent sales tax to fund parks and recreation and stormwater improvements. 1st & 2nd reading by title only.

8. Bill No 2852-20, Changes Pertaining to Public Use of Medical Marijuana - 1st Reading

An Ordinance to approve the recommended changes and additions to bring the current ordinances into alignment with the existing Constitutional Amendment and add four subsections to Chapter 205 that will address definitions, Public Use, Legal Possession and Production of Medical Marijuana Card on Request. 1st reading by title only.

9. Resolution 760, Final Plat – First Park

A Resolution to approve the final plat for First Park industrial development at 14816 169 Highway.

10. Resolution 761, Amendment No. 2 to Engineering Authorization No. 79

A Resolution to approve Amendment No. 2 to Engineering Authorization No. 79 with HDR, Inc. to include design work for Phase 2 of the Downtown Streetscape project to include Heritage Park Basketball court improvements.

11. Resolution 762, Engineering Authorization No. 89

A Resolution to approve Engineering Authorization No.89 with HDR, Inc. for design of a valve box, raw water pump station and zebra mussel control work as outlined in the water masterplan.

12. Resolution 763, Contract with Right Of Way Associates for Easement Acquisition Related to South Interceptor

A Resolution to approve a contract with Right of Way Associates to complete work relating to easement acquisition related to the South Interceptor sewer project.

OTHER MATTERS BEFORE THE BOARD

13. Public Comment

Pursuant to the public comment policy, a Public Comment Card must be submitted to the City Clerk prior to the meeting. When recognized, please state your name, address and topic before speaking. Each speaker is limited to three (3) minutes.

14. Appointment

The Mayor will make a nomination for the Economic Development Committee.
Carol Noecker

15. New Business From The Floor

Pursuant to the order of business policy, members of the Board of Aldermen may request a new business item appear on a [future meeting agenda](#).

16. Adjourn

CONSENT AGENDA



City of Smithville

Meeting Date: January 7, 2020 **Department:** Administration

Agenda Item: Consent Agenda

Summary:
 Voting to approve would approve the Board of Aldermen minutes and financial report.

Purpose:
 The Board of Aldermen can review and approve by a single motion. Any item can be removed from the consent agenda by a motion. The following items are included for approval:

- Minutes**
- Approve the December 17, 2019 Board of Alderman Work Session Minutes
 - Approve the December 17, 2019 Board of Alderman Regular Session Minutes

- Finance Report**
- Financial Report for November 2019

Impact	
Comprehensive Plan:	N/A
Economic Development Plan:	N/A
Parks Master Plan:	N/A
Strategic Plan:	N/A
Capital Improvement Plan:	N/A
Budget:	N/A

Legislative History:
 N/A

Suggested Action:
 A motion to approve the consent agenda

- Attachments:** Plans Contract Staff Report
 Ordinance Resolution Minutes Other: Financial Report

Board of Aldermen Minutes – December 17, 2019 Work Session

**Board of Alderman
Work Session**

December 17, 2019 5:00 p.m.
Council Chambers

1. Call to Order

Mayor Boley called the meeting to order at 5:02 p.m. Board members present: Marv Atkins, Steve Sarver, John Chevalier, Melissa Wilson, Josh Hurlbert and Jeff Bloemker. Staff present: Cynthia Wagner, Nickie Lee, Dan Toleikis, Jack Hendrix, Chief Jason Lockridge, Matt Denton and Linda Drummond.

Mayor Boley stated that since we were waiting for the associates from Gilmore and Bell P.C. we would go ahead and discuss the Parks and Recreation/Stormwater ballot language prior to closed session.

5. Discussion of Parks and Recreation/Stormwater Ballot Language

Cynthia explained that based on discussion with City Attorney, John Reddoch, and the prior direction from the Board. Staff has provided draft Ordinances for a Parks and Recreation/Stormwater sales tax for the state allowed ½ cent with and without a sunset. The education information can be tailored to indicated that we would decide annually on how it would be spent. If we look at something with a sunset, we can do something similar to the capital improvement budget that outlines candidate projects. Cynthia said the first item for Parks and Recreation focus should be to update the Parks and Recreation Master Plan utilizing the information from the Strategic Plan and the Comprehensive Plan update and really look at our Parks and Recreation needs to identify the priority projects. Stormwater also needs to be addressed as well as Parks and Recreation. Cynthia explained that staff is looking for direction from the Board: Is the language provided is sufficient? Are they comfortable incorporating both Parks and Recreation and Stormwater, so we have the flexibility? Should the tax sunset or not sunset? If the Board wants the language approved and provided to the Election Board by January 28 for the April 7 election, if so the first reading would have to be January 7 and the second reading on January 21.

Alderwoman Wilson said that at the previous discussion she had stated she does not want a sunset, but at the finance committee meeting they discussed this further and she now feels it would be better to go with a 20-year sunset. She said they were able to look at a what-if financial scenario, what having revenue from a ½ cent sales tax and the projects we would be looking at completing and how they would affect the budget.

Alderman Atkins said he also would like to see a list of the projects that could be completed with the revenue from the sales tax.

Mayor Boley said it would be similar to the language of the capital improvement sales tax we have in place now.

Alderman Chevalier asked what the option would be if we wanted to change the sunset?

Mayor Boley said we would have to take it to the voters.

Cynthia asked if they want to outline a list of projects to be included in the language or be more general such as these are the types of projects we would be addressing and maybe even highlight projects identified through the continuation of the Strategic Planning process, the Comprehensive Plan update and the Parks Masters Plan with a focus on trails?

Alderwoman Wilson said she would prefer it not be 100% specific but more in line with what came out of the Strategic Plan.

Cynthia suggested it not be a specific list of projects.

Alderman Atkins asked if there would at least be examples of the projects that would be completed with the revenue?

Cynthia stated that Parkville did a great job in their educational materials outlining the general types of projects and we could use that for guidance in materials we prepare.

Alderwoman Wilson said we could list some of the projects identified from the Board retreat.

Alderman Sarver asked Alderwoman Wilson to elaborate more on what came out of the Finance Committee meeting that changed her mind?

Alderwoman said that it was the what-if scenarios on moving parks projects out of the general fund.

Dan explained how he showed the committee that taking the five-year list of park improvement projects and moving them out of the General Fund and into a Parks and Recreation/Stormwater Sales Tax Fund and how much that changed the ending balance in the General Fund. Dan said we will need to do something in the General Fund and moving the park's projects will put the General Fund back in the black.

Cynthia said with not wanting to do a bond issuance with this process, this cash flow from a sales tax will allow us to know what we will be able to spend on projects on an annual basis. She said that we could also look at possibly funding staffing needs.

Alderman Bloemker said that he agrees with Alderwoman Wilson and knows it is hard to plan for the long-term needs, he still believes we need to be accountable to the voters.

Mayor Boley said with the timeline the Board should consider having both first and second reading done at the January 7 meeting and asked if anyone was opposed to it.

Cynthia said that if staff has clear direction from the Board on the language, length for sunset, staff can have it ready for the meeting on January 7 and 21.

Alderman Bloemker said yes to the language and a sunset of 20 years.

Alderwoman Wilson said that with the weather this time of year it would be better to have both readings on January 7.

Cynthia said that staff will provide language for a Parks and Recreation/Stormwater Sales Tax of ½ cent with a 20-year sunset for the January 7 meeting, for first and second reading.

2. Adjournment to Executive Session Pursuant to Section 610.021(2) RSMo

Alderman Hurlbert moved to adjourn the Work Session Pursuant to Section 610.021(2) RSMo. Alderwoman Wilson seconded the motion.

No discussion.

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

Ayes – 6, Noes – 0. Mayor Boley declared the Board of Alderman Work Session adjourned to Executive Session at 5:15 p.m.

Work Session Reconvened at 5:50

3. FY19 Annual Budget Review

Dan Toleikis, Finance Director, stated we ended up in good condition to start FY20.

General Fund

FY19 BUDGETED REVENUE	FY19 PROJECTED REVENUE	FY19 ACTUAL REVENUE		
\$4,975,660	\$5,435,090	\$5,584,697	FY19 Projected Ending Cash Balance	\$2,778,219
	\$459,430 over budget	\$149,607 over projections	FY19 Revenue Over Projections	+ \$149,607
FY19 BUDGETED EXPENDITURES	FY19 PROJECTED EXPENDITURES	FY19 ACTUAL EXPENDITURES	FY19 Expenditures Under Projections	+ \$137,164
\$4,963,600	\$4,926,510	\$4,789,346	FY19 Actual Ending Cash Balance	\$3,064,990
	\$37,090 under projections	\$137,164 under projections		\$286,771 over projections

Smithville Board of Aldermen

REVENUE LINE ITEM	FY19 BUDGET	FY19 PROJECTION	FY19 ACTUAL
Sales Tax Revenue	\$1,034,290	\$1,045,290	\$1,080,430
Electricity Franchise Tax Revenue	\$399,640	\$376,560	\$430,601
Telecom Franchise Tax Revenue	\$165,520	\$169,790	\$133,282
Grant Revenue	-	\$416,960	\$473,468
Building Permit Revenue	\$260,000	\$242,110	\$162,595
Court Revenue	\$188,220	\$149,300	\$179,333
Interest Revenue	\$90,000	\$174,330	\$199,475
EXPENDITURE LINE ITEM	FY19 BUDGET	FY19 PROJECTION	FY19 ACTUAL
Professional Services (Street)	\$780	\$77,350	\$120,369
Professional Services (Development)	\$70,050	\$62,630	\$31,717
Part-Time Wages (Parks & Recreation)	\$21,280	\$31,290	\$12,483

Dan explained that of the \$3,064,990 we were under budget, \$1.8 million is our 40% reserve, which leaves \$1.2 million cash balance of which \$600,000 is reserved for Capital Improvement Projects expenses in FY20. \$600,000 remains available in unappropriated funds.

Dan went over the line items and explained that the Telecom Franchise Tax Revenue was based on some inaccurate information and he had to work with AT&T to put the funds in the correct account. The funds from AT&T look very similar to cable TV franchise fees. He explained that the telecom numbers are continuing to decline as residents getting rid of their home phones.

Dan explained that building permits for residential were down this year from what we projected.

Cynthia said that residential numbers were not what they were last year, but our commercial building permits are up. She said we had also anticipated Price Chopper pulling their commercial building permit in those figures. She said that she meets with Jack and Dan on a monthly basis to review the numbers to see where we are, since the building permits also affect the impact fees.

Mayor Boley asked when we anticipated Price Chopper coming in for their permit?

Jack Hendrix, Development Director, said they are all set to start. They are waiting until they can get their prefab concrete walls constructed.

Mayor Boley asked if he was correct in thinking their building permit alone would be approximately \$50,000?

Jack said it should be around that figure.

Dan explained that the Professional Services for the Development Department was lower than budgeted due to not having to use ITBS services for inspections as much as we anticipated and due to having a staff member out on military leave.

Cynthia stated that City staff was benefiting from ITBS sharing their knowledge with staff.

Mayor Boley asked when Doug Knutelski would be back from military leave and if we will still need to use ITBS for commercial inspections once Doug is back?

Jack said we are still waiting for the doctors to release Doug to return to work. He said for the commercial inspections they will be done on a case by cases bases.

Dan explained that the Park’s part-time wages were lower due to not being able to fill one of the positions.

Matt Denton, Interim Parks Director, explained that it was also lower than budgeted due to a portion of the mowing being taking over by the Camp Hosts.

Dan continued the review of the remaining funds.

Capital Project Fund

FY19 BUDGETED REVENUE	FY19 PROJECTED REVENUE	FY19 ACTUAL REVENUE	FY19 Projected Ending Cash Balance	\$297,208
\$3,955,480	\$4,183,490	\$4,182,448	FY19 Revenue Under Projections	- \$1,042
	\$228,010 over budget	\$1,042 under projections	FY19 Expenditures Under Projections	+ \$1,358,082
FY19 BUDGETED EXPENDITURES	FY19 PROJECTED EXPENDITURES	FY19 ACTUAL EXPENDITURES	FY19 Actual Ending Cash Balance	\$1,654,248
\$5,621,390	\$5,588,890	\$4,230,808		\$1,357,040 over projections
	\$32,500 under budget	\$1,358,082 under projections		

Capital Improvement Sales Tax Fund

FY19 BUDGETED REVENUE	FY19 PROJECTED REVENUE	FY19 ACTUAL REVENUE	FY19 Projected Ending Cash Balance	\$305,790
\$465,430	\$433,210	\$451,246	FY19 Revenue Over Projections	+ \$18,036
	\$32,220 under budget	\$18,036 over projections	FY19 Expenditures Under Projections	+ \$3
FY19 BUDGETED EXPENDITURES	FY19 PROJECTED EXPENDITURES	FY19 ACTUAL EXPENDITURES	FY19 Actual Ending Cash Balance	\$323,829
\$127,420	\$127,420	\$127,417		\$18,039 over projections
	no change	\$3 under projections		

Debt Service Fund

FY19 BUDGETED REVENUE	FY19 PROJECTED REVENUE	FY19 ACTUAL REVENUE	FY19 Projected Ending Cash Balance	
\$465,430	\$467,380	\$531,228	\$256,769	
	\$1,950 over budget	\$63,848 over projections	FY19 Revenue Over Projections	+ \$63,848
FY19 BUDGETED EXPENDITURES	FY19 PROJECTED EXPENDITURES	FY19 ACTUAL EXPENDITURES	FY19 Expenditures Over Projections	- \$88,889
\$611,880	\$514,130	\$603,019	FY19 Actual Ending Cash Balance	\$231,728
	\$97,750 under budget	\$88,889 over projections		\$25,041 under projections

Combined Water and Wastewater System Fund

FY19 BUDGETED REVENUE	FY19 PROJECTED REVENUE	FY19 ACTUAL REVENUE	FY19 Projected Ending Cash Balance	
\$9,674,970	\$4,161,000	\$3,916,330	\$4,949,253	
	\$5,513,970 under budget	\$244,670 under projections	FY19 Revenue Under Projections	- \$244,670
FY19 BUDGETED EXPENDITURES	FY19 PROJECTED EXPENDITURES	FY19 ACTUAL EXPENDITURES	FY19 Expenditures Under Projections	+ \$203,286
\$10,587,030	\$9,283,870	\$9,080,584	FY19 Actual Ending Cash Balance	\$4,907,869
	\$4,161,000 under budget	\$203,286 under projections		\$41,384 under projections

REVENUE LINE ITEM	FY19 BUDGET	FY19 PROJECTION	FY19 ACTUAL
Water Sales	\$2,108,860	\$2,227,880	\$2,209,857
Wastewater Sales	\$1,093,750	\$1,096,180	\$1,225,968
Connection Revenue	\$79,440	\$85,790	\$36,890
Water Impact Fees	\$259,560	\$280,320	\$98,835
Wastewater Impact Fees	\$297,520	\$321,320	\$125,153
EXPENDITURE LINE ITEM	FY19 BUDGET	FY19 PROJECTION	FY19 ACTUAL
Repairs/Maint – Water Plant	\$115,000	\$112,940	\$41,940
Repairs/Maint – Wastewater Plant	\$125,000	\$139,820	\$84,617
Connection Supplies	\$94,500	\$92,880	\$48,460
Electricity	\$210,000	\$210,000	\$223,874
Capital Projects	\$6,815,500	\$5,827,050	\$6,003,896

Sanitation Fund

FY19 BUDGETED REVENUE	FY19 PROJECTED REVENUE	FY19 ACTUAL REVENUE	FY19 Projected Ending Cash Balance	
\$811,610	\$795,440	\$779,271		\$35,042
	\$16,170 under budget	\$16,169 under projections	FY19 Revenue Under Projections	- \$16,169
FY19 BUDGETED EXPENDITURES	FY19 PROJECTED EXPENDITURES	FY19 ACTUAL EXPENDITURES	FY19 Expenditures Under Projections	
\$806,570	\$796,030	\$786,350		+ \$9,680
	\$10,540 under budget	\$9,680 under projections	FY19 Actual Ending Cash Balance	\$28,553
				\$6,489 under projections

4. Discussion of Budget Amendment

- **FY19 Carryover**

Staff Report

COMBINED WATER & WASTEWATER SYSTEMS FUND

As stated in the FY19 Budget Recap, the FY19 budget assumed completion of the Influent Pump Station, Excess Flow Holding Tank, and South Sewer Interceptor project, which was only partially complete by October 31. The remaining expenditures for the Influent Pump Station, Excess Flow Holding Tank, and South Sewer Interceptor project were not included in the FY20 approved budget. The contracted amount for the project is \$7,154,041 and \$6,414,530.45 was expended in FY19, leaving \$739,510.55 remaining on the project. Therefore, a budget amendment adding \$739,520 to the CWWS Fund expenditure budget is necessary. This project is funded by 2018 COP (Certificate of Participation) revenue.

CAPITAL PROJECTS FUND

Similarly, the FY19 budget assumed completion of the South Commercial Trail and Sidewalks Project, which was only partially complete by October 31. The remaining expenditures for the South Commercial Trail and Sidewalks project were not included in the FY20 approved budget. The contracted amount for the project is \$556,426.47 and \$184,836.10 was expended in FY19, leaving \$371,590.37 remaining on the contract. Therefore, a budget amendment adding \$371,600 to the Capital Projects Fund's FY20 expenditure budget is necessary.

- **Raw Water, Pump Station, Valve Box & Zebra Mussel Control**

Staff Report

COMBINED WATER & WASTEWATER SYSTEMS FUND

The FY20 approved budget includes \$92,200 in professional services for engineering the River Crossing 12" Waterline (project to be completed in FY21). The FY20 approved budget also includes \$75,000 in professional services for engineering for the Valve Box project (projected to be completed in FY22). The total for that engineering is \$167,200.

In ongoing conversations with HDR, it has been determined that both the Raw Water Pump Station project and Zebra Mussel Control tie in with the Valve Box project, combining those projects together as one big project would be beneficial to the City. The Raw Water Pump Station project engineering and construction was originally slated for FY22. The Zebra Mussel Control was listed in the CIP as to-be-determined. HDR recommends that the engineering for all three projects be completed in FY20, with construction in FY21. Engineering costs for the Raw Water Pump Station project are estimated at \$330,000. Engineering costs for the Zebra Mussel Control are estimated at \$50,000. HDR also advises that we can delay the River Crossing 12" Waterline project to FY22.

Staff recommends removing the \$92,200 of engineering costs for the River Crossing 12" Waterline project, which were included in the FY20 approved budget, and adding \$380,000 of engineering costs for the Raw Water Pump Station project and Zebra Mussel Control. Therefore, a budget amendment adding \$287,800 to the CWWS Fund's FY20 expenditure budget is necessary.

Dan explained that we will have a \$274,000 balance in the Combined Water and Wastewater System Fund after we take out the 20% reserve and utilize impact fees for anticipated projects. He said that in moving forward we will need additional funds for upcoming projects. The 2012 COP payment will be complete, and we could look into incurring additional debt to help fund those future projects.

- **Streetscape – East**

Staff Report

CAPITAL PROJECTS FUND

The FY20 approved budget includes \$1,247,200 in capital projects for the Main Street Trail project. Revised estimates for this project reduce that by \$106,570 to \$1,140,630. The Recreation Trail Program grant will reimburse the City up to 20% of project costs, up to a maximum of \$242,500. 20% of \$1,140,630 is \$228,120. This revenue was not included in the FY20 approved budget.

The FY20 approved budget also includes \$15,000 in professional services for engineering the Downtown Streetscape North project and \$240,000 in capital projects for construction of the Downtown Streetscape North project.

In ongoing discussions with the Board, priority of the next phase of the Downtown Streetscape has shifted to the East portion to connect the downtown area with the new Main Street Trail at Liberty Street. The East portion is estimated significantly higher than the North portion, at \$55,000 for engineering costs and \$986,500 for construction costs. Construction would incorporate brick accents, lighting, asphalt overlay, and new curbs where needed from Smith Street to Commercial Street; then a trail on the north side of Main Street, brick accents and lighting on the north side of Main Street only, asphalt overlay, and new curbs where needed from Commercial Street to Liberty Street.

Staff recommends removing \$106,570 of construction costs for the Main Street Trail project which were included in the FY20 approved budget and adding \$228,120 of grant revenue for the RTP grant. Staff also recommends removing \$15,000 of engineering costs and \$240,000 in construction costs for the Downtown Streetscape North project, but adding \$55,000 in engineering costs and \$315,140 in construction costs for the Downtown Streetscape East project (this partial amount for this project zeroes out the Capital Projects Fund and expends all remaining funds from the GO Bond issuances). Therefore, a budget amendment adding \$228,120 to the Capital Projects Fund's FY20 revenue budget and adding \$8,570 to the Capital Projects Fund's FY20 expenditure budget is necessary.

CAPITAL IMPROVEMENT SALES TAX FUND

Staff recommends adding \$242,630 in construction costs for the Downtown Streetscape East project (this partial amount for this project reduces excess cash available in the Capital Improvements Sales Tax Fund but does not impact the desired reserve amount for next year's debt repayments). Therefore, a budget amendment adding \$242,630 to the Capital Improvement Sales Tax Fund's FY20 expenditure budget is necessary.

GENERAL FUND

Staff recommends adding \$228,730 in construction costs for the Downtown Streetscape East project (this partial amount for this project reduces excess cash available in the General Fund but does not impact the policy-required reserve). Therefore, a budget amendment adding \$228,730 to the General Fund's FY20 expenditure budget is necessary.

This would leave a projected excess cash balance (over and above the reserve) of \$370,106 at the end of FY20.

NOTE: The final \$200,000 needed for the Downtown Streetscape East project is recommended to utilize the \$200,000 budgeted in the Transportation Sales Tax Fund for what was a to-be-determined curb and stormwater project (the Transportation Sales Tax Fund can also be used for asphalt overlay). Since the \$200,000 was already budgeted, no budget amendment is necessary for this fund.

Dan explained that with the prior discussion with the Board and the changes requested, the engineers revised their estimates. He said the Streetscape east can be completed but funding would have to come multiple sources pay for it. Staff presented some options to the Finance Committee for comment. Dan noted that the Finance Committee felt comfortable with the plan currently recommended.

Cynthia explained that the projected sales tax revenue is estimated conservatively. In budget preparation a 1% increase was included. We are hoping this is a conservative estimate and additional revenues would be available.

Dan explained that the budget amendment on the agenda this evening addresses the ways to fund the Streetscape east if the Board wishes to approve it.

Mayor Boley asked if staff had a timeline for Streetscape?

Dan said that the engineering authorization will be on the January 7 agenda for Board approval after the second reading of the budget amendment.

Cynthia said that we anticipate bidding it in spring.

Alderman Chevalier asked when the construction of Streetscape would begin?

Cynthia said once we receive the bids then a notice to proceed would go out and construction could be early summer timeline.

Alderman Chevalier said he would like to see it complete before school started.

Cynthia thanked Dan for all his work.

Alderwoman Wilson said she appreciated Dan doing the what-if scenarios taking the parks projects out of the general fund.

Dan said that the FY20 Capital Projects Fund did not have the reimbursement for the Trail Program Grant figured in it, so it is included in the budget amendment.

Cynthia said we continue to wait for the NEPA review for the trail and there are a couple of environmental issues with bats and trees we will have to address.

Alderwoman Wilson asked how Missouri Main Street was going?

Cynthia said that there will be a Missouri Main Street Town Hall Meeting that is scheduled for February 10 at 6:00 p.m. in the High School cafeteria. This meeting will be informational to explain what Missouri Main Street is.

Cynthia also reported the Comprehensive Plan update meeting will be January 13 at the High School. Staff is working with David from Future iQ and are putting together an agenda.

5. Discussion of Parks and Recreation/Stormwater Ballot Language

Discussed earlier in the meeting.

6. Adjourn

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

No discussion.

Ayes – 6, Noes – 0. Mayor Boley declared the Board of Alderman Work Session adjourned at 6:31 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

Board of Aldermen Minutes – December 17, 2019 Regular Session

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

December 17, 2019 7:00 p.m.
City Hall Council Chambers

1. Call to Order

Mayor Boley called the meeting to order at 7:00 p.m. A quorum of the Board was present: Steve Sarver, Marv Atkins, John Chevalier, Melissa Wilson, Jeff Bloemker and Josh Hurlbert. Staff present: Cynthia Wagner, Nickie Lee, Dan Toleikis, Jason Lockridge, Jack Hendrix, Matt Denton and Linda Drummond.

2. Pledge of Allegiance lead by Mayor Boley.

3. Consent Agenda

- **Minutes**
 - December 3, 2019 Board of Alderman Work Session Minutes
 - December 3, 2019 Board of Alderman Regular Session Minutes

No discussion.

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

Ayes – 5, Noes – 0, Abstained – 1, motion carries. The Mayor declared the consent agenda approved.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Planning and Zoning Commission

Alderman Sarver stated they discussed the Comprehensive Plan Update. He said Jack Hendrix, Development Director, explained the Planning Commission would make up part of the steering committee for the process. Jack also reported there have been 44 residential building permits to date. Alderman Sarver said they also approved the final plat for the Estates of Wilkerson Creek that is on the agenda this evening.

5. City Administrator's Report

Cynthia reported the contractor has started the construction of the retaining wall for Amory Road. As Cynthia indicated in her staff report there have been a couple of weeks added to the construction time of the project. As the contractor started excavating the soil for the base, at approximately 14 feet they encountered substandard soil and had spent more time than anticipated in ensuring appropriate

compaction for the subgrade. This has helped staff understand the dynamics of the engineering of the situation and feel more assured that the soils in that location were driving the problem and given the steep embankment where this is located staff feels the fix currently under construction should address this for the long term. We are waiting on the cost estimates for a concrete alternative to full asphalt roadway. This would allow a passable base with a two-inch overlay in the spring when the asphalt plant opens back up. The current bid envisions a rock roadbed with a thicker asphalt layer.

The City Hall renovation bids came in over budget. Staff is working with the architects and the contractor with the lowest bid for an estimate for the reconfiguration of the council chambers and restroom only. Staff hopes to hear from the architects later this week to be able to move forward with the project.

Mayor Boley has been appointed to the Missouri Municipal League board.

The Main Street Town Hall meeting is Monday, February 10, from 6:00-8:00 p.m. at the Smithville High School cafeteria.

City Hall will be closing at noon on Christmas Eve, closed on Christmas Day, closing at noon on New Year's Eve and closed on New Year's Day to observe the holiday and so staff can spend time with family.

ORDINANCES & RESOLUTIONS

6. Bill No. 2849-19, Rezoning Estates of Wilkerson Creek – 2nd Reading

Alderman Chevalier moved to approve Bill No. 2849-19, the rezoning of the Estates of Wilkerson Creek at 300 NE 144th Street from A-1, R-1B, R-2 and B-3 to A-R. 2nd reading by title only. Alderwoman Wilson seconded the motion.

No discussion.

Upon roll call:

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No 2849-19 approved.

7. Bill No. 2850-19, FY20 Budget Amendment No. 1 – 1st Reading

Alderman Bloemker moved to approve Bill No. 2850-19, FY20 Budget Amendment No. 1 to

- add \$739,520 to the Combined Water and Wastewater Systems Fund capital projects expenditure budget for the FY19 carryover from the Influent Pump Station, Excess Flow Holding Tank, and Sewer Interceptor projects
- add \$371,600 to the Capital Projects Fund capital projects expenditure budget for the FY19 carryover from the South Commercial Trail and Sidewalks project

- add \$287,800 to the Combined Water and Wastewater System Fund professional services expenditure budget for the engineering of the Valve Box, Raw Water Pump Station, and Zebra Mussel Control project
- add \$228,120 to the Capital Projects Fund grant revenue budget for the Recreational Trails Program reimbursement for the Main Street Trail project
- add \$8,570 to the Capital Projects Fund capital project expenditure budget for the Downtown Streetscape East project
- add \$242,630 to the Capital Improvement Sales Tax Fund capital projects expenditure budget for the Downtown Streetscape East project
- add \$228,730 to the General Fund capital projects expenditure budget for the Downtown Streetscape East project

1st reading by title only. Alderman Hurlbert seconded the motion.

No discussion.

Upon roll call:

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 2850-19 approved first reading.

8. Resolution 757, Addendum to FY20 Camp Host Services Agreement

Alderman Bloemker moved to approve Resolution 757, for approval of an addendum to the agreement with Dennis and Katrina Reeves for Camp Host services for the FY20 camping season, to increase the compensation amount to \$17,500 annually. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 757 approved.

9. Resolution 758, FY20 July 4 Fireworks Display

Alderman Hurlbert moved to approve Resolution 758, to direct the Mayor to execute the agreement for the Fireworks Display on the 4th of July with Aerial FX, Inc. for the fourth and final year of the agreement for the amount not to exceed \$12,000. Alderman Sarver seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 758 approved.

10. Resolution 759, Final Plat – Estates of Wilkerson Creek

Alderman Hurlbert moved to approve Resolution 759, for approval of the final plat for the final plat for the Estates of Wilkerson Creek subdivision at 300 NE 144th Street. Alderman Bloemker seconded the motion.

Smithville Board of Aldermen

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 759 approved

OTHER MATTERS BEFORE THE BOARD

11. Public Comment

Cindy Hadley, 520 Second Creek Road, spoke to the Board about a sewer odor that has occurred in her home since the new sewer pipeline was put in. Cindy Hadley gave Cynthia a letter explaining all the issues they have been having. She and her husband also would like the big rocks that were left in the yard from the pipeline removed.

They also explained that when the new Second Creek Bridge was put in, they rerouted the creek and causing issues on their property.

12. New Business from the Floor

Mayor Boley thanked the Board and staff for a good year and wished everyone a Merry Christmas and Happy New Year.

13. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:15 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

Finance Report – November 2019

FY20 BUDGET - FINANCIAL UPDATE

11/30/19

REVENUES, BY FUND	FY19 Actual	FY20 Budget	FY20 YTD	FY20 Projection	
GENERAL FUND	5,584,696.61	4,545,530.00	210,630.26	4,545,530.00	4.63%
CAPITAL PROJECTS FUND	4,182,447.81	10,000.00	-	10,000.00	0.00%
CAPITAL IMPROVEMENT SALES TAX FUND	451,246.42	475,080.00	27,168.84	475,080.00	5.72%
DEBT SERVICE FUND	127,417.32	556,280.00	-	556,280.00	0.00%
TRANSPORTATION SALES TAX FUND	531,228.30	475,080.00	28,016.67	475,080.00	5.90%
COMBINED WATER & WASTEWATER SYSTEMS FUND	3,916,329.60	4,381,400.00	342,660.24	4,381,400.00	7.82%
SANITATION FUND	780,003.87	840,360.00	66,822.01	840,360.00	7.95%
	15,573,369.93	11,283,730.00	675,298.02	11,283,730.00	5.98%

EXPENDITURES, BY FUND	FY19 Actual	FY20 Budget	FY20 YTD	FY20 Projection	
GENERAL FUND	4,789,346.43	5,195,860.00	400,517.98	5,195,860.00	7.71%
CAPITAL PROJECTS FUND	4,230,808.48	1,502,200.00	-	1,502,200.00	0.00%
CAPITAL IMPROVEMENT SALES TAX FUND	127,417.32	556,280.00	-	556,280.00	0.00%
DEBT SERVICE FUND	127,417.32	325,020.00	-	325,020.00	0.00%
TRANSPORTATION SALES TAX FUND	603,018.57	380,000.00	10,556.62	380,000.00	2.78%
COMBINED WATER & WASTEWATER SYSTEMS FUND	9,080,584.11	5,662,850.00	409,526.73	5,662,850.00	7.23%
SANITATION FUND	786,350.04	835,290.00	77,149.90	835,290.00	9.24%
	19,744,942.27	14,457,500.00	897,751.23	14,457,500.00	6.21%

[Full Financial Report](#)

CITY ADMINISTRATOR'S REPORT



City Administrator's Report

January 2, 2020

Comprehensive Plan Launch

The update process for the Comprehensive Plan will begin with a launch event, facilitated by David Buerle of Future IQ on Monday, January 13 at 6:30 at the high school cafeteria.

Benchmarking Effort

Departmental performance benchmarks were identified during development of the FY19 budget. During the FY20 budget presentation at the August 20 Work Session, performance benchmark information based on data collected between November 1, 2018 and July 31, 2019 was included. Staff has now completed its internal review of performance benchmarks based on data collected between November 1, 2018 and October 31, 2019.

However, the Strategic Plan identified several benchmark communities the City should compare itself against. Staff is contacting these communities to obtain their performance benchmark information, including goals and data collection methods. Having this information will provide additional information for staff on its benchmarks, goals, and approaches to data collection, and perhaps could dictate recommended changes in benchmarks in order to have direct comparisons to how other cities are performing.

During these calls, staff is also receiving feedback on establishing a performance benchmark group within these cities (which Smithville staff is willing to lead). This group could make improvements to data collection, setting of goals, determining the best cities for each benchmark, and sharing of information between cities for the benefit of all.

A work session agenda was originally scheduled on this information for the January 7 meeting. That discussion will be delayed to allow for more review of information from benchmark communities.

FY20 BUDGET AMENDMENT NO. 1



City of Smithville

Meeting Date: January 7, 2020	Department: Finance Public Works (Streets) Public Works (Utilities)
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Agenda Item: Bill No. 2850-19, FY20 Budget Amendment #1 – Second Reading

Summary:

This action will amend the FY20 Approved Budget to:

- add \$739,520 to the Combined Water and Wastewater Systems Fund capital projects expenditure budget for the FY19 carryover from the Influent Pump Station, Excess Flow Holding Tank, and Sewer Interceptor project
- add \$371,600 to the Capital Projects Fund capital projects expenditure budget for the FY19 carryover from the S. Commercial Trail & Sidewalks project
- add \$287,800 to the Combined Water and Wastewater System Fund professional services expenditure budget for the engineering of the Valve Box, Raw Water Pump Station, and Zebra Mussel Control project
- add \$228,120 to the Capital Projects Fund grant revenue budget for the Recreational Trails Program reimbursement for the Main Street Trail project
- add \$8,570 to the Capital Projects Fund capital project expenditure budget for the Downtown Streetscape East project
- add \$242,630 to the Capital Improvement Sales Tax Fund capital projects expenditure budget for the Downtown Streetscape East project
- add \$228,730 to the General Fund capital projects expenditure budget for the Downtown Streetscape East project

Purpose:

The amendment is recommended for two purposes: to adjust the budget to provide funds for unfinished 2019 projects and to reflect identified additions or project changes in the FY20 budget.

FY19 CARRYOVERS

COMBINED WATER & WASTEWATER SYSTEMS FUND

As stated in the FY19 Budget Recap, the FY19 budget assumed completion of the Influent Pump Station, Excess Flow Holding Tank, and South Sewer Interceptor project, which was only partially complete by October 31. The remaining expenditures for the Influent Pump Station, Excess Flow Holding Tank, and South Sewer Interceptor project were not included in the FY20 approved budget. The contracted amount for the project is \$7,154,041 and \$6,414,530.45 was expended in FY19, leaving \$739,510.55 remaining on the project. Therefore, a budget amendment adding \$739,520 to the CWWS Fund expenditure budget is necessary. This project is funded by 2018 COP (Certificate of Participation) revenue.

CAPITAL PROJECTS FUND

Similarly, the FY19 budget assumed completion of the S. Commercial Trail & Sidewalks Project, which was only partially complete by October 31. The remaining expenditures for the S. Commercial Trail & Sidewalks project were not included in the FY20 approved budget. The contracted amount for the project is \$556,426.47 and \$184,836.10 was expended in FY19, leaving \$371,590.37 remaining on the contract. Therefore, a budget amendment adding \$371,600 to the Capital Projects Fund's FY20 expenditure budget is necessary.

FY20 ADDITIONS & CHANGES

COMBINED WATER & WASTEWATER SYSTEMS FUND

The FY20 approved budget includes \$92,200 in professional services for engineering the River Crossing 12" Waterline (project to be completed in FY21). The FY20 approved budget also includes \$75,000 in professional services for engineering for the Valve Box project (projected to be completed in FY22). The total for that engineering is \$167,200.

In ongoing conversations with HDR, it has been determined that both the Raw Water Pump Station project and Zebra Mussel Control tie in with the Valve Box project, combining those projects together as one big project would be beneficial to the City. The Raw Water Pump Station project engineering and construction was originally slated for FY22. The Zebra Mussel Control was listed in the CIP as to-be-determined. HDR recommends that the engineering for all three projects be completed in FY20, with construction in FY21. Engineering costs for the Raw Water Pump Station projected are estimated at \$330,000. Engineering costs for the Zebra Mussel Control are estimated at \$50,000. HDR also advises that we can delay the River Crossing 12" Waterline project to FY22.

Staff recommends removing the \$92,200 of engineering costs for the River Crossing 12" Waterline project which were included in the FY20 approved budget and adding \$380,000 of engineering costs for the Raw Water Pump Station project and Zebra Mussel Control. Therefore, a budget amendment adding \$287,800 to the CWWS Fund's FY20 expenditure budget is necessary.

CAPITAL PROJECTS FUND

The FY20 approved budget includes \$1,247,200 in capital projects for the Main Street Trail project. Revised estimates for this project reduce that by \$106,570 to \$1,140,630. The Recreation Trail Program grant will reimburse the City up to 20% of project costs, up to a maximum of \$242,500. 20% of \$1,140,630 is \$228,120. This revenue was not included in the FY20 approved budget.

The FY20 approved budget also includes \$15,000 in professional services for engineering the Downtown Streetscape North project and \$240,000 in capital projects for construction of the Downtown Streetscape North project.

In ongoing discussions with the Board, priority of the next phase of the Downtown Streetscape has shifted to the East portion to connect the downtown area with the new Main Street Trail at Liberty Street. The East portion is estimated significantly higher than the North portion, at \$55,000 for engineering costs and \$986,500 for construction costs. Construction would incorporate brick accents, lighting, asphalt overlay, and new curbs where needed from Smith Street to Commercial Street; then a trail on the north side of Main Street, brick accents and lighting on the north side of Main Street only, asphalt overlay, and new curbs where needed from Commercial Street to Liberty Street.

Staff recommends removing \$106,570 of construction costs for the Main Street Trail project which were included in the FY20 approved budget and adding \$228,120 of grant revenue for the RTP grant. Staff also recommends removing \$15,000 of engineering costs and \$240,000 in construction costs for the Downtown Streetscape North project, but adding \$55,000 in engineering costs and \$315,140 in construction costs for the Downtown Streetscape East project (this partial amount for this project zeroes out the Capital Projects Fund and expends all remaining funds from the GO Bond issuances). Therefore, a budget amendment adding \$228,120 to the Capital Projects Fund's FY20 revenue budget and adding \$8,570 to the Capital Projects Fund's FY20 expenditure budget is necessary.

CAPITAL IMPROVEMENT SALES TAX FUND

Staff recommends adding \$242,630 in construction costs for the Downtown Streetscape East project (this partial amount for this project reduces excess cash available in the Capital Improvements Sales Tax Fund but does not impact the desired reserve amount for next year's debt repayments). Therefore, a budget amendment adding \$242,630 to the Capital Improvement Sales Tax Fund's FY20 expenditure budget is necessary.

GENERAL FUND

Staff recommends adding \$228,730 in construction costs for the Downtown Streetscape East project (this partial amount for this project reduces excess cash available in the General Fund but does not impact the policy-required reserve). Therefore, a budget amendment adding \$228,730 to the General Fund's FY20 expenditure budget is necessary.

Smithville Board of Aldermen

This would leave a projected excess cash balance (over and above the reserve) of \$370,106 at the end of FY20.

NOTE: The final \$200,000 needed for the Downtown Streetscape East project is recommended to utilize the \$200,000 budgeted in the Transportation Sales Tax Fund for what was a to-be-determined curb and stormwater project (the Transportation Sales Tax Fund can also be used for asphalt overlays). Since the \$200,000 was already budgeted, no budget amendment is necessary for this fund.

Impact:

Comprehensive Plan:	Significant Impact
Economic Development Plan:	N/A
Parks Master Plan:	N/A
Strategic Plan:	N/A
Capital Improvement Plan:	Significant Impact
Budget:	Change FY20 Revenue and Expenditure Budgets

Legislative History:

N/A

Suggested Action:

Motion to approve Bill No. 2850-19 for second reading by title only.

Attachments: Plans Contract Staff Report
 Ordinance Resolution Minutes Other:

BILL NO. 2850-19

ORDINANCE NO. XXXX-19

AN ORDINANCE AMENDING THE FY20 OPERATING BUDGET TO ADD \$228,120.00 TO THE REVENUE BUDGET AND \$1,878,850.00 TO THE EXPENDITURE BUDGET.

WHEREAS, pursuant to Ordinance 3046-19, passed on October 15, 2019, the City approved the fiscal year ending October 31, 2020 Budget; and

WHEREAS, not included in the approved fiscal year 2020 Budget are revenues for the Recreational Trails Program grant reimbursement in the Capital Projects Fund;

WHEREAS, not included in the approved fiscal year 2020 Budget are expenditures for the Downtown Streetscape East project in the General Fund, Capital Projects Fund, or Capital Improvement Sales Tax Fund;

WHEREAS, not included in the approved fiscal year 2020 Budget are expenditures for the engineering of the Valve Box, Raw Water Pump Station, and Zebra Mussel Control project in the Combined Water and Wastewater Systems Fund;

WHEREAS, not included in the approved fiscal year 2020 Budget are expenditures for the Influent Pump Station, Excess Flow Holding Tank, and Sewer Interceptor project in the Combined Water and Wastewater Systems Fund;

WHEREAS, not included in the approved fiscal year 2020 Budget are expenditures for the S. Commercial Trail & Sidewalks project in the Capital Projects Fund;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:

THAT the fiscal year ending October 31, 2020 Budget is hereby amended to add \$228,120 in revenues in the Capital Projects Fund; \$228,730 in expenditures in the General Fund; \$1,027,320 in expenditures in the Combined Water and Wastewater System Fund; \$380,170 in expenditures in the Capital Projects Fund; and \$242,630 in expenditures in the Capital Improvement Sales Tax Fund.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of January 2020.

Damien Boley, Mayor

Smithville Board of Aldermen

ATTEST:

Linda Drummond, City Clerk

First Reading: 12/17/2019

Second Reading:

PARKS AND RECREATION/STORMWATER SALES TAX BALLOT LANGUAGE



City of Smithville

Meeting Date: January 7, 2020

Department: Administration

Agenda Item: Park and Stormwater Sales Tax Election Ordinance

Summary:

This ordinance will formally call for an election on the issue of implementing a 1/2-cent sales tax to fund parks and recreation and stormwater improvements.

Purpose:

State statute allows the City of Smithville to submit a sales tax issue to the voters for the purpose of “stormwater control or local parks or both” in a total amount not to exceed one-half of one percent on all retail sales. Stormwater control, repairs or improvements as well as parks and recreation funding all are currently provided through the general fund.

High priorities as established through the strategic planning process completed earlier this year relate to expansion of a trail and connectivity system in the community. An update of the Parks and Recreation Master Plan is recommended. Previously identified priorities relating to parks and recreation facilities remain unfunded. At Work Sessions earlier this fall, the Board of Aldermen directed staff to research and develop proposed ballot language for a proposed sales tax.

Following direction of and review by the Board, the attached ordinance was developed. The ordinance calls for an election in April 2020. The ordinance is written requiring the sales tax to sunset in 20 years.

Impact

Comprehensive Plan:	Funding would be provided for several key items
Economic Development Plan:	Parks and recreation and stormwater improvements indirectly address economic development
Parks Master Plan:	Would provide funding for an update of the parks and recreation master plan and funds to implement
Strategic Plan:	Address a number of strategic goals
Capital Improvement Plan:	Provides funding for capital projects
Budget:	Election funds are budgeted for a general election.

Legislative History:

The Board has reviewed funding alternatives at work sessions throughout the fall of 2019.

Smithville Board of Aldermen

Suggested Action:

Motion to approve bill No. 2851-20. Proposed ballot language must be received by the Clay County Board of Elections no later than January 28, 2020. Due to the timeliness of this deadline, Mayor Boley has sponsored this as an emergency bill, with first and second reading recommended at the same time.

Attachments: Plans Contract Finance Report
 Ordinance Resolution Minutes Other:

BILL NO. 2851-20

ORDINANCE NO. _____

**AN ORDINANCE CALLING AN ELECTION IN THE CITY OF SMITHVILLE,
MISSOURI.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
SMITHVILLE, MISSOURI, AS FOLLOWS:**

Section 1. The Board of Aldermen finds it necessary and hereby declares its intent to impose a parks and recreation sales tax for the purpose of funding parks and recreation needs and storm water control as provided under the provisions of Section 644.032; and 644.033 RSMo.

Section 2. An election is hereby ordered to be held in the City of Smithville, Missouri, on April 7, 2020, on the following question:

QUESTION 1

Shall the City of Smithville, Missouri impose a sales tax of one-half of one percent for a period of twenty years from the date on which such tax is first imposed for the purpose of providing funding for storm water control and local parks for the City of Smithville, Missouri?

[] YES [] NO

Section 3. The form of the Notice of Election for said election, a copy of which is attached hereto and made a part hereof, is hereby approved.

Section 4. The City Clerk is hereby authorized and directed to notify the Clay County Board of Election Commissioners and the Platte County Board of Election Commissioners, of the adoption of this Ordinance no later than 4:00 P.M. on January 28, 2020, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

Section 5. The City expects to make expenditures on and after the date of adoption of this Ordinance in connection to enhance parks and recreation in the City and storm water management as needed.

Section 6. This Ordinance shall be in full force and effect from and after its passage.

Smithville Board of Aldermen

**PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF SMITHVILLE,
MISSOURI THIS ____ DAY OF JANUARY 2020.**

MAYOR

ATTEST:

CITY CLERK

APPROVED THIS ____ DAY OF JANUARY 2020.

MAYOR

ATTEST:

CITY CLERK

NOTICE OF ELECTION

CITY OF SMITHVILLE, MISSOURI

Notice is hereby given to the qualified voters of the City of Smithville, Missouri, that the Board of Aldermen of the City has called an election to be held in the City on April 7, 2020, commencing at 6:00 A.M. and closing at 7:00 P.M., on the questions contained in the following sample ballot:

OFFICIAL BALLOT

CITY OF SMITHVILLE, MISSOURI

APRIL 7, 2020

QUESTION #1

Shall the City of Smithville, Missouri impose a sales tax of one-half of one percent for a period of twenty years from the date on which such tax is first imposed for the purpose of providing funding for storm water control and local parks for the City of Smithville, Missouri?

YES
NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

The election will be held at the following polling places in the City:

PRECINCT

POLLING PLACE

Smithville Board of Aldermen

DATED: _____, 2020.

[Clay County Board of Election
Commissioners]
[Platte County Board of Election
Commissioners]

CHANGES PERTAINING TO MEDICAL MARIJUANA



City of Smithville

Meeting Date: January 7, 2020

Department: Police

Agenda Item: Bill No. 2852-20, Changes and Additions to Marijuana Ordinances – First Reading

Summary:

This bill is recommended to bring current ordinances into alignment with the existing Constitutional Amendment and add four subsections to Chapter 205 that will address definitions, Public Use, Legal Possession and Production of Medical Marijuana Card on Request.

Purpose:

Amendment 2 (Medical Marijuana) passed in Missouri on November 6, 2018. This has caused staff and legal counsel to review and evaluate existing ordinances. A few neighboring communities, including North Kansas City and Pleasant Valley, have already made changes to their existing ordinances. Other communities are taking a wait-and-see approach.

Two Sections, 205.1800 and 205.1810, are in need of minor changes, adding reference to Missouri Constitution Article XIV.

This bill also adds four additional subsections: Definitions, Public Use of Marijuana, Legal Possession of Marijuana, and Production of Medical Marijuana Card on Request.

Section 205.1801 provides a definition for the sections that follow.

Section 205.1802 prohibits use of marijuana, medical or other, in public places. This is a provision of Amendment 2 as passed in 2018.

Section 205.1803 defines Legal Possession of Marijuana under multiple scenarios.

Section 205.1804 creates the offense of failure to provide medical marijuana identification card as on request. This is a provision of Amendment 2 as passed in 2018.

These changes will better prepare the City, and the Police Department, to address issues that may arise with the implementation of Medical Marijuana in Missouri. Section 205.1802 will allow the Smithville Police Department to address use of marijuana in public locations, such as public parks, parking lots and sidewalks. Section 205.1804 will allow the Smithville Police Department to address issues when an individual is in possession of medical marijuana but cannot produce his/her medical marijuana card as required by the Amendment.

Smithville Board of Aldermen

Attached is Exhibit A, a copy of the current municipal code 205.1800 Possession of Marijuana and Synthetic Cannabinoids and municipal code 205.1810 Possession of Controlled Substance.

Impact:

Comprehensive Plan:	N/A
Economic Development Plan:	N/A
Parks Master Plan:	N/A
Strategic Plan:	N/A
Capital Improvement Plan:	N/A
Budget:	N/A

Legislative History:

Missouri Amendment 2 was passed on November 6, 2018.

Suggested Action:

Motion to approve Bill No. 2852-20 for first reading by title only.

Attachments:

Plans Contract Staff Report
 Ordinance Resolution Minutes Other: Exhibit A

BILL NO. 2852-20

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF SMITHVILLE REPEALING §205.1800 & §205.1810 AND ENACTING IN THEIR PLACE NEW SECTIONS 205.1800 & 205.1810 AS WELL AS SECTIONS 205.1801, 205.1802, 205.1803 & 205.1804 REGARDING THE POSSESSION AND/OR USE OF MARIJUANA

WHEREAS, the Current Versions of Section 205.1800 Possession of Marijuana or Synthetic Cannabinoid; and Section 205.1810 Possession of a Controlled Substance are attached hereto as **Exhibit A** and incorporated as if more fully set forth herein verbatim.

WHEREAS, pursuant to a vote of the people, the Medical Marijuana Constitutional Provision Article XIV was adopted.

WHEREAS, the City believes it is in the best interest of its citizens that marijuana for medical use not be allowed to be consumed in public by a qualifying patient as set forth in Article XIV.

WHEREAS, nothing in these Ordinances are designed to amend the law with regard to consumption or possession of marijuana for any use other than by a qualifying patient for medical use as set forth in the Constitutional Provision.

WHEREAS, the driving under the influence of marijuana is dangerous to the individual involved as well as the public at whole, and any other Ordinances of this City regarding the driving under the influence of marijuana are not modified hereby.

WHEREAS, the City Attorney has recommended that Ordinances under Chapter 205 Article XI be amended or adopted in the following form:

Section 205.1800 Possession of Marijuana or Synthetic Cannabinoid. [1]

A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010, RSMo., if he or she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by Chapter 579, Chapter 195, RSMo. [2], Mo. Const. Art. XIV or this Chapter.

[1] Note: Under certain circumstances this offense can be a felony under state law.

[2] State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

Section 205.1810 Possession of a Controlled Substance. [1]

A person commits the offense of possession of a controlled substance, as defined in Section 195.010, RSMo., if he or she knowingly possesses a controlled substance, except as authorized by Chapter 579, RSMo., or Chapter 195, RSMo.[2], Mo. Const. Art. XIV or this Chapter.

[1] *Note: Under certain circumstances this offense can be a felony under state law.*

[2] *State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.*

Section 205.1801—Definitions

For the purpose of this Chapter, "marijuana", "marihuana", "marijuana-infused products", "medical marijuana", "medical marijuana facility", "qualifying patient", "primary caregiver" and "public place" shall have the definitions set forth in Article XIV of the Missouri Constitution, state regulations relevant thereto and otherwise in this Chapter.

Section 205.1802—Public Use of Marijuana prohibited

1. *No person including a "qualifying patient" shall be allowed to consume marijuana," "marihuana," "marijuana-infused products," "medical marijuana," in a public place.*
2. *"Public place" shall mean any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses.*
3. *For purposes of designating a non-public place within a public place, the owner or entity with control of any such property may, but is not required to, provide one or more enclosed, private spaces where one qualifying patient and, if required by the owner or entity with control of any such property, a representative of such owner or entity, may congregate for the qualifying patient to consume medical marijuana. The qualifying patient may be accompanied by the family of the qualifying patient, the qualifying patient's primary caregiver, and/or the qualifying patient's physician. The owner or entity with control of any such property may provide such a space by individual request or designate such a space for ongoing use and may limit use of medical marijuana in that space to uses that do not produce smoke. Any such permission shall be given in writing and provided to the qualifying patient or publicly posted prior to a qualifying patient's use of medical marijuana in that space.*

Section 205.1803—Legal Possession

Legal Possession of Marijuana.

(1) No person shall possess or have under his/her control any amount of marijuana, except the following:

- (a) A qualifying patient for their own personal use, in an amount no greater than Missouri law allows; or
- (b) A primary caregiver for a qualifying patient(s), but only when transporting medical marijuana to a qualifying patient or when accompanying a qualifying patient(s); or
- (c) An owner or employee of a state licensed medical marijuana facility while on the premises of said facility, or when transporting to a qualifying patient's or primary caregiver's residence or another state licensed medical marijuana facility.

Section 205.1804—Production of medical marijuana card

Failure to produce medical marijuana identification card. Any person in possession of medical marijuana shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by the Missouri Department of Health and Senior Services, or its successor, authorizing them, as a qualifying patient or primary caregiver, or employee of a licensed medical marijuana facility, to access medical marijuana as provided by Missouri law. Any person who fails to produce such identification card shall be guilty of violating this Section.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE MISSOURI AS FOLLOWS:

Effective immediately Sections 205.1800 and 205.1810 of the Municipal Code of the City of Smithville Missouri are repealed and new sections 205.1800 and 205.1810 are enacted, along with Sections 205.1801, 205.1802, 205.1803 and 205.1804 which shall read as follows:

Section 205.1800 Possession of Marijuana or Synthetic Cannabinoid. [1]

A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010, RSMo., if he or she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by Chapter 579, Chapter 195, RSMo. [2], Mo. Const. Art. XIV or this Chapter.

[1] Note: Under certain circumstances this offense can be a felony under state law.

[2] State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

Section 205.1810 Possession of a Controlled Substance. [1]

A person commits the offense of possession of a controlled substance, as defined in Section 195.010, RSMo., if he or she knowingly possesses a controlled substance,

except as authorized by Chapter 579, RSMo., or Chapter 195, RSMo. [2], Mo. Const. Art. XIV or this Chapter.

[1] Note: Under certain circumstances this offense can be a felony under state law.

[2] State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

Section 205.1801—Definitions

For the purpose of this Chapter, “marijuana”, “marihuana”, “marijuana-infused products”, “medical marijuana”, “medical marijuana facility”, “qualifying patient”, “primary caregiver” and “public place” shall have the definitions set forth in Article XIV of the Missouri Constitution, state regulations relevant thereto and otherwise in this Chapter.

Section 205.1802—Public Use of Marijuana prohibited

1. No person including a “qualifying patient” shall be allowed to consume marijuana, “marihuana,” “marijuana-infused products,” “medical marijuana,” in a public place.
2. “Public place” shall mean any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses.
3. For purposes of designating a non-public place within a public place, the owner or entity with control of any such property may, but is not required to, provide one or more enclosed, private spaces where one qualifying patient and, if required by the owner or entity with control of any such property, a representative of such owner or entity, may congregate for the qualifying patient to consume medical marijuana. The qualifying patient may be accompanied by the family of the qualifying patient, the qualifying patient’s primary caregiver, and/or the qualifying patient’s physician. The owner or entity with control of any such property may provide such a space by individual request or designate such a space for ongoing use and may limit use of medical marijuana in that space to uses that do not produce smoke. Any such permission shall be given in writing and provided to the qualifying patient or publicly posted prior to a qualifying patient’s use of medical marijuana in that space.

Section 205.1803—Legal Possession

Legal Possession of Marijuana.

- a. No person shall possess or have under his/her control any amount of marijuana, except the following:
 - (1) A qualifying patient for their own personal use, in an amount no greater than Missouri law allows; or

- (2) A primary caregiver for a qualifying patient(s), but only when transporting medical marijuana to a qualifying patient or when accompanying a qualifying patient(s); or
- (3) An owner or employee of a state licensed medical marijuana facility while on the premises of said facility, or when transporting to a qualifying patient's or primary caregiver's residence or another state licensed medical marijuana facility.

Section 205.1804—Production Of Medical Marijuana Card

Failure to produce medical marijuana identification card. Any person in possession of medical marijuana shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by the Missouri Department of Health and Senior Services, or its successor, authorizing them, as a qualifying patient or primary caregiver, or employee of a licensed medical marijuana facility, to access medical marijuana as provided by Missouri law. Any person who fails to produce such identification card shall be guilty of violating this Section.

PASSED THIS ____ DAY OF _____ 2020.

Damien Boley, Mayor

ATTEST

Linda Drummond
City Clerk

First Reading: ___/___/2020
Second Reading ___/___/2020

APPROVED THIS ____ DAY OF _____, 2020.

Damien Boley, Mayor

Exhibit A

Section 205.1800 Possession of Marijuana or Synthetic Cannabinoid. [1]

A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010, RSMo., if he or she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by Chapter 579 or Chapter 195, RSMo.[2]

[1] Note: Under certain circumstances this offense can be a felony under state law.

[2] State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

Section 205.1810 Possession of a Controlled Substance. [1]

A person commits the offense of possession of a controlled substance, as defined in Section 195.010, RSMo., if he or she knowingly possesses a controlled substance, except as authorized by Chapter 579, RSMo., or Chapter 195, RSMo.[2]

[1] Note: Under certain circumstances this offense can be a felony under state law.

[2] State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

FINAL PLAT – FIRST PARK



City of Smithville

Meeting Date: January 7, 2020

Department: Development

Agenda Item: Resolution 760 Final Plat – First Park 2nd Plat

Summary:

Approving this Resolution would authorize the Final Plat for First Park, 2nd Plat to be recorded upon either submission of performance bonds for infrastructure installation or construction and acceptance of public infrastructure improvements in accordance with Chapter 425 of the Code.

Purpose:

The Preliminary Plat was amended on November 19, 2019 to reflect some lot changes and street location changes from the 2013 version. In accordance with Section 425.285 of the Code, city staff and the City Engineers must review the final plat for substantial compliance with the approved preliminary plat. The City Engineer confirmed on December 17th, 2019 that the Final plat matches the preliminary plat and recommended approval. The construction plans for the area covered by the final plat have also been approved by the city’s engineers and construction is imminent.

If the Board approves this final plat, the developer seeks to file Performance Bonds for all of the necessary infrastructure construction (water, sewer, streets and stormwater) to allow immediate recording of the plat and the sale of two of the lots. Once the bonds are received, the developer will commence construction of the infrastructure, and one of the purchasers will be able to begin construction of its’ intended facility. Such facility will be authorized with the condition that no final occupancy can occur until the infrastructure is complete and accepted by the city. This simultaneous construction will allow the facility to open earlier and will not impact the city infrastructure.

Impact:

Comprehensive Plan:	Complies
Economic Development Plan:	n/a
Parks Master Plan:	n/a
Strategic Plan:	n/a
Capital Improvement Plan:	n/a
Budget:	n/a

Legislative History:

Resolution 753 approved the Preliminary Plat on November 19, 2019

Suggested Action:

A motion to Approve Resolution 760 – Final Plat for First Park, 2nd Plat.

Attachments: Plans (page [1](#), [2](#) & [3](#)) Contract Staff Report
 Ordinance Resolution Minutes Other: Engineering Approval

RESOLUTION 760

**A RESOLUTION APPROVING THE FINAL PLAT
FOR FIRST PARK 2ND PLAT**

WHEREAS, the Planning Commission recommended approval of the Preliminary Plat for this portion of the subdivision on November 12, 2019, and;

WHEREAS, the Board of Aldermen adopted the recommendation and Passed Resolution 753 approving the Preliminary Plat on November 19, 2019, and;

WHEREAS, the developer submitted a proposed Final Plat for a portion of the approved area, along with construction plans for public infrastructure, and;

WHEREAS, pursuant to Section 425.285 of the Code, the City Engineers reviewed the submittal for compliance with the Preliminary Plat and determined the proposed Final Plat complies with the approved Preliminary Plat and recommends approval.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:

THAT THE FINAL PLAT FOR FIRST PARK 2ND PLAT IS HEREBY APPROVED.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of January 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



December 17, 2019

Jack Hendrix, Community Development Director
City of Smithville
107 West Main
Smithville, MO 64089

**RE: First Park 2nd Plat
Final Plat – 2nd Review
HDR #10019447**

Dear Mr. Hendrix,

HDR staff has reviewed the submittal for the above-referenced project. Based on this review, HDR recommends **approval**. Our recommendation for approval is based upon the applicant's adherence to currently adopted City Standards and Ordinances. If there are any questions please contact me via phone at (816) 347-1163 or email at Ron.Hardee@hdrinc.com.

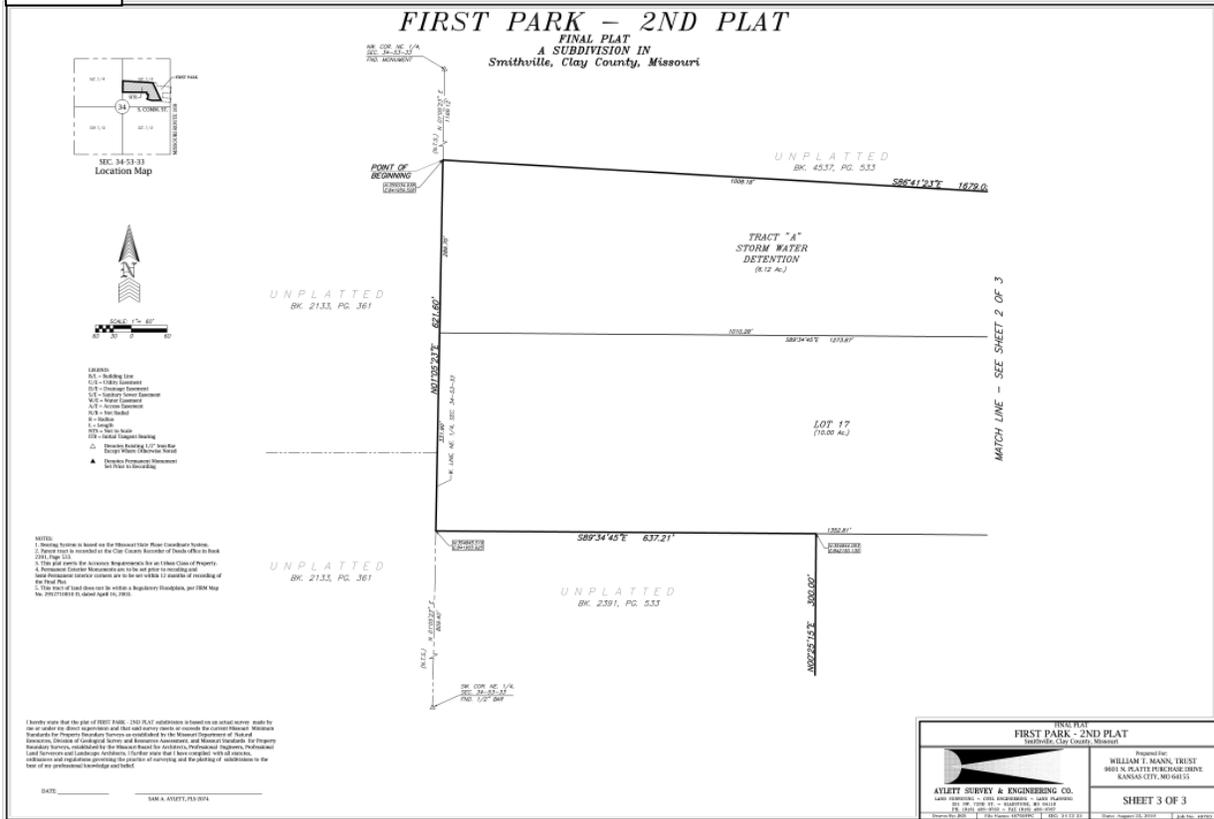
Sincerely,
HDR Engineering, Inc.

A handwritten signature in blue ink that reads "Ronald B. Hardee".

Ronald B. Hardee, P.E., CFM
Senior Civil Engineer

hdrinc.com

10450 Holmes Road Suite 600 Kansas City, MO 64131-3471
(816) 360-2700



AMENDMENT NO. 2 TO ENGINEERING AUTHORIZATION NO. 79



City of Smithville

Meeting Date: January 7, 2020 **Department:** Public Works (Street)

Agenda Item: Resolution 761 – Addendum 2 Authorization No. 79: Downtown Streetscape Engineering

Summary:

In 2003, the City entered into an agreement with ET Archer Corporation (now HDR Engineering, Inc.) for engineering services. Periodically, that agreement is amended with authorizations to complete additional work. HDR Engineering, Inc. has completed numerous projects for the City’s Public Works Department, including the Downtown Streetscape project from 169 Highway to Commercial Avenue.

The FY20 Budget, including all amendments, includes \$55,000 in the Capital Projects Fund for engineering the East Portion of the Downtown Streetscape project (the project is also scheduled to be constructed in FY20). The FY20 Budget, including all amendments, includes \$26,000 in the General Fund for engineering the Heritage Park basketball court and a small parking lot at Heritage Park by the new playground equipment. HDR has submitted Amendment 2 to Authorization No. 79 (attached) to compete engineering and construction management tasks for these projects in an additional amount of \$74,940. This brings the total amount of Authorization 79 to \$384,910.

The East portion of the Downtown Streetscape project was discussed at the Work Session on November 19, 2019. The final design will include a Streetscape-lite facelift with brick accents, grass and trees, 5’ sidewalks, lighting (without outlets), partial curb and gutter replacement, and an asphalt overlay on Main Street from Commercial Avenue to Smith Street. The intersection of Commercial Avenue and Smith Street will have a speed table instead of bump-outs. From Smith Street to Liberty Road, final design will include brick accents, grass and trees, an 8’ trail on the north side of the street only, lighting (without outlets) only to Heritage Park, partial curb and gutter replacement, and an asphalt overlay.

Purpose:

Authorize Mayor to sign Amendment 2 to Authorization No. 79 to the existing agreement with HDR Engineering, Inc. to complete work associated with the East portion of the Downtown Streetscape project.

Smithville Board of Aldermen

Impact:	
Comprehensive Plan:	Significant
Economic Development Plan:	Significant
Parks Master Plan:	N/A
Strategic Plan:	Significant
Capital Improvement Plan:	Significant
Budget:	Included in FY20 Budget
Legislative History: N/A	
Suggested Action: Motion to approve Resolution 761	
Attachments: <input type="checkbox"/> Plans <input type="checkbox"/> Contract <input type="checkbox"/> Staff Report <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Minutes <input checked="" type="checkbox"/> Other: Amendment 2 to Authorization No.79	

RESOLUTION 761

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AMENDMENT 2 TO AUTHORIZATION NO. 79 WITH HDR ENGINEERING, INC. FOR ENGINEERING SERVICES FOR THE DOWNTOWN STREETScape PROJECT.

WHEREAS, the Fiscal Year 2020 Budget, including all amendments, allocates funds for the City to engineer the East portion of the Downtown Streetscape project; and

WHEREAS, the City of Smithville now desires to complete the engineering of the East portion of the Downtown Streetscape project; and

WHEREAS, the City approved HDR Engineering, Inc.'s Authorization 79 on September 6, 2016 and Amendment 1 to Authorization 79 on September 5, 2017; and

WHEREAS, HDR Engineering has submitted Amendment 2 to Authorization No. 79 to compete engineering design work for asphalt overlay, a speed table, curb and gutter, brick accents, lighting, sidewalk and trail, and grass and trees along Main Street from Commercial Avenue to Liberty Road.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI:

THAT the Mayor is hereby authorized to execute Amendment 2 to Authorization No. 79 with HDR Engineering, Inc. for the engineering of the East portion of the Downtown Streetscape project in an additional amount of \$74,940.00, for a total amount not to exceed \$384,910.00.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of January 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

AMENDMENT NO. 2 TO AUTHORIZATION NO. 79
TO
AGREEMENT BETWEEN
CITY OF SMITHVILLE, MISSOURI
AND
HDR ENGINEERING, INC. (FORMALLY E.T. ARCHER CORPORATION)
FOR
PROFESSIONAL ENGINEERING SERVICES

DOWNTOWN STREETScape PHASE 2

In accordance with Section 1.A. of the December 18, 2003 Agreement, Authorization 79 dated September 6, 2016, and Amendment No. 1 to Authorization 79 dated September 5, 2017, ENGINEER is hereby authorized to assist the City with the topographic survey, design, preparation of construction documents, bidding assistance, and construction administration for the Downtown Streetscape Phase 2 project. Addendum Number 2 modifies the original scope of the project east along Main St. from Commercial Ave. to Liberty Rd. The modified scope will address comments from the 11/19/19 Board of Alderman Work Session. This will include a "streetscape-lite" design on Main Street from Commercial to Smith and a multi-use trail from Smith to Liberty on the north side of Main Street. The scope will also include topographic survey and design of a basketball court at Heritage Park. This Scope of Services will include only the additions to the original scope authorization and will more specifically include the following project improvements and tasks.

SCOPE OF SERVICES

Tasks 1-5 – Part of Original Work Authorization 79 – Original scope remains in effect.

Tasks 6-10 – Part of Amendment 1 of Work Authorization 79 – Original scope remains in effect.

Task 11 – Additional Survey

- 11.1 Obtain topographic survey for the basketball court area at Heritage Park.
- 11.2 Obtain Guaranteed Title Reports (GTR) for up to 11 properties.
- 11.3 Prepare permanent and temporary easement descriptions and conveyance documents for up to 11 properties. Permanent easements are anticipated for properties on the north side of Main Street between Commercial and Smith to accommodate lowering of the overhead power and telecom lines to below ground.

Task 12 – Design Phase

- 12.1 Finalize Streetscape Plans from Commercial to Smith based on the input received from the Board of Aldermen at the 11/19/19 meeting. Direction given includes:
 - 5 foot wide concrete sidewalks on both sides of Main Street until Smith Street, 8 foot multi-use path on north side of street from Smith Street to Liberty Street
 - Brick accents at street light locations
 - Decorative street lighting from Commercial to Smith Street with them extended on the north side of the street only to Heritage Park driveway
 - Eliminate electrical outlets from street lighting in this phase of the project
 - No curb bump outs at Smith Street but add a raised pedestrian crossing N/S for traffic calming
 - Keep existing curb and gutter in fair condition as much as possible
 - 2 inch asphalt mill and overlay

Smithville Agreement
Amendment 2 to Authorization 79

- 12.2 KCP&L Overhead Power Drop Inquiry/Coordination.
- 12.3 Develop Heritage Park basketball court improvement plans.
- 12.4 Create Project Manual/Technical Specifications.
- 12.5 Review Meeting – HDR will hold a meeting with the Client to discuss the 60% plans of the expanded areas of the project.
- 12.6 Submit land disturbance permit to the Missouri Department of Natural Resources (MDNR).
- 12.7 Utility Coordination.
- 12.8 Internal QC Review.
- 12.9 Perform project management, schedule/cost control, invoicing.

Task 13 – Bidding Phase

- 13.1 Prepare bid package (submit 1 hard copy to city, electronic files to Drexel).
- 13.2 Address prospective bidder’s questions during bidding.
- 13.3 Prepare up to two (2) addenda during bidding.
- 13.4 Attend bid opening.
- 13.5 Tabulate and review bids and provide award recommendation.

Task 14 – Construction Phase

- 14.1 Review and distribute four (4) sets of executed contract documents.
- 14.2 Attend pre-construction meeting (prepare agenda/meeting notes).
- 14.3 Review up to fifteen (15) Contractor submittals.
- 14.4 Address up to ten (10) RFI’s and issue up to five (5) change orders.
- 14.5 Review Contractor’s applications for payment.
- 14.6 Progress/Coordination Meetings (6 meetings included).
- 14.7 Engineer site visits (3 total).
- 14.8 Perform substantial/final completion inspection/documentation.
- 14.9 Perform project management, schedule/cost control, invoicing.
- 14.10 Record Drawings Completion/Project Close-Out.

KEY PROJECT UNDERSTANDINGS

Project Assumptions

- The streets will not be re-constructed, but will require a mill and overlay.
- Project does not include utility relocations or reconstruction except as specifically detailed in this scope of service.
- City will provide coordination assistance with property owners/business managers for discussions involving access to their specific properties/businesses.
- The City will arrange/conduct any need for public meeting. HDR will assist with this service if the City so chooses as an additional service.
- Project will only be bid one time.
- City staff will provide construction observation. HDR can provide this service if the City so chooses as an additional service.
- A geotechnical investigation will not be required.

Additional Services

Any additional services performed beyond the scope of work will be negotiated on a time and materials basis. These may include, but are not limited to:

- Construction resident project representative
- Soil Testing
- Relocation of utility systems not specifically detailed in the scope of services

Smithville Board of Aldermen

Smithville Agreement Amendment 2 to Authorization 79

- Attendance at meetings or presentations not specified in the scope, including but not limited to Board of Aldermen Meetings or Public Meetings/Open Houses.

FEE

The CITY shall compensate ENGINEER for Amendment No. 2 to Authorization 79 an amount not to exceed \$74,940 for the Basic Services listed above. The total project fee for the Downtown Streetscape project shall be amended to the not to exceed total of \$###. Individual tasks may be below or above the estimated fee but the overall Authorization amount may not be exceed without written approval of the CITY.

Original contract fee:	\$148,500
Addendum 1	\$161,470
<u>Addendum 2</u>	<u>\$74,940</u>
Total contract fee:	\$384,910

SCHEDULE

01/08/20	Notice to proceed
02/07/20	60% Review Plans to City
03/05/20	Advertise to Bid
03/26/20	Bid Opening
11/20/20	Anticipated Construction Completion (210 days)

This AUTHORIZATION shall be binding on the parties hereto only after it has been duly executed and approved by the CITY and ENGINEER.

Smithville Agreement
Amendment 2 to Authorization 79

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this AGREEMENT in duplicate on the respective dates indicated below.

CITY: SMITHVILLE, MISSOURI

By: _____
 Damien Boley
 Type or Print Name

Title Mayor

Date _____

ENGINEER: HDR Engineering, Inc. (formally
E.T. ARCHER CORPORATION)

By:  _____
 Joseph Drimmel (Dec 20, 2019)
 Type or Print Name

Title Sr. Vice President

Date Dec 20, 2019

Smithville Board of Aldermen

Smithville Downtown Streetscape - Design Phase Scope and Fee

Rate Schedule Code	Resette, Aimee J	Wiederhaus, Mitchell Aris (retired)	Call Brady	Sherman, William A	Hessington, Troy	Henson, Anthony J	Floyd, Thomas A III	Whitman, David L	Palko, Johnny P	Jasper, James F	Chickie, Tyler	Meyer, Timothy C	Compton, Joel L	Hurtin, Jeremy	Bemis, Susan L	Other Expenses	Total
	Senior Project Manager I	Engineer II	Engineer I	Code/CES Technician III	Engineer II	Engineer II	Engineer II	Technical Specialist	Senior Land Surveyor	Survey Technician II	Survey Technician II	Survey Technician II	Project Assistant	Project Accountant	Admin Assistant		
Billing Rate	\$225.00	\$135.00	\$110.00	\$130.00	\$135.00	\$135.00	\$135.00	\$250.00	\$100.00	\$120.00	\$80.00	\$80.00	\$65.00	\$65.00	\$80.00		
A. Task 1 - Additional Survey																	
1 Obtain topographic survey for the basketball courts at Heritage Park									2	3	8	8				\$80	\$2,040
2 Obtain/Overhead Power Drop Inquiry/Coordination									1								\$2,730
3 Prepare permanent temporary assessment descriptions and conveyance documents for up to 11 properties									30	10							\$6,000
Subtotal Hours	0	0	0	0	0	0	0	0	33	13	8	8	0	0	0		
Subtotal Dollars	0	0	0	0	0	0	0	0	\$3,300	\$1,560	\$640	\$640	0	0	0	\$240	\$10,470
Total Task 1																	\$10,470
B. Task 2 - Design Phase																	
1 Finalize Streetscape Plans from Commercial to South	2	12	8	12	4	4	10	1									\$7,190
2 CDM, Overhead Power Drop Inquiry/Coordination	2	8															\$730
3 Develop Heritage Park Basketball Court Improvement Plans	2	8	8	8	8												\$4,130
4 Create Project Manual/Technical Specifications	4	20			4	4	4								16		\$30
5 Review Meeting (1 included)	3	6															\$70
6 Submit land disturbance permit to the Missouri Department of Natural Resources (MDNR) & Prepare SWPPP			2	8													\$300
7 Utility Coordination	2	8															\$1,130
8 Internal QC Review	4							2									\$1,400
9 Perform project management, schedule/cost control, invoicing	4												4	4			\$1,400
Subtotal Hours	23	64	24	20	16	8	14	3	0	0	0	0	4	4	16		
Subtotal Dollars	\$1,125	\$8,640	\$2,640	\$2,600	\$2,160	\$1,080	\$1,890	\$750	0	0	0	0	\$260	\$260	\$1,280	\$495	\$27,470
Total Task 2																	\$27,470
C. Task 3 - Bid Phase																	
1 Prepare bid package (submit 1 hard copy to city, electronic files to Drawn)	1	2													2		\$730
2 Address prospective bidder's questions during bidding	1	4	8														\$1,640
3 Prepare up to two (2) addenda during bidding	1	4	8	4	1	1	1										\$2,820
4 Amend bid opening	2	4															\$40
5 Tabulate and review bids and provide award recommendation	1	4	8														\$1,640
Subtotal Hours	6	18	24	4	1	1	1	0	0	0	0	0	0	0	2		
Subtotal Dollars	\$1350	\$2,430	\$2,640	\$520	\$135	\$135	\$135	\$250	0	0	0	0	0	0	\$160	\$125	\$7,880
Total Task 3																	\$7,880
D. Task 4 - Construction Phase																	
1 Review and distribute four (4) sets of executed contract documents	1	2	6														\$1,115
2 Amend pre-construction meeting (prepare agenda/meeting notes)	4	6															\$1,710
3 Review up to fifteen (15) Contractor submittals	4	8	10		2	2	2	2							8		\$5,190
4 Address up to ten (10) RFIs and issue up to five (5) change orders	1	8	10		2	2	2	2									\$4,710
5 Review Contractor's applications for payment	4	8															\$1,380
6 Progress/Coordination Meetings (5 meetings included)	10	18															\$1,200
7 Engineer site visits (3 total)	2	10															\$1,400
8 Perform substantial/final completion inspection/documentation	2	6															\$1,260
9 Perform project management, schedule/cost control, invoicing	6												4	4			\$2,100
10 Record Drawings Completion/Project Close-Out		4	8														\$1,420
Subtotal Hours	42	70	66	0	4	4	4	4	0	0	0	0	4	4	8		
Subtotal Dollars	\$4,650	\$4,950	\$6,600	0	\$540	\$540	\$540	\$1,000	0	0	0	0	\$260	\$260	\$640	\$460	\$26,440
Total Task 4																	\$26,440
Total Hours	71	152	94	24	21	13	19	8	33	13	8	8	8	8	26		506
Total Billing Amount	\$15,875	\$20,520	\$10,340	\$3,120	\$2,835	\$1,755	\$2,565	\$2,000	\$5,280	\$1,560	\$640	\$640	\$760	\$760	\$2,080	\$4,118	\$74,490

Estimated Project Fee \$74,490

ENGINEERING AUTHORIZATION NO. 89



City of Smithville

Meeting Date: January 7, 2020 **Department:** Public Works (Utilities)

Agenda Item: Resolution 762 – Authorization No. 89: Valve Box, Raw Water Pump Station, and Zebra Mussel Control Engineering

Summary:

In 2003, the City entered into an agreement with ET Archer Corporation (now HDR Engineering, Inc.) for engineering services. Periodically, that agreement is amended with authorizations to complete additional work. HDR Engineering, Inc. has completed numerous projects for the City’s Public Works Department, including completion of a Water Master Plan in 2018.

The FY20 Budget, including all amendments, includes \$455,000 in the Combined Water & Wastewater Systems Fund for engineering the Valve Box, Raw Water Pump Station, and Zebra Mussel Control projects (the three projects are scheduled to be constructed in FY21). HDR has submitted Authorization No. 89 (attached) to compete engineering and construction management tasks for these projects in an amount not to exceed \$472,655.

The FY20 budgeted amount is anticipated to be enough to cover the engineering tasks (tasks 2-5) as listed in the authorization. The FY21 proposed budget will include additional funds to complete the construction management tasks (tasks 6-7) to take place during construction of the projects.

Purpose:

Authorize Mayor to sign Authorization No. 89 to the existing agreement with HDR Engineering, Inc. to complete work associated with the Valve Box, Raw Water Pump Station, and Zebra Mussel Control engineering.

Impact:

Comprehensive Plan:	Significant
Economic Development Plan:	Significant
Parks Master Plan:	N/A
Strategic Plan:	Significant

Smithville Board of Aldermen

Capital Improvement Plan:	Significant
Budget:	FY20 Budget includes \$455,000; FY21 Budget will include additional funds for the remaining construction management tasks
Legislative History: N/A	
Suggested Action: Motion to approve Resolution 762	
Attachments: <input type="checkbox"/> Plans <input type="checkbox"/> Contract <input type="checkbox"/> Staff Report <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Minutes <input checked="" type="checkbox"/> Other: Authorization No.89	

RESOLUTION 762

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AUTHORIZATION NO. 89 WITH HDR ENGINEERING, INC. FOR ENGINEERING SERVICES FOR THE VALVE BOX, RAW WATER PUMP STATION, AND ZEBRA MUSSEL CONTROL PROJECTS.

WHEREAS, HDR Engineering, Inc. completed the City's Water Master Plan update in 2018, which included the Valve Box, Raw Water Pump Station, and Zebra Mussel Control projects; and

WHEREAS, the Fiscal Year 2020 Budget, including all amendments, allocates funds for the City to engineer the Valve Box, Raw Water Pump Station, and Zebra Mussel Control projects; and

WHEREAS, the City of Smithville now desires to complete the engineering of the Valve Box, Raw Water Pump Station, and Zebra Mussel Control projects; and

WHEREAS, the City has a formal engineering agreement with HDR Engineering, Inc. (formerly E.T. Archer Corporation); and

WHEREAS, HDR Engineering, Inc. has submitted Authorization No. 89 to compete engineering design work to replace the reducer and butterfly valve that controls the flow of water from Smithville Lake to the Raw Water Pump Station and construct a valve vault around the valve, replace the existing Raw Water Pump Station, and provide for Zebra Mussel Control at the raw water intake facility.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI:

THAT the Mayor is hereby authorized to execute Authorization No. 89 with HDR Engineering, Inc. for the engineering of the Valve Box, Raw Water Pump Station, and Zebra Mussel Control projects in an amount not to exceed \$472,655.00.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of January 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

AUTHORIZATION NO. 89
TO
AGREEMENT BETWEEN
CITY OF SMITHVILLE, MISSOURI
AND
HDR ENGINEERING, INC.
FOR
PROFESSIONAL ENGINEERING SERVICES

RAW WATER PUMP STATION, VALVE
VAULT, AND ZEBRA MUSSEL CONTROL

In accordance with Section 1.A. of the December 18, 2003 Agreement, ENGINEER is hereby authorized to assist the City of Smithville (City) with inspection of the interior of the raw water steel pipe that provides untreated water from Smithville Lake to the City of Smithville's Raw Water Pump Station.

Background

This Authorization is for the following engineering design work:

- Replace the existing Raw Water Pump Station.
- Replace the reducer and butterfly valve that controls the flow of water from Smithville Lake to the Raw Water Pump Station and construct a valve vault around the valve.
- Provide for mussel control at the raw water intake facility.

The City of Smithville obtains its drinking water from Smithville Lake, which is operated by the United States Corps of Engineers (COE).

Raw Water Pump Station

In recent years the raw water pump station has flooded, damaging electrical equipment in the pump station. The pump station is also reaching its rated capacity. The work is to replace the existing pump station and locate the new station at a higher elevation above the flood plain. The new pump station will have room for three pumps, two pumps now and one future pump. The station will have a separate electrical controls room and a room for chemical feed equipment.

Replace Butterfly Valve and Reducer

Water travels from the intake tower in the lake through a 69-inch steel pipe under the earthen dam of Smithville Lake. The COE maintains the 69-inch steel pipe and 24-inch tee that delivers the raw water to the City of Smithville. The COE has informed the City that the City is responsible for all pipe after the 24-inch tee. There is a pipe reducer and eighteen inch butterfly valve after the 24-inch tee that the COE is concerned is rusting and has reached its useful life and needs to be inspected on the exterior and possibly replaced. The COE requested the City remove rust and recoat the interior of the reducer while the COE is cleaning and recoating the 69-inch pipe. The COE has also requested the City construct a vault around the isolation valve, which is currently buried, so that the exterior of the valve can be inspected regularly and repaired or replaced as needed. The work is to construct a valve vault around the 24-inch tee, replace the

reducer, and install a 24-inch isolation valve. The work will also allow for future capacity increases without replacing the reducer and valve in the future.

Mussel Control

Zebra mussels have invaded Smithville Lake and are a maintenance problem for the COE and the City. The mussels attach to the walls of the raw water pipe and clog the pump intakes decreasing the pumping capacity. The COE has had success at other facilities killing or decreasing the amount of mussels with copper ion machines. Copper ion machines use an electrical current passing over copper rods to add low levels of copper to the water. The work is to install a copper ion machine and booster pump on the intake tower of the dam and run raw water through the machine and back into the 69-inch pipe.

SCOPE

1. ENGINEER will perform internal project management and administration.
2. Engineer will perform data collection to obtain the necessary information to prepare drawings and specifications. The work will include the following:
 - a. Kick off meetings with the City and the Corps of Engineers
 - b. Topographic survey and location of boundary's for preparation of one easement
 - c. Three (3) meetings with the COE to review design.
 - d. Geotechnical investigation to obtain foundation requirements for the pump station and valve vault, review COE piezometer data, coordination of drilling and laboratory work, review of boring logs and tests, work with the COE on foundation requirements for the valve vault, and development of plans and specifications for the work.
 - e. Utility coordination for increasing the capacity of the raw water pump station.
3. ENGINEER will prepare design drawings and specifications for the bidding and construction of a New Raw Water Pump Station near the existing pump station site. The work will include
 - a. Preliminary design.
 - b. Preparation of a design memorandum to be submitted to the Missouri Department of Natural Resources (MDNR).
 - c. Preparation of twenty-one (21) drawings.
 - d. Preparation of technical specifications.
 - e. Attend two (2) design review meetings with the City and/ or the COE.
 - f. Preparation of four (4) permits as follows:
 - i. MDNR Construction Permit
 - ii. Land Disturbance Permit
 - iii. Corps of Engineers Permit
 - iv. Flood Proof Certification, (this assumes a No Rise Permit is not required, an extra will be required for a No Rise Permit)
 - g. Preparation of one easement for the new pump station location with the Corps of Engineers.
4. ENGINEER will prepare design drawings and specifications for the bidding and construction a Copper Ion Generation machine and booster pump (10-gpm) to be installed on the water intake tower of the Smithville Lake Dam and utilizing power from the US COE facilities. The work will include:
 - a. Preliminary design.

- b. Preparation of a design memorandum to be submitted to the Missouri Department of Natural Resources (MDNR) along with the Raw Water Pump Station Design Memorandum.
 - c. Preparation of eight (8) drawings, this assumes the drawings will be included in the raw water pump station design drawings so that the cover sheet, general details and other general drawings do not have to be recreated.
 - d. Preparation of technical specifications.
 - e. One (1) design review meeting with the City and the COE.
 - f. Preparation of one (1) permit;
 - i. MDNR Construction Permit/ Pesticide Permit
5. ENGINEER will prepare design drawings and specifications for the bidding and construction to replace the existing Raw Water Valve and Reducer with a 24-inch butterfly valve and a New Valve Vault that connects to the US COE's existing 69-inch raw water supply pipe at the dam. The work will include:
- g. Preliminary design
 - h. Preparation of information to add to the Raw Water Pump Station design memorandum to be submitted to the Missouri Department of Natural Resources (MDNR) with the Raw Water Pump Station design memorandum.
 - i. Preparation of five (5) drawings, this assumes the drawings will be included in the raw water pump station design drawings so that the cover sheet, general details and other general drawings do not have to be recreated.
 - j. Preparation of technical specifications
 - k. Two (2) design review meetings with the City and the US COE.
 - l. Preparation of one (1) permit
 - i. MDNR Construction Permit
6. ENGINEER will assist with Bidding the project as follows:
- a. Prepare Advertisement and submit plans and specifications to Drexel Technologies for distribution to potential bidders.
 - b. Answer questions from potential bidders and suppliers.
 - c. Evaluate bidders and make recommendation to the City
 - d. Prepare two (2) addendums if needed
 - e. Prepare contract documents for signatures and review insurance accord and bonds
 - f. Prepare Notice of Award and Notice to Proceed to the selected bidder.
7. Engineer will assist the OWNER with Construction Administration of the project as follows:
- a. Attend preconstruction and monthly ten (10) progress meetings
 - b. Review pay applications submitted by the Contractor
 - c. Perform special progress inspections of the work. Engineer is not providing a full time resident project representative.
 - d. Review shop drawings to be sure they conform to the contract documents
 - e. Review and evaluate change orders and Field Orders.
 - f. Perform substantial completion inspection
 - g. Perform final completion inspection
 - h. Prepare record drawings
 - i. Review Operation and Maintenance manuals submitted by the Contractor.

Smithville Agreement
Authorization No. 89

FEE

The CITY shall compensate ENGINEER for the Design, Bidding, and Construction Administration assistance of the Raw Water Pump Station, Copper Ion Machine, and Valve Vault in the amount of \$472,655.00.

SCHEDULE

Tasks 2 through 5 shall be completed within 270 calendar days from notice-to-proceed. Task 6 shall be completed within 60 days of MDNR and USACE approvals. Task 7 shall be completed within 270 days of City award of construction contract.

This AUTHORIZATION shall be binding on the parties hereto only after it has been duly executed and approved by the CITY and ENGINEER.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this AGREEMENT in duplicate on the respective dates indicated below.

CITY: SMITHVILLE, MISSOURI

By: _____

Type or Print Name

Title _____

Date _____

ENGINEER: HDR Engineering, Inc. (formally
E.T. ARCHER CORPORATION)

By:  _____
Joseph Drimmel (Dec 23, 2019)

Joseph Drimmel, P.E.

Type or Print Name

Title Senior Vice President _____

Date Dec 23, 2019 _____

CONTRACT FOR EASEMENT ACQUISITION – SOUTH INTERCEPTOR



City of Smithville

Meeting Date: January 7, 2020 **Department:** Public Works (Utilities)

Agenda Item: Resolution 763 – Agreement with Right of Way Services

Summary:

HDR Engineering, Inc.’s Authorization 65, including all amendments, for the South Sewer Improvements project (144th Street pump station and Forest Oaks sewer installation) totals \$390,180.00. This included \$41,650 in estimated expenses for appraisal and acquisition services on 18 tracts of land for the large project. As of January 1, 2018, there was a balance of \$122,730.30 left on Authorization 65, including \$7,608.20 for appraisal and acquisition services.

As of that date, \$34,041.80 had been spent on those services and easements on 11 of the tracts had been secured. At that time, this project was put on hold as the Influent Pump Station, Excess Flow Holding Tank, and Sewer Interceptor project took precedence.

Now, the 144th Street Pump Station project is scheduled to be complete in FY20 and the Forest Oaks Sewer project in FY22. However, the projects cannot move forward with design until the final seven (7) easements are resolved. The appraisals on those final seven tracts are now out of date and contact with the property owners has been lost.

The FY20 Budget, including all amendments, includes \$100,000 in the Combined Water and Wastewater Systems Fund for the remaining engineering on Authorization 65. The FY20 Budget also includes \$60,000 in the Combined Water & Wastewater Systems Fund for miscellaneous professional services. Right of Way Services has submitted an agreement (attached) to compete appraisal and acquisition services for the remaining seven (7) tracts for this project in an amount not to exceed \$22,400.00. The balance on HDR’s Authorization 65 will be reduced by \$7,608.20 for a new balance of \$115,122.10.

Purpose:

Authorize Mayor to sign an agreement with Right of Way Associates to complete appraisal and acquisition services associated with the 144th Street Pump Station project.

Impact:

Comprehensive Plan:

Significant

Economic Development Plan:	Significant
Parks Master Plan:	N/A
Strategic Plan:	Significant
Capital Improvement Plan:	Significant
Budget:	FY20 Budget includes \$60,000
Legislative History: N/A	
Suggested Action: Motion to approve Resolution 763	
Attachments: <input type="checkbox"/> Plans <input type="checkbox"/> Contract <input type="checkbox"/> Staff Report <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Minutes <input checked="" type="checkbox"/> Other: Agreement	

RESOLUTION 763

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH RIGHT OF WAY ASSOCIATES FOR APPRAISAL AND ACQUISITION SERVICES.

WHEREAS, the Fiscal Year 2020 Budget, including all amendments, allocates funds for the City to engineer the 144th Street Pump Station project; and

WHEREAS, the City has a formal engineering agreement with HDR Engineering, Inc. (formerly E.T. Archer Corporation); and

WHEREAS, the City approved HDR Engineering, Inc.'s Authorization 65 on November 19, 2013 and Amendment 1 to Authorization 65 on September 15, 2015; and

WHEREAS, the City of Smithville now desires to complete appraisals and acquisitions on tracts of land associated with the 144th Street Pump Station project; and

WHEREAS, Right of Way Associates has submitted an agreement to compete appraisal and acquisition services on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:

THAT the Mayor of the City of Smithville is hereby authorized and directed to enter in an agreement with Right of Way Associates for appraisal services in an amount not to exceed \$22,400.00.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 7th day of January 2020.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

Right of Way Associates

Appraisals . Acquisitions . Consultation . Negotiations

December 13, 2019

Ms. Cynthia Wagner
City Administrator
City of Smithville
107 W. Main Street
Smithville, MO 64089

Re: Proposed Authorization 65
Phases I and 2
Sanitary Sewers
Smithville, Missouri

Dear Ms. Wagner:

I have enclosed a proposal to perform appraisal and acquisition services for the above referenced project. The scope of services is detailed in the proposal.

We have the experience and technical expertise to complete the project in a seamless, timely manner. Our appraiser holds the Missouri General State Certified appraisal designation and our negotiation agent holds his Missouri Real Estate License, required to perform acquisitions.

Thank you for the opportunity to be of service and we look forward to working with you on this project.

Sincerely,



John W. Moser, MAI, SRA
President

Enclosure

P.O. Box 1185 . Olathe, Kansas 66051-1185 . 913-642-0048 . www.rowassociates.com

**PROPOSED AUTHORIZATION 65
PHASES 1 AND 2
SANITARY SEWERS**

Scope of Services:

The appraisal services will be performed in accord with the requirements of the *Uniform Standards of Professional Appraisal Practice*. The services will also comply with enacted *Chapter 523, Condemnation Proceedings, of the Missouri Revised Statutes*. This act requires a 30-day window for property owners to provide an alternative routing and specific considerations prior to any eminent domain (if necessary), and a minimum 30-day negotiating period, including providing a copy of the appraisal to the property owners. Preparation and mailing of any 60-day notices will be the responsibility of the City.

Appraisal Services -

Appraisals will be performed according to the following scope:

1. For each parcel, identification of the economic unit, or larger parcel to be appraised, based upon the unities of use, contiguity and ownership.
2. Identify available utility and development infrastructure.
3. Review the existing zoning, and master planned zoning, from the appropriate governmental authority. Estimate the Highest and Best use of the property.
4. Research county records and other available sources for comparable sales data.
5. Estimate land values based upon comparable data.
6. Analyze and estimate value impacts due to takings and site improvement losses (structures and other improvements).
7. Analyze any building setback impacts due to the acquisitions.
8. Preparation of valuation reports which delineate monetary impacts.

Acquisition Services -

An average of five property contacts will be made during the acquisition project, outlined as follows:

Contact 1. Contact each owner by telephone to schedule a time to meet with them, at their convenience.

Contact 2. Travel to the property owner's residence, place of business or another location of their choice (within the Kansas City Metro Area. Out of town ownerships will be handled by mail). Review the plans for the project with them, answer any questions they may have, receive technical engineering questions and make the offer to them for the easements for the project. If the owner chooses to make a counteroffer, transmit this information to the Client/Project Engineer for their decision. If the owner is agreeable, the transaction would be completed in this first visit. Normally, additional contacts are required.

Contact 3. Contact each owner, and if they desire, meet with them again. Provide answers to technical engineering questions from information provided by the Client/Project Engineer. Answer any additional questions regarding the appraisal/acquisition process or seek additional engineering

counsel. At that point, we will attempt to complete the transaction at the original offer or any approved counteroffer amount.

Contact 4. Following consultation with the Client/Project Engineer, write a final offer letter to the property owner in an attempt to acquire the needed rights of way/easements.

Contact 5. If the owner accepts the final offer, meet with them again to sign. If we are unable to satisfactorily complete the negotiation, transmit the file to the Client for legal action.

Additional Services:

Appraisals/Acquisitions -

Any additional appraisals or acquisitions for properties beyond the defined scope or number of properties, or changes in plans requiring appraisal or acquisition revision, is an additional service. Any acquisition contacts beyond the specified average five contacts per tract is an additional service.

Document Preparation -

Acquisition documents can be prepared from legal descriptions furnished by the project engineer.

Meeting Attendance -

We will attend status and strategy meetings, if needed.

Appraisal Report Updates -

Any appraisal reports that require update due a change in market conditions attributed to delays in the project beyond the control of *Right of Way Associates* is considered an additional service.

Condemnation Services -

Right of Way Associates can provide evidence and testimony showing good faith offers have been made. If needed, we can prepare condemnation exhibits and provide expert testimony as to valuation conclusions.

INSURANCE

Right of Way Associates carries \$2,000,000 in general liability insurance, as well as an amount prescribed by law for Workers' Compensation. We also carry \$1,000,000 in Professional Liability Insurance. Our insurance covers all employees and independent contractors (except for Worker's Compensation) and evidence of insurance will be provided upon request.

COST OF SERVICES

The total base not to exceed cost for the appraisal services for the 7 tracts is \$1,700 per tract, or \$11,900. The not to exceed base cost for the acquisition services for the 7 properties is \$1,500 per tract, or \$10,500. The total not-to-exceed cost for appraisal and acquisition services is thus \$22,400. The charges will be made at the hourly rate and fee schedule described in this section, subject to the price cap. Periodic, itemized billings may be submitted.

Compensation for any additional services will be made at the hourly rate and fee schedule described in this section.

Fee Schedule

The fees will be in accord with the following rate schedule, subject to the above price cap:

A. Personnel hourly rates:

<u>Position</u>	<u>Rate/Hr.</u>
Principal Appraiser	\$300.00
Associate Appraiser	150.00
Right of Way Agent	100.00
Technician	35.00

B. Mileage:

\$0.56 per mile.

C. Out of pocket expenses:

Reimbursement of out of pocket expenses at cost (maps, ownership documents, etc.).

CONSIDERATIONS

This proposal is predicated on the following items:

1. Completed acquisition documents and title work will be provided at the start of the individual appraisals. It is assumed that plans will be completed and available at authorization to proceed.
2. Staking sufficient to establish acquisition boundary lines will be provided, if needed.
3. Any significant variance in the number of properties involved may require a per unit price adjustment.

Right of Way Associates



John W. Moser
President

Accepted by: _____

Title: _____
City of Smithville, Missouri

Date _____

APPOINTMENT



City of Smithville

Meeting Date: January 7, 2020

Department: Administration

Agenda Item: Appointments to the Economic Development Committee

Summary:

Chamber of Commerce Appointment to the Economic Development Committee. The Mayor will make nominations and the Board will vote.

Purpose:

The Mayor will make the following nominations:

Economic Development Chamber of Commerce Representative – Carol Noecker

Impact

- Comprehensive Plan: None
- Economic Development Plan: None
- Parks Master Plan: None
- Strategic Plan: None
- Capital Improvement Plan: None
- Budget: None

Legislative History:

Suggested Action:

A vote will be needed for the nomination

- Attachments:** Plans Contract Staff Report
 Ordinance Resolution Minutes Other: Resume

CAROL A. NOECKER

1220 County Rd KK • Smithville, Missouri 64089
816/863-4540
noecker5@gmail.com

CAREER TRACK

SMITHVILLE AREA CHAMBER OF COMMERCE – SMITHVILLE, MISSOURI

2017-PRESENT

EXECUTIVE DIRECTOR

- Maintain general office procedures, including payroll, billing/accounts payable, correspondence
- Oversee and supervise the Chamber Welcome Program, including billing, payroll and collections
- Prepare and distribute Chamber communications via email, written correspondence and social media
- Serve as Chamber liaison to City staff and other community groups
- Attend and participate in City and community planning meetings, workshops, and seminars
- Act as goodwill ambassador for all Chamber related activities
- Organize monthly membership meetings
- Organize monthly board of directors' meetings
- Plan and organize Chamber special events, fundraisers and promotions
- Provide public relations and promotion for member businesses
- Maintain Chamber website, membership software, and all Chamber social media accounts

FIRST CHRISTIAN CHURCH – SMITHVILLE, MISSOURI

2015-2017

OFFICE MANAGER

- Served as the “hub” of all communications
- Maintained membership records
- Produced and distributed publications necessary for operation of the church
- Ordered all church supplies and worked with outside vendors for services
- Prepared monthly board reports, accounts payable, payroll, and Sunday Service schedules
- Updated church website with weekly sermons and monthly newsletter, and maintained an online calendar of church activities

SELF-EMPLOYED – SMITHVILLE, MISSOURI

2006-2015

IN-HOME CHILD CARE PROVIDER

(REGISTERED PROVIDER IN KANSAS 2006-2010)

- Provided educational and nurturing in-home childcare for infants to school-age children, operating strictly within the parameters of state child care regulations
- Provided a daily information report to parents regarding their child's care
- Maintained necessary paperwork and receipts for accounting and tax purposes, as well as maintain files and necessary records for each child in care
- Maintained registered status with the Kansas Department of Health as appropriate, and participated in the National and Adult Child Care Food Program (NACCFP) through Daycare Connection

MOORE WALLACE AN RR DONNELLEY COMPANY - SHAWNEE, KANSAS

1998-2006

HEALTHCARE ACCOUNT REPRESENTATIVE

- Managed forms management programs for multiple hospitals and healthcare systems, with an annual budget up to \$1.4 million
- Maintained and developed customer relationships to increase new and repeat sales and contract renewals
- Monitored and replenished customer inventory at customer sites as well as internal warehouses
- Worked daily with internal manufacturing facilities on production scheduling, form composition and specifications, and quality issues
- Monitored and resolved customer billing/credit issues, and provided customer reports as requested

CAROL NOECKER

Page 2

DST SYSTEMS, INC. - KANSAS CITY, MISSOURI

1997-1998

CLIENT SERVICES REPRESENTATIVE

- Developed relationships with stock transfer system clients
- Served as liaison between clients and internal programming staff
- Provided customer reports utilizing EZtrieve program
- Developed and implemented test applications for system updates
- Identified and resolved customer and/or system issues

UNIVERSITY OF MISSOURI SYSTEM - COLUMBIA, MISSOURI

1995-1997

BENEFITS ANALYST

- Managed and researched all unemployment compensation requests for the University of Missouri System
- Managed the University System's long-term disability program, including researching and processing claims
- Calculated and disbursed premium payments for multiple medical plans

SOFTWARE PROFICIENCIES

MICROSOFT WORD / EXCEL / POWERPOINT / PUBLISHER / OUTLOOK

SOCIAL MEDIA SKILLS

MAILCHIMP / FACEBOOK / CONSTANT CONTACT / INSTAGRAM / TWITTER / ALIGNABLE / LINKEDIN

LEARNING CREDENTIALS

MASTER OF PUBLIC ADMINISTRATION
University of Missouri - Columbia

1993-1995
Columbia, Missouri

BACHELOR OF ARTS, BUSINESS ADMINISTRATION
Northeast Missouri State University (now Truman State University)

1987- 1991
Kirksville, Missouri

REFERENCES AND FURTHER DATA AVAILABLE UPON REQUEST