



**City of Smithville, Missouri**

**Board of Aldermen - Work Session Agenda**

**July 7, 2020**

**5:00 p.m. – City Hall \*\*\*Via Videoconference\*\*\***

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**NOTICE: \*Due to the Governor’s Emergency Declaration and the Health Officer’s orders for safety, public meetings and public comment during public meetings will require modification. The City of Smithville is committed to transparent public meetings and will continue this commitment during the COVID-19 crisis. Anyone who wishes to view the meeting may do so in real time as it will be streamed live on the city’s FaceBook page through FaceBook Live. Attendance in person by members of the public will not be permitted.**

- 1. Call to Order**
- 2. 2020 Tax Rate Update**
- 3. Discussion of Schedule of Fees**
- 4. Discussion of Revenue**
- 5. Discussion of City Fleet**
- 6. Discussion of Assessment of Utility Late Fees**
- 7. Adjourn**

## Agenda Item # 2 – 2020 Tax Rate Update



### STAFF REPORT

**Date:** July 7, 2020  
**Prepared By:** Daniel Toleikis, Finance Director  
**Subject:** 2020 Tax Rate Update  
**Staff Report:** All Departments

Pursuant to RSMo 67.110, the City must file its tax rate with Clay and Platte Counties on or before September 1 each year. September 1, 2020 is a Tuesday. The planning calendar indicates a Public Hearing at the August 4 Regular Session followed by first reading of the Ordinance on August 4. Second reading of the Ordinance is planned for August 18. Prior to the Public Hearing, the City must either publish public notice on the hearing in one newspaper in general circulation of Clay and Platte Counties or publish public notice of the hearing in at least three public places in the political subdivision. Either must take place seven days prior to the public hearing, or prior to July 29.

Prior to the notice being posted, City staff needs to receive final assessed values (AV) from Clay and Platte Counties, otherwise known as Post-Board of Equalization letters, or Post-BOE letters. Last year, Platte County provided their Post-BOE on August 6, and Clay County provided theirs on August 12.

Based on the likelihood of not receiving Post-BOE letters and in time to fulfill the 7-day posting requirement prior to the August 4 Regular Session, it's likely that the Public Hearing and an emergency first and second reading of the Ordinance will need to occur at the August 18 Regular Session, or, perhaps more likely, a special meeting may need to be set between August 19 and August 31 for these items. Staff is asking the Board to consider setting a tentative date for a Special Meeting in late August.

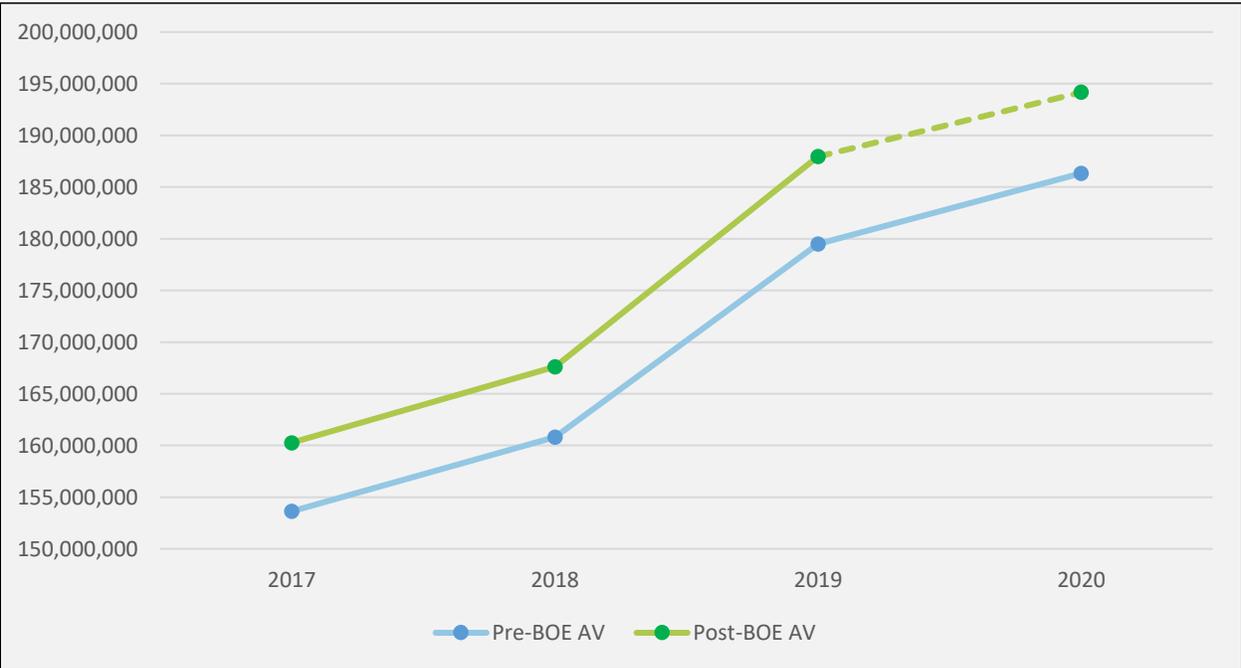
However, Pre-BOE letters from each County are typically made available in early July for informational purposes. These Pre-BOE letters are not final assessed values. As of July 2, City staff has received Pre-BOE letters from both Clay and Platte Counties (copies are included in the packet) and is awaiting Post-BOE letters. The charts and graphs on the next page compare Pre-BOE AV and Post-BOE AV from 2017 to 2020.

The 2020 Pre-BOE Letter from Clay County is also the first that contains an assessed value for the Smithville Marketplace TIF over and above the 2017 base assessed value. The City still receives property taxes on the base assessed value, but the amount of assessed value over the base gets adjusted out since those property taxes are set aside as PILOTs.

City staff will update the Board as soon as Post-BOE AVs are received.

Pre-BOE AV	2017	2018	2019	2020
Real Property	124,936,149	129,824,355	147,314,863	154,146,458
Personal Property	25,645,827	27,470,239	26,576,413	29,823,704
New Construction	3,054,760	3,505,990	5,593,190	2,760,620
TIF Adjustment	0	0	0	(399,070)
Total AV	153,636,736	160,800,584	179,484,466	186,331,712

Post-BOE AV	2017	2018	2019	2020
Real Property	129,901,330	134,500,230	153,938,340	
Personal Property	26,503,246	29,040,159	28,722,750	
New Construction	3,871,350	4,091,930	5,289,100	
TIF Adjustment	0	0	0	
Total AV	160,275,926	167,632,319	187,949,000	194,157,644
% Change	4.3% Inc	4.2% Inc	4.7% Inc	4.2% Inc





# CLERK OF THE COMMISSION CLAY COUNTY, MISSOURI

Clay County Courthouse  
1 Courthouse Square  
Liberty, Missouri 64068

**Megan Thompson**  
County Clerk  
Phone: (816) 407-3572

### Aggregate Valuation

**Smithville  
Jun-20**

Real Estate, Class 1	132,026,870
Real Estate, Class 2	751,440
Real Estate, Class 3	21,253,930
Total Real Estate	154,032,240
Personal Property	29,750,838
Supplemental Personal	
Added Individual Personal	
Business Personal	
Supplemental Business Personal	
Added Business Personal	
Railroad & Utility (Local Real)	70,110
(Local Personal)	55,857
Railroad & Utility (State Real)	
(State Personal)	
<b>Total Current Valuation</b>	<b>183,909,045</b>
<b>TIF as provided by the Clay Co. Assessor</b>	<b>399,070</b>
<b>Adjusted Valuation</b>	<b>183,509,975</b>

This information is provided in order to assist you in complying with Section 67.110 of the Revised Statutes of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of the County Commission of Clay County, at my office in Liberty, JUNE 2020



### **NEW CONSTRUCTION**

<b>RES</b>	<b>2,601,640</b>
<b>COMM</b>	<b>142,730</b>
<b>AG</b>	<b>16250</b>
<b>TOTAL</b>	<b>2,760,620</b>



NANCY ARMSTRONG Clerk of the Commission - Platte County, Missouri

NOTICE OF AGGREGATE ASSESSED

PRE-BOE

VALUATION

Smithville

AS OF JUNE 29, 2020

**REAL ESTATE**

Residential	39,633	
Agricultural	4,467	
Commercial	0	
Real Estate Total		44,100

**PERSONAL PROPERTY** 17,000

**RAILROAD AND UTILITY (Real Property)**

Locally Assessed		8
State Assessed	N/A Pre BOE	

**RAILROAD AND UTILITY (Personal Property)**

Locally Assessed		9
State Assessed	N/A Pre BOE	

**GRAND TOTAL** 61,117

New Construction (Included in Real Estate Above) 0

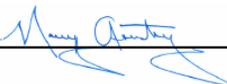
CWIP (Included in Local RR&U Real Estate Above) 8

CWIP (Included in Local RR&U Personal Above) 9

Tax Increment Financing (TIF) 0

This information is transmitted to assist you in complying with Section 67.110 RSMO, which requires that notice be given and public hearings held before tax rates are set.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the Official Seal of Platte County, Missouri at my office in Platte City, Missouri, on JUNE 29, 2020.



415 Third St., Room 116, Platte City, MO 64079 Phone:(816) 858-3342 Nancy.Armstrong@co.platte.mo.us

## Agenda Item # 3 – Discussion of Schedule of Fees



### **STAFF REPORT**

**Date:** July 7, 2020  
**Prepared By:** Daniel Toleikis, Finance Director  
**Subject:** Discussion of Schedule of Fees  
**Staff Report:** All Departments

Staff proposes the following two changes to the Schedule of Fees effective November 1, 2020:

1. This time last year, coinciding with the Police Department’s in-vehicle and body-worn camera upgrades, the quality and quantity of video drastically increased. Video sometimes needed to be burned on multiple DVDs and were taking up to an hour to burn because of the high quality. The Schedule of Fees was amended to remove the option to obtain a copy of a video on a DVD, and in its place both Cloud Links and USBs were made available as options for obtaining a video. A year later, USBs have seldom been requested, there have been no issues with providing Cloud Links. Additionally, Cloud Links provided a simple, contactless solution as COVID-19 concerns remain high.

Staff recommends the removal of the USB option for obtaining a copy of video, leaving the Cloud Link as the only option.

Change	Department	Category	Description	Current Fee	Proposed Fee
REMOVAL	Police	None	Copy of Video - USB	\$20.00	-

2. With the transfer of Municipal Court to Clay County effective January 1, 2019, staff erred on the side of caution and kept Municipal Court fines listed in the Schedule of Fees. With the transfer now 18 months in, staff feels we can remove all Municipal Court Fine listed in the Schedule of Fees.

Tangential to the Schedule of Fees, Jack Hendrix has provided a separate memo on the fee for Payments in Lieu of Dedication of Land for Recreation or Open Space. This fee is directly stated in Section 425.220 of the Code of Ordinances, so it is not listed in the Schedule of Fees. Any changes to that fee will need to be done by Ordinance.

[\(Full Schedule of Fees\)](#)

**Date:** July 1, 2020  
**Prepared By:** Jack Hendrix  
**Subject:** Parks Fee Equalization

Mayor Boley requested that staff develop with a method to rectify a problem with our Parks fee process that was adopted in the subdivision code. That subdivision code provision applies to all residential subdivisions and requires each subdivision to provide either land or money for park development in accordance with the Comprehensive and Parks Master Plans. Residential is defined in that code as a new subdivision inside a residentially zoned district. (R1 through R-3) However, we have residential use districts that are NOT Residential in accordance with the subdivision code – A-1/AR districts, and potentially multi-facility apartments that would not implicate a new subdivision. While there will be families living in these new dwellings, there is no current method for those dwellings to assist in the park development like the subdivision code provisions that apply to most residential zoned developments. The lack of equal treatment between different housing types is what is addressed here.

The identified problem arises in single family subdivisions constructed in either of the Agricultural zoning districts - the A-1 district which is for lots not less than 10 acres (some smaller sizes exist that predate the 2013 zoning code update) and the A-R district which is lots not less than 2 acres with sewers or 3 acres if septic systems. Recent examples of this type of housing is Brandywine Cove (8 lots) Estates at the Ranch (14 lots), the Oaks at Paradise Point (5 lots) the Estates of Wilkerson Creek (7 lots and Hills of Shannon Estates (5 lots). These 39 lots would have contributed \$24,375 in Park Development funds if on Residentially zoned land.

It also arises in some commercial zoned lands that “multi-facility residential” apartment type units could be constructed. These areas would also not be subject to the park development structure. The new Villas of Smithville apartments near the library is an example of housing that was not subject to the park fee. Those units were constructed on B-3 zoned land, which is the same zoning as the Smithville Properties apartments on Commercial, just east of Victory Chevrolet. This same exemption could apply equally to a vacant piece of land currently zoned R-3 or B-1, 2 or 3. There would be no requirement that this land be divided or rezoned, so there would be no mechanism to require new housing units in these areas to provide funding assistance for parks.

To equalize the funding gap for parks to ALL dwelling units that are newly constructed there are some legal issues that can be avoided by a different method of assessing those fees short of completely reworking the subdivision code. Specifically, the current subdivision code assesses a fee using a formula based upon park land necessary for an

average person using the National Recreation and Parks Associations calculations. (2 acres per 100 people) and sets a fee for all dwelling units to pay via either cash or land dedication. IF a land dedication is not possible, the fee total is \$625 per dwelling unit. A 200-unit subdivision that has no land to dedicate for parks (per the Parks Master Plan) then the developer is responsible for \$125,000 in Parks fees.

In order to equalize the overall process and structure, the following new provision would satisfy this unequal treatment:

“ALL new dwelling units [constructed after the effective date of the approved change] must remit a Parks Development fee of \$625.00, EXCEPT any unit to be constructed on a lot in a subdivision development that complied with the Parkland Dedication requirements of the then existing subdivision code by either dedication of land or payment in lieu of dedication, or reconstruction of a new dwelling unit on a lot where one previously existed.”

This proposed method will allow all residential units to pay the equal amount in park fees upon development. We have reviewed many of the jurisdictions near us to determine the method of park dedication calculations, as well as the amount required for payments in lieu of actual land dedications. Our review indicates the most common method used in our area is a formula based upon the census density of the city, multiplied by the number of dwelling units proposed, then multiplied by a land use factor. The most common land use factor is the NRPA recommendation of 2 acres for every 100 persons. This results in the total number of acres to be dedicated for parks.

Each community has their own standards for what can be calculated as parks, how each is calculated, with nearly all referring to either the Comprehensive Plan or the Parks Master Plan. Each community has also set the value to be assessed – either a per acre price, dwelling unit price, or per capita price – and used to calculate the total amount required for each development. In order to best represent how Smithville code applies to other communities versions, it was assumed that a new subdivision would be on 67 acres, have 200 dwelling units, and the census density was the same as Smithville for all calculations – 3.1 people per unit. Where variations are required to show a different situation (two-family, multi-family) those census densities are identified. It is also assumed that there were no acres available for dedication as parks, so compliance is only through fees in lieu of dedication.

<b><i>City</i></b>	<b><i>Park Fees in lieu of dedication</i></b>
Gladstone	\$10,000 (the lesser of \$200.00 per acre or \$50.00 per dwelling unit)
Kansas City	\$33,000.00 (Single Family) Actual formula for KC uses census density of: 3.7 for single family (\$39,387.10) 3.0 for two family (\$31,935.49) 2.7 for multifamily (\$28,741.94)

Kearney	\$65,000 (Residential only)
Liberty	\$74,400 (Residential)
Platte City	\$46,500 (residential) \$61,380 (commercial and industrial) Commercial and Industrial developments are calculated by assuming 4 houses per acre on the land.
Smithville	\$125,000 (residential subdivisions only)

It is important to note, the formula used in Smithville is the most recent enactment of all the cities' provisions. Most of the other provisions are more than 10 years old and one community indicated its intent to update their pricing to reflect current land prices. The purpose of the proposed change is to equalize the fee obligations to all new dwelling units, not just those in new subdivisions. In addition to equalizing the application of this fee, the Board can consider recommending a price change. Any such change to our formula would require Planning commission recommendation in advance of the actual change as our current structure is in the Subdivision Ordinance.

## Agenda Item # 4 – Discussion of Revenue



**STAFF**

**REPORT**

**Date:** July 7, 2020

**Prepared By:** Daniel Toleikis, Finance Director

**Subject:** Revenue Discussion

**Staff Report:** All Departments

Staff has continued to monitor revenues and expenditures closely as we reach mid-year, with regard to the impact that COVID-19 may have on the City’s financial situation. COVID-19 is having a significant impact on a few revenue areas in FY20: Licenses, Fees, and Permits (building permit numbers are down); Intergovernmental Revenues (SRO costs were not reimbursed as school was closed); Charges for Services (Smith’s Fork Campground was closed for two months when it ordinarily would have been open, and spring and summer recreation programs were canceled); Fines and Forfeits (Clay County canceled their court dates for two months); and Interest (interest rate declined). The chart below represents sources of revenue for the City, with the original FY20 Budget amount, the FY20 Year-to-Date amount, FY20 Projection, and draft FY21 Budget amount. Detail on each revenue source is provided on the following pages.

TOTAL REVENUES, BY SOURCE	FY20 Budget	FY20 YTD*	FY20 Projection	FY21 Budget
PROPERTY TAXES	867,480.00	881,441.68	889,440.00	886,950.00
SALES AND USE TAXES	1,500,700.00	1,034,655.57	1,550,500.00	1,590,830.00
FRANCHISE TAXES	875,740.00	403,553.28	703,050.00	681,430.00
OTHER TAXES	318,350.00	222,456.29	320,910.00	322,040.00
LICENSES, FEES, AND PERMITS	382,690.00	257,054.18	352,500.00	327,620.00
INTERGOVERNMENTAL REVENUES	44,800.00	23,787.80	29,000.00	49,280.00
CHARGES FOR SERVICES	234,880.00	63,999.76	175,440.00	241,090.00
FINES AND FORFEITS	167,310.00	88,772.50	149,160.00	168,980.00
INTEREST	150,000.00	85,499.68	113,260.00	42,000.00
DONATIONS	3,580.00	-	3,580.00	4,750.00
OTHER REVENUE	-	946,493.41	470.00	400.00
DEBT ISSUED	-	-	-	-
TRANSFERS IN	-	88,385.65	184,130.00	197,880.00
<b>TOTAL REVENUES</b>	<b>4,545,530.00</b>	<b>4,096,099.80</b>	<b>4,471,440.00</b>	<b>4,513,250.00</b>

\* year-to-date is through June 30, 2020

## **PROPERTY TAXES**

Property tax bills are mailed in mid-November by the county collector and payments are due by December 31 each year. The FY20 Budget amount represents 97% collection of all property tax bills.

About 90% of what the City receives each budget year is collected before January 31, and that increases to 97.5% by April 30. The remaining 2.5% trickles in as delinquent property tax payments between May and October.

The YTD amount is reflective of a 97.17% collection rate on all property tax bills. The FY20 Projection reflects what would be a 98% collection rate on all property tax bills as some delinquent payments are collected. However, staff feels we cannot assume we will approach a higher collection rate with the financial impact COVID-19 may be having on Smithville residents.

Historically, collection rates have risen over the previous five years:

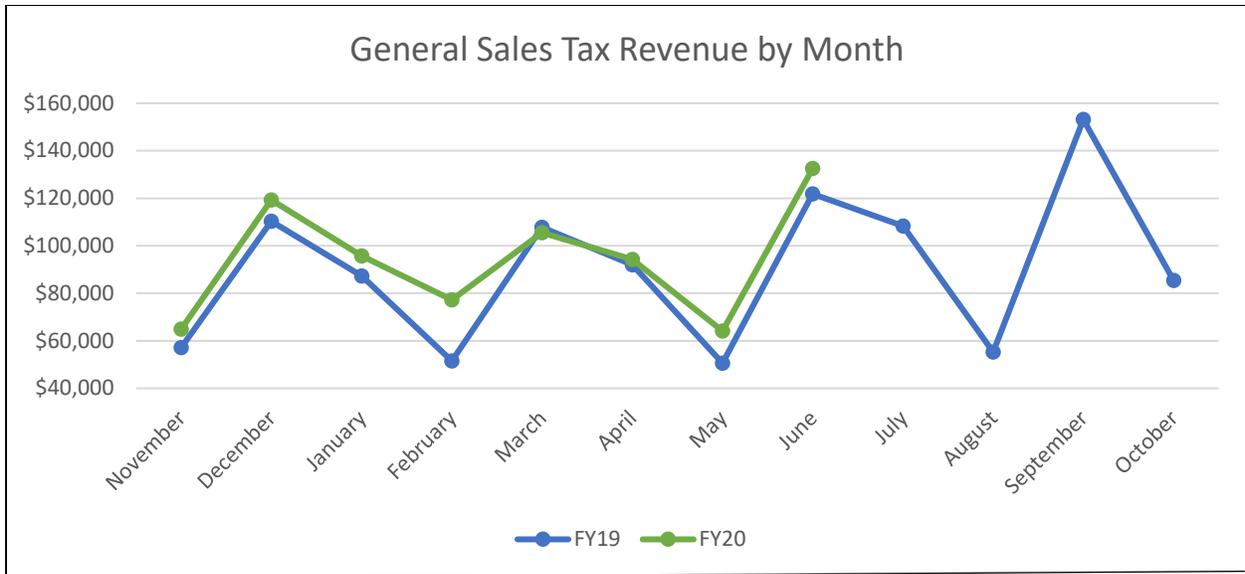
FY15 = 85.72%  
FY16 = 85.94%  
FY17 = 90.98%  
FY18 = 95.99%  
FY19 = 99.48%

It is likely that COVID-19 will play a larger role in the collection of property taxes that will be due this coming December. Therefore, the draft FY21 Budget amount is based on a moderate 4.2% increase on Pre-BOE assessed values (as seen on the Tax Rate Discussion Staff Report), at the same .4484 property tax rate that the City currently has imposed, at a conservative 92% collection rate.

## **SALES AND USE TAXES**

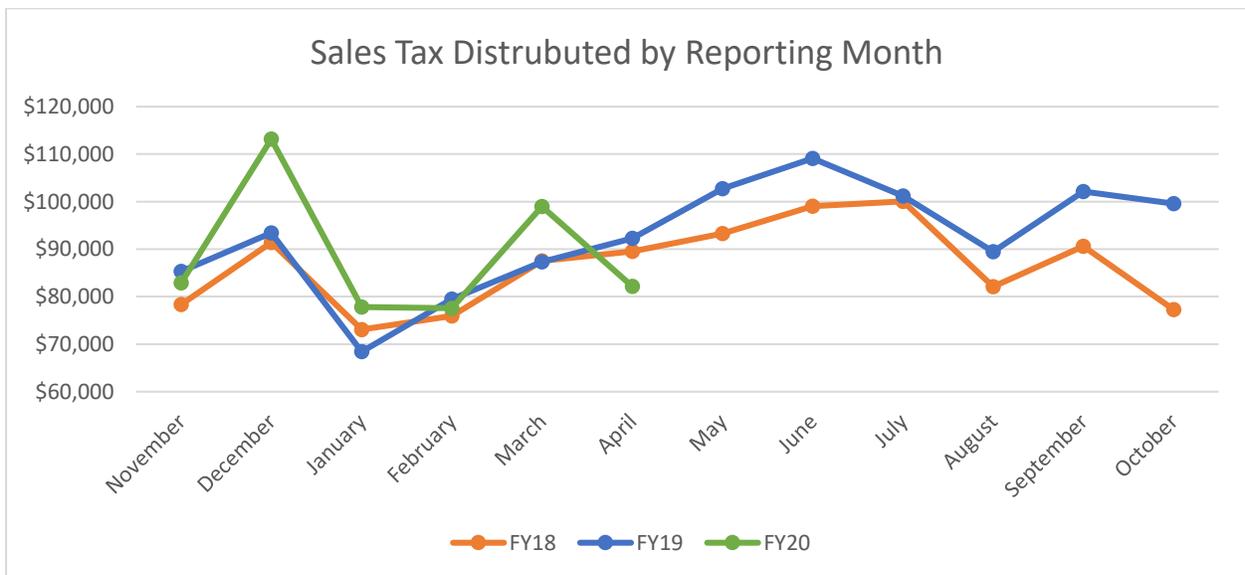
I want to start this conversation with the following note – in the event that the discussion leads to the sales tax revenue and/or sales tax data attributed to a single business or small group of businesses where certain businesses may be identifiable comes up, I must remind the Board that “Those listed [on the Request for Information or Audit of Local Sales and Use Tax Records form] can only access the information in performing their official duties related to the administration of the tax and cannot disclose this information to the public or any other official who is not authorized.”

The following graph shows general sales tax revenue received each month beginning with November 2018. FY20 revenue has exceeded FY19 revenue in every month except March 2020.



It's important to note that the month general sales tax revenue is received by the City does not directly correlate to the month businesses reported sales. Also, some businesses are required to report monthly, while others may report only quarterly, or even annually. For example, the City received \$64,103.45 in general sales tax revenue on May 11, 2020. That correlated to \$18,880.29 for April 2020 sales, \$27,863.47 for March 2020 sales, \$12,517.41 for February 2020 sales, \$2,264.26 for January 2020 sales, and \$2,578.02 for sales prior to 2020.

The next graph rearranges the monthly sales tax revenue data from the month it was received by the City to the month for which sales were reported.

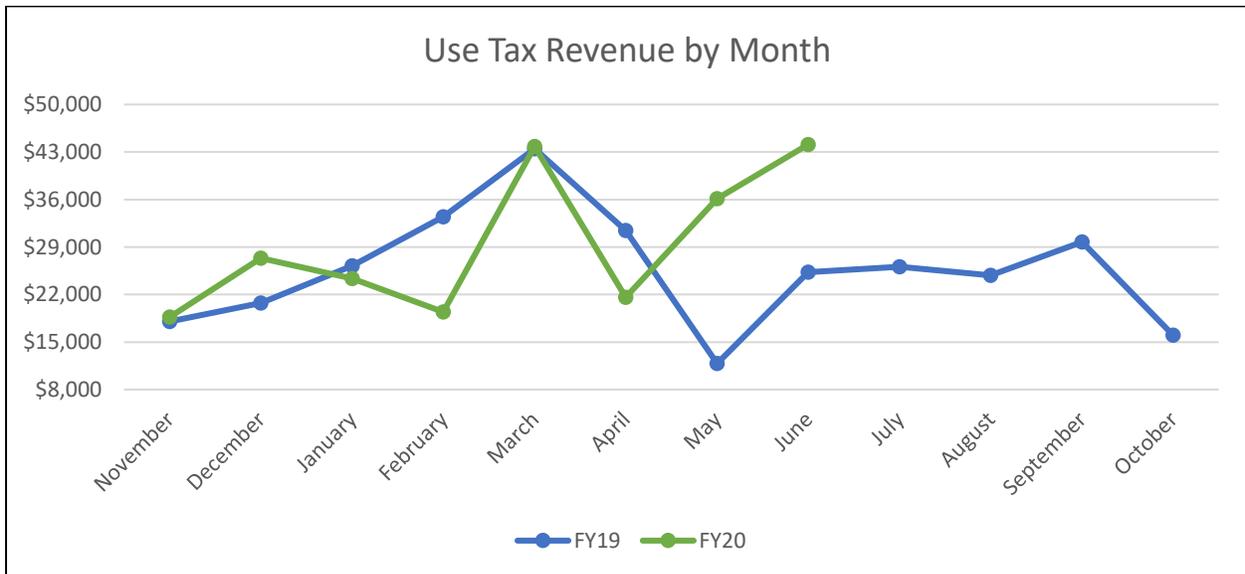


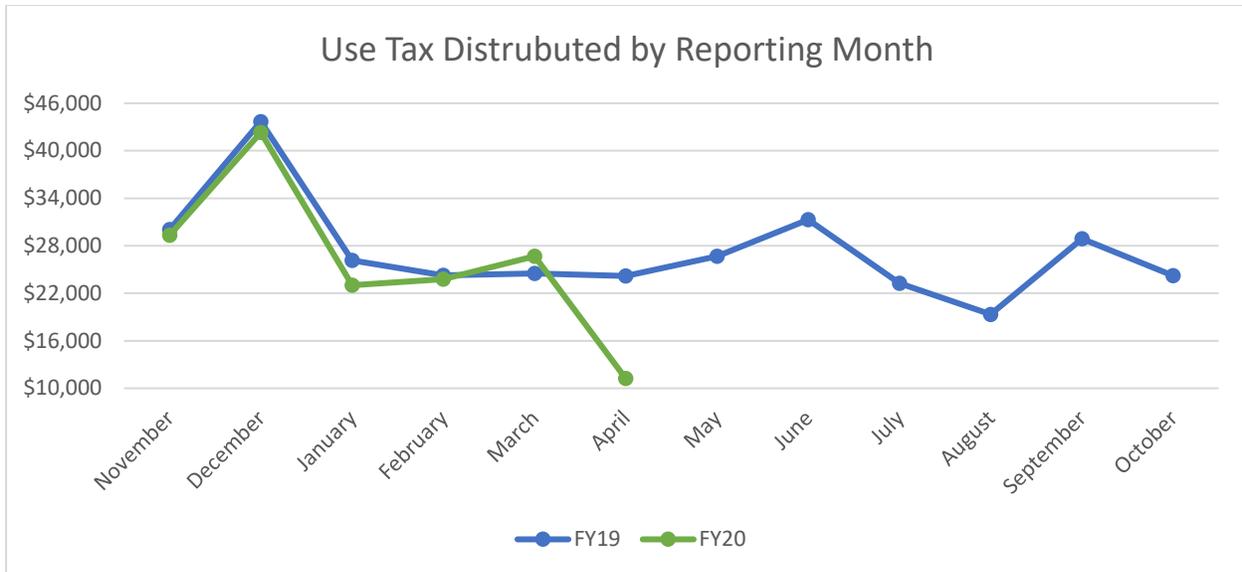
Now we must examine the number of businesses reporting this sales tax data. The FY20 sales tax data above for November 2019, December 2019, and January 2020

reflect nearly 100% of all businesses reporting their sales data for those months. The February 2020 sales data reflects about 88% of businesses reporting, the March 2020 sales data reflects about 82% of businesses reporting, and the April 2020 sales data reflects only about 53% of businesses reporting. All three of these data points will move higher on this graph.

At this point, all data that we have indicates that sales tax revenue has remained as projected in the FY20 Budget and COVID-19 has not had a significant impact on sales tax revenues. By the Work Session, staff hopes to have one more month of data available to us, and we will provide updated graphs with that information, if available.

Similarly, the following graphs shows use tax revenue received each month beginning with November 2018, and that data rearranged from the month it was received by the City to the month for which sales were reported.





Use tax data has a bit more of a lag in the reporting than sales tax data, and also a larger number of businesses who report. The FY20 use tax data for December 2019 and March 2020 reflect nearly 100% of quarterly and annual submitters reporting. However, the November 2019 – March 2019 use tax data reflects about 80-85% of monthly submitters reporting, and the April 2020 use tax data reflects only about 47% of monthly submitters reporting. All FY20 data points should continue to move a bit higher on this graph.

The draft FY21 Budget amount is based 2.6% growth in sales and use taxes, and this includes projected new sales at the Smithville Marketplace.

### **FRANCHISE TAXES**

The FY20 Projection appears low, however, our auditors recommended that we start to treat the Utilities Franchise Tax (from the CWWS Fund) as a transfer in rather than franchise tax revenue. If we add the \$703,050 projected in this category and the \$184,130 projected in the Transfers In category, projections are at \$887,180, above the original budget of \$875,740.

Indications are that these revenues have remained as projected in the FY20 Budget and COVID-19 has not had a significant impact on them.

The draft FY21 budget includes a slight decrease to account for the declining trend in Cable TV and Telecommunications franchise tax revenues.

### **OTHER TAXES**

Other taxes include Fuel Tax, Motor Vehicle Fees, and Road and Bridge Tax.

Indications are that these tax revenues have remained as projected in the FY20 Budget and COVID-19 has not had a significant impact on them.

## **LICENSES, FEES, AND PERMITS**

Residential building permits are down in 2020 when compared to 2019. It's difficult to tie this directly to COVID-19, but staff believes it is playing a part. However, we have seen the revenue from two commercial building permits associated with the TIF, which made up a significant amount of the expected loss from residential permits. Overall, staff anticipates a loss of \$48,200.

The draft FY21 budget is based on a conservative residential building permit count for 2021.

## **INTERGOVERNMENTAL REVENUE**

At the time school was closed due to COVID-19, the two SRO officers were placed into the normal patrol schedule. Reimbursement from the school for the officers' pay and benefits stopped. Staff anticipates a loss of \$12,070.

Additionally, staff postponed participation in the DWI Enforcement Grant program due to COVID-19. Staff anticipates a loss of \$3,000.

The draft FY21 budget includes a return to normal for Intergovernmental Revenue, which could change based on the school's reopening timeline, and reinstatement of the DWI Grant program.

## **CHARGES FOR SERVICES**

Spring and summer youth and adult recreation programs were canceled due to COVID-19. Staff anticipates a loss of \$17,230.

Additionally, the start of the Smith's Fork Campground season was delayed from April 1 to June 1. Staff anticipates a loss of \$33,020.

The draft FY21 budget includes a return to normal for youth and adult recreation programming and campground operations.

## **FINES & FORFEITS**

Clay County canceled its March and April court dates due to COVID-19. Cases that would have appeared on those dockets are being rescheduled, however, with limited room on each docket, it may take a long time for cases to be caught up. Staff anticipates a loss of \$18,150.

The draft FY21 budget includes a return to normal for Clay County court operations.

## **INTEREST**

Interest rates dropped drastically due to COVID-19. Staff anticipates a loss of \$36,740.

The draft FY21 budget assumes the interest rate does not recover in 2021.

## Agenda Item # 5 – Discussion of City Fleet



**STAFF**

**REPORT**

**Date:** July 7, 2020  
**Prepared By:** Nickie Lee, Assistant City Administrator  
**Subject:** Fleet Management and Funding  
**Staff Report:** Administration, Finance

### **Background**

In 2019, City staff began an exhaustive review of vehicle & equipment inventory and replacement plans. Based on Board direction, staff has been exploring the possibility of shifting from a purchased/owned fleet to a leased/managed fleet through Enterprise Fleet Management. Additionally, staff has been exploring the possibility of creating an internal Vehicle and Equipment Replacement Fund to better prepare for and fund future expenditures.

### **City of Smithville Fleet Overview**

The City owns more than 120 pieces of fleet and equipment, 45 of which are vehicles. Each year as part of the budget process, departments review their fleet and equipment inventory for opportunities to purchase, repurpose, or sell vehicles or equipment. In the past, purchases of vehicles and equipment have been acquired based on available funding on an irregular schedule which has resulted in an aging and inefficient fleet. A partnership with Enterprise could provide a solution for updating the fleet and creating efficiencies throughout the organization.

Staff recommend the Board discuss establishing an agreement with Enterprise to begin the fleet management program starting with the 2021 budget year. Enterprise would begin with managing 27 vehicles which are profiled on the attached "Fleet Synopsis".

According to Enterprise's analysis:

- 44% of the current light and medium duty fleet is over 10 years old.
- Older vehicles have higher fuel costs, maintenance costs, and tend to be unreliable.
- It would take 11.25 years to cycle out the entire fleet at current acquisition rates.

### **Enterprise Fleet Management**

Enterprise Fleet Management works with private and public sector organizations throughout the United States providing services which include fleet acquisition, financing, maintenance programs, fuel programs, telematics, driver safety, and vehicle resale.

An agreement between the City of Smithville and Enterprise Fleet Management would include leasing of selected vehicles, vehicle maintenance, and vehicle resale. The City does not currently have a comprehensive fleet management program or vehicle replacement model. Enterprise would manage the City's fleet, excluding equipment and police response vehicles.

Enterprise is an approved vendor through the State's cooperative purchasing contract and would provide acquisition, maintenance, management and re-sale services to the City through the agreement.

### **Use of Leased Fleet Management in Other Organizations**

A growing number of cities and government entities are utilizing leased vehicles and/or fleet management. Regionally, Enterprise currently works with the City of Raymore, Shawnee County, Saline County, City of Lenexa, the City of Camdenton, the Unified Government of Wyandotte County, Leavenworth County, the City of Prairie Village, the City of Lake Ozark, the City of Branson, and several school districts. In the Northland, the City of Gladstone is exploring the option for a portion of its fleet. Staff have had conversations with several of these entities about their experience.

### **Vehicle and Equipment Replacement Fund**

The Government Finance Officers' Association (GFOA) and American Public Works Association (APWA) recommend the establishment of a fleet replacement fund for managing the replacement of vehicles. Both organizations recommended that funds be provided during each annual budget cycle as a priority item, in the form of transfers from other funds. These transfers are based on a percentage of the average annual lease payments, with an escalator for inflation. Additionally, it is recommended that a fleet replacement fund be established with a goal to maintain adequate reserves for timely replacement, emergencies, and unforeseen replacement of vehicles/equipment. Seed money, additional monies transferred in the beginning year or years, may be considered to help fund the reserve.

Staff recommends the establishment of a Vehicle and Equipment Replacement Fund (VERF) along with the Enterprise partnership. It is recommended the fund initially only include the leased vehicles, and over time adding in equipment and police response vehicles. Transfers would be presented as part of the budget discussion each year, along with a long-term replacement schedule. These transfers would create a dedicated funding source for future vehicle and equipment purchases and/or lease payments. Staff also recommends seeding the fund through revenue from the sale of currently owned fleet vehicles.

A first-look at a vehicle replacement schedule is included in the packet. Replacement years and categories were originally recommended by Enterprise, and the final schedule has been reviewed and updated by staff. Note figures in some years may vary from Enterprise's synopsis based on using different assumptions. In addition, staff recommends eliminating three vehicles from the current fleet – two currently used as City Hall float vehicles and one truck in the Parks & Recreation Department. Two additional, specialized vehicles are recommended to be held on to and moved to the equipment replacement schedule instead of

replacement through the fleet replacement schedule. Staff is still considering replacement of Development Department vehicles with eco-friendly or electric vehicles and is in talks with Evergy regarding the installation of charging stations at City Hall.

Also included in the packet is a first-look walkthrough at the VERF shown in several scenarios:

- A) The first chart (a) shows an estimated lease payment schedule for each vehicle. Blue and red cells display alternating leases. The negative figures in green represent the sale of currently owned vehicles. The negative figures in yellow show the equity from the sale of leased vehicles. The first chart uses the proceeds from the sale of currently owned vehicles to seed the VERF, but includes no transfers. The proceeds and equity alone can fund the first seven years of the replacement schedule.
- B) The second chart (b) is the same as the first, but also includes annual transfers which support the ongoing needs of the replacement schedule. These transfers start as \$22,000 in year one and increase by 5% annually. This establishes approximately a 34% reserve in the VERF.
- C) The third chart (c) is the same as the second, but includes additional seed money in years 1-4 (a total of \$338,000) to establish a 100% reserve in the VERF by year 5, which is when all vehicles will be leased. Staff is looking for direction from the Board on the desired reserve amount and the length of time before the desired reserve amount is achieved. Staff can walk through a document detailing different reserve options suggested by the Board.

Note scenarios will change in future years when and if police response vehicles and equipment are added to the Fund. Additionally, yearly revenues and expenses would be updated annually to reflect market fluctuations in resale and purchase prices, in addition to any operational adjustments to the numbers or types of vehicles.

### **Action Recommended/Requested**

Staff requests direction from the Board:

- Should staff proceed with discussions with Enterprise to include leasing in the FY2021 budget? The next step would be adoption of an agreement with Enterprise.
- Should additional information regarding establishment of a Vehicle Replacement Fund be included in budget discussions?



## FLEET MANAGEMENT

### FLEET SYNOPSIS | CITY OF SMITHVILLE, MO



107 W Main  
Smithville, MO 64089

[Piggyback The Sourcewell Awarded RFP #060618-EFM that addresses the following:](#)

- Access to all fleet management services as applicable to the needs of the City
- Supports the City's need for fleet evaluation on a quarterly basis assessing costs and reviewing best practices

[Enterprise Fleet Management, Inc.](#)

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St. Louis, MO 63105  
314-512-5000 Main  
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Account Executive  
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# FLEET SYNOPSIS | CITY OF SMITHVILLE, MO

## Impact of Partnership

### BACKGROUND

Location: Smithville, MO  
Industry: City Government  
Total Non-Emergency Vehicles: 32

### THE SITUATION

The City of Smithville is looking for a solution to better manage its aging fleet.

- 44% of the current light and medium duty fleet is over 10 years old.
- Older vehicles have higher fuel costs, maintenance costs, and tend to be unreliable.
- It would take 11.25 years to cycle out the entire fleet at current acquisition rates.

### THE OBJECTIVES

Enterprise Fleet Management's proposal is to save City resources and budget dollars through a managed vehicle program.

- Utilize an open-end lease\* as a funding mechanism, allowing the City to acquire additional vehicles while avoiding a large capital budget outlay.
- Replace aged vehicles with newer models to increase fuel efficiency and reduce maintenance expense. Maintenance and repair expenses will be reduced as the age of vehicles is lowered and the integration of more fuel efficient vehicles will reduce carbon footprint.
- Establish a proactive replacement plan that maximizes potential equity at time of resale, reduces operational expenses, and increases safety.

\*An open-end lease means there are no early termination, mileage, or abnormal wear and tear penalties. Leases are written to a residual balance to preserve cash flow. The City receives flexibility of ownership, as well as net equity from sale at time of disposal.

### CLIENT TESTIMONIAL

*"We were skeptical at first because the numbers looked too good to be true. Once we made the choice to work with Enterprise Fleet Management, it was exciting to have a new fleet of vehicles for our employees. When we saw savings over 22% on fuel costs, just by switching to newer vehicles, that alone was worth the change."*

—Nick Arena, Asst. Municipal Services Director, City of Lenexa, KS

### THE RESULTS

By partnering with Enterprise Fleet Management, it is estimated that the City will create a long term sustainable cost savings of 35% while replacing the heavily aged fleet with newer, more reliable vehicles on a flexible four year cycle. This is expected to reduce Non-Emergency Response Vehicles fuel costs by 20% and maintenance costs by 68%.

Leveraging an open-end lease maximizes cash flow and recognizes equity from vehicles sold. Furthermore, the City will leverage Enterprise Fleet Management's ability to sell vehicles at an average of 109% of Black Book values.

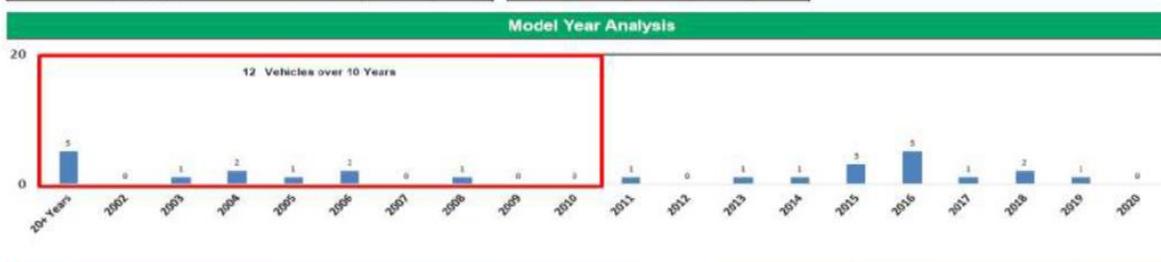
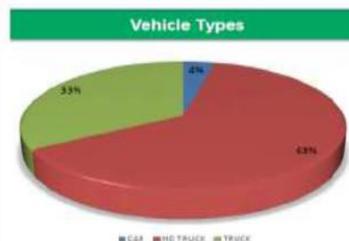
By shifting from reactively replacing inoperable vehicles to planning vehicle purchases, the City of Smithville, MO will be able to field newer, safer, and more efficient vehicles with reduced downtime in a cost-neutral or better manner.

Brandon Scott | (816) 591-5565 | [Brandon.J.Scott@efleets.com](mailto:Brandon.J.Scott@efleets.com)

# SUPPORTING EVIDENCE | CITY OF SMITHVILLE, MO

## City of Smithville - Fleet Profile

Fleet Profile				Fleet Replacement Schedule					Replacement Criteria
Vehicle Type	# of Type	Average Age (years)	Average Annual Mileage	2020	2021	2022	2023	Under-Utilized	
Full-size Sedan	1	4.3	5,800	0	0	0	1	0	* Fiscal Year 2020 = 10 years old and older, or odometer over 100,000
Compact Pickup Reg 4x2	2	20.0	4,100	2	0	0	0	0	* Fiscal Year 2021 = 8 years old and older, or odometer over 80,000
1/2 Ton Pickup Reg 4x4	5	8.5	6,800	1	1	0	3	0	* Fiscal Year 2022 = 6 years old and older, or odometer over 60,000
1/2 Ton Pickup Quad 4x4	2	3.2	7,000	0	0	0	2	0	* Fiscal Year 2023 = Remaining Vehicles
3/4 Ton Pickup Reg 4x4	1	29.6	3,400	1	0	0	0	0	* Underutilized = Annual Mileage less than 2,000
3/4 Ton Pickup Quad 4x4	2	2.7	5,300	0	0	0	2	0	
1 Ton Pickup Reg 4x4	7	15.5	5,800	6	1	0	0	0	
1 Ton Pickup Ext 4x4	1	12.3	4,800	1	0	0	0	0	
1 Ton Pickup Quad 4x4	1	5.3	7,200	0	0	0	1	0	
1 Ton Cab Chassis	4	8.5	3,200	1	0	0	3	0	
1 1/2 Ton Cab Chassis	1	6.3	2,600	0	0	1	0	0	
Totals/Averages	27	10.9	5,300	12	2	1	12	0	

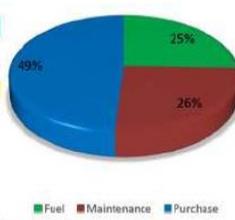


## City of Smithville - Fleet Planning Analysis

Current Fleet	27	Fleet Growth	0.00%	Proposed Fleet	27
Current Cycle	11.25	Annual Miles	5,300	Proposed Cycle	2.26
Current Maint.	\$110.50			Proposed Maint.	\$35.71
Maint. Cents Per Mile	\$0.25	Current MPG	10	Price/Gallon	\$2.50

### Fleet Costs Analysis

Fiscal Year	Fleet Mix					Fleet Cost				Annual		
	Fleet Size	Annual Needs	Owned	Leased	Purchase	Lease*	Equity (Owned)	Equity (Leased)	Maintenance	Fuel	Fleet Budget	Net Cash
<b>Average</b>	27	2.4	27	0	68,566	0			35,802	35,775	140,143	0
'20	27	12	15	12	0	78,430	-12,000	-15,232	25,033	32,595	108,826	31,317
'21	27	5	13	14	0	96,834	-7,000	-96,651	23,238	32,065	48,486	91,657
'22	27	12	12	15	0	117,047	-4,500	-31,090	22,340	31,800	135,597	4,546
'23	27	17	0	27	0	178,184	-72,000	-151,608	11,571	28,620	-5,233	145,376
'24	27	18	0	27	0	178,184	0	-77,732	11,571	28,620	140,643	-500
'25	27	12	0	27	0	178,184		-134,034	11,571	28,620	84,341	55,802
'26	27	17	0	27	0	178,184		-145,510	11,571	28,620	72,865	67,278
'27	27	17	0	27	0	178,184		-151,608	11,571	28,620	66,767	73,376



8 Year Savings \$468,854
Avg. Sustainable Savings \$48,989

### Current Fleet Equity Analysis

YEAR	2020	2021	2022	2023	2024	Under-Utilized
QTY	12	2	1	12	0	0
Est \$	\$1,000	\$3,500	\$4,500	\$6,000	\$0	\$0
<b>TOTAL</b>	<b>\$12,000</b>	<b>\$7,000</b>	<b>\$4,500</b>	<b>\$72,000</b>	<b>\$0</b>	<b>\$0</b>
		<b>Estimated Current Fleet Equity**</b>				<b>\$95,500</b>

\* Lease Rates are conservative estimates  
 \*\*Estimated Current Fleet Equity is based on the current fleet "sight unseen" and can be adjusted after physical inspection  
 Lease Maintenance costs are exclusive of tires unless noted on the lease rate quote.

### KEY OBJECTIVES

- Lower average age of the fleet**  
 44% of the current light and medium duty fleet is over 10 years old  
 Resale of the aging fleet is significantly reduced
- Reduce operating costs**  
 Newer vehicles have a significantly lower maintenance expense  
 Newer vehicles have increased fuel efficiency with new technology implementations
- Maintain a manageable vehicle budget**  
 Challenged by inconsistent yearly budgets  
 Currently vehicle budget is underfunded



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# MEDIA & CASE STUDY | CITY OF SMITHVILLE, MO

## CASE STUDY | CITY OF LENEXA



### The City of Lenexa see big savings with new fleet vehicles.

#### BACKGROUND

Location: Lenexa, KS  
Industry: Government  
Total vehicles: 72 vehicles

#### THE CHALLENGE

The City of Lenexa was holding onto vehicles for 10 years and would only replace the vehicles if maintenance costs became too high or they were inoperable. As issues would arise, city managers would rush to get the vehicle fixed, find funds to cover the repair and make sure the employee was able to do his or her job. The process of maintaining an aged fleet with high and unpredictable maintenance costs became a grueling task for The City to manage.

#### THE SOLUTION

Enterprise Fleet Management presented the City of Lenexa with a proactive fleet management program. The solution would replace most of the light-duty vehicles within the first year of partnering with Enterprise, which would provide the city with a newer, more reliable fleet.

**"We were skeptical at first because the numbers looked too good to be true. Once we made the choice to work with Enterprise Fleet Management, it was exciting to have a new fleet of vehicles for our employees. When we saw savings over 22% on fuel costs, just by switching to newer vehicles, that alone was worth the change."**

—Nick Arena, Asst. Municipal Services Director

By replacing 45 light-duty vehicles in the first year, The City realized immediate operational savings. Enterprise Fleet Management helped acquire vehicles with volume incentives to lower the initial order and reduce the total cost of ownership for the City of Lenexa.

#### THE RESULTS

The City now offers its employees vehicles that have up-to-date safety features and with overall improved reliability. This has helped improve the satisfaction of the workforce. The partnership has also helped The City standardize its fleet and utilize the best vehicles based on the equipment needed for the job. The program offers flexibility to replace units more frequently, in shorter cycles so it will continue to experience overall savings. With a newer fleet of vehicles, The City of Lenexa experienced a 22% decrease in fuel costs and a 70% decrease in unplanned maintenance expenses. Additionally, the new fleet strategy allows city employees to focus solely on their core responsibilities instead of vehicle maintenance issues.

To learn more, visit [efleets.com](http://efleets.com) or call 877-23-FLEET.



#### Key Results

**22% SAVINGS IN FUEL COSTS**



**REDUCED MAINTENANCE SPEND BY 70%**

**6% TOTAL SAVINGS WITH FLEET AGE LESS THAN 5 YEARS**



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# PROGRAM RESOURCES | CITY OF SMITHVILLE, MO

## SAFETY

-12 vehicles are older than 10 years of age and do not contain the most up to date safety features, such as Electronic Stability Control, airbag standardization, and anti-lock brake control.

-13 vehicles predate Electronic Stability Control (mandatory for all 2012 model year vehicles). According to the Highway Traffic Safety Administration, this is the most important safety feature since the seatbelt.

## ACCOUNT MANAGEMENT

The City of Smithville will have a dedicated, local account team to proactively manage and develop your fleet while delivering the highest level of customer service to facilitate your day-to-day needs.

- Meeting with you at minimum 3 times per year: 2 of those are financial planning meetings. These are an Annual Client Review and a Fleet Analysis Meeting.
- Your Account Manager will provide ongoing analysis, which can include best makes/models, cents per mile, total cost of ownership, and replacement analysis.
- Monthly management reports consisting of a single invoice with all charges.

## ANCILLARIES

Enterprise Fleet Management has the ability to offer a total fleet solution should the City need further evaluation of the fleet. These can include:

- Fuel Card
- Telematics Device
- Physical Damage Coverage

## TECHNOLOGY

Enterprise Fleet Management's website provides vehicle tracking, reporting, and metrics. Our website can be customized to view a wide range of data to have a comprehensive and detailed look at all aspects of your fleet and the services provided. Our *Mobile App* also allows drivers a wide range of functions.

- **Invoices** - To include lease, maintenance, and ancillaries - all in one invoice
- **Maintenance Utilization** - Review the life-to-date maintenance per vehicle
- **Recall Information** - See which units are approaching the lease term and still have open recalls
- **License & Registration** - See which plate renewals are being processed by Enterprise; view status
- **Alerts** - Set customizable alerts for oil changes, lease renewals, license renewals, and billing data
- **Lifecycle Analysis** - See data regarding all transactions for the lifecycle of the entire fleet, with drill-down capability to any specific lease or transaction



## REFERENCES | CITY OF SMITHVILLE, MO

### CURRENT PARTNERS

- City of Raymore, MO
- City of Branson, MO
- City of Camdenton, MO
- City of Lake Ozark, MO
- City of Lenexa, KS
- City of Prairie Village, KS
- Saline County, MO
- Leavenworth County, KS
- Shawnee County, KS
- Geary County USD 475
- Haysville USD 261
- Olathe USD 233

### REFERENCES

Below is a list of three (3) client/customer references including name, contact person, and telephone number.

Name: **Saline County, MO**

Business Phone #: (660) 886-7777

Contact Person(s): Kile Guthrie, Stephanie Gooden, Monte Fenner – County Commissioners

Name: **City of Lenexa, KS**

Business Phone #: (913) 477-7810

Contact Person: Nick Arena – Assistant Municipal Services Director

Name: **City of Raymore, MO**

Business Phone #: (816) 892-3109

Contact Person: Mike Ekey – Assistant City Manager

# Replacement Schedule

## City of Smithville- Non ERV Fleet Replacement Worksheet

Vehicle #	Department	Year	Make	Model	Assigned Category	Current Odometer	Current Est FMV	Recommended Replacement Year	New Replacement Category
F-150 4x4 pick up	Development	2017	Ford	F-150 4x4 pick up	1/2 Ton Pickup Reg 4x4	17,219	\$ 23,500	2023	1/2 Ton Pickup Ext 4x4
F150 4x4 pick up	Development	2016	Ford	F150 4x4 pick up	1/2 Ton Pickup Reg 4x4	34,791	\$ 21,000	2022	1/2 Ton Pickup Ext 4x4
C3500 Boom Truck	Parks and Rec	1999	Chevy	C3500 Boom Truck	1 Ton Pickup Reg 4x4	62,977	\$ 5,000		Do Not Replace
S-10 (Fuel Truck)	Parks and Rec	1998	Chevy	S-10 (Fuel Truck)	Compact Pickup Reg 4x2	86,413	\$ 1,000	2021	3/4 Ton Pickup Ext 4x4
S-10	Parks and Rec	2003	Chevy	S-10	Compact Pickup Reg 4x2	77,217	\$ 2,600	2021	3/4 Ton Pickup Ext 4x4
F350 4x4	Parks and Rec	2008	Ford	F350 4x4	1 Ton Pickup Reg 4x4	59,143	\$ 7,500	2021	3/4 Ton Pickup Ext 4x4
F350 4x4	Parks and Rec	2015	Ford	F350 4x4	1 Ton Pickup Reg 4x4	37,890	\$ 24,000	2021	3/4 Ton Pickup Ext 4x4
F150	Parks and Rec	1997	Ford	F150	1/2 Ton Pickup Reg 4x4	96,719	\$ 2,500	2021	1/2 Ton Pickup Ext 4x4
Explorer	Police-Admin	2014	Ford	Explorer	Mid Size SUV 4x4	109,371	\$ 6,000	2021	Mid Size SUV 4x4
Charger	Police-Admin	2014	Dodge	Charger	Full-size Sedan	77,383	\$ 5,000	2021	Mid Size SUV 4x4
Impala	Police-Detective	2016	Chevy	Impala	Full-size Sedan	24,822	\$ 8,000	2022	Mid Size SUV 4x4
2500 3/4 ton 4x4	Streets	1991	Chevy	2500 3/4 ton 4x4	3/4 Ton Pickup Reg 4x4	168,470	\$ 1,000	2021	Do Not Replace
Silverado 3500 4x4	Streets	2006	Chevy	Silverado 3500 4x4	1 Ton Pickup Reg 4x4	76,668	\$ 9,000	2021	3/4 Ton Pickup Ext 4x4
Silverado 3500 4x4	Streets	2011	Chevy	Silverado 3500 4x4	1 Ton Pickup Reg 4x4	54,644	\$ 15,000	2021	3/4 Ton Pickup Ext 4x4
F350 4x4	Streets	2004	Ford	F350 4x4	1 Ton Pickup Reg 4x4	49,898	\$ 5,500	2021	3/4 Ton Pickup Ext 4x4
Silverado 3500 4x4/spreader & plow	Streets	2015	Chevy	Silverado 3500 4x4/spreader & plow	1 Ton Pickup Reg 4x4	18,134	\$ 30,000	2022	3/4 Ton Pickup Ext 4x4
Silverado 3500 4x4/spreader & plow	Streets	2015	Chevy	Silverado 3500 4x4/spreader & plow	1 Ton Pickup Reg 4x4	17,680	\$ 30,000	2022	3/4 Ton Pickup Ext 4x4
Silverado 3500 4x4/spreader & plow	Streets	2018	Chevy	Silverado 3500 4x4/spreader & plow	1 Ton Pickup Reg 4x4	6,442	\$ 34,000	2023	3/4 Ton Pickup Ext 4x4
Impala	Utilities	2007	Chevy	Impala	Full-size Sedan	106,133	\$ 4,000	2021	Do Not Replace
Crown vic	Utilities	2008	Ford	Crown vic	Full-size Sedan	102,235	\$ 4,500	2021	Do Not Replace
F350 4wd	Utilities	2004	Ford	F350 4wd	1 Ton Pickup Reg 4x4	117,361	\$ 3,500	2021	3/4 Ton Pickup Ext 4x4
F350 Flatbed 2wd	Utilities	1999	Ford	F350 Flatbed 2wd	1 Ton Pickup Reg 4x2	115,498	\$ 5,000	2021	3/4 Ton Pickup Ext 4x4
3500 4wd	Utilities	2005	Chevy	3500 4wd	1 Ton Pickup Reg 4x4	107,674	\$ 7,500	2021	3/4 Ton Pickup Ext 4x4
3500 4wd	Utilities	2006	Chevy	3500 4wd	1 Ton Pickup Reg 4x4	100,765	\$ 8,000	2021	3/4 Ton Pickup Ext 4x4
F150 4wd	Utilities	2013	Ford	F150 4wd	1/2 Ton Pickup Reg 4x4	73,540	\$ 9,500	2021	1/2 Ton Pickup Ext 4x4
Silverado 2500 HD 4wd Diesel	Utilities	2015	Chevy	Silverado 2500 HD 4wd Diesel	3/4 Ton Pickup Reg 4x4	33,806	\$ 26,000	2022	3/4 Ton Pickup Ext 4x4
1500 4x4 (Locates daily)	Utilities	2018	Chevy	1500 4x4 (Locates daily)	1/2 Ton Pickup Reg 4x4	21,028	\$ 24,000	2023	1/2 Ton Pickup Ext 4x4
F150 4x4 pick up	Utilities	2016	Ford	F150 4x4 pick up	1/2 Ton Pickup Reg 4x4	25,998	\$ 22,000	2023	1/2 Ton Pickup Ext 4x4
1500 4x4 (Water plant)	Utilities	2018	Chevy	1500 4x4 (Water plant)	1/2 Ton Pickup Reg 4x4	12,848	\$ 24,000	2023	1/2 Ton Pickup Ext 4x4
F150 V8 4wd	Utilities	2016	Ford	F150 V8 4wd	1/2 Ton Pickup Reg 4x4	19,206	\$ 22,000	2023	1/2 Ton Pickup Ext 4x4
2500 4x4	Utilities	2019	GMC	Sierra 2500 Crew 6.5 Box 4x4 153.7" WB	3/4 Ton Pickup Reg 4x4	1,459	\$ 40,000	2024	3/4 Ton Pickup Ext 4x4
Ram 5500 Boom 4wd	Utilities	2014	Dodge	Ram 5500 Boom 4wd	1 Ton Pickup Reg 4x4	2,873			Do Not Replace

ECO-FRIENDLY/SEDAN/MID-SIZE SUV?  
ECO-FRIENDLY/SEDAN/MID-SIZE SUV?  
KEEPING - MOVE TO EQUIP LIST

SELL AND DO NOT REPLACE

SELL AND DO NOT REPLACE

SELL AND DO NOT REPLACE

KEEPING - MOVE TO EQUIP LIST



# VERF (c) with Operating Transfers and Seeding for 100% Reserve

VEHICLE & EQUIPMENT REPLACEMENT FUND															
APPROPRIATION VEHICLE	REPLACEMENT CATEGORY	Department	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26		
<b>Sales (c) of Current Vehicle(s)</b>															
2017 Ford F150	Ford F150 - 4-yr lease	Development		7,794.16	(23,500.00)	(23,500.00)									
2017 Ford F150	Ford F150 - 4-yr lease	Inspector		7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
2017 Ford F150	Ford F150 - 4-yr lease	Inspector		7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
New Vehicle	Ford F150 - 4-yr lease	Code Enforcement			7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
Equity		Development					(14,062.12)	(14,062.12)	(14,062.12)	(14,062.12)	(14,062.12)	(14,062.12)	(14,062.12)		
<b>Sales (c) of Current Vehicle(s)</b>															
1998 Chevy S-10	Ford F250 - 1-yr lease	Parks & Rec	(42,600.00)												
2003 Chevy S-10	Ford F250 - 1-yr lease	Parks & Rec	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2008 Ford F150	Ford F150 - 1-yr lease	Parks & Rec	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2015 Ford F150	Ford F150 - 1-yr lease	Parks & Rec	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
1997 Ford F150	Ford F150 - 4-yr lease	Parks & Rec	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
Equity		Parks & Rec		(35,283.68)	(35,283.68)	(35,283.68)	(49,345.80)	(35,283.68)	(35,283.68)	(35,283.68)	(49,345.80)	(35,283.68)	(35,283.68)		
<b>Sales (c) of Current Vehicle(s)</b>															
2014 Ford Explorer	Ford Explorer	Police	(11,000.00)	(8,000.00)											
2014 Ford Explorer	Ford Explorer	Chief	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88		
2014 Dodge Charger	Ford Explorer	Captain	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88		
2016 Chevy Impala	Ford Explorer	Detectives	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88	7,049.88		
Equity		Police				(11,236.80)	(6,618.00)				(11,236.80)	(6,618.00)			
<b>Sales (c) of Current Vehicle(s)</b>															
2006 Chevy Silverado 3500	Ford F250 - 1-yr lease	Streets	(33,500.00)	(60,000.00)	(34,000.00)										
2011 Chevy Silverado 3500	Ford F250 - 1-yr lease	Streets	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2004 Ford F150	Ford F250 - 1-yr lease	Streets	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2015 Chevy Silverado 3500 w/ snow	Ford F250 - 1-yr lease	Streets	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2015 Chevy Silverado 3500 w/ snow	Ford F250 - 1-yr lease	Streets	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2018 Chevy Silverado 3500 w/ snow	Ford F250 - 1-yr lease	Streets	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
Equity		Streets		(35,283.68)	(52,925.52)	(61,746.44)	(61,746.44)	(61,746.44)	(61,746.44)	(61,746.44)	(61,746.44)	(61,746.44)	(61,746.44)		
<b>Sales (c) of Current Vehicle(s)</b>															
2004 Ford F250	Ford F250 - 1-yr lease	Utilities	(42,000.00)	(26,000.00)	(92,000.00)	(40,000.00)									
1999 Ford F150	Ford F250 - 1-yr lease	Utilities	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2005 Chevy 3500	Ford F250 - 1-yr lease	Utilities	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2006 Chevy 3500	Ford F250 - 1-yr lease	Utilities	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2013 Ford F150	Ford F150 - 4-yr lease	Utilities	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
2015 Chevy Silverado 2500	Ford F150 - 4-yr lease	Utilities	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
2016 Ford F150	Ford F150 - 4-yr lease	Utilities	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
2018 Chevy 1500	Ford F150 - 4-yr lease	Utilities	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
2016 Ford F150	Ford F150 - 4-yr lease	Utilities	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16	7,794.16		
2019 GMC Sierra 2500	Ford F250 - 1-yr lease	Utilities	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12	7,773.12		
Equity		Utilities		(35,283.68)	(44,104.60)	(44,104.60)	(66,807.64)	(52,925.52)	(109,174.00)	(52,925.52)	(66,807.64)	(44,104.60)	(44,104.60)		
<b>Total</b>			<b>0.00</b>	<b>115,112.48</b>	<b>47,394.76</b>	<b>67,465.92</b>	<b>66,418.12</b>	<b>4,124.84</b>	<b>37,873.08</b>	<b>-12,713.48</b>	<b>37,897.28</b>	<b>4,124.84</b>	<b>46,728.68</b>	<b>-3,692.48</b>	<b>66,418.12</b>
= Beginning Un-Restricted Cash Balance - - 109,733.44 277,194.52 460,234.44 536,042.16 550,873.16 533,301.52 567,771.16 533,409.80 594,020.80 533,688.64 565,716.96															
+ Transfer to Seed Reserve 84,500.00 84,500.00 84,500.00 84,500.00															
+ Transfer from Operational Budgets - 22,000.00 23,100.00 24,260.00 25,480.00 26,760.00 28,100.00 29,510.00 30,990.00 32,540.00 34,170.00 35,880.00 37,680.00															
+ Sales of City-Owned Vehicles - 126,100.00 115,000.00 149,500.00 40,000.00 - - - - - - - - - -															
+ Equity in Enterprise Leased Vehicles - - 105,851.04 132,313.80 141,134.72 203,378.00 169,635.76 220,266.24 149,955.64 203,378.00 160,814.84 211,445.32 141,134.72															
- CIP Expenditures (from above) - (122,866.56) (160,989.96) (207,533.88) (215,307.00) (215,307.00) (215,307.00) (215,307.00) (215,307.00) (215,307.00) (215,307.00) (215,307.00) (215,307.00) (215,307.00)															
Projected Ending Un-Restricted Cash Balance - 109,733.44 277,194.52 460,234.44 536,042.16 550,873.16 533,301.52 567,771.16 533,409.80 594,020.80 533,688.64 565,716.96 529,224.68															

## Agenda Item # 6 – Discussion of Assessment of Utility Late Fees



STAFF

REPORT

**Date:** July 7, 2020  
**Prepared By:** Daniel Toleikis, Finance Director  
**Subject:** Utility Late Fees & Shut-Offs  
**Staff Report:** All Departments

According to Sections 705.060 and 705.120 of the Code of Ordinances, along with the Utility Billing Policy:

- A 10% late fee is assessed on all unpaid utility account balances on the first business day following the 21<sup>st</sup> of each month.
- Utility billing accounts in arrears more than \$75.00 on the first business day following the 26<sup>th</sup> of each month are subject to disconnection of water service. Each account disconnected is assessed a \$50.00 reconnection fee.

Ordinance 3058-20 was approved March 24, 2020 providing the Mayor the authority to take emergency action in response to COVID-19. Due to the fact that the first step in prevention of the COVID-19 virus involves regular and frequent handwashing, and as allowed by Ordinance 3058-20, the assessment of late fees that typically would have been applied on March 23 and April 22 were waived, and service disconnections due to nonpayment that would have been performed on March 30 and April 27 were not performed.

After discussion with the Board at a Work Session, Resolution 788 was approved May 12, 2020, suspending late fee assessments and service disconnections through June 30. The assessment of late fees that typically would have been applied on May 22 and June 22 were waived, and service disconnections due to nonpayment that would have been performed on May 28 and June 29 were not performed.

In May and June, letters were mailed to utility customers more than one month in arrears, acknowledging the impact of COVID-19 and providing information on how to make utility payments and the option for payment plans.

105 customers were mailed letters on May 22, and by June 30:

- 27 are paid in full through their May bill and carry a zero balance
- 26 had made a payment, but still owe at least a portion of their May bill, but do not carry a balance from prior to the May bill (they are only behind on the current month)

- 18 had made a payment, but still owe all of their May bill and at least a portion of April's bill (they are still more than one month behind)
- 34 did not make a payment at all (they are several months behind)

93 customers were mailed letters on June 30 – this is made up of the 18 and 34 customers from the last two bullets points above who are still more than one month behind (they will be getting their second letter), plus 41 new customers who fell more than one month behind in June.

Unless suspended/altered by the Board, a 10% late fee charge is anticipated to be assessed on all amounts due on July 22, and service disconnections will be performed for accounts with balances in excess of \$75 on July 27. Staff is asking for Board direction on the assessment of late fees and disconnection of service moving forward.

#### Board Options:

- Return to the normal billing procedures regarding late fee assessment and service disconnections in July as stated above.
- Modify the July 22 late fee assessment for only those accounts with a balance due over a certain dollar amount, such as \$500, \$750, or \$100. [Note: any assessment of late fees not applicable to all balances over \$0.01 becomes a manual process. It can be accomplished, but it will take time and introduces human error.]
- Modify the July 27 disconnection of water service for only those accounts carrying a balance over a higher amount, such as \$150 instead of \$75.
- Suspend the assessment of late fees and service disconnections through a specific date, such as July 31, or through the end of Phase II or Phase III of Clay County's Recovery Plan, etc.

For comparison, staff contacted other utilities to see what they were doing and were able to gather the following information:

Gladstone – Late fees and service disconnections are suspended through July 31 and returning to normal procedures in August.

Kearney – Returning to normal procedures in July.

North Kansas City – Returning to normal procedures in July.

Excelsior Springs – Returning to normal procedures in July.

**AN ORDINANCE ADOPTING A POLICY AND PROCEDURE FOR  
EMERGENCY PREPAREDNESS AND  
EMERGENCIES IN SMITHVILLE MISSOURI.**

Whereas, the Country is experiencing a pandemic event which is a rapidly developing situation related to COVID-19. Governments at all levels are reviewing their policies and procedures relating to their ability to respond as needed within their respective Jurisdictions.

Whereas, Clay County has declared an emergency as a result of COVID-19.

Whereas, the City currently has adopted and implemented §125.010 et seq. of the Smithville Ordinances a Smithville Emergency Management Organization pursuant to Chapter 44, R.S.Mo.

Whereas the Director of Emergency Management Organization has the authority pursuant to §125.050 of the Smithville Ordinances to:

- 1. Appropriate and expend funds, make contracts, obtain and distribute equipment, materials and supplies for emergency management purposes; provide for the health and safety of persons, the safety of property; and direct and coordinate the development of disaster plans and programs in accordance with the policies and plans of the Federal and State Governments.*
- 2. Appoint, provide or remove rescue teams, auxiliary fire and police personnel and other emergency operation teams, units or personnel who may serve without compensation.*

Whereas, pursuant to §125.040(B) the Director of Emergency Management Organization is subject to the direction and control of the City Administrator or Board of Aldermen.

Whereas, the City believes that the authority of the Director of Emergency Management Organization is insufficient to meet the needs of the City and its residents which may arise as a result of disasters, public emergencies, civil emergencies and utility emergencies.

Whereas, the City has authority pursuant to §79.110 R.S.MO to take the actions necessary and expedient for the good government of the City, the preservation of peace and good order, the benefit of trade and commerce and the health of the inhabitants thereof.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS: New Chapter 126 which shall**

**include Sections 126.010 through Section 126.120 of the Municipal Ordinances of the City of Smithville Missouri are enacted which shall read as follows:**

**Section 126.010. THIS CHAPTER SHALL BE KNOWN AS EMERGENCY PREPAREDNESS AND RESPONSE AUTHORITY**

**Section 126.020: Purpose and declaration of policy.**

This chapter is enacted to set out and clarify the authority of the City and its officers and employees with regard to emergency and disaster situations. It is intended to grant as broad a power as permitted by statutory and constitutional authority and to be a supplement to Chapter 125 of the City Ordinances

**Section 126.030: Definitions.**

When used in this Chapter the following words shall have the definitions set forth below:

Civil emergency. As used in this section, shall include, but not be limited to, any condition of unrest, riot, civil disobedience, affray, unlawful assembly, hostile or military or paramilitary action, war, terrorism, or sabotage, epidemic or any event which results in mass casualties which may be beyond normal capacity.

Disaster: As used in this ordinance a disaster, whether natural or manmade, shall include, but not be limited to, flood, fire, cyclone, tornado, earthquake, severe high or low temperatures, water contamination or pollution, land contamination or pollution, air pollution, blizzard, landslide, mudslide, hurricane, building or structural collapse, high water table, pandemic disease, epidemic, riot, blight, drought, civil emergency, utility emergency, severe energy shortages, snow, ice, windstorm, hazardous substance spills or releases, chemical spills or releases, petroleum spills or releases, biological matter spills or releases, radiation releases or exposures, infestation, explosions, sabotage, mass transportation accidents or public health emergencies. This definition should not be applied rigidly to exclude situations not enumerated.

Public emergency: As used in this ordinance a public emergency means the imminent threat or occurrence of a disaster, civil emergency or utility emergency affecting the City and its residents and inhabitants where the Mayor determines that the exercise or discharge of emergency or disaster powers is necessary to save lives, protect property, protect the public health and safety, or to lessen or to avert the threat of a catastrophe or calamity within the city.

Utility emergency. As used in this section, shall include, but not be limited to, conditions which endanger or threaten to endanger the safety, potability, availability, transmission, distribution, treatment, or storage of water, natural gas, gas, fuel, electricity, communication, garbage, or sewage.

**Section 126.040 - Mayor's power during emergency.**

A. All other City ordinances to the contrary notwithstanding, when the Mayor determines in the Mayor's sole discretion that a state of public emergency exists within the City, the Mayor may by proclamation declare a state of emergency and exercise emergency powers, including but not limited to all of the following:

**include Sections 126.010 through Section 126.120 of the Municipal Ordinances of the City of Smithville Missouri are enacted which shall read as follows:**

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**Section 126.040 - Mayor's power during emergency.**

A. All other City ordinances to the contrary notwithstanding, when the Mayor determines in the Mayor's sole discretion that a state of public emergency exists within the City, the Mayor may by proclamation declare a state of emergency and exercise emergency powers, including but not limited to all of the following:

1. The power to direct emergency response activities by City personnel including but not limited to the police department, and by such emergency services personnel as the Mayor may designate or appoint.
  2. The power to execute contracts for the emergency construction or repair of public improvements, when the delay of advertising and public bidding might cause serious loss or injury to the City.
  3. The power to purchase or lease goods and services that the Mayor deems necessary to the City's emergency response or for the repair of City facilities, or both, and to acquire and distribute, with or without compensation, supplies, materials, and facilities.
  4. The power to lease or lend real property, or structures, or both, that the Mayor deems necessary for the continued operation of City government.
  5. The power to promulgate rules and orders to implement and clarify the Mayoral proclamation exercising emergency power.
  6. The power to delegate any or all these duties and to provide for sub-delegation.
  7. The Mayor shall be authorized to appoint any commissioned law enforcement officer in this State as a temporarily commissioned officer of this City.
  8. The power to transfer, appropriate, or lend between funds as may be necessary in the circumstances.
- B. The Mayor is authorized to issue a "hazardous travel advisory" which shall prohibit all travel on streets within the City limits of the City except in accordance with the exceptions provided herein. Such prohibition may be limited to a defined geographical area if the affected area is less than the entire City.
1. Such prohibition shall be issued only after consultation with the City Administrator, Police Chief and Director of Public Works and upon the following findings:
    - a. Severe weather events (other natural or manmade disasters) are occurring or has occurred inside the City limits; and
    - b. Such events have caused the streets to be in a condition where ordinary care while driving is not enough to prevent the occurrence of an accident; and
    - c. Vehicles on the road will interfere with emergency operations of the City.
  2. No person in the City shall drive on any public street or road within the area defined by the Mayor as subject to the advisory after issuance of the "hazardous travel advisory" until the same has been lifted.
  3. The Mayor shall inform the public of the issuance, or retraction, of the order by submitting the order to the media for publication or broadcast.
  4. This prohibition shall not apply to:
    - a. Law enforcement agencies;
    - b. Fire suppression agencies;
    - c. Employees of the City, County or MoDOT, or other public utility providers involved in repair or cleanup of the emergency, or any subcontractors involved in the cleanup of the emergency;
    - d. Health care professionals; and
    - e. Any person who is facing exigent circumstances in which a reasonable person would infer that driving is an absolute necessity.

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    - b. Fire suppression agencies;
    - c. Employees of the City, County or MoDOT, or other public utility providers involved in repair or cleanup of the emergency, or any subcontractors involved in the cleanup of the emergency;
    - d. Health care professionals; and
    - e. Any person who is facing exigent circumstances in which a reasonable person would infer that driving is an absolute necessity.

**Section 126.050 - Statutory procedures suspended in event of emergency.**

In the event of an emergency, the Mayor is authorized to procure all services, supplies, equipment or materials necessary to continue the effective operation of the emergency response without regard to normal procedures or formalities normally prescribed by ordinance; provided, that if the Board of Aldermen is meeting at the time, the Mayor shall act pursuant to the orders and directions imposed on that body. In the event of an emergency, the Mayor, by proclamation, may waive any time-consuming formalities or procedures required by the provisions of City Ordinances pertaining to the advertisement of bids for the execution of contracts and for the performance of public work contracts relevant to the public emergency.

**Section 126.060. - Emergency procurement.**

Notwithstanding any provision of this Code to the contrary, the Mayor, upon declaration of a state of emergency by proclamation as provided in Section 126.040, may authorize the Department Heads or their designees to procure by purchase or lease, such goods and services as are deemed necessary for the City's emergency response effort. This emergency procurement of goods or services may be made in the open market without filing a requisition or estimate and without advertisement for immediate delivery or furnishing. A full written account of all emergency procurement made during this emergency, together with a requisition for the required materials, supplies, equipment, or services, shall be submitted to or provided by the City Administrator within 30 days after their procurement, and shall be open to public inspection pursuant to §610.010 et Seq. R.S.Mo. The City Administrator shall, within three months of the conclusion of the emergency, formally communicate these emergency expenditures in a full written account to the Board of Aldermen.

**Section 126.070. - Effective date and termination of emergency powers.**

Proclamations, rules, and orders issued pursuant to Section 126.040 shall be effective upon issuance and shall remain in effect for a period of up to 30 days or until terminated by the Mayor or Board of Aldermen, whichever comes first. This period may be extended by the Mayor only upon approval of the Board of Aldermen. Upon the expiration of the local state of emergency, those persons acting pursuant to Section 126.040 shall cease to exercise emergency powers.

**Section 126.080. - Penalty for violation of emergency proclamation, rule, or order.**

The violation of a proclamation of emergency, a subsequent proclamation exercising emergency powers, a rule, or order, which proclamation, rule or order is issued pursuant to Section 126.040, or the violation of any order or directive given by a peace officer or designated emergency services personnel pursuant to authority resulting from Section 126.040 shall be an ordinance violation.

**Section 126.090 -- Water Emergencies**

- A. The Mayor is authorized to declare a water use emergency under any of the following conditions:
  - 1. An equipment failure, large fire, or water main break which has caused, or unless water conservation measures are taken, will cause inadequate water pressures and flows for fire protection and public health, or

2. Water system pumping compared to demand is inadequate to maintain sufficient water reserves to meet expected demands for fire protection and public health.

The Mayor's declaration may include all, or any portion of the City.

- B. Persons affected by declaration. When the Mayor has declared a water emergency, the provisions of this section shall apply to all persons using water, regardless of whether such person shall have a contract for water service with any water company or private well.
- C. Uses and withdrawal of water prohibited. When the Mayor has declared a water emergency, the use and withdrawal of water by any person for the following purposes is hereby prohibited:
1. Watering yards. The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation.
  2. Washing mobile equipment. The washing of automobiles, trucks, trailers, trailer houses, railroad cars, or any other types of mobile equipment.
  3. Clean outdoor surfaces. The washing of sidewalks, driveways, filling station aprons, porches and other outdoor surfaces.
  4. Cleaning buildings. The washing of the outside of dwellings and the washing of the inside and outside of office buildings.
  5. Cleaning equipment and machinery. The washing and cleaning of any business or industrial equipment and machinery.
  6. Ornamental fountains. The operation of any ornamental fountain or other structure making a similar use of water.
  7. Swimming pools. Swimming and wading pools not employing a filter and recirculating system.

E. Enforcement.

1. Police officers enforce. Every police officer of the City shall in connection with his duties imposed by law diligently enforce the provisions of this ordinance.
2. Discontinuance of service. The City shall have the authority to enforce the provisions of this ordinance by the discontinuance of water service in the event of violation hereof or shall, upon the request of the Mayor, or any police officer, discontinue water service to any building whose occupants are violating the provisions of this ordinance.

**Section 126.100 -- Public Health Emergencies.** If the basis for declaring an emergency is due to a public health crisis, such as a pandemic, then the Mayor shall be authorized to exercise the following powers:

- A. To declare individuals, but not areas, quarantined as provided in Missouri statutes. To limit the number of people who may be permitted to gather in public places.

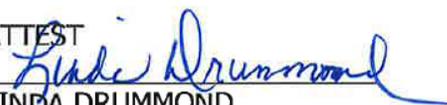
- B. To limit certain public services determined to be non-critical in order to stop the spread of disease.

**Section 126.110 Mayor unavailable.** In the event the Mayor is unavailable, the President of the Board of Aldermen shall have the authorities listed in chapter 126. If both the Mayor and President of the Board of Aldermen are unavailable, the City Administrator shall have the authorities listed in chapter 126. If neither the Mayor, the President of the Board of Aldermen or the City Administrator, longest tenured member of the Board of Aldermen who is available shall have the authorities listed in chapter 126.

**Section 126.120 Penalties.** Any person violating any provision of this Chapter shall upon conviction be punished as set out in Section 100.220.

PASSED THIS 24<sup>th</sup> DAY OF MARCH 2020.

  
\_\_\_\_\_  
DAMIEN BOLEY Mayor

ATTEST  
  
\_\_\_\_\_  
LINDA DRUMMOND  
City Clerk

First Reading: 03/24/2020  
Second Reading 03/24/2020

APPROVED THIS 24<sup>th</sup> DAY OF MARCH, 2020.

  
\_\_\_\_\_  
DAMIEN BOLEY Mayor

## **PROCLAMATION OF A STATE OF EMERGENCY AND ORDER**

**WHEREAS**, pursuant to the provisions of Ordinance No. 3058-20 passed this 24<sup>th</sup> day of March, 2020, the undersigned, Mayor of the City of Smithville, Missouri (the "**City**"), the Board of Aldermen granted and authorized the Mayor to issue a proclamation declaring a state of emergency (the "**Proclamation**") to allow the City of Smithville to take measures to reduce the possibility of exposure to COVID-19, to prevent the introduction of COVID-19 into the City, and to secure and promote the health and safety of Smithville residents; and

**WHEREAS**, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, a gathering of individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

**WHEREAS**, the City wishes to employ all means available under the law to protect public life, health, safety and property to limit the development, contraction and spread of COVID-19 creating this emergency; and

**WHEREAS**, as of March 23, 2020, numerous cases of COVID-19 illness, including a fatality and evidence of community transmission, have been identified in jurisdictions near Smithville; and

**WHEREAS**, in order to protect the residents of the City, the undersigned hereby issues this Proclamation declaring a state of emergency inasmuch as Ordinance No.3058-20 authorizes the Mayor to take all necessary action to protect the residents of the Smithville.

### **NOW, THEREFORE, IT IS SO ORDERED:**

Section 1. For purposes of this Proclamation and Order, the term "Group Event" means any gathering of 10 or more people at any public park, restaurant, tavern, bar, professional, social, cultural, entertainment, or other special event where people are not separated by physical space of at least six feet.

Section 2. That due to unique characteristics and risks associated with transmission dynamics, the likely spread of the disease based on factors of social distancing, the clinical severity of COVID-19, the lack of vaccine or antivirals as treatment options, the crowd density, the inability to ensure social distancing and to prevent close contact among Group Event attendees, all Group Events are prohibited from taking place in the City of Smithville, Missouri, during the duration of the Proclamation, unless Group Event organizers can demonstrate to the satisfaction of the City Administrator and designated City Staff that sufficient mitigation plans for infectious diseases are in place.

Section 3. In addition to the above prohibitions, any activity prohibited by the Clay County Health Department are prohibited in the City of Smithville.

Section 4. That the City Administrator is directed, in concert with or acting through City Staff, to immediately make and adopt rules and regulations for the evaluation of approval of sufficient mitigation plans for infectious disease Group Events.

Section 5. This Order and prohibition shall not apply to:

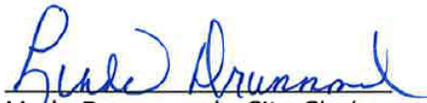
- a. Law enforcement agencies.
- b. Fire suppression agencies.
- c. Employees of the City, County or State, or other public utility providers involved in providing essential services to the City and residents of the City; and
- d. Health care professionals.

Authenticated as Adopted this 24<sup>th</sup> day of March, 2020.



Damien Boley, *Mayor*

Filed with me, the City Clerk of the City of Smithville, Missouri, this 24th day of March, 2020, by Mayor Damien Boley, whose signature I hereby attest.



Linda Drummond, *City Clerk*

## **RESOLUTION 788**

### **A RESOLUTION APPROVING THE TEMPORARY WAIVER OF THE APPLICATION OF DELINQUENT CHARGES AND DISCONTINUANCE OF WATER SERVICE.**

**WHEREAS**, Section 705.060 of the Code of Ordinances allows for the application of delinquent charges to unpaid utility account balances as set forth in the Schedule of Fees; and

**WHEREAS**, Section 705.120 of the Code of Ordinances allows for the discontinuance of water service due to non-payment of utility bills due and owing; and

**WHEREAS**, the City approved Ordinance No. 3058-20 adopting a policy and procedure for emergency preparedness and emergencies in Smithville in response to the COVID-19 pandemic; and

**WHEREAS**, under that Ordinance, application of delinquent charges on unpaid utility account balances was waived and discontinuance of water service due to non-payment of utility bills due and owing was not performed through the end of April 2020; and

**WHEREAS**, emergency powers provided under Ordinance No. 3058-20 have terminated; and

**WHEREAS**, the Clay County Public Health Center has released a four-phase recovery plan, of which the City is currently in Phase II.

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

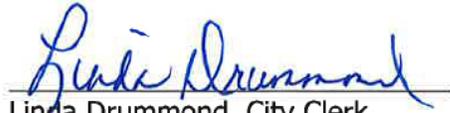
- 1) Application of delinquent charges on unpaid utility account balances will continue to be waived through June 30, 2020.
- 2) Discontinuance of water service due to non-payment of utility bills due and owing will continue to not be performed through June 30, 2020.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 12th day of May 2020.



\_\_\_\_\_  
Damien Boley, Mayor

ATTEST:



\_\_\_\_\_  
Linda Drummond, City Clerk