



**SMITHVILLE, MISSOURI**  
**Board of Aldermen - Regular Session**

**7:00 p.m.**  
**July 21, 2020**

**TABLE OF CONTENTS**

**AGENDA** ..... 3

**CONSENT AGENDA**..... 6

    BOARD OF ALDERMEN MINUTES – JULY 7, 2020 WORK SESSION ..... 7

    BOARD OF ALDERMEN MINUTES – JULY 7, 2020 REGULAR SESSION ..... 24

    FINANCE REPORT – JUNE 2020 ..... 31

**CITY ADMINISTRATOR’S REPORT** ..... 32

**ZONING 2412 NE 157<sup>TH</sup> TERRACE**..... 36

**HAZARDOUS MITIGATION PLAN**..... 41

**BID AWARD - EAST MAIN STREET TRAIL**..... 43

**ASSESSMENT OF UTILITY LATE FEES** ..... 52

**NEHEMIAH FESTIVAL 2020** ..... 66

**CITY HALL IMPROVEMENTS CONTRACT ADDENDUM**..... 72

**CARES ACT FUNDING – AWARD SMALL BUSINESS GRANTS** ..... 77

**CARES ACT FUNDING - BID AWARD NO. 20-09 – TOUCHLESS FIXTURES**..... 84

**ADDENDUM TO CITY ADMINISTRATOR’S CONTRACT** ..... 87

AGENDA



City of Smithville, Missouri

Board of Aldermen – Regular Session Agenda

July 21, 2020

**7:00 pm or immediately following the Work Session – City Hall Council Chambers \*\*Via Videoconference\*\***

**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.**

**For Public Comment, please email your request to the City Clerk at [ldrummond@smithvillemo.org](mailto:ldrummond@smithvillemo.org) prior to the meeting to be invited via Zoom.**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Consent Agenda**
  - **Minutes**
    - July 7, 2020 Board of Alderman Work Session Minutes
    - July 7, 2020 Board of Alderman Regular Session Minutes
  - **Finance Report for June**
    - Finance

**REPORTS FROM OFFICERS AND STANDING COMMITTEES**

- 4. Committee Reports**
  - Planning and Zoning Commission
- 5. City Administrator’s Report**

### ORDINANCES & RESOLUTIONS

---

- 6. Bill No. 2864-20, Zoning 2412 NE 157th Terrace to R-1B – 1<sup>st</sup> Reading**  
An Ordinance to approve the zoning of 2412 NE 157th Terrace, Lakeside Crossing recently annexed into the City Limits to R-1B. The initial zoning needs to be set by the City. 1<sup>st</sup> reading by title only.
- 7. Resolutions 799, Hazardous Mitigation Plan**  
A Resolution to adopt the 2020 Multi-Jurisdictional Hazard Mitigation Plan required by FEMA.
- 8. Resolution 800, Award Bid No. 20-07, East Main Street Trail**  
A Resolution to award Bid No. 20-07 and authorize and direct the Mayor Pro-Tem to enter into an agreement with Amino Brothers Co., Inc for the amount of \$1,297,786.10 and authorize a contingency/force account in an amount of \$50,000.
- 9. Resolution 801, Assessment of Utility Late Fees**  
A Resolution approving the reinstatement of the application of delinquent charges and continued suspension of discontinuance of water service.
- 10. Resolution 802, Nehemiah Festival 2020**  
A Resolution authorizing and directing the Mayor to execute an agreement with Grace Community Church for use of Smith's Fork Park to host a music festival.
- 11. Resolution 803, City Hall Improvement Contract Addendum**  
A Resolution to approve the addendum approve Addendum No. 1 to the contract with Bruner Contracting Co., LLC for an additional amount of \$5,168.00.
- 12. Resolution 804-805, CARES Act Funding**  
Approve Resolutions related to CARES Act Funding

  - A. Resolution 804, Award Business Grants**  
A Resolution to authorize distribution of the small business grants as recommended by Clay County EDC and reviewed by the Board of Aldermen.
  - B. Resolution 805, Award Bid No. 20-09, Touchless Fixtures**  
A Resolution to award Bid No. 20-09 to Lexington Plumbing and authorize and direct the Mayor Pro-Tem to execute an agreement in an amount not to exceed \$124,000.00.
- 13. Resolution 806, Addendum to the City Administrator's Contract**  
A Resolution to approve the addendum to the contract with Cynthia Wagner for services as City Administrator based on the review conducted by the Board of Aldermen.

### OTHER MATTERS BEFORE THE BOARD

---

- 14. Public Comment**  
Pursuant to the public comment policy, **an email request must be submitted to the City Clerk at [ldrummond@smithvillemo.org](mailto:ldrummond@smithvillemo.org) prior to the meeting.** When

recognized, please state your name, address and topic before speaking. Each speaker is limited to three (3) minutes.

**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:** July 21, 2020      **Department:** Administration

**Agenda Item:** Consent Agenda

**Summary:**  
Voting to approve would approve the Board of Aldermen minutes and Finance 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 July 7, 2020 Board of Alderman Work Session Minutes
  - Approve the July 7, 2020 Board of Alderman Regular Session Minutes

- Financial Report**
- Finance Report for June 2020

<b>Impact</b>	
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: [Finance Report](#)

Board of Aldermen Minutes – July 7, 2020 Work Session

**SMITHVILLE BOARD OF ALDERMAN  
WORK SESSION**

July 7, 2020 5:00 p.m.  
City Hall Council Chambers

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

**Mayor, Aldermen, City Administrator, City Staff and City Attorney attended via the Zoom meeting app. The meeting was streamed live on the city's YouTube page with a link on the city's FaceBook page. Attendance in person by members of the public was not be permitted.**

**1. Call to Order**

Mayor Boley called the Work Session meeting to order at 5:01 p.m. Board members present via Zoom: John Chevalier, Marv Atkins, Steve Sarver, Melissa Wilson and Jeff Bloemker. Dan Ulledahl joined the meeting at 5:10.

Staff present via Zoom: Cynthia Wagner, Nickie Lee, Chuck Soules, Dan Toleikis, Jack Hendrix, Matt Denton, Jason Lockridge, Linda Drummond and City Attorneys John Reddoch and Scott Sullivan.

**2. 2020 Tax Rate Update**

Dan Toleikis, Finance Director, explained that we have to file the 2020 tax rate with the counties by September 1 in order to meet State deadline. The county has to issue us what are called post-BOE number and we usually get those in late July or early August. 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. Two readings of an Ordinance setting the tax rate are required.

The City received the pre-BOE letters last week, so we have some assessed value information that was included in the staff report. Dan stated that it is highly unlikely that we will have the post-BOE information in time to have the first reading on August 4 and a second reading on August 18. We might be lucky enough to be able to do an emergency first and second reading on August 18. If not, Dan asked the Board to set aside a date to have a potential special meeting in late August, the later the better.

In the staff report Dan provided the last three years of history for the pre-BOE. The change from 2019 to 2020 is that assessed value is 3.8%. Dan did note that Clay County has an adjustment on our pre-BOE for the parcels that make up the TIF. Their assess value over and above what they were at the time that the TIF was

established gets deducted out of are assessed values because those property taxes go back to the TIF.

Also included in the staff report were three years of history for the post-BOE. The increase for it is somewhere in the middle of 4.5% each of the last three years. We are anticipating something similar this year.

The Board set the date of August 31 at 5:30 p.m. for a special meeting if it is needed.

**3. Discussion Schedule of Fees**

Dan reported that included in the staff report on the Schedule of Fees were two changes staff is looking at for the Police Department. The first one is obtaining a copy of a video. We currently offer videos one of two ways, either a link to the video in the cloud or on a USB drive. In the past year, the USB drives have not been requested very often and they are a little time-consuming for staff. The cloud links are requested more often and are working great. The cloud links also allow us to social distance in light of COVID. Staff is making a recommendation to remove the USB option and only offer those video reports as a cloud link.

The second recommendation from staff is regarding municipal court fees. They are still listed in our schedule of fees. Municipal Court was transferred to Clay County on January 1, 2019 and at that time we did not know what effect it might have. Staff feels confident now that we are 18 months into the transfer that we do not need those in our Schedule of Fees.

The next item is regarding payments in lieu of dedication of land for recreation which is not part of the schedule of fees. This fee is directly stated in Section 425.220 of the Code of Ordinances, so it is not listed in the Schedule of Fees.

Jack Hendrix, Development Director, explained that Mayor Boley had requested that staff come up with a potential solution to the inequities, not just single-family developments through the subdivision ordinance. Jack proposed some language that could go into the Comprehensive Plan and the Parks Master Plan.

John Reddoch, City Attorney, has been working with staff for the best way to implement this, if the board implements it. Jack explained that the building permit fee version may not work legally and may need to go into a subdivision ordinance. Jack said the question is does the Board want to try to equalize the scenario such that all dwelling units provide some assistance for the park improvements? And, exactly how do they want to do this. Jack provided examples at the end of the memorandum of other communities and how what they are doing for this.

<u><i>City</i></u>	<u><i>Park Fees in lieu of dedication</i></u>
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)

Jack stated that if the Board wished to include industrial and commercial subdivisions as well, we would need John's help crafting something that sets the standards.

Mayor Boley said he asked staff to look into this because we have a lot of large lot subdivisions coming in. During the Comprehensive Planning and the Strategic Planning process we talked about needing multi-family housing. We have seen more commercial development come into Smithville and all those have impacts on our park system. One of the main pillars that came out of the planning sessions was improvements to the parks and trails. The voters also spoke in the election when they said yes to a sales tax for parks and trails.

Alderwoman Wilson said we do need to look at leveling that across the board. She said we need this the multi-family that may be coming but did not know about commercial. She thinks we really need to look hard at leveling that across the new developments.

Mayor Boley asked Jack if he was correct and developments like Brandywine Cove and Whiskey Ridge do not pay a parks fee?

Jack said that was correct, if they are zoned A1 with ten-acre lots or if they are zoned AR they are in the agricultural districts. The current version says residential only.

Mayor Boley said they are not raising cattle and horses in those subdivision, they are single family homes with people living in them that use the park system.

Alderman Bloemker said he echoed the sentiments of Alderwoman Wilson. He said our voters spoke and our constituents clearly spoke throughout the planning process

## Smithville Board of Aldermen

---

that parks are a priority. He encouraged staff find a solution and bring it forward so we can level things out.

Mayor Boley asked if the Board had any objections to moving forward on this?

The Board had no objections.

The Mayor directed staff to move forward with the all residential and also bring forward an example for commercial.

Jack explained that this will first have to go to the Planning Commission before it comes to the Board.

#### 4. Discussion of Revenue

Dan went over the chart of our revenues by source, what we budgeted, where we are year-to-date as of June 30, a projection for FY20 and a raw number for what we are thinking FY21 might look like.

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

Dan explained that one of the taxes under the franchise tax is a tax that utilities pay. It is basically a transfer that we do from our water fund to the general fund. In the audit last year, the auditors suggested that instead of calling that a Franchise Tax we treat as a transfer.

The purpose of this review is mostly to investigate how COVID-19 is having an impact on our revenues.

**Property Taxes**

Property taxes are billed every November and are due in December, we receive most of the money in January and February. We have collected \$881,000 so far and that represents about 97% collection rate. Historically our collections have improved over the last few years from about 85% to more than 99% last year. Due to COVID-19 potentially having financial impacts on property owners we do not anticipate that collection for the rest of this year to reach the 99% rate. The projection of \$889,000 represents a 98% collection rate. Dan said the real question is how COVID-19 is going to impact people paying their property taxes this coming December 2020. To get the budget figure for next year of \$887,000 we used the current Pre-Board of Equalization assessed value numbers multiplied by a 4.2% increase, which is a little bit on the conservative side on the assessed value figures. Staff estimates that our property tax rate will stay the same, but we dropped our collection rate down to 92%. We are associating the dip from 98% last year to 92% next year due to COVID-19.

Alderwoman Wilson asked how staff came up with 92%?

Dan said it was just an educated guess. He explained that we believe it is going to decrease and it is difficult to know just how far it will decrease. Dan has had conversations with the City's financial advisor, Todd Goffoy, and we feel that it will fall like it did in 2007-2009. Staff looked at the data from the Kansas City metropolitan area since we do not have much data from that time for Smithville.

Alderwoman Wilson asked if we should drop it to 90%?

Dan said that the 90% is a more conservative number and he would change it.

Mayor Boley asked if staff knew what our lowest percentage has been since 2000?

Dan explained that our data only goes back to 2013.

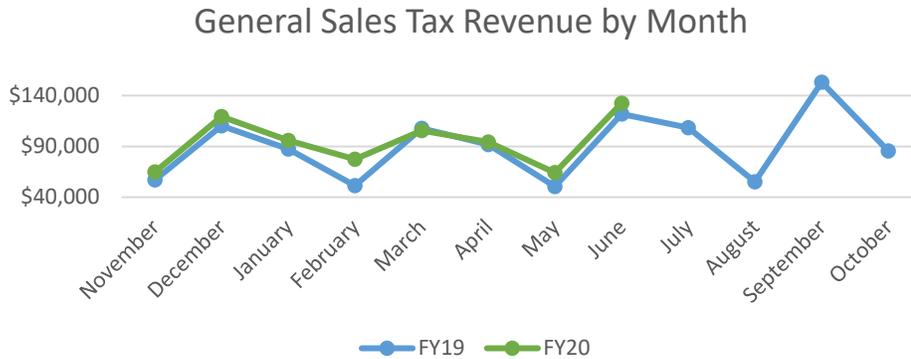
Alderwoman Wilson asked if staff could reach out to Clay County and get the data history.

Dan said that he would reach out to them.

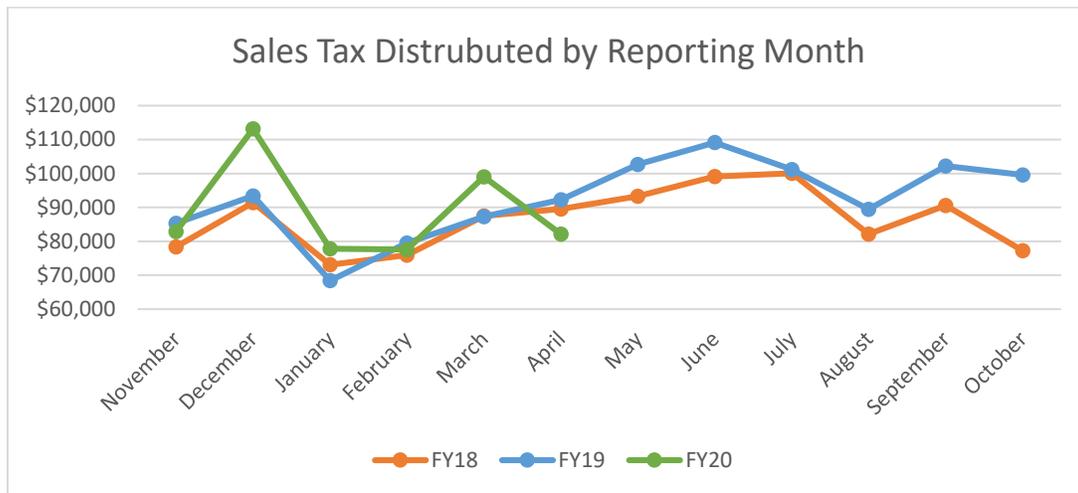
**Sales and Use Tax Revenue**

Dan explained that from last year to this year we assumed a 2% growth in sales and a small incremental amount for sales from the TIF district. To date we are at just over \$1,000,000 in sales revenue.

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.

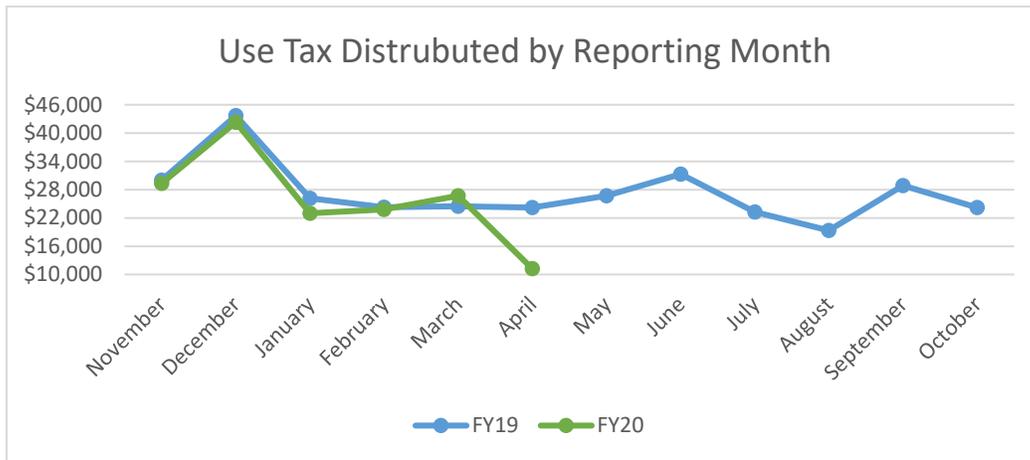
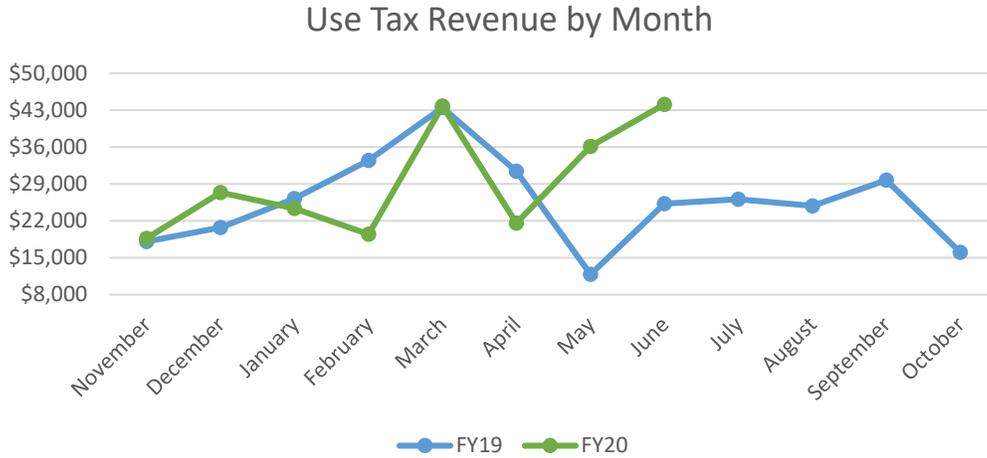


The next graph rearranges the monthly sales tax revenue data from the month it was received by the City to the month for which sales were reported.



Dan explained that in the sales tax data reports he can see how many businesses we have registering sales and how many businesses have reported for each of those months. 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.

The following graph 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.

Alderman Ulledahl asked what type of businesses would not report on a specific time?

Dan explained that some business report monthly, some quarterly and some annually. He said we also have businesses that ship items to Smithville.

Mayor Boley said we also have businesses that are seasonal.

### **Franchise Taxes**

Dan explained that we have seen general decline in Franchise Taxes over the last few years these are due to people moving away from having cable service or home phone service.

### **Other Taxes**

This includes 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 is 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

Alderwoman Wilson asked if staff had reached out to the school about possible reimbursement for the second SRO?

Cynthia said that she had not had any conversations with the school about it.

Alderwoman Wilson said she believes it is time for them to cover the cost for the second SRO.

Alderman Bloemker said he agreed.

Mayor Boley said there was a joint meeting for the Board and School Board coming up and it could be discussed then.

Alderwoman Wilson said she realized they had already set their budget, but we could possibly look at phased increases for the next school budget year.

**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.

Mayor Boley asked if for month to month, are we up on our numbers for the months we have been open?

Dan said when the campground opens on April 1 that is our highest grossing day because everybody calls then and books the entire summer. This year we had that happen when we opened June 1. This year our June revenue is going to look higher than June last year.

Mayor Boley asked for the booking numbers for this year.

Cynthia said that Matt does have those numbers and has provided it to her. She said that she has not had a chance to look at it yet, but she will forward the information to the Board.

Mayor Boley said the campground is one area where we could make up some of our lost funds where we cannot with the youth sports.

Cynthia said that the uniforms purchased for the spring sports will be used for fall so we will not be out the money for them.

Matt explained that the campground had sold out for all of June and July.

**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.

Mayor Boley said it would have been worse if we had not moved some of the money to CD's.

Dan explained that our FY20 budget is \$4,545,000 and the projection right now is \$4,471,000 for a loss of about \$74,000 in total. On the operational side the projected expenditures for a year is just over \$4,400,000 so we are still looking at a revenue over expenditures amount of about \$63,000. We could look at doing something with that money, there are a couple suggestions that staff might have but this can be discussed at a later date.

### **5. Discussion of Fleet**

Nickie Lee, Assistant City Administrator, explained that the Board and staff have been talking pretty extensively for the past couple of years about the City's fleet. Over the last year staff has brought a review of the City's existing inventory. A list of all vehicles by Department along with a list of equipment. Staff did a pretty good job under the Board's direction of reviewing what could be shared what could be surplus and repurposed. Nickie said that with Chuck Soules, Public Works Director, and his background history we definitely appreciate his experience of overseeing different fleet divisions at several different organizations. Based on Board direction staff has been discussing and researching the option of leasing vehicles which is one option that came from the Board last year. Nickie explained that Enterprise is present to explain what their Fleet Leasing and Fleet Management looks like.

Nickie said that what we are discussing tonight really only addresses a portion of our fleet. She explained that we have a 120-pieces of equipment and 45 of which are vehicles not included in this lease proposal. Those pieces of equipment consist of the dump trucks, the mowers, spreaders, etc. Those will be addressed in the future in our vehicle replacement program.

Nickie explained that the other really important item tonight's discussion does not include is our Patrol vehicles, basically our police vehicles that respond to calls. Because of the high mileage they are on a different schedule.

Staff is recommending that we proceed with putting 27 into this fleet management lease program.

Brandon Scott, Account Executive with Enterprise Fleet Management, explained that he has been with Enterprise for 12 years. He moved to the Kansas City Fleet Management division about a year-and-a-half ago.

He explained that leasing is typically most successful on the white fleet the half-ton pickups, three-quarter ton pickups, cargo vans, one-ton trucks and up to 5500 series. He said where cities get the most value is with the light and medium-duty vehicles. Enterprise just finalized partnership last month with Raymore, Leavenworth County, Kansas, Saline County, Missouri, the United Government of Wyandotte County, Kansas and are taking our program to counsel in Gladstone. They had a meeting with City of Independence outlining the dates to go to their council.

## **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.

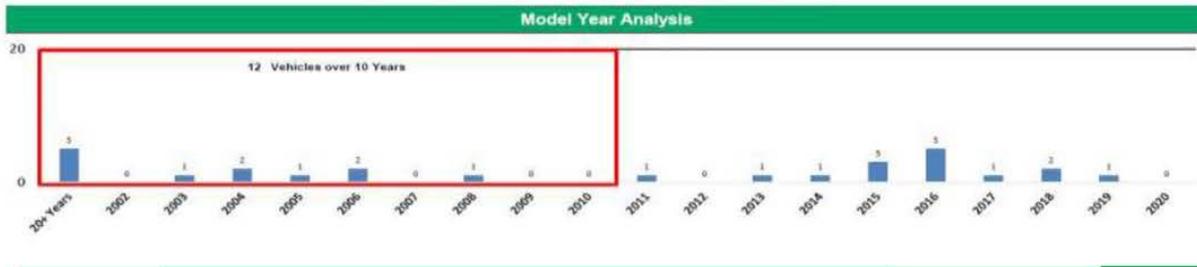
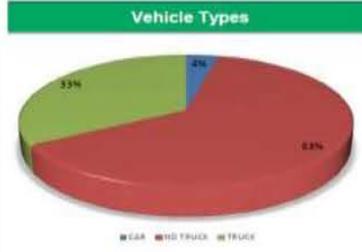
- Utilize an open-end lease\* as a funding mechanism, allowing the City to acquire additional vehicles while avoiding a large capital budget outlay.
- Replace aged vehicles with newer models to increase fuel efficiency and reduce maintenance expense. Maintenance and repair expenses will be reduced as 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.

## 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	5,000	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	10.5	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		
Average	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	28,620	84,341	55,802		
'26	27	17	0	27	0	178,184	-145,510	11,571	28,620	28,620	72,865	67,278		
'27	27	17	0	27	0	178,184	-151,608	11,571	28,620	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
TOTAL	\$12,000	\$7,000	\$4,500	\$72,000	\$0	\$0
Estimated Current Fleet Equity**					\$95,500	

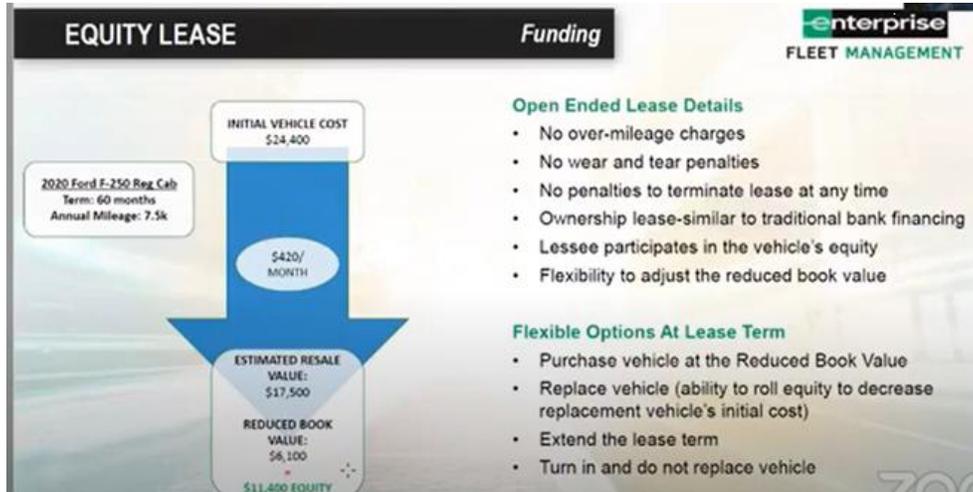
\* Lease Rates are conservative estimates  
 \*\*Estimated Current Fleet Equity is based on the current fleet "sight unseen" and can be adjusted after physical inspection  
 Lease Maintenance costs are exclusive of tires unless noted on the lease rate quote.

### 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

They look at police vehicles differently than the white fleet vehicles. They have a lot more miles and specialized equipment, so they were not include in the analysis.

Brandon explained that this not your typical dealership lease, it is very different. Enterprise helps cities with all phases from all the way through resale.



Brandon explained how the Equity Lease works. You have the initial vehicle cost of \$32,000 for a 2020 Ford F250 regular cab pickup truck on a five-year term at 7,500 miles per year. Instead of the \$32,000 acquisition through the government contract, you would be able to get it for \$24,400. This is different than a dealership lease where we finance it down to a \$0 balance, they finance it down to a reduced book value of \$6,100. So, for the Equity Lease you have your monthly payments for example \$420 a month for five-years vehicle with 32000 miles on it with a re-sale value of \$17,500. This is very different than your traditional dealership lease. With this program they give you the difference between the sales price and the residual on the vehicle so in this example \$11,400 in equity is money that is the City of Smithville's.



Government buying power example is a 2020 F250 extended cab 4x4 truck retail cost is \$36,000. Using the Equity Lease contract, you would be able to get that truck for \$28,200. If they sell that truck at one-year-old with 5,000 miles on it you would be looking at a sale price of \$33,000 versus the acquisition price of \$28,200 so you can literally be able to sell it for more than what you bought it for. He explained that this does not work with police vehicles, because of the miles. The lease also does not work with booms, cranes, spreaders, etc.

Brandon said that they would be meeting with the City two to three times a year to be able to identify savings opportunities. They would recommend ways to maximize equity. He explained that their theory is if they can continue to maximize equity and continue to lower costs cities would still continue to order vehicles through them.

Another point Brandon made was from a safety perspective, vehicles that are older than 2012 model year do not come with electronic stability control. The Highway Traffic Safety Administration has said that this is the most important safety features since the invention of the seat belt.

Alderman Bloemker thanked staff for all their hard work on this.

Alderwoman Wilson asked if we were to move forward with this and decided it was not working, what would be the process to get out of it?

Brandon said that there is no penalty to opt out. There is no long-term commitment. You would just buy the vehicles outright.

Dan explained that in the packet are spreadsheets with three different scenarios. They are broken-up by department, Development, Parks and Recreation, Police Vehicles that are not patrol vehicles, Street and Utilities.

The prices for the lease vehicles are examples due to the fact prices will likely change in the fall. The first year if we sell our vehicles, we would have approximately \$136,000 and the lease payment would be around \$132,000.

Dan explained if during the lease we decided we wanted out, it would cost somewhere between \$500,000 to \$600,000 to purchase the vehicles outright. He said that the discussion we need the Board to have is do we want to have the funds set aside so we have the option to leave the program anytime we want or do they want to put back \$85,000 a year for the first four years? Or look at spreading it out with \$40,000 a year for eight years? Dan said that we just need to know that if we want to get out of the lease before we have the \$550,000 in reserve, we would either have to come up with the remaining amount or reduce the number of vehicles.

Alderman Bloemker asked what Dan would recommend?

Dan said as a finance person he would prefer to do the \$85,000 in the first four years.

Alderman Atkins asked how much money we would be saving with the lease plan?

Dan said that is not an easy question to answer. He said that right now our replacement schedule is all over the place. He said that 44% of our vehicles are over 10 years old and with this plan we would never have a vehicle over four years old. The number for this annual lease payment versus what we are doing right now is likely higher because we are not replacing five vehicles every year. With not replacing those vehicles on a regular basis the annual maintenance is increasing and the fuel efficiency is declining which is costing the City.

Brandon stated that based on the make and model series of all the vehicles in the City's fleet compared to other government entities the city is going to see a dramatic reduction in maintenance expenses and see a fairly healthy reduction in fuel expenses. Their program shows an annual savings of approximately \$49,000 annually.

Alderman Atkins said that savings could be put toward the seed money.

Alderwoman Wilson asked if the insurance cost will go up with having newer vehicles?

Dan that our insurance is based on the purchase value so we should not see a drastic increase.

Alderman Bloemker asked if we could lease electric vehicles?

Dan said that we are looking at the electric or eco-friendly vehicles for departments where they could be used. Unfortunately, they do not have quite as good of a resale value and could end up hurting this fund a little bit.

Nickie said that this is our fleet and our choice so we can tell Enterprise exactly what we want, and they would be able to get it for us. It just may not pay out like the vehicles that they recommend.

Alderman Bloemker said he would lean toward the fiscal conservative model at this time.

Mayor Boley said that with the hybrids we would see fuel savings.

Brandon said that the hybrids are typically more cost effective, and they offer more incentives for the hybrids.

Mayor Boley suggested the hybrid not the electric.

Dan said staff will have a recommendation for all of this for the budget discussion in August and also have a better idea on the numbers. He said the plan is to bring an agreement with Enterprise to the Board in August.

Nickie said that will be the next step, to have all of the information from Enterprise and be able to discuss it during the budget process. She said that with this program you would want to pay attention to the manufactures timeline for placing the orders. Somewhere around mid-late summer is the best time to place the orders then you do not pay anything out until the vehicles are received.

Brandon said that now is a perfect time to be in the front of the line for placing orders for the vehicles. He said it does take time to get the vehicles made and due to COVID-19 production did get behind.

### **6. Discussion of Assessment of Utility Late Fees**

Dan gave a brief history of the assessment of the utility late fees due to COVID-19. We had the emergency Ordinance in March to wave or suspend all utility late fees and not perform disconnections in March or April. In May, the Board approved a Resolution to extend the date of the waiver through the end of June. If the Board chooses not to extend the waiver further, staff will assess a late fee on July 22 and do service disconnections on the July 27. The discussion is to see if the Board wants to return back to the normal billing practices or if they want to change the normal billing practices temporarily. Dan said that at the end of his staff report he included some information on what some other cities are doing, and staff received confirmation today that the information is still accurate. Staff did receive some additional information from Parkville that they have started to assess late fees in June, but they are not going to perform disconnects until August.

Mayor Boley and the Board requested to mail letters to residents with more than one month in arrears on May 22 and again on June 30. The May 22 letters did have some positive results: 22 of the 105 customers that received the letter, paid their balance in full. Another 26 made a payment but still owed some of their bill, 18 made a payment but were still at least one month behind and 34 did not respond. On June 30, staff mailed 93 letters, the 18 and 34 customers who all received a letter in May plus 41 additional customers who fell more than one month behind. When staff assess late fees there are approximately 400 late fees assessed, when we assessed the late fees on June 22 there were 465 accounts so just a little bit higher than what we typically see.

Dan asked for direction from the Board to either return to the normal billing practices, suspend the disconnection, or suspend both the late fee and the disconnection through a further date?

Alderman Atkins said he likes the idea of staying with the way we are doing it now. Since Clay County is saying the virus is still very active and we are all still in quarantine, we need to take that into consideration. He does like the idea of slowly getting back into the normal practices.

Alderman Bloemker said he agreed that we need to create a plan and return to some sort of normalcy. He said in doing some research and taking a look at best practices he came across a presentation which referenced the use of CARE Act funding to use as a utility bill forgiveness and fee waiver related to those who have been recently unemployed due to COVID-19. He asked staff to do some research on this and bring that a proposal back to the Board when we review this again.

Alderman Chevalier agreed with Alderman Bloemker and said if we could actually make it work, we could help those who have been affected by the pandemic.

Mayor Boley requested that staff make phone calls to the residents that are behind to see, if we go forward with shut offs, if COVID-19 affected their ability to pay or if they need a payment plan. He asked that staff to make sure those residents were aware of the bill and work with them.

Mayor Boley asked the Board if they want to extend the date for shut offs?

Alderman Ulledahl recommended extending it to August.

Alderwoman Wilson recommended assessing the late fees in July and extending shut offs to August.

Mayor Boley agreed with Alderwoman Wilson to assess the late fees in July and shut offs in August.

All the Board agreed.

Mayor Boley asked Scott Sullivan and John Reddoch if it would be possible to use CARES funds for helping utility customers?

Scott said they would need time to research it.

Mayor Boley asked if the City had any Ordinance that says we will not do shut offs if the temperature gets too high?

Dan said that we only have one for in the winter and temperatures drop to low and we cannot open the meter pit.

## **7. Adjourn**

Alderman Atkins moved to adjourn the Work Session. Alderwoman Wilson seconded the motion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:32 p.m.

---

Linda Drummond, City Clerk

---

Damien Boley, Mayor

# **Smithville Board of Aldermen**

---

Board of Aldermen Minutes – July 7, 2020 Regular Session

## **SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION**

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

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

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

### **1. Call to Order**

Mayor Boley, present, called the meeting to order at 7:01 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, John Chevalier, Jeff Bloemker, Dan Ulledahl and Melissa Wilson. Staff present via Zoom: Cynthia Wagner, Nickie Lee, Chuck Soules, Chief Jason Lockridge, Jack Hendrix, Dan Toleikis, Matt Denton and Linda Drummond.

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

### **3. Consent Agenda**

- **Minutes**

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

No discussion.

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

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

## **REPORTS FROM OFFICERS AND STANDING COMMITTEES**

### **4. Committee Reports**

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

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

**5. City Administrator's Report**

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

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

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

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

**ORDINANCES & RESOLUTIONS**

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

No discussion.

Upon roll call vote via teleconference:

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

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

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

Alderman Bloemker moved to approve Bill No. 2862-20, to amend the FY20 Budget to add \$945,400 in budgeted revenue to the newly created CARES Act Stimulus Fund and to add \$945,400 in budgeted expenditures for the necessary expenses

incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). 2<sup>nd</sup> reading by title only. Alderman Sarver seconded the motion.

No discussion.

Upon roll call vote via teleconference:

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

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

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

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

No discussion.

Upon roll call vote via teleconference:

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

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

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

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

No discussion.

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

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

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

Public Comment:

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

Carl Jones, 321 East Main Street, stated that the sidewalk in front of his house was adequate. He asked the Board to consider taking the trail through Heritage Park. He explained that if the project included an eight-foot sidewalk it would have taken a mature tree from his yard and he would not have been happy. He asked that in the future the City send out registered letters to notify the residents involved in project like this.

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

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

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

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

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

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

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

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

## **Smithville Board of Aldermen**

---

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

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

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

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

No discussion.

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

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

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

No discussion.

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

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

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

No discussion.

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

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

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

No discussion.

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

## **OTHER MATTERS BEFORE THE BOARD**

### **15. Public Comment**

None

**16. Appointments**

• **Finance Committee**

Mayor Boley nominated Alderwoman Wilson and Alderman Sarver.

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

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

• **Fire District Liaison Committee**

Mayor Boley nominated Alderman Atkins and Alderman Ulledahl.

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

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

• **School District Liaison Committee**

Mayor Boley nominated Alderman Bloemker and Alderman Chevalier.

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

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

• **NRAD Liaison Committee**

Mayor Boley nominated Alderman Atkins and Alderman Ulledahl.

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

## Smithville Board of Aldermen

---

Alderman Chevalier – Aye  
Alderman Ulledahl– Abstained  
Alderman Bloemker – Aye

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

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

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

### **18. Adjourn**

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

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

---

Linda Drummond, City Clerk

---

Damien Boley, Mayor

## Finance Report – June 2020

**FY20 BUDGET - FINANCIAL UPDATE**

6/30/20

REVENUES, BY FUND	FY19 Actual	FY20 Budget	FY20 YTD	FY20 Projection	
GENERAL FUND	5,563,826.38	4,545,530.00	4,099,150.34	4,471,440.00	90.18%
CAPITAL PROJECTS FUND	4,182,447.81	238,120.00	-	228,120.00	0.00%
CAPITAL IMPROVEMENT SALES TAX FUND	451,246.42	475,080.00	343,372.19	509,760.00	72.28%
DEBT SERVICE FUND	127,417.32	556,280.00	223,755.00	556,280.00	40.22%
TRANSPORTATION SALES TAX FUND	496,431.90	475,080.00	345,473.70	509,760.00	72.72%
COMBINED WATER & WASTEWATER SYSTEMS FUND	4,064,279.60	4,381,400.00	2,709,144.71	4,223,734.00	61.83%
SANITATION FUND	780,003.87	840,360.00	544,458.28	826,780.00	64.79%
	<b>15,665,653.30</b>	<b>11,511,850.00</b>	<b>8,265,354.22</b>	<b>11,325,874.00</b>	<b>71.80%</b>

EXPENDITURES, BY FUND	FY19 Actual	FY20 Budget	FY20 YTD	FY20 Projection	
GENERAL FUND	4,789,412.43	5,424,590.00	3,292,673.82	5,189,550.00	60.70%
CAPITAL PROJECTS FUND	4,230,808.48	1,882,370.00	451,029.63	1,882,370.00	23.96%
CAPITAL IMPROVEMENT SALES TAX FUND	127,417.32	798,910.00	223,755.00	798,910.00	28.01%
DEBT SERVICE FUND	127,417.32	325,020.00	223,755.00	325,020.00	68.84%
TRANSPORTATION SALES TAX FUND	557,722.17	380,000.00	119,454.40	379,880.00	31.44%
COMBINED WATER & WASTEWATER SYSTEMS FUND	2,575,747.48	6,690,170.00	3,029,094.71	6,917,000.00	45.28%
SANITATION FUND	786,350.04	835,290.00	541,873.06	825,890.00	64.87%
	<b>13,194,875.24</b>	<b>16,336,350.00</b>	<b>7,881,635.62</b>	<b>16,318,620.00</b>	<b>48.25%</b>

[\(Full Financial Report – June 2020\)](#)

CITY ADMINISTRATOR'S REPORT



---

## City Administrator's Report

---

July 16, 2020

---

### **Follow Up – Board Question at July 7 Work Session**

At the July 7 work session, Alderwoman Wilson requested that staff reach out to Clay County in order to obtain historical information on property tax collection rates. This week, staff requested information from the county dating back to 2000. Clay County confirmed they could provide the information, but indicated that it could take some time to compile and also advised that they aren't sure they can go back as far as 2000.

Regarding unpaid real estate property taxes, Clay County cannot collect on real estate taxes that are more than four years delinquent. Therefore, properties that are two years delinquent usually enter the real estate tax sale. However, with COVID-19, they are considering changes to this policy for this year. Clay County uses an attorney to attempt to collect on delinquent personal property tax payments.

Staff will update the Board upon receiving more information from Clay County.

### **Water Line Break – July 15, 2020**

As you are aware, staff spent most of Wednesday addressing water line issues. Early that morning, low pressure in Greyhawk indicated a potential break. Upon inspection of the area, it was determined there was no break in this area, however water levels in the tower serving the area continued to go down, causing low pressure. Greyhawk never lost service, only experienced reduced pressure.

After several hours of significant rainfall, staff was able to identify the source of the break which was causing water loss. Staff walked a significant area and turned off several valves, reducing water pressure to various areas (including the Diamond Crest and Harbor Lakeneighborhoods). The break was in a creekbed, making it difficult and

time consuming to identify with recent stormwater runoff. Below are photos of Public Works Inspector Norm Wells working to identify the exact location of the break.

Once the location was identified, staff worked to make the repairs. Service was restored to Diamond Creek and Harbor Lake neighborhoods around 9:15. Samples of water have been sent to the testing laboratory we utilize in Kansas City and we have issued a precautionary boil order for these two neighborhoods until we have results of those samples.



### **Comprehensive Plan Update**

As you are aware, the Comprehensive Plan Update process was paused and reorganizaed due to the COVID-19 pandemic. The consultant team has been synthesizing community input from the visioning process and survey information obtained earlier this year in order to understand community aspirations and associated planning implications. This includes concept plans for proposed new Smithville character areas. We are now ready for the Task Forces to resume review and discussion. In order to comply with CCPHC and CDC guidelines, the meetings will be slightly different than those planned in March. The consultant team will make their presentations and discuss commumnity input from a remote, digital forum. Participants will be able to join the discussion virutally or in person at the Smithville High School Performing Arts Center.

Task Force meetings are scheduled for 4:00 to 6:00 p.m. on the following dates:

Housing and Neighborhood Options  
Business and Economic Development

Monday, July 27  
Tuesday, July 28

## Smithville Board of Aldermen

---

Recreation and Connectivity  
Small Town Feel and Sense of Community

Wednesday, July 29  
Thursday, July 30

Registration and other information may be found at <https://lab.future-iq.com/city-of-smithville-comprehensive-planning-process-2020/>

### **Influent Pump Station – Closeout Report**

Attached is a report from Public Works Director Chuck Soules outlining final closeout of this project.

### **Smith’s Fork Campground Rental Informaton**

Rentals of camp sites for the time period of June 1 through the end of the week including the Fourth of July are up from both 2018 and 2019 as outlined below. Of note, we have turned away 55 requests for upgraded (50 amp) sites. As part of budget review, we will be exploring and providing recommendations related to campsite upgrades.

Total rentals (June 1 to end of second weekend in July)	
2020:	1,289
2019:	1,275
2019:	1,162

	<div style="background-color: #76923c; color: white; padding: 5px; display: inline-block; font-weight: bold; font-size: 1.2em;">STAFF</div> <div style="background-color: #005580; color: white; padding: 5px; display: inline-block; font-weight: bold; font-size: 1.2em; margin-left: 10px;">REPORT</div>
<b>Date:</b>	July 15, 2020
<b>To:</b>	Cynthia Wagner, City Administrator
<b>From</b>	Charles Soules, Director of PW
<b>Subject:</b>	Final Closeout Report Influent Pump Station

At the Board of Alderman meeting on May 1, 2018 project 18-06 Base Bid A was awarded to Foley Company (Enerfab) in an amount of \$4,586,493. Base Bid A included a new influent pump station and excess flow holding tank at the wastewater treatment plant.

The improvements were substantially complete in September of 2019 and the plant and new pump station brought on line in October. In January 2020 staff noticed that the influent pumps were running slower and a couple pumps shut down in February. By specification the pumps are supposed to pass a 4-inch sphere but not unlike the drain in a sink small pieces of rags, wipes, etc. were wrapping around the pump impellers and accumulating until the pump could not run and shut down. The City had the pumps pulled and unclogged. The wet well was temporarily bypassed to allow the wet well to be cleaned of accumulated debris. The City incurred \$28,415.24 in expenses for this work.

In discussions with Enerfab, HDR and the pump manufacturer it was decided to install a piece of equipment called a "Deragger". The Deragger basically senses when the pumps are pulling more amps and then turns the pump off and reverses the impeller discarding the blockage. This is completed several times until the blockage is passed through. The Deragger has been installed for two months and is keeping the pumps from clogging and shutting down.

The additional cost for this equipment for all three pumps is \$18,722. HDR and Enerfab have agreed to split the costs the City incurred for unplugging the pumps and cleaning out the wet well (\$28,415.24).

The final construction cost:

BID	\$4,586,493	
CO 1	\$ 23,050	Change of pump manufacturer requested by the City
CO 2	(\$ 5,760.16)	
<b>Total</b>	<b>\$4,603,782.84</b>	

All work is now completed and accepted. Final payment will be made. The City has a one-year maintenance bond/warranty period.

**ZONING 2412 NE 157<sup>TH</sup> TERRACE**



# City of Smithville

**Meeting Date:** July 21, 2020      **Department:** Development

**Agenda Item:** Bill No. 2864-20, Zoning 2412 NE 157<sup>th</sup> Terrace

**Summary:**

Approving this ordinance would set the initial zoning on this property to R-1B.

**Purpose:**

The property was annexed on July 7 by Ordinance 3065-20 and the initial zoning must be set. A public hearing before the Planning Commission was held on July 14, 2020 for setting the initial zoning on the property. The Planning Commission recommended to set the zoning as R-1B, to match the adjacent zoning classifications.

The property is a single-family residential home in the Lakeside Crossing subdivision. It was one of 11 lots not inside the city limits, but with the annexation last meeting, there are now only 10.

**Impact:**

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

**Legislative History:**

Annexed on July 7, 2020 via Ord. 3065-20

**Suggested Action:**

A motion to approve Bill No. 2864-20 for First Reading by Title Only to set the initial zoning of 2412 NE 157<sup>th</sup> Terrace.

**Attachments:**    Plans       Contract       Staff Report  
 Ordinance    Resolution    Minutes    Other: Findings of Fact

***FINDING OF FACTS AND  
CONCLUSIONS OF LAW***

Applicant: Judith Whaley  
Land Use Proposed: R-1B  
Zoning: County Single Family  
Property Location: 2412 NE 157th Ter.

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on July 14, 2020, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. Character of the neighborhood.  
The surrounding area is single family residential housing in a standard subdivision.
2. Consistency with the City's Comprehensive Plan and ordinances.  
The existing Comprehensive Plan was approved on October 6, 2005 and calls for low density housing. It complies with the plan.
3. Adequacy of public utilities and other needed public services.  
The lot is in a fully completed subdivision with all utilities and public services.
4. Suitability of the uses to which the property has been restricted under its existing zoning.  
The current use is single family residential formerly outside the city limits.
5. Length of time the property has remained vacant as zoned.  
The property was constructed in the county but had never previously annexed while the bulk of the lots in the subdivision were annexed over 15 years ago.
6. Compatibility of the proposed district classification with nearby properties.  
The proposed district matches the adjacent existing uses.
7. The extent to which the zoning amendment may detrimentally affect nearby property.  
No detriment is anticipated.
8. Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.  
No loss to landowners is expected.

## **Smithville Board of Aldermen**

---

9. That in rendering this Finding of Fact, testimony at the public hearing on July 14, 2020, has been taken into consideration as well as the documents provided.

### Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

- A. This application and the Zoning of this property from County Single Family Residential to R-1B is governed by Section 400.620 of the zoning ordinance of Smithville, Missouri.
- B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.
- C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of zoning the property to R-1B.



Exhibit A

All that part of the North one half of Section 36, Township 34, Range 33, Clay County, Missouri, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 36; thence North 89 degrees 49 minutes 48 seconds East along the North line of the Northeast Quarter of said Section 36, a distance of 662.69 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36; thence South 0 degrees 20 minutes 18 seconds West along the East line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, a distance of 663.23 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36; thence North 89 degrees 50 minutes 00 seconds East along the South line of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, a distance of 590.45 feet to the West line of the East 170 Acres of said Section 36; thence South 0 degrees 26 minutes 29 seconds West along the West line of the East 170 Acres of said Section 36, a distance of 114.37 feet; thence North 89 degrees 43 minutes 06 seconds West, a distance of 971.22 feet; thence South 56 degrees 32 minutes 56 seconds West, a distance of 98.83 feet; thence South 46 degrees 04 minutes 14 seconds West, a distance of 376.49 feet to the most Westerly corner of Tract "G", HARBOR LAKE FIFTH PLAT, a subdivision of land in the City of Smithville, Clay County, Missouri; thence North 89 degrees 43 minutes 06 seconds West, a distance of 238.15 feet; thence South 13 degrees 23 minutes 08 seconds West, a distance of 70.00 feet; thence North 89 degrees 43 minutes 06 seconds West, a distance of 1004.87 feet to a point on the East line of Lot 1, CARTER FARMS, a subdivision of land in the City of Smithville, Clay County, Missouri; thence North 00 degrees 34 minutes 50 seconds East, along the East line of said Lot 1, a distance of 60.52 feet to the Northeast corner of said Lot 1; thence North 89 degrees 28 minutes 47 seconds West, along the North line of said Lot 1, a distance of 528.68 feet to the Northwest corner of said Lot 1, said point also being on the East right of way line of Missouri State Highway "F"; thence North 0 degrees 34 minutes 50 seconds East along said right of way line, a distance of 794.51 feet; thence along said right of way line, along a curve to the left, tangent to the last described course, having a radius of 349.73 feet, an arc distance of 66.19 feet; thence South 89 degrees 38 minutes 07 seconds East, a distance of 192.23 feet; thence North 0 degrees 35 minutes 50 seconds East, a distance of 233.0 feet to the North line of the Northwest Quarter of said Section 36; thence South 89 degrees 38 minutes 07 seconds East along said line, a distance of 1666.64 feet to the point of beginning. Said tract contains 60.87 acres more or less.

**HAZARDOUS MITIGATION PLAN**



# City of Smithville

**Meeting Date:** 07/21/2020

**Department:** Administration

**Agenda Item:** Resolution No. 799, to Adopt the 2020 Multi-Jurisdictional Hazard Mitigation Plan for Cass, Clay, Jackson, Platte and Ray counties

**Summary:**  
Approval of this item will adopt the 2020 Multi-Jurisdictional Hazard Mitigation Plan for Cass, Clay, Jackson, Platte and Ray counties as required by 44 CFT Part 201. This is a county wide plan required by FEMA.

**Purpose:**  
Adopting this plan will comply with FEMA requirements, and identifies the City of Smithville’s participation in the planning process as it relates to potential disasters. The entire plan can be found here:  
[http://marc2.org/assets/emergency/2020\\_REGIONAL\\_HAZARD\\_MITIGATION\\_PLAN.pdf](http://marc2.org/assets/emergency/2020_REGIONAL_HAZARD_MITIGATION_PLAN.pdf)

**Impact:**

Comprehensive Plan:	NA
Economic Development Plan:	NA
Parks Master Plan:	NA
Strategic Plan:	Goal 5: Developing policies that govern the city. Goal 6: Strengthening the City’s position with other government entities
Capital Improvement Plan:	NA
Budget:	NA

**Legislative History:**  
This plan is reviewed and updated every 5 years.

**Suggested Action:**  
A motion to approve Resolution No. 799 and adopt the 2020 Multi-Jurisdictional Hazard Mitigation Plan for Cass, Clay, Jackson, Platte and Ray counties.

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

**RESOLUTION 799**

**RESOLUTION TO ADOPT THE REGIONAL MULTI-HAZARD MITIGATION PLAN**

**WHEREAS**, the City of Smithville recognizes the threat that natural hazards pose to people and property within the City of Smithville; and

**WHEREAS**, the City of Smithville has participated in the preparation of a multi-jurisdictional local hazard mitigation plan, hereby known as the 2020 Multi-Jurisdictional Hazard Mitigation Plan for Cass, Clay, Jackson, Platte and Ray counties, hereafter referred to as the Plan, in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, the Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Smithville from the impacts of future hazards and disasters; and

**WHEREAS**, the City of Smithville recognizes that land use and other policies have a major impact on whether people and property are exposed to natural hazards, the City of Smithville will endeavor to integrate the Plan into the comprehensive and/or strategic planning process; and

**WHEREAS**, adoption by the City of Smithville demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Plan and affirms that the Plan will be updated no less than every five years; and

**WHEREAS**, the final draft plan prepared by the Mid-America Regional Council has been reviewed by SEMA and is expected to be approved by FEMA.

**NOW THEREFORE, BE IT RESOLVED** by the City of Smithville, in the State of Missouri, the Mayor Pro-Tem and Board of Alderman adopts the final draft Plan.

ADOPTED this 21<sup>st</sup> day of July 2020 at the meeting of the Smithville Board of Aldermen.

\_\_\_\_\_  
Jeff Bloemker, Mayor Pro-Tem

ATTEST:

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

**BID AWARD - EAST MAIN STREET TRAIL**



# City of Smithville

**Meeting Date:** July 21, 2020

**Department:** Public Works

**Agenda Item:** Resolution 800 – Bid Award – Main Street Trail

**Summary:**

Bids were received and publicly opened for Project No. 51-B, E. Main Street Trail Project on June 30, 2020. Nine Bids were received with Amino Brothers submitting the most responsive bid at a cost of:

	Subtotal Base Bid	\$1,183,426.45
	Subtotal Add Alt 1	\$34,432.90
	Subtotal Add Alt 2	\$79,926.75
Total Bid		\$1,297,786.10

The project is generally described as: construction of approximately 7,360 square yards of concrete trail and associated ADA ramps, 1,415 linear feet of curb and gutter, 1,145 linear feet of 12-inch through 48-inch storm sewer, 15 storm structures, site restoration including asphalt surfacing, and all associated appurtenances. Side roads and entrances will be replaced, and trailhead amenities installed.

Alternate 1 included a rock blanket for erosion control of a steep embankment. Alternate 2 is the parking area at the new playground.

During the Main Street Waterline installation, four crossroad pipes were found to be collapsed / deteriorated beyond repair and were added to the base bid, through an addendum, to be replaced.

One easement remains to be secured. Since this project has some Federal Funding, property acquisition must follow the requirements of the Uniform Act in which, if requested, the owner is entitled to an appraisal and compensation. We are currently working on the appraisal and hope to have this issue resolved in the next couple weeks. Pending State and Federal Highway review of our documents, a notice to proceed with construction will be issued.

Funding for the trail project is included in the CIP Fund with \$242,500 being reimbursed from the Recreational Trails Program (RTP) grant. The parking lot for the new playground is included in the 2020 General fund Budget and \$44,094.72 will be paid from the Transportation Sales Tax Fund for the crossroad pipes that need to be replaced.

## Smithville Board of Aldermen

---

Staff is also recommending the Board authorize a \$50,000 (approximately 5%) contingency/ force account for field items that may be encountered and need to be resolved. This authorization would allow for quantity overruns and any adjustments to the plans necessary to complete the project.

Attached is the Bid Tab, Engineers Recommendation, pictures of the crossroad pipes that need to be replaced and parking lot layout.

**Purpose:**

To award Bid# 20-07 to Amino Brothers Co., Inc according to policy in an amount of \$1,297,786.10 and authorize a contingency/ force account in an amount of \$50,000.

**Impact:**

Comprehensive Plan:	Promotes pedestrian access
Economic Development Plan:	N/A
Parks Master Plan:	Improvement for parking and access to park facilities
Strategic Plan:	Promotes healthy lifestyles
Capital Improvement Plan:	Included in 2020 CIP
Budget:	Included in the 2020 CIP and General Fund Budgets

**Legislative History:**

N/A

**Suggested Action:**

Motion to approve Resolution 800

**Attachments:**  Plans  Contract  Staff Report

Ordinance  Resolution  Minutes  Other:

[Recommendation Bid Tabulation](#)

[Playground Parking Lot Layout](#)

Photos of Cross Road Pipes

**RESOLUTION 800**

**A RESOLUTION AWARDING A BID/CONTRACT IN RESPONSE TO BID NO. 20-07 TO AMINO BROTHERS CO., INC IN AN AMOUNT OF \$1,297,786.10 FOR THE MAIN STREET TRAIL IMPROVEMENT PROJECT**

**WHEREAS**, the Fiscal Year 2020 Budget allocated funds for the Main Street Trail Improvement; and

**WHEREAS**, city staff has conducted a bid process as outlined in the City Purchasing Policy; and

**WHEREAS**, after a bid process, the engineers and staff have made a recommendation for accepting the lowest and best bid received as being the most advantageous to the City.

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

**THAT** Bid No. 20-07 is hereby awarded to Amino Brothers Co., Inc and the Mayor is hereby authorized to execute an agreement in an amount not to exceed \$1,297,786.10 and approve a force account contingency in an amount of \$50,000

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor Pro-Tem of the City of Smithville, Missouri, the 21<sup>st</sup> day of July 2020.

\_\_\_\_\_  
Jeff Bloemker, Mayor Pro-Tem

ATTEST:

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



ENGINEERS

One Vision. One Team. One Call.

1421 E. 104th Street  
Ste 100  
Kansas City, Missouri 64131  
(816) 333-4477 Office

cfse.com

Mr. Charles Soules  
Public Works Director  
City of Smithville, MO  
107 West Main Street  
Smithville, MO 64089

Other Offices:  
Kansas City, Kansas  
Lawrence, Kansas  
Holton, Kansas  
Topeka, Kansas  
Springfield, Missouri  
Jefferson City, Missouri

Re: E Main Street Trail Project  
Bid Recommendation

Dear Mr. Soules:

We have evaluated the bids received on June 30, 2020 for the E Main Street Trail Project. A total of nine bids were received.

Bidder	Base Bid	Add. Alt. #1 Bid	Add. Alt. #2 Bid	Total Bid
Engineer's Estimate	\$1,195,370.00	\$37,925.00	\$113,219.00	\$1,346,514.00
Amino	\$1,183,426.45	\$34,432.90	\$79,926.75	\$1,297,786.10
Gunter	\$1,357,148.00	\$51,618.00	\$88,930.45	\$1,497,696.45
JM Fahey	\$1,371,063.35	\$49,123.00	\$117,453.50	\$1,537,639.85
Mega KC	\$1,424,502.00	\$42,874.60	\$118,202.00	\$1,585,578.60
She Digs It	\$1,433,730.70	\$63,325.00	\$94,769.75	\$1,591,825.45
Prime Time	\$1,535,588.00	\$41,321.00	\$127,974.00	\$1,704,883.00
Blue Moon	\$1,637,058.05	\$52,322.18	\$94,042.07	\$1,783,422.30
Pyramid	\$1,837,675.00	\$38,075.00	\$114,490.00	\$1,990,240.00
Prairie Band	\$1,886,250.88	\$60,690.80	\$103,399.18	\$2,050,340.86

Board of Directors:  
Kenneth M. Blair, P.E.  
Robert S. Chambers, P.E.  
Kevin K. Holland, P.E.  
Daniel W. Holloway, P.E.  
Lance W. Scott, P.E.  
Sabin A. Yañez, P.E.

Principals:  
Charles C. LePage, P.E.

Associates:  
Aaron J. Gaspers, P.E.  
Michelle L. Mahoney, P.E.  
Michael J. Morrissey, P.E.  
Gene E. Petersen, P.E.  
Todd R. Polk, P.E.  
William J. Stafford, P.E.  
Richard A. Walker, P.E.  
Lucas W. Williams, P.E.

The low bid was submitted by Amino Brothers in the amount of \$1,297,786.10. All bids received included the required documents. Our evaluation of the experience, reputation, and financial condition of Amino Brothers indicates that they are capable of completing the work required. Therefore, we recommend the award of the contract for the construction of the E



---

One Vision. One Team. One Call.

Main Street Trail Project to Amino Brothers in the amount of \$1,297,786.10, which includes the Base, Add Alt #1, and Add Alt #2 Bids. The bid tabulation is attached to this document.

Sincerely,  
CFS Engineers

A handwritten signature in blue ink that reads "Joel S. Buffington".

Joel S. Buffington, PE

# Smithville Board of Aldermen

Cook, Flatt & Strobel Engineers, P.A.  
1421 E. 104th Street, Suite 100  
Kansas City, MO 64131  
CFS Project Number: 191005

E Main/Hwy DD Trail  
Construction Estimate  
City of Smithville  
Clay County, Missouri

Prepared By: JB  
Printed: 7/7/2020

## BID SUMMARY

ITEM	QTY.	UNIT	Engineer		Amino Brothers		Gunter		JM Fahay		Mega KC		
			PRICE	COST	PRICE	COST	PRICE	COST	PRICE	COST	PRICE	COST	
<b>GENERAL</b>													
Mobilization	1	LS	\$65,000.00	\$65,000.00	\$48,825.00	\$48,825.00	\$22,805.00	\$22,805.00	\$70,000.00	\$70,000.00	\$15,000.00	\$15,000.00	
Cleaning & Grooming	1	LS	\$25,000.00	\$25,000.00	\$21,222.00	\$21,222.00	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00	\$20,000.00	\$20,000.00	
Removal of Existing Structures	1	LS	\$25,000.00	\$25,000.00	\$11,976.00	\$11,976.00	\$10,000.00	\$10,000.00	\$33,000.00	\$33,000.00	\$19,000.00	\$19,000.00	
Contractor Construction Staking	1	LS	\$15,000.00	\$15,000.00	\$16,537.00	\$16,537.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$19,000.00	\$19,000.00	
Traffic Control	1	LS	\$15,000.00	\$15,000.00	\$6,394.00	\$6,394.00	\$44,000.00	\$44,000.00	\$10,000.00	\$10,000.00	\$16,000.00	\$16,000.00	
Retaining Walls	2650	SF	\$40.00	\$106,000.00	\$52.90	\$139,565.00	\$60.00	\$156,000.00	\$50.00	\$132,500.00	\$40.00	\$106,000.00	
Chain Link Fence for Retaining Walls	500	LF	\$60.00	\$30,000.00	\$67.45	\$33,725.00	\$45.00	\$22,500.00	\$74.00	\$37,000.00	\$44.00	\$22,000.00	
Relocate Water Meter	1	Each	\$5,000.00	\$5,000.00	\$1,461.00	\$1,461.00	\$800.00	\$800.00	\$15,000.00	\$15,000.00	\$2,500.00	\$2,500.00	
Connect Existing Gump Pump Drain to Storm Sewer and Install Check Valve	1	Each	\$5,000.00	\$5,000.00	\$1,478.00	\$1,478.00	\$1,300.00	\$1,300.00	\$1,100.00	\$1,100.00	\$2,800.00	\$2,800.00	
Trailhead Solar Bench	2	Each	\$5,000.00	\$10,000.00	\$6,492.00	\$12,984.00	\$14,000.00	\$28,000.00	\$6,400.00	\$12,800.00	\$12,000.00	\$24,000.00	
Trailhead Bicycle Rack	4	Each	\$900.00	\$3,600.00	\$957.00	\$3,828.00	\$1,500.00	\$6,000.00	\$1,000.00	\$4,000.00	\$1,000.00	\$4,000.00	
Trailhead Water Bottle Filler	2	Each	\$10,000.00	\$20,000.00	\$14,014.00	\$28,028.00	\$15,000.00	\$30,000.00	\$7,200.00	\$14,400.00	\$3,500.00	\$7,000.00	
Trailhead Bicycle Fix-it Station	2	Each	\$3,000.00	\$6,000.00	\$1,744.00	\$3,488.00	\$3,100.00	\$6,200.00	\$6,100.00	\$12,200.00	\$3,000.00	\$6,000.00	
6" Concrete Pad	56	SY	\$65.00	\$3,640.00	\$72.25	\$4,046.00	\$48.00	\$2,688.00	\$100.00	\$5,600.00	\$81.00	\$4,536.00	
				Subtotal	\$284,240.00	\$272,215.00	\$285,217.00	Subtotal	\$453,294.00	Subtotal	\$437,000.00	Subtotal	\$325,436.00
<b>GRADING</b>													
Unclassified Excavation	2490	CY	\$20.00	\$49,800.00	\$19.50	\$48,555.00	\$25.00	\$61,500.00	\$43.00	\$107,070.00	\$14.00	\$34,860.00	
Embankment	2622	CY	\$20.00	\$52,440.00	\$5.15	\$13,503.30	\$12.00	\$31,464.00	\$18.00	\$47,196.00	\$18.00	\$43,086.00	
				Subtotal	\$102,240.00	Subtotal	\$62,058.30	Subtotal	\$92,964.00	Subtotal	\$154,266.00	Subtotal	\$77,946.00
<b>CURBS, PAVING &amp; SIDEWALKS</b>													
Concrete Multi-Use Path	6395	SY	\$36.00	\$230,220.00	\$49.15	\$313,312.75	\$48.00	\$306,960.00	\$36.00	\$230,220.00	\$49.15	\$314,405.25	
6" Concrete Driveway	603	SY	\$65.00	\$39,195.00	\$61.95	\$37,355.85	\$58.00	\$34,974.00	\$65.00	\$39,195.00	\$56.00	\$33,768.00	
6" Asphalt Driveway	87	SY	\$65.00	\$5,655.00	\$34.40	\$2,992.80	\$30.00	\$2,550.00	\$84.00	\$7,308.00	\$31.00	\$2,707.00	
6" Gravel Driveway	27	SY	\$30.00	\$810.00	\$17.90	\$483.30	\$37.00	\$1,101.00	\$39.00	\$1,053.00	\$13.00	\$390.00	
Curb and Gutter Type CG-1	772	LF	\$25.00	\$19,300.00	\$20.30	\$15,671.60	\$22.00	\$17,024.00	\$22.00	\$17,024.00	\$21.00	\$16,176.00	
Curb and Gutter Type CG-1 DRV	234	LF	\$25.00	\$5,850.00	\$20.30	\$4,750.20	\$21.00	\$4,923.00	\$21.00	\$4,923.00	\$21.00	\$4,923.00	
Integral Sidewalk Wall	910	SF	\$50.00	\$45,500.00	\$47.25	\$42,952.50	\$30.00	\$27,000.00	\$55.00	\$50,025.00	\$66.00	\$60,060.00	
ADA Ramps	13	Each	\$1,500.00	\$19,500.00	\$1,025.00	\$13,325.00	\$1,320.00	\$17,160.00	\$2,100.00	\$27,300.00	\$2,600.00	\$33,800.00	
Concrete Base	3	CY	\$250.00	\$750.00	\$287.00	\$720.50	\$285.00	\$712.50	\$405.00	\$1,012.50	\$385.00	\$962.50	
2" Type 3 Asphalt Concrete Surface	791	SY	\$30.00	\$23,730.00	\$28.65	\$22,652.25	\$27.00	\$21,339.00	\$35.00	\$27,675.00	\$31.00	\$24,531.00	
6" Type 1 Asphalt Concrete Base	540	SY	\$60.00	\$32,400.00	\$56.30	\$30,402.00	\$44.00	\$23,760.00	\$55.00	\$29,700.00	\$50.00	\$27,000.00	
6" Type AB-2 Aggregate Subbase	740	SY	\$20.00	\$14,800.00	\$18.80	\$13,832.00	\$20.00	\$14,800.00	\$19.00	\$13,920.00	\$19.00	\$13,800.00	
				Subtotal	\$445,750.00	Subtotal	\$501,647.65	Subtotal	\$500,217.00	Subtotal	\$440,444.00	Subtotal	\$485,365.00
<b>DRAINAGE</b>													
4x4 Area Inlet	3	Each	\$4,000.00	\$12,000.00	\$3,722.00	\$11,666.00	\$4,410.00	\$13,230.00	\$4,800.00	\$14,400.00	\$3,900.00	\$11,700.00	
3x3 Area Inlet	2	Each	\$4,500.00	\$9,000.00	\$4,711.00	\$9,422.00	\$6,740.00	\$13,480.00	\$5,700.00	\$11,400.00	\$6,400.00	\$12,800.00	
3x3 Field Inlet	1	Each	\$4,500.00	\$4,500.00	\$4,244.00	\$4,244.00	\$5,180.00	\$5,180.00	\$5,200.00	\$5,200.00	\$5,800.00	\$5,800.00	
4x4 Junction Box	3	Each	\$4,000.00	\$12,000.00	\$3,942.00	\$11,826.00	\$4,150.00	\$12,450.00	\$3,000.00	\$9,000.00	\$4,000.00	\$12,000.00	
3x3 Junction Box	2	Each	\$4,500.00	\$9,000.00	\$4,821.00	\$9,642.00	\$6,000.00	\$12,000.00	\$5,700.00	\$11,400.00	\$6,500.00	\$13,000.00	
Hyplast 2x2x15" Curb Inlet	5	Each	\$3,500.00	\$17,500.00	\$2,940.00	\$14,700.00	\$3,800.00	\$19,000.00	\$4,000.00	\$20,000.00	\$4,700.00	\$23,500.00	
12" HDPE End Section	6	Each	\$1,000.00	\$6,000.00	\$458.00	\$2,748.00	\$715.00	\$4,290.00	\$1,200.00	\$7,200.00	\$1,400.00	\$8,400.00	
15" HDPE End Section	3	Each	\$1,000.00	\$3,000.00	\$458.00	\$1,374.00	\$750.00	\$2,250.00	\$1,225.00	\$3,675.00	\$1,700.00	\$5,100.00	
18" HDPE End Section	2	Each	\$1,000.00	\$2,000.00	\$580.00	\$1,160.00	\$850.00	\$1,700.00	\$1,000.00	\$2,000.00	\$1,500.00	\$3,000.00	
18" RCP End Section	3	Each	\$1,000.00	\$3,000.00	\$510.00	\$1,530.00	\$650.00	\$1,950.00	\$1,900.00	\$5,700.00	\$1,200.00	\$3,600.00	
24" HDPE End Section	3	Each	\$1,000.00	\$3,000.00	\$570.00	\$1,710.00	\$920.00	\$2,760.00	\$1,300.00	\$3,900.00	\$1,300.00	\$3,900.00	
24" RCP End Section	1	Each	\$1,750.00	\$1,750.00	\$1,079.00	\$1,079.00	\$1,400.00	\$1,400.00	\$2,300.00	\$2,300.00	\$3,300.00	\$3,300.00	
42" RCP End Section	1	Each	\$1,500.00	\$1,500.00	\$1,434.00	\$1,434.00	\$1,260.00	\$1,260.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	
24" Pipe Collar	3	Each	\$500.00	\$1,500.00	\$733.00	\$2,199.00	\$350.00	\$1,050.00	\$800.00	\$2,400.00	\$410.00	\$1,230.00	

Cook, Flatt & Strobel Engineers, P.A.  
1421 E. 104th Street, Suite 100  
Kansas City, MO 64131  
CFS Project Number: 191005

E Main/Hwy DD Trail  
Construction Estimate  
City of Smithville  
Clay County, Missouri

Prepared By: JB  
Printed: 7/7/2020

## BID SUMMARY

ITEM	QTY.	UNIT	Engineer		Amino Brothers		Gunter		JM Fahay		Mega KC		
			PRICE	COST	PRICE	COST	PRICE	COST	PRICE	COST	PRICE	COST	
<b>GENERAL</b>													
36" Pipe Collar	2	Each	\$500.00	\$1,000.00	\$949.00	\$1,898.00	\$420.00	\$1,140.00	\$1,000.00	\$2,000.00	\$440.00	\$1,280.00	
48" Pipe Collar	1	Each	\$500.00	\$500.00	\$1,165.00	\$1,165.00	\$880.00	\$880.00	\$1,320.00	\$1,320.00	\$480.00	\$480.00	
12" HDPE Storm Sewer	228	LF	\$35.00	\$7,980.00	\$45.95	\$10,476.60	\$50.00	\$11,400.00	\$68.00	\$15,504.00	\$56.00	\$12,768.00	
15" HDPE Storm Sewer	207	LF	\$45.00	\$9,315.00	\$49.45	\$10,236.15	\$53.00	\$11,070.00	\$80.00	\$16,560.00	\$60.00	\$12,420.00	
15" RCP Storm Sewer	111	LF	\$55.00	\$6,105.00	\$53.55	\$5,944.05	\$88.00	\$9,768.00	\$100.00	\$11,200.00	\$109.00	\$12,099.00	
18" HDPE Storm Sewer	268	LF	\$65.00	\$17,420.00	\$63.25	\$16,951.00	\$80.00	\$21,600.00	\$105.00	\$28,350.00	\$78.00	\$20,976.00	
18" RCP Storm Sewer	109	LF	\$60.00	\$6,540.00	\$59.05	\$6,436.45	\$80.00	\$8,720.00	\$30.00	\$3,270.00	\$140.00	\$15,420.00	
24" HDPE Storm Sewer	90	LF	\$65.00	\$5,850.00	\$63.25	\$5,692.50	\$70.00	\$6,300.00	\$92.00	\$8,280.00	\$83.00	\$7,470.00	
36" HDPE Storm Sewer	240	LF	\$75.00	\$18,000.00	\$82.45	\$19,788.00	\$110.00	\$26,400.00	\$104.00	\$24,960.00	\$105.00	\$25,200.00	
36" RCP Storm Sewer	130	LF	\$125.00	\$16,250.00	\$98.30	\$12,779.00	\$125.00	\$16,250.00	\$125.00	\$16,250.00	\$180.00	\$23,400.00	
42" RCP Storm Sewer	61	LF	\$150.00	\$9,150.00	\$124.00	\$7,564.00	\$190.00	\$11,590.00	\$370.00	\$55,260.00	\$242.00	\$36,324.00	
48" HDPE Storm Sewer	5	LF	\$100.00	\$500.00	\$241.00	\$1,205.00	\$490.00	\$2,450.00	\$325.00	\$1,625.00	\$304.00	\$1,520.00	
Stone Rip-Rap	46	CY	\$350.00	\$16,100.00	\$103.00	\$4,738.00	\$110.00	\$5,060.00	\$110.00	\$5,060.00	\$330.00	\$15,180.00	
				Subtotal	\$198,395.00	Subtotal	\$176,289.65	Subtotal	\$215,149.00	Subtotal	\$308,589.00	Subtotal	\$279,608.00
<b>SIGNING AND PAVEMENT MARKING</b>													
Sign Assembly	4	Each	\$1,000.00	\$4,000.00	\$1,102.00	\$4,408.00	\$760.00	\$3,040.00	\$603.00	\$2,412.00	\$638.00	\$2,552.00	
24" White Pavement Marking	84	LF	\$25.00	\$2,100.00	\$65.05	\$5,464.20	\$30.00	\$2,520.00	\$310.00	\$2,490.00	\$218.00	\$2,152.00	
Rectangular Rapid Flashing Beacon System	1	Each	\$15,000.00	\$15,000.00	\$19,844.00	\$19,844.00	\$20,000.00	\$20,000.00	\$15,200.00	\$15,200.00	\$15,000.00	\$15,000.00	
				Subtotal	\$31,100.00	Subtotal	\$29,716.20	Subtotal	\$32,560.00	Subtotal	\$30,216.00	Subtotal	\$31,904.00
<b>EROSION CONTROL</b>													
Silt Fence	4480	LF	\$2.00	\$8,960.00	\$1.40	\$6,272.00	\$2.00	\$8,960.00	\$1.30	\$5,824.00	\$1.60	\$7,168.00	
Rock Ditch Check (4" Rock)	21	Each	\$300.00	\$6,300.00	\$315.00	\$6,615.00	\$690.00	\$14,370.00	\$410.00	\$9,020.00	\$210.00	\$4,620.00	
Temporary Seeding & Mulching	27	Ac	\$1,500.00	\$4,050.00	\$1,312.00	\$3,542.40	\$1,700.00	\$4,590.00	\$1,000.00	\$2,700.00	\$3,340.00	\$8,700.00	
Erosion Control Blanket	3195	SY	\$3.00	\$9,585.00	\$1.85	\$5,910.75	\$3.00	\$9,585.00	\$1.75	\$5,591.25	\$2.00	\$	

Cook, Flatt & Strobel Engineers, P.A.  
1421 E. 104th Street, Suite 100  
Kansas City, MO 64131  
CFS Project Number: 191005

E Main/Hwy DD Trail  
Construction Estimate  
City of Smithville  
Clay County, Missouri

Prepared By : JB  
Printed: 7/7/2020

BID SUMMARY

ITEM	QTY.	UNIT	She Digs It		Prime Time		Blue Moon		Pyramid		Prairie Band	
			PRICE	COST								
<b>GENERAL</b>												
Mobilization	1	LS	\$10,000.00	\$10,000.00	\$86,000.00	\$86,000.00	\$175,000.00	\$175,000.00	\$175,000.00	\$175,000.00	\$175,000.00	\$175,000.00
Cleaning & Grubbing	1	LS	\$23,300.00	\$23,300.00	\$30,000.00	\$30,000.00	\$23,000.00	\$23,000.00	\$23,000.00	\$23,000.00	\$23,000.00	\$23,000.00
Removal of Existing Structures	1	LS	\$24,000.00	\$24,000.00	\$40,000.00	\$40,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00
Contractor Construction Staking	1	LS	\$17,150.00	\$17,150.00	\$15,000.00	\$15,000.00	\$19,000.00	\$19,000.00	\$19,000.00	\$19,000.00	\$19,000.00	\$19,000.00
Traffic Control	1	LS	\$11,600.00	\$11,600.00	\$15,000.00	\$15,000.00	\$33,200.00	\$33,200.00	\$8,600.00	\$8,600.00	\$9,993.31	\$9,993.31
Retaining Walls	3650	SF	\$43.00	\$156,950.00	\$55.00	\$200,750.00	\$54.00	\$197,100.00	\$56.00	\$204,400.00	\$50.48	\$184,252.00
Chain Link Fence for Retaining Walls	500	LF	\$36.00	\$18,000.00	\$40.00	\$20,000.00	\$35.35	\$17,675.00	\$41.00	\$20,500.00	\$52.02	\$26,010.00
Relocate Water Meter	1	Each	\$1733.00	\$1,733.00	\$2,000.00	\$2,000.00	\$2,655.00	\$2,655.00	\$1,200.00	\$1,200.00	\$1,954.91	\$1,954.91
Connect Existing Sump Pump Drain to Storm Sewer and Install Check Valve	1	Each	\$780.00	\$780.00	\$3,000.00	\$3,000.00	\$2,680.00	\$2,680.00	\$1,300.00	\$1,300.00	\$2,664.56	\$2,664.56
Trailhead Solar Bench	2	Each	\$7,200.00	\$14,400.00	\$10,000.00	\$20,000.00	\$10,600.00	\$21,200.00	\$9,450.00	\$18,900.00	\$5,344.61	\$10,689.22
Trailhead Bicycle Rack	4	Each	\$400.00	\$1,600.00	\$550.00	\$2,200.00	\$915.00	\$3,660.00	\$800.00	\$3,200.00	\$334.04	\$1,336.16
Trailhead Water Bottle Filler	2	Each	\$12,050.00	\$24,100.00	\$7,500.00	\$15,000.00	\$25,400.00	\$50,800.00	\$11,000.00	\$22,000.00	\$9,798.45	\$19,596.90
Trailhead Bicycle Fix-it Station	2	Each	\$2,550.00	\$5,100.00	\$2,600.00	\$5,200.00	\$3,500.00	\$7,000.00	\$3,200.00	\$6,400.00	\$1,670.19	\$3,340.38
6" Concrete Pad	56	SY	\$78.50	\$4,396.00	\$90.00	\$5,040.00	\$80.00	\$4,480.00	\$73.00	\$4,088.00	\$114.69	\$6,422.64
		Subtotal	\$422,149.00	\$422,149.00	\$469,190.00	\$469,190.00	\$566,950.00	\$566,950.00	\$342,088.00	\$342,088.00	\$695,577.00	\$695,577.00
<b>GRADING</b>												
Unclassified Excavation	2490	CY	\$19.00	\$47,310.00	\$20.00	\$49,800.00	\$14.20	\$34,164.00	\$20.00	\$48,000.00	\$64.58	\$160,804.20
Embankment	2622	CY	\$27.00	\$70,794.00	\$20.00	\$52,440.00	\$12.50	\$32,775.00	\$45.00	\$117,990.00	\$27.84	\$72,996.48
		Subtotal	\$118,104.00	\$118,104.00	\$70,240.00	\$70,240.00	\$46,939.50	\$46,939.50	\$164,990.00	\$164,990.00	\$328,800.68	\$328,800.68
<b>CURBS, PAVING &amp; SIDEWALKS</b>												
Concrete Multi-Use Path	6395	SY	\$63.45	\$405,742.75	\$43.00	\$274,985.00	\$59.50	\$380,502.50	\$74.00	\$473,230.00	\$50.11	\$320,453.45
6" Concrete Driveway	603	SY	\$85.00	\$51,225.00	\$65.00	\$39,375.00	\$75.00	\$45,225.00	\$108.25	\$65,122.50	\$169.25	\$102,052.75
6" Asphalt Driveway	87	SY	\$124.00	\$10,788.00	\$125.00	\$10,875.00	\$117.00	\$10,179.00	\$130.00	\$11,310.00	\$101.21	\$8,805.27
1/2" Gravel Driveway	27	SY	\$17.40	\$469.80	\$13.00	\$339.00	\$32.50	\$833.50	\$30.00	\$780.00	\$71.31	\$1,925.17
Curb and Gutter Type CG-1	772	LF	\$34.00	\$26,248.00	\$25.00	\$19,300.00	\$24.00	\$18,528.00	\$34.00	\$26,248.00	\$13.18	\$10,270.96
Curb and Gutter Type CG-1 DRY	234	LF	\$34.00	\$7,956.00	\$35.00	\$8,190.00	\$36.00	\$8,424.00	\$43.00	\$10,062.00	\$31.18	\$7,296.12
Integral Sidewalk Walk	910	SF	\$33.55	\$30,330.50	\$40.00	\$36,400.00	\$47.84	\$43,135.20	\$80.00	\$72,800.00	\$50.11	\$45,600.10
ADA Ramps	13	Each	\$2,257.00	\$29,341.00	\$1,500.00	\$19,500.00	\$1,700.00	\$22,100.00	\$2,300.00	\$29,900.00	\$2,727.98	\$35,463.74
Concrete Base	33	CY	\$400.00	\$13,200.00	\$350.00	\$11,550.00	\$400.00	\$13,200.00	\$350.00	\$11,550.00	\$299.50	\$9,583.50
2" Type 3 Asphalt Concrete Surface	791	SY	\$31.00	\$24,521.00	\$25.00	\$19,775.00	\$30.20	\$23,882.00	\$30.00	\$23,730.00	\$18.93	\$14,973.63
6" Type 1 Asphalt Concrete Base	540	SY	\$48.00	\$25,920.00	\$50.00	\$27,000.00	\$48.88	\$26,395.20	\$44.00	\$21,120.00	\$35.80	\$19,332.00
6" Type AB-3 Aggregate Subbase	740	SY	\$9.50	\$7,030.00	\$10.00	\$7,000.00	\$10.00	\$7,400.00	\$14.00	\$10,360.00	\$7.79	\$5,746.60
		Subtotal	\$633,022.05	\$633,022.05	\$476,998.00	\$476,998.00	\$563,639.80	\$563,639.80	\$378,825.00	\$378,825.00	\$795,325.11	\$795,325.11
<b>DRAINAGE</b>												
4"x4" Area Inlet	3	Each	\$3,320.00	\$9,960.00	\$6,000.00	\$18,000.00	\$3,450.00	\$10,350.00	\$5,500.00	\$16,500.00	\$7,378.21	\$22,134.63
5"x5" Area Inlet	2	Each	\$4,950.00	\$9,900.00	\$7,300.00	\$14,600.00	\$7,600.00	\$15,200.00	\$6,000.00	\$12,000.00	\$11,469.76	\$22,939.52
5"x5" Field Inlet	1	Each	\$4,400.00	\$4,400.00	\$6,600.00	\$6,600.00	\$4,000.00	\$4,000.00	\$5,500.00	\$9,250.00	\$9,250.00	
4"x4" Junction Box	3	Each	\$4,035.00	\$12,105.00	\$4,200.00	\$12,600.00	\$3,800.00	\$11,400.00	\$5,000.00	\$15,000.00	\$7,746.00	\$23,241.00
5"x5" Junction Box	2	Each	\$5,535.00	\$11,070.00	\$7,500.00	\$15,000.00	\$4,300.00	\$8,600.00	\$5,500.00	\$11,000.00	\$10,948.66	\$21,897.32
Nonplastic 2"x2"x5" Curb Inlet	5	Each	\$2,365.00	\$11,825.00	\$5,400.00	\$27,000.00	\$3,000.00	\$15,000.00	\$3,600.00	\$18,000.00	\$3,864.82	\$19,324.10
12" HDPE End Section	6	Each	\$890.00	\$5,340.00	\$1,700.00	\$10,200.00	\$800.00	\$4,800.00	\$450.00	\$2,700.00	\$1,211.16	\$7,266.96
15" HDPE End Section	3	Each	\$890.00	\$2,670.00	\$1,700.00	\$5,100.00	\$885.00	\$2,655.00	\$600.00	\$1,800.00	\$2,170.31	\$6,510.39
18" HDPE End Section	2	Each	\$1,500.00	\$3,000.00	\$2,000.00	\$4,000.00	\$985.00	\$1,970.00	\$1,200.00	\$2,400.00	\$2,168.00	\$4,336.00
18" RCP End Section	3	Each	\$1,235.00	\$3,705.00	\$2,300.00	\$6,900.00	\$1,365.00	\$4,095.00	\$825.00	\$2,475.00	\$2,657.83	\$7,973.49
24" HDPE End Section	3	Each	\$2,045.00	\$6,135.00	\$2,600.00	\$7,800.00	\$1,000.00	\$3,000.00	\$700.00	\$2,100.00	\$2,357.20	\$7,071.60
36" RCP End Section	1	Each	\$2,110.00	\$2,110.00	\$3,300.00	\$3,300.00	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00	\$3,995.36	\$3,995.36
42" RCP End Section	1	Each	\$2,850.00	\$2,850.00	\$4,000.00	\$4,000.00	\$2,500.00	\$2,500.00	\$3,200.00	\$3,200.00	\$4,128.71	\$4,128.71
24" Pipe Collar	3	Each	\$1,215.00	\$3,645.00	\$500.00	\$1,500.00	\$1,500.00	\$4,500.00	\$600.00	\$1,800.00	\$2,155.64	\$6,466.98

Cook, Flatt & Strobel Engineers, P.A.  
1421 E. 104th Street, Suite 100  
Kansas City, MO 64131  
CFS Project Number: 191005

E Main/Hwy DD Trail  
Construction Estimate  
City of Smithville  
Clay County, Missouri

Prepared By : JB  
Printed: 7/7/2020

BID SUMMARY

ITEM	QTY.	UNIT	She Digs It		Prime Time		Blue Moon		Pyramid		Prairie Band	
			PRICE	COST								
<b>GENERAL</b>												
36" Pipe Collar	2	Each	\$1,745.00	\$3,490.00	\$750.00	\$1,500.00	\$2,600.00	\$5,200.00	\$2,000.00	\$4,000.00	\$2,077.93	\$4,155.86
48" Pipe Collar	1	Each	\$2,100.00	\$2,100.00	\$750.00	\$750.00	\$3,600.00	\$3,600.00	\$3,000.00	\$3,000.00	\$2,232.49	\$2,232.49
12" HDPE Storm Sewer	228	LF	\$36.40	\$8,308.80	\$45.00	\$10,260.00	\$34.00	\$7,752.00	\$75.00	\$17,100.00	\$54.56	\$12,439.68
15" HDPE Storm Sewer	207	LF	\$40.00	\$8,280.00	\$70.00	\$14,140.00	\$53.00	\$10,971.00	\$95.00	\$19,595.00	\$56.79	\$11,755.53
18" RCP Storm Sewer	161	LF	\$70.00	\$11,270.00	\$125.00	\$20,125.00	\$60.50	\$9,740.50	\$95.00	\$15,295.00	\$91.30	\$14,730.30
18" HDPE Storm Sewer	261	LF	\$48.30	\$12,616.50	\$85.00	\$21,885.00	\$55.75	\$14,550.75	\$95.00	\$24,795.00	\$55.12	\$14,386.32
18" RCP Storm Sewer	109	LF	\$88.00	\$9,592.00	\$90.00	\$9,810.00	\$147.00	\$15,921.00	\$148.75	\$16,213.75	\$105.69	\$11,616.39
24" HDPE Storm Sewer	90	LF	\$70.50	\$6,345.00	\$95.00	\$8,550.00	\$63.00	\$5,670.00	\$100.00	\$9,000.00	\$67.92	\$6,112.80
36" HDPE Storm Sewer	240	LF	\$96.00	\$23,040.00	\$120.00	\$28,800.00	\$82.00	\$19,680.00	\$115.00	\$27,600.00	\$99.10	\$23,784.00
36" RCP Storm Sewer	130	LF	\$130.00	\$16,900.00	\$235.00	\$30,550.00	\$126.00	\$16,380.00	\$180.00	\$23,400.00	\$151.43	\$19,685.90
42" RCP Storm Sewer	61	LF	\$188.00	\$11,468.00	\$300.00	\$18,300.00	\$227.00	\$13,847.00	\$185.00	\$11,285.00	\$201.54	\$12,293.94
48" HDPE Storm Sewer	5	LF	\$345.00	\$1,725.00	\$350.00	\$1,750.00	\$620.00	\$3,100.00	\$400.00	\$2,000.00	\$474.33	\$2,374.65
Stone Rip-Rap	46	CY	\$146.00	\$6,716.00	\$350.00	\$16,050.00	\$115.00	\$5,270.00	\$83.00	\$3,918.00	\$137.31	\$6,325.46
		Subtotal	\$210,151.50	\$210,151.50	\$340,940.00	\$340,940.00	\$214,251.00	\$214,251.00	\$321,300.00	\$321,300.00	\$316,680.44	\$316,680.44
<b>SIGNING AND PAVEMENT MARKING</b>												
Sign Assembly	4	Each	\$630.00	\$2,520.00	\$750.00	\$3,000.00	\$690.00	\$2,760.00	\$550.00	\$2,200.00	\$468.08	\$1,872.32
24" White Pavement Marking	84	LF	\$18.40	\$1,536.00	\$30.00	\$2,520.00	\$34.50	\$2,898.00	\$18.00	\$1,512.00	\$33.40	\$2,805.60
Rectangular Rapid Flashing Beacon System	1	Each	\$15,500.00	\$15,500.00	\$15,000.00	\$15,000.00	\$17,250.00	\$17,250.00	\$14,000.00	\$14,000.00	\$16,701.91	\$16,701.91
		Subtotal	\$20,500.40	\$20,500.40	\$30,270.00	\$30,270.00	\$22,908.00	\$22,908.00	\$17,712.00	\$17,712.00	\$22,179.83	\$22,179.83
<b>EROSION CONTROL</b>												
Silt Fence	4480	LF	\$1.50	\$								





culvert is squished and bottom is deteriorated



the culvert has deteriorated and non-existent



holes in bottom

ASSESSMENT OF UTILITY LATE FEES



# City of Smithville

**Meeting Date:** July 21, 2020

**Department:** Finance, Utilities

**Agenda Item:** Resolution 801, Reinstatement of the Application of Delinquent Charges and Temporary Waiver of Discontinuation of Water Service

**Summary:**

Approval will reinstate late fee assessment and continue suspension of water shut-offs due to non-payment of utility bills through July 31.

**Purpose:**

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.

The Board discussed options for continuing to waive late fee assessment and water shut-offs due to non-payment of utility bills at the Work Session on July 7, 2020. Direction from the Board was to reinstate the 10% late fee charge, which is anticipated to be assessed on all amounts due on July 22, but to extend the suspension of service disconnections through July 31.

<b>Impact:</b>	
Comprehensive Plan:	N/A
Economic Development Plan:	N/A
Parks Master Plan:	N/A
Strategic Plan:	N/A
Capital Improvement Plan:	N/A
Budget:	Decrease in revenue receivable
<b>Legislative History:</b>	
N/A	
<b>Suggested Action:</b>	
Motion to approve Resolution 801	
<b>Attachments:</b>	
<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 type="checkbox"/> Other: Ord. 3058-20, <span style="float: right;">Resolution 788</span>	

**RESOLUTION 801**

**A RESOLUTION APPROVING THE REINSTATEMENT OF THE APPLICATION OF DELINQUENT CHARGES AND CONTINUED SUSPENSION OF 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 were waived and discontinuance of water service due to non-payment of utility bills due and owing was not performed through April 30, 2020; and

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

**WHEREAS**, the City approved Resolution 788 temporarily waiving the application of delinquent charges and discontinuance of water service through June 30, 2020; and

**WHEREAS**, the Board of Aldermen has directed the reinstatement of the application of delinquent charges beginning July 22, 2020; and

**WHEREAS**, the Board of Aldermen has directed the temporary waiver of discontinuance of water service be extended through July 31, 2020.

**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 be reinstated beginning July 22, 2020.
- 2) The temporary waiver of discontinuance of water service due to non-payment of utility bills due and owing will be extended through July 31, 2020.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor Pro-Tem of the City of Smithville, Missouri, the 21st day of July 2020.

---

Jeff Bloemker, Mayor Pro-Tem

ATTEST:

---

Linda Drummond, City Clerk

**BILL NO. 2856-20**

**ORDINANCE NO. 3058-20**

**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:

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.

**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:

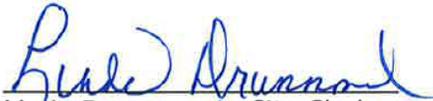
- a. Law enforcement agencies.
- b. Fire suppression agencies.
- c. Employees of the City, County or State, or other public utility providers involved in providing essential services to the City and residents of the City; and
- d. Health care professionals.

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:**

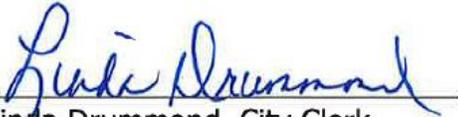
- 1) Application of delinquent charges on unpaid utility account balances will continue to be waived through June 30, 2020.
- 2) Discontinuance of water service due to non-payment of utility bills due and owing will continue to not be performed through June 30, 2020.

**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

NEHEMIAH FESTIVAL 2020



# City of Smithville

**Meeting Date:** 7-21-2020

**Department:** Parks and Recreation

**Agenda Item:** Resolution 802 - Nehemiah Festival

**Summary:**

David Lin has requested the exclusive use of Smith’s Fork Park for the annual Nehemiah Festival hosted by Grace Community Church. The event has been held for the past fourteen years at Smith’s Fork, with a similar exclusive agreement. Last year’s attendance was estimated at 3,000. Staff has been in discussions with Mr. Lin regarding Clay County Public Health Center (CCPHC) requirements relating to COVID-19 and Mr. Lin has indicated he continues to monitor CCPHC directives and it remains to be seen if the 2020 event will be held. Mr. Lin wishes to enter into this agreement in anticipation of the event occurring under CCPHC guidelines.

Mr. Lin has requested rental of the entire campground at a 29.89% rate of occupancy. This rate is the average rate for 2019. The estimated revenue to the City would be: Two Thousand Six Hundred and Four Dollars and Ninety-One Cents (\$2,604.91) (29.89% of 83 camp sites X \$35 per day for 3 days). Fifty percent (50%) payable prior to September 9, 2020 and the remainder due on or before September 28, 2020. This is a change from prior charges, which were based on higher occupancy and resulted in approximately \$1,112.21 more in revenue to the city.

In addition to the base amount, Nehemiah Festival will also pay two dollars for each primitive campsite used and \$50 per shelter per day.

**Purpose:**

City staff met with representatives from Grace Community Church and agreed on terms of the contracts that are equitable to all parties involved for use of Smith’s Fork Campground and City Park Land for Nehemiah Festival.

**Impact**

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

Budget:	Revenue for the Parks Department for use of City Park Land.
<b>Legislative History:</b>	
<b>Suggested Action:</b>	
Motion to approve Resolution 802	
<b>Attachments:</b> <input type="checkbox"/> Plans <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Staff Report	
<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Minutes <input type="checkbox"/> Other:	

**RESOLUTION 802**

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH GRACE COMMUNITY CHURCH FOR USE OF SMITH'S FORK PARK TO HOST A MUSIC FESTIVAL.**

**WHEREAS**, Grace Community Church approached the City requesting use of Smith's Fork Park on September 18, 19 & 20, 2020 to host a music festival; and

**WHEREAS**, the Smithville Board of Aldermen have approved the exclusive use of Smith's Fork Park to Grace Community Church for the music festival; and

**WHEREAS**, the City and the Church have negotiated a contract; and

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

**THAT:** The Mayor Pro-Tem is hereby authorized and directed to execute an agreement with Grace Community Church for the purpose previously described.

**PASSED AND ADOPTED** by the Mayor Pro-Tem and Board of Aldermen this 21st day of July 2020.

\_\_\_\_\_  
Jeff Bloemker, Mayor Pro-Tem

ATTEST:

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

**City of Smithville, Missouri**

**AGREEMENT**

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, between the **CITY OF SMITHVILLE, MISSOURI** (City) and **GRACE COMMUNITY CHURCH** of Smithville, a non-profit corporation (Church) as follows:

**WHEREAS**, Church desires to use City's Smith's Fork park to sponsor a Christian Music and Camping Festival called the Nehemiah Festival from September 18-20, 2020; and

**WHEREAS**, the use of said park facility as envisioned will sell out the use of the park area for any other purpose;

**NOW THEREFORE** it is agreed as follows:

1. City agrees that Church may have exclusive use of Smith's Fork Park area as hereinafter designated on Exhibit A on September 18, 19, and 20, 2020. Non-exclusive use for setting up is granted on September 17, 2020.
2. Church shall pay City for such exclusive use as follows:
  - A. Two Thousand Six Hundred and Four Dollars and Ninety-One Cents (\$2,604.91) (29.89% of 83 camp sites X \$35 per day for 3 days). Fifty percent (50%) payable prior to September 9, 2020 and the remainder due on or before September 28, 2020.
  - B. Two Dollars (\$2.00) for each primitive campsite used outside of the campground.
  - C. Fifty Dollars (\$50.00) per shelter per day (2 shelters for 3 days for a total of \$300.00).
  - D. Fees for B and C will be collected at end of Festival but not later than October 1, 2020.
3. Camp hosts have the option to stay in the campground without obligations to the Festival.
4. Supplying and cleaning restrooms will be the responsibility of the Church. City to provide key for locked paper containers. City staff will conduct inspection on Monday, September 21, 2020 and notify Church of deficiencies. Church will be responsible for charges associated with additional clean up to get restroom facilities in operation.

5. Church will supply labor and containers sufficient to maintain the cleanliness of the Festival area.
6. Church will supply security sufficient for actual crowd attending Festival.
7. Church will be allowed to use the driving range for Festival parking. Staff and Volunteers can use the ball field and soccer parking lots for overnight parking.
8. Church will be allowed to use the practice football fields and spillways parking lot for activities and concerts.
9. No primitive camping will be allowed on any of the two ball fields, football field or soccer fields.
10. No parking at the primitive campsites that are not in the campground. All campers must park in the designated parking areas and walk to the campsite.
11. Church will be responsible for the opening and closing of the campground gate starting Thursday, September 17, at 8:00 a.m., ending Sunday evening, September 20, at 5:00 p.m.
12. Church shall provide proof of a Two Million Dollar (\$2,000,000) liability insurance policy covering their use of the park with the City and U.S. Corp of Engineers listed as additional parties insured. Church hereby indemnifies City for any liability or damages incurred as a result of their use of the park.
13. In the event of default in this Agreement by either party, it is agreed that either party shall be entitled to equitable relief to require performance by the other party as well as for any damages incurred by the breach, including reasonable attorney fees.
14. This Agreement shall be governed by the laws of Missouri.
15. This Agreement shall not be effective until approved by an ordinance duly enacted by the Board of Aldermen of Smithville, Missouri.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

**THE CITY OF SMITHVILLE, MISSOURI**

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

**GRACE COMMUNITY CHURCH**

By *James W. Wood* 07/10/2020

ATTEST:

\_\_\_\_\_

**CITY HALL IMPROVEMENTS CONTRACT ADDENDUM**



# City of Smithville

**Meeting Date:** July 21, 2020

**Department:** Administration, Elected Officials

**Agenda Item:** Resolution 803 – Addendum No. 1 to the City Hall Improvements Contract

**Summary:**

The FY20 Budget includes \$100,000 in the General Fund for City Hall Improvements.

The Board awarded the City Hall Improvements project to Bruner Contracting Co., LLC on May 12, 2020 in an amount not to exceed \$95,747. (Resolution 780 attached). This amount included no contingency or provisional amount for any changes in the project.

During construction, a few small changes to the project were made that have a financial impact:

- The original plans called for new rubber baseboard along the new corridor wall, but the existing wood baseboard and wood door trim would remain. To match the new wall, staff, the contractor, and architect recommended to replace the wood baseboard trim with rubber base (1, below), and to replace the door trim with trim similar to the trim around the new corridor doors (2).
- The original plans called for crown molding along the ceiling line in the Council Chambers. After installation of the drop ceiling, staff, the contractor, and architect felt the additional crown molding was not necessary (3).
- The original plans called for only one set of double doors to be installed from the Council Chambers to the new corridor on the northeast corner of the Council Chambers. For balance in the room, staff, the contractor, and architect recommended the installation of a second set of double doors be installed from the Council Chambers to the new corridor on the northwest corner of the Council Chambers (4).
- The original plans called for the exterior door from the Council Chambers and the two window frames in the south wall of the Council Chambers to remain as they were. To match the painted wall, staff, the contractor, and architect recommended to paint the door and windows to match (5).

Addendum No. 1 presents the following changes to the project:

1. Installation of rubber base in corridor - \$260
2. Removal of existing trim and installation of new trim in corridor - \$1,032
3. Removal of not installing crown molding in Council Chambers – (\$610)
4. Purchase and installation of second set of double doors, frame, and hardware in Council Chambers - \$3,936.

5. Painting of exit door and two window frames - \$550.  
TOTAL of Addendum No. 1 = \$5,168.

Addendum No. 1 would bring the total project cost to \$100,915.

Staff recommends the approval of Addendum No. 1 to the contract with Bruner Contracting Co., LLC for an additional amount of \$5,168.

**Purpose:**  
To approve Addendum No. 1 to the contract with Bruner Contracting Company, LLC in an additional amount of \$5,168.

**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:	Included in the FY20 General Fund Budget

**Legislative History:**

**Suggested Action:**

Motion to approve Resolution 803

**Attachments:**    Plans    Contract    Staff Report

Ordinance    Resolution    Minutes    Other:   Resolution 780, Addendum No. 1

**RESOLUTION 803**

**A RESOLUTION APPROVING ADDENDUM NO. 1 TO THE CONTRACT WITH BRUNER CONTRACTING COMPANY, LLC FOR THE CITY HALL IMPROVEMENTS PROJECT.**

**WHEREAS**, the Fiscal Year 2020 Budget allocates funds for the City Hall Improvements project; and

**WHEREAS**, staff has conducted a bid process as outlined in the City Purchasing Policy; and

**WHEREAS**, Bid No. 20-05 was awarded to Bruner Contracting Company, LLC and the Mayor executed Resolution 780 on May 12, 2020 for an amount not to exceed \$95,747.

**WHEREAS**, Bruner Contracting Company, LLC has submitted Addendum No. 1 for an additional \$5,168 as a result of on-site discussions and/or changes made to contract documents; and

**WHEREAS**, staff makes the recommendation of the acceptance of Addendum No. 1.

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

**THAT** the contract with Bruner Contracting Company, LLC, for City Hall Improvements be amended and the Mayor Pro-Tem is hereby authorized to execute Addendum No. 1 for an additional amount of \$5,168.00.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor Pro-Tem of the City of Smithville, Missouri, the 21<sup>st</sup> of July 2020.

\_\_\_\_\_  
Jeff Bloemker, Mayor Pro-Tem

ATTEST:

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

**RESOLUTION 780**

**A RESOLUTION AWARDING A CONTRACT IN RESPONSE TO BID NO. 20-05 TO BRUNER CONTRACTING COMPANY, LLC FOR THE CITY HALL IMPROVEMENTS PROJECT.**

**WHEREAS**, the Fiscal Year 2020 Budget allocates funds for the City Hall Improvements project; and

**WHEREAS**, staff has conducted a bid process as outlined in the City Purchasing Policy; and

**WHEREAS**, after a bid process and reference checks, staff has made a recommendation for accepting the lowest and best bid received as being the most advantageous to the City.

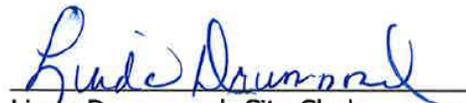
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI:**

**THAT** Bid No. 20-05 is hereby awarded to Bruner Contracting Company, LLC and the Mayor is hereby authorized to execute an agreement in an amount not to exceed \$95,747.00.

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

  
Damien Boley, Mayor

ATTEST:

  
Linda Drummond, City Clerk

**B**runer  
**C**ontracting  
**C**ompany, LLC

July 02, 2020

Ms Brandi Atwell, NCIDQ  
A3G Architects  
110 N. Main Street  
Liberty, MO 64068

Re: Cost Impact Pricing  
Smithville City Hall Improvements  
107 West Mau Street  
Smithville, MO 64089

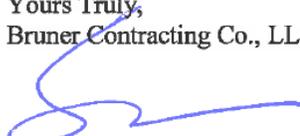
Dear Brandi,

As a result of on-site discussions or changes made to the contract documents, we have the following costs for consideration:

1. Remove existing trim and install and finish new trim in corridor: \$1,032.00
2. Install rubber base in new corridor: \$260.00
3. No install of crown mold, credit: (\$610.00)
4. Provide, install and finish double doors, frame and hardware into Council Chambers: \$3,936.00
5. Paint exit door and frame and two windows, all on same wall: \$550.00

Items 1, 2 and 3 are complete. Please advise if you wish to proceed with items 4 and 5.

Yours Truly,  
Bruner Contracting Co., LLC



Cynthia M. Bruner  
President

Attachment

**CARES ACT FUNDING – AWARD SMALL BUSINESS GRANTS**



# City of Smithville

**Meeting Date:** July 21, 2020

**Department:** Administration

**Agenda Item:** Res. No. 804 – Awarding CARES Small Business Grants

**Summary:**

This Resolution would authorize distribution of the small business grants as recommended by Clay County EDC and reviewed by the Board of Aldermen.

**Purpose:**

A grant program for small businesses to reimburse the costs of business interruption caused by required closures relating to COVID-19 is an authorized expenditure in the CARES Act. On June 23, the Board of Aldermen approved an MOU with the Clay County EDC (CCEDC) to administer the program and accept applications between June 24 and July 10, 2020 to issue up to \$100,000 in total grant funds to Smithville small businesses. Small businesses applied for a grant up to \$5,000 each to reimburse business expenses related to COVID-19. The program details are attached.

CCEDC received 21 applications, and staff recommends funding all 21 and increasing the allocation to \$105,000.

Below is a list of recommended awards at \$5,000 each. Attached are the applications from each business. CCEDC reviewed the applicant’s financial information and made recommendations based on their financial review and a demonstrated business interruption by COVID-19.

**Businesses Recommended for Funding**

- Aesthetics by Tina
- Big Guys Auto LLC
- Bill's Barber Shop
- Bush Family Investments (Pizza Shoppe)
- Children First Montessori
- Cornerstone Coffee LLC
- DKSH (Lane) Accounting
- Flauntit Hair Salon
- Frankum Chiropractic
- High Tide Properties
- Hildebrand Dental
- Kelly's Nook



**RESOLUTION 804**

**RESOLUTION AUTHORIZING THE CITY TO AWARD CARES SMALL BUSINESS GRANTS.**

**WHEREAS**, the City of Smithville, Missouri (the "City") is a fourth-class city and political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri; and

**WHEREAS**, Congress passed, and the President signed, the Coronavirus Aid Relief and Economic Security (CARES) Act on March 27, 2020; and

**WHEREAS**, On May 1, 2020 the Clay County Commission approved Resolution 2020-139, providing CARES funding to the City of Smithville for eligible expenses incurred between March 1, 2020 and December 30, 2020 to address the COVID-19 pandemic

**WHEREAS**, Certain types of grants are indicated in the guidance as potentially eligible, including expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures; and

**WHEREAS**, the City entered into a Memorandum of Agreement with Clay County EDC to administer the program; and

**WHEREAS**, applications were accepted and reviewed by the Clay County EDC from June 14-July 10, 2020, resulting in the following recommendations.

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

**THAT** the following small businesses will receive a \$5,000 grant funded through the CARES fund for a total of \$105,000:

- Aesthetics by Tina
- Big Guys Auto LLC
- Bill's Barber Shop
- Bush Family Investments (Pizza Shoppe)
- Children First Montessori
- Cornerstone Coffee LLC
- DKSH (Lane) Accounting
- Flaunt-It Hair Salon
- Frankum Chiropractic
- High Tide Properties
- Hildebrand Dental
- Kelly's Nook

## Smithville Board of Aldermen

---

Kids Kloset  
Lin China King Inc  
Meg Development  
MM Health & Wellness  
Mormac Enterprises (Nellie's)  
Smithville Music  
Talley Inc.  
Temams LLC  
Wag-a-Lotz

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor Pro-Tem of the City of Smithville, Missouri, the 21<sup>st</sup> day of July 2020.

---

Jeff Bloemker, Mayor Pro-Tem

ATTEST:

---

Linda Drummond, City Clerk



## **CARES Smithville Small Business Grant Program Information Sheet**

Congress passed, and the President signed, the Coronavirus Aid, Relief and Economic Security (CARES) Act on March 27, 2020. On May 1, 2020, the Clay County Commission approved Resolution 2020-139, providing CARES funding to the City of Smithville for eligible expenses incurred between March 1, 2020 and December 30, 2020 to address the COVID-19 pandemic.

The Board of Aldermen established the CARES Small Business Grant Program on June 23, 2020 to be administered by the Clay County EDC. This program will issue up to \$100,000 in total grant funds to small businesses in Smithville. Small businesses can apply for a grant up to \$5,000 to reimburse business expenses related to COVID-19.

### **Eligible businesses include:**

- Businesses physically located in Smithville.
- Businesses must have had a valid 2019 Business License.
- Public-facing businesses directly impacted by the "Stay at Home" order such as retail, food service, arts and entertainment, hospitality, fitness, medical, and personal services.
- Businesses or individual whose primary revenue is generated from rental properties.

### **Businesses do not qualify if they are a:**

- National franchise.
- Non-profit organization.
- Business with current liens by the City or fees owed to the City of Smithville.

### **Priority will be given to:**

- Businesses that have 20 or fewer full-time equivalent employees, and;
- Businesses that have \$2.5 million or less in annual revenue.
- Businesses that have not received certain Federal COVID-19 related relief (excluding Payroll Protection Program funds). Please disclose if you have received any COVID-19 related relief funding.

### **Eligible Use of Funds:**

1. Grants can be used for expenses incurred from March 1, 2020 through June 30, 2020. Expenses can include but are not limited to payroll (provided federal funds have not already been received for this purpose), rent, mortgage interest, utilities, inventory replacement, and COVID-19 supplies.
2. The grant funds may also be used to purchase necessary protective equipment for employees and customers and for exterior/interior cleaning needed to keep facilities sanitized.

### **Ineligible Use of Funds:**

1. Grant funds may not be used for repayment of any federal or state loan programs related to COVID-19 relief funding.
2. Grant funds may not be used for any purposes outside of the Federal guidelines as set forth in <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

### **Additional Information:**

- Grant applicants must provide documentation for eligible COVID-19 expenses.
- Grant fund applications and information is considered public information under the Missouri Sunshine Laws.
- Grant fund expenditures may be audited at a future date. Improper usage will require reimbursements to the City within 10 days of demand by the City for return of funds.
- In reviewing and considering the grant applications, it is the policy of the City of Smithville and the Clay County EDC to ensure equal opportunity without discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

## **CARES Small Business Grant Applications accepted from June 24 – July 10, 2020.**

# CARES Smithville Small Business Grant Program Application Form

## Requirements – These records must be presented with this application

- Two forms of ID (each signer) – one with picture other with name only
- Two years of business tax returns (Schedules and 1099s, Income Statement & Balance Sheet *for LLC's, C-Corps, and S-Corps*)
- Two years of personal tax returns (Schedules and 1099s, Income Statement & Balance Sheet *for Sole Proprietors*)
- Three months of business and personal (*Sole Proprietors only*) bank statements
- Copy of 2019 Smithville Business License

Legal Name of Company: \_\_\_\_\_

Physical Address: \_\_\_\_\_ City : \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_

Length of time you have been in business in Smithville: \_\_\_\_\_

Name of Grant Applicant: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_ Cell Phone Number: \_\_\_\_\_

Email address: \_\_\_\_\_

Type of Business: \_\_\_\_\_

**Explanation of how funds will be used:** Items can include specific cash flow gaps, payroll or any fixed operating costs required to remain solvent and/or scaling down, reducing expenses, purchasing cleaning and personal protection equipment, and any additional proactive measures due to the crisis (documentation required).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How will this grant help you get through the COVID-19 crisis:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We certify that the above information, including any attachments or exhibits provided herewith are valid and correct to the best of my/our knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please email all information to [juliel@clayedc.com](mailto:juliel@clayedc.com) SUBJECT: Smithville Grant Application  
Clay County Economic Development - 816-468-4989 -7001 N. Locust, Gladstone, MO 64118

**CARES ACT FUNDING - BID AWARD NO. 20-09 – TOUCHLESS FIXTURES**



# City of Smithville

**Meeting Date:** July 21, 2020

**Department:** All

**Agenda Item:** Resolution 805 – Bid Award for Touchless Restroom & Kitchen Fixtures

**Summary:**

The FY20 Budget includes monies in the CARES Act Stimulus Fund for Touchless Restroom & Kitchen Fixtures.

In accordance with the City’s Municipal Code, Chapter 150 – Purchasing Policy, a Request for Proposal (RFP) was issued on June 18, 2020 with a closing time of 10:00 a.m. on July 1, 2020.

Three responses were received, and a bid tabulation is attached. The project was bid as three individual sub-projects - the Senior Center only; City Hall, Parks Building, Streets Building, Water Plant, and Wastewater Plant; and all parks restrooms collectively – and as a whole for all buildings together. The low bidder for all locations, Lexington Plumbing at \$107,657, had positive references, has positive prior working experience with the City, and staff met with the low bidder to discuss the project in person.

City staff recommends Lexington Plumbing as the lowest and best offeror according to the evaluation criteria established in the RFP. Staff recommends that the project be awarded for all locations.

Additionally, staff recommends that a provisional amount of \$16,343 be included in the contract amount for unforeseen plumbing or electrical issues, or fixture replacement, for a total contract award of an amount not to exceed \$124,000. If any of this provisional amount is expended, that would be funded by the General Fund and not the CARES Act Stimulus Fund.

Lexington Plumbing is prepared to begin working on the project immediately with completion anticipated by September 1 (unless delayed by shipping timeframes). The contractor is aware of Clay County Public Health Center and CDC guidelines regarding COVID-19 and will comply with those recommendations throughout the duration of the project.

**Purpose:**

To award Bid#20-09 to Lexington Plumbing according to policy in an amount not to exceed of \$124,000.

**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:	Included in the FY20 CARES Act Stimulus Fund and General fund Budgets

**Legislative History:**

None

**Suggested Action:**

Motion to approve Resolution 805.

**Attachments:**    Plans    [Contract](#)    Staff Report  
 Ordinance    Resolution    Minutes    Other:   [Bid](#), Bid Tabulation

## Smithville Board of Aldermen

---

<b>Bid 20-09 Tabulation (in alphabetical order)</b>				
	<b>Senior Center</b>	<b>City Hall Parks Bldg Streets Bldg Water Plant Wastewater Plant</b>	<b>All Parks Restrooms</b>	<b>Total (including any applicable discount)</b>
Bruner Contracting LLC	\$ 25,530.00	\$ 66,998.00	\$ 241,190.00	\$ 331,580.00
EMCOR Services Fagan	\$ 14,550.00	\$ 40,835.00	\$ 86,585.00	\$ 141,970.00
Lexington Plumbing	\$ 8,085.00	\$ 26,918.00	\$ 72,654.00	\$ 107,657.00

**ADDENDUM TO CITY ADMINISTRATOR’S CONTRACT**



**Meeting Date:** July 21, 2020      **Department:** Administration

**Agenda Item:** Resolution 806, City Administrator Contract Addendum

**Summary:**  
This Resolution to approves an addendum to the contract with Cynthia Wagner for services as City Administrator based on the review conducted previously by the Board of Aldermen.

**Purpose:**  
The attached resolution amends the Employment Agreement for City Administrator services with Cynthia Wagner to incorporate the following changes:

- Increases annual compensation.
- Includes one-time payment of \$1,200 in lieu of retroactivity of the contract to employee anniversary date.
- Provides for additional annual leave in the form of personal/executive leave time to be utilized within each calendar year.
- Increases contribution to retirement provided in lieu of health insurance.
- Increases vehicle allowance.
- Amends severance pay agreement.

**Impact**

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

**Legislative History:**  
Original agreement adopted in April 2018 was amended in April, 2019. Employee performance review was delayed to May in 2020 due to COVID-19 gathering restrictions.

**Suggested Action:**  
Motion to approve Resolution 806.

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

**RESOLUTION 806**

**A RESOLUTION APPROVING AMENDMENTS TO THE CITY ADMINISTRATOR'S CONTRACT**

**WHEREAS**, the City of Smithville (CITY) and Cynthia Wagner (EMPLOYEE) Previously Entered into an Employment Agreement for the Position of City Administrator on April 16, 2018; and,

**WHEREAS**, that agreement was previously amended on April 16, 2019; and,

**WHEREAS**, EMPLOYEE has completed two years of service to the CITY as of April 17, 2020; and,

**WHEREAS**, The CITY and EMPLOYEE wish to amend and augment certain parts of the Employment Agreement; and,

**WHEREAS**, CITY and EMPLOYEE wish to memorialize the changes to the Employment Agreement.

**II. RESOLUTION**

Be it resolved by the City of SMITHVILLE Missouri that City Administrator, Cynthia Wagner's Employment Agreement dated April 16, 2018 shall be amended as follows:

- (1) All previous amendments to the April 16, 2018 agreement are superseded by these amendments.
- (2) Paragraph 4.1 of the Employment agreement shall be modified to read as follows:

*4.1 CITY agrees to pay EMPLOYEE as compensation for the duties to be performed under this Agreement the base salary of One Hundred Twenty Thousand Dollars (\$120,000.00) per year, to be payable in 26 equal payments at the time, and as a part of the regular payroll of the City, and subject to all such lawful deductions for payment to employees of the City. In addition to the forgoing, EMPLOYEE shall receive a onetime payment of Twelve Hundred Dollars (\$1,200.00) for agreeing to sign this agreement, subject to all such lawful deductions for payment to employees of the City.*

- (3) Paragraph 5.1 of the Employment agreement shall be modified to read as follows:

*5.1 Sick and Vacation Leave. Upon commencing employment, the EMPLOYEE shall be credited with ten (10) days of vacation leave. In addition to the above, vacation and sick leave EMPLOYEE shall accrue sick leave and vacation leave, as well as all other leaves granted employees of the City and contained in EMPLOYER'S Personnel Manual. In an addition to the forgoing, effective immediately Employee shall be entitled to five days of "personal/executive leave" on an annual basis calculated from the employment anniversary date of April 16. This leave is on a "use it or lose it" basis, accrued on each anniversary date. If the leave is not used within the employees employment calendar year (April 16) the EMPLOYEE is not entitled to accrue the "personal/executive leave" or receive cash for it.*

- (4) Paragraph 5.2 of the Employment agreement shall be modified to read as follows:

*5.2 In Lieu of Health Insurance. EMPLOYEE Represents that she has health Insurance through another source and wishes to decline all Health, Dental or Vision Insurance through the current Plans in place by the City on such terms and conditions as is available for all other employees of the City. The City will pay Ten Thousand Dollars (\$10,000.00) per year, to be payable in 24 equal payments (two per month) to EMPLOYEE'S IRS 457 plan subject to all applicable rules and regulations in lieu of the City providing EMPLOYEE any Health, Dental or Vision insurance.*

- (5) Paragraph 5.4 of the Employment agreement shall be modified to read as follows:

*5.4 Vehicle Allowance: In addition to the moneys paid as salary, the City agrees to pay EMPLOYEE an additional sum for a car allowance in the amount of Forty Two Hundred Dollars (\$4,200.00) per year to be payable in 26 equal payments in accordance with the current payroll procedures for these payments, to be used as a vehicle allowance to be used to purchase, lease, or own, operate and maintain a vehicle. Consideration shall be given on an annual basis to adjust the monthly allowance dependent upon changes in travel demands and routine vehicle fuel and maintenance costs. The EMPLOYEE shall be responsible for paying for liability, property damage, and comprehensive insurance coverage upon such vehicle and shall further be responsible for all expenses attendant to the purchase, operation, maintenance, repair, and regular replacement of said vehicle. The EMPLOYER shall reimburse the EMPLOYEE at the IRS standard mileage rate for any business use of the vehicle beyond the greater Kansas City area, subject to current policy for travel reimbursement that applies to all other employees. Travel to and from EMPLOYEE'S home outside the City of Smithville to the City shall not be eligible for reimbursement.*

## Smithville Board of Aldermen

---

Paragraph 11.2(a) of the Employment agreement shall be modified to read as follows:

*11.2 Severance Pay: City will continue payment to the EMPLOYEE as set forth herein.*

*(a) The severance pay is a benefit equal to Ten Months (10) Months of salary as set forth in paragraph 4.1. if Employee's employment is terminated prior to April 16, 2020. If terminated after April 16, 2020 but before April 16, 2021 severance pay will be equal to Eleven (11) Months of salary as set forth in paragraph 4.1. If terminated after April 16, 2022 severance pay will be equal to Twelve (12) Months of salary as set forth in paragraph 4.1. If entitled to severance pay, the EMPLOYEE shall also be compensated for all accrued but unused vacation and sick leave (subject to any restrictions or caps set forth in EMPLOYER'S Personnel Manual, as amended from time to time). Severance pay shall not include any unaccrued amounts due under paragraphs 5.1 through 5.6 of this Agreement.*

All other portions of the City Administrator, Cynthia Wagner's Employment Agreement dated April 16, 2018 shall remain unchanged.

### III. EXECUTION/ADOPTION

\_\_\_\_\_  
Jeff Bloemker, Mayor Pro-Tem

\_\_\_\_\_  
July 21, 2020

Date

Attested:

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