

SMITHVILLE BOARD OF ALDERMAN

WORK SESSION

March 2, 2021 6:30 p.m.
City Hall Council Chambers

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

The meeting was streamed live on the city's FaceBook page.

1. Call to Order

Mayor Boley present via Zoom, called the meeting to order at 6:00 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, Melissa Wilson, Dan Ulledahl and John Chevalier. Jeff Bloemker was absent.

Staff present via Zoom: Cynthia Wagner, Anna Mitchell, Chuck Soules, Chief Jason Lockridge, Matt Denton, Stephen Larson, Brittanie Propes and Linda Drummond.

2. Discussion of the Public Facility Use Policy

Matt Denton, Parks and Recreation Director, gave a brief overview of the Facility Use Policy.

The Facility Use Policy governs use of public facilities pursuant to Section 105.030 of the Municipal Code. The purpose of this policy is to provide access fairly and reasonably to City facilities for the Smithville community. It is the goal of the City to balance the needs of users to reserve facilities for exclusive use and the needs and expectations of residents so they will have access to City facilities.

The Facility Use Policy was last revised in 2015. Since then, the facility reservation and event process has changed for the convenience of Smithville residents. Staff reviewed the policy and has identified recommendations that reflect how facilities and events are currently handled. Based on Board feedback and direction, staff will update the policy and present it for Board approval. Once approved, staff will update the event application form to reflect the new policy. If any changes are made to the Schedule of Fees, staff will bring that to the Board for approval as well.

In 2016 the City established the steering committee to develop a solid waste management plan and that was attached to the staff report. The Solid Waste Management Plan was never adopted by the City. At that time, the City did request a proposal for residential collection services and WCA was awarded the contract. Their services started in 2017 and the contract is up March 31, 2022.

Matt went through the sections of the policy that staff would like direction from the Board on suggested changes.

Section II – a – Availability

Staff is looking for the Boards comments and suggestions for the recommendation to add the highlighted sentence to this section: "Planned parties should make a reservation prior to use."

This will allow staff to monitor and prepare for larger events. Most surrounding communities require paid reservations prior to use of organized events at City owned Shelter Houses. This change in policy would still allow individuals or families to utilize the space when it is not being used.

Alderwoman Wilson asked if we are wanting to make sure they make a reservation, "should" means they may be would not make it, so should that be "must"?

Matt said that obviously not everybody is going to make a reservation, basically what we would like is get the reservations so we can better prepare for people's larger events.

Alderwoman Wilson said that to her someone can still use the shelter house and the City would not necessarily know.

Mayor Boley said he believed the situation Matt is running into is people plan things and then if somebody does reserve it and it is being used by somebody else, they believe it is first come first serve.

Matt noted that staff plans to do a better job of advertising when facilities are being used, we plan to put up a sign system similar to the signage Clay County and the Corps of Engineers uses on their shelters. We hope this encourages people to reserve shelters online, so ensure it for their event.

Mayor Boley said he thinks the wording that does make a difference, to Alderwoman Wilson's point if this is it is not going to be a city policy, he does not think we should have it as "should" we should have it as "planned parties will make a reservation" or something like that. If we are going to acknowledge the use of it, you have to make a reservation.

Alderman Chevalier asked if this was going to prevent people from using the shelters if no one else is?

Mayor Boley said it is not going to change but the policy language should be clear with no gray areas. If you are going to use the facility you will make a reservation.

Cynthia suggested clarifying the wording to read "in order to ensure use only parties who have made reservation prior to use" or "parties who have made reservation prior to use". She said she believed staff could come up with some language that would address the situations discussed.

Mayor Boley agreed.

Alderman Chevalier said it could read "reservations take precedence".

Mayor Boley noted that the policy should be very clear for staff if someone wants to use the facility, they have to make a reservation.

Cynthia stated staff would come up with the language to bring back to the Board.

Alderman Atkins asked about the possibility of a bulletin board for posting reservations?

Matts said that Park staff is looking to better advertise when the facilities are reserved.

Section III - a – Senior Center

Staff is looking for the Boards comments and suggestions for the recommendation of adding "re-occurring" for the Senior Center.

Alderwoman Wilson asked if the wording should be recurring instead of re-occurring?

Matt explained that was the wording in the current policy.

This will allow other organizations to use the facility for regular meetings. The reservation fee would be different than a one-time event cost. If approved, the information will need to be updated in the Schedule of Fees.

Recommended Recurring Rental Fees:

Based on review of rates in comparable communities and an evaluation of staffing costs, staff recommends that we offer non-profit re-occurring rentals a fee of \$25 a week, to be paid monthly at \$100 a month. Staff then recommends for-profit groups with this request to pay \$250 per month for a re-occurring weekly reservation. This would include one weekly meeting of up to 2 hours that are scheduled one month in advance.

Mayor Boley stated that he thought it was great to add this. He believes it will get the Senior Center utilized more. He said that he was fine with the non-profit rate but thinks that we might have to have one more tier added for Smithville businesses since they are paying taxes here. He asked to hear from the rest of the Board on the subject. He did think that \$200 a month for businesses would be fine that way it is easier divided for doing a weekly rent.

Matt explained that he would refer to Brittanie on this since she did the research and will be in charge of the reservations.

Brittanie asked the Mayor to confirm was he suggesting to add a third tier or two additional tiers?

Mayor Boley said just to add a third tier and make it \$200 a month. Since staff recommends for profit groups, he suggests it say for-profit Smithville business license holders \$200 and then the next tier up is that \$75 a week. He said he was not sure if we have a lot of people outside of Smithville utilize the Senior Center and noted there is not a lot of event space available elsewhere in metro at this time. Alderwoman Wilson noted that re-occurring means it could just happen one time and recurring means on a regular weekly, monthly, etc. basis.

Matt said that they would change the wording to recurring.

Alderwoman Wilson asked if someone rents it for every Wednesday and there are five Wednesday in a month, is the Board okay with one free week?

The Board agreed to the one free week.

Mayor Boley asked if it is a once-a-month event, a non-profit group they pay \$50 for their one meeting a month?

Brittanie said that was correct and explained that in her calls to see what other comparable facilities were doing they did not break it down whether or not it was a one hour a week or an hour and a half a week. They had set rates and they have limits on those but instead of breaking them down individually like the exact time per hour they did up to two hours with a maximum of once a week per week each month. It was a one month deal that could be cancelled by either party at any time after that month.

Mayor Boley confirmed if they were meeting once a month, they still just pay that up front? He asked if we need to add anything for inclement weather that says if you are a monthly rental and there is a snow day you will still be charged? He said he did not think we need to go back and refund for one week.

Matt explained that the changes to the cancellation is later in this document.

Alderwoman Wilson agreed with the Mayor.

Section III – a - City Hall Meeting Room

Staff is looking for the Boards comments and suggestions for the recommendation of removing the City Hall Meeting Room from this Facility Use Policy due to the recent improvements. Staff would recommend those interested in meeting space to use the Senior Center which has accommodations for larger groups.

Alderwoman Wilson asked about uses such as Shop with A Cop, would it be moved over to the Senior Center?

Cynthia said that she would envision those types of events like Shop with A Cop that is primarily a City staff event to be similar to a local government meeting that would be held in the City Hall meeting room they are both government related functions.

Mayor Boley said as long as there is staff or elected official that is part of the meeting that is what the use is for.

Cynthia noted that we do need to be careful that elected officials coordinate it with staff. She said it is not a rentable facility it would be a sponsored meeting.

Section III – c – Sports Fields

Staff is looking for the Boards comments and suggestions for the recommendation of replacing the sentence: "Sports fields are available for the sole use of the customer and may not be shared with others without approval by the City", with the following: "Sports Field reservations are available for the sole use of the customer and may not be traded, exchanged or resold without approval by the Parks and Recreation Department."

The updated sentence clearly states that one cannot sell, trade, or give another person their already purchased reservation without approval by the Parks and Recreation Department.

The original sentence was put into place to prevent subleasing of City sports fields.

No changes made.

Section IV – Rate Categories

Currently the rate categories are not reflected in the Schedule of Fees. Once the document was adopted the Rate Categories and the different fees associated were not well perceived by the community and categories were not enforced. Currently, if an event is not a city or city co-sponsored event, it is charged the regular price. Up to this point, there has not been an issue with this. Staff is looking for the Boards comments and suggestions for the recommendation that this section be updated to show how events application have been handled. Below is what staff is recommending:

Staff recommends keeping the Rate Categories, but the rate categories will be for special events only and reducing it into two categories. This would reflect how events application have been currently handled:

Category I: City or City Co-Sponsor – Free

Category II: Other – Fee according to approved Schedule of Fees

Mayor Boley asked if the definitions of City-sponsored and City co-sponsored were outlined somewhere?

Matt explained that in the past, groups have brought requests to staff asking the Board to co-sponsor their events by waiving the fees. Those recommendations are then brought to the Board of Aldermen for approval such as the City co-sponsoring of the Haunted Campground.

Mayor Boley stated he just wants to make sure that it is defined in the policy.

Matt said it could be added to the process of how groups apply for assistance.

Alderman Atkins said that earlier it was defined non-profit business and non-businesses and asked if the Board would want to consider that in this category?

Mayor Boley asked if staff was proposing in the Schedule of Fees a rate for non-profit versus and for-profit since it is being done as part of the Senior Center fees?

Matt said that staff could change this also and add the clause for Smithville businesses in Category II.

Mayor Boley suggested something for a non-profit at a different rate than a for-profit.

Matt said that we currently have a couple of non-profit groups paying the Category II rate with no issues. He gave the example of the Courtyard fee which is \$100 with a deposit.

Mayor Boley asked what the deposit for the Courtyard is?

Matt said he believed it was \$200 or \$250.

Mayor Boley said he would like to see some sort of language in the policy about the deposit refund process. He would like it to read that the Parks Director or the Assistant City Administrator sign off on the refund. This would ensure the facility was left in the condition it was in prior to the event. He would also like it brought to the Boards attention the next time the group request to rent the facility that they had an issue and did not receive their deposit back.

Cynthia stated if the Board wishes to add that staff need clarifying language on what that would be so that there is language that helps staff in understanding when the deposit would not be refunded, so draft language could be brought to the Board for review.

Mayor Boley said if it is not returned in the state it was provided. If staff has to do any type of cleanup or repairs, filling in holes, removing paint, etc. that should be deducted from the deposit. It would be the same for the Senior Center.

Section VII – a – Application

Staff is looking for the Boards comments and suggestions for the recommendation of removing the sentence: "A nonrefundable application fee of 10% or \$25 (whichever is higher) is required at the time of application. Once an application has been approved, the fee will be applied toward reservation fees". Currently staff does not accept a reservation request until payment is received in full.

Matt explained that to his knowledge this has never been done.

Mayor Boley clarified we have a non-refundable application fee, but we do not take a non-refundable fee?

Cynthia said that a lot of the items are the way they are, because of pushback at various times from the public in implementation of those they have by practice not been completed by staff. This is way it is being brought to the Board for direction in cleaning this policy up.

Matt said that the goal is to have this application be online once this is approved by the Board move forward on this but still have the option of doing the application in person.

Alderman Atkins asked to go back to the pervious section and asked what is the difference in renting the Senior Center and renting the Courtyard, they are both City owned property should they not be mirrored?

Cynthia asked if he meant be the same dollar wise or be the same classifications of expenditures?

Alderman Atkins said the dollar amount could be different, but the classification of expenditures be the same and support the local businesses at a cheaper rate.

Cynthia said she believe that is what the Mayor had mentioned earlier and as staff brings this forward it will have some items to review with regard to reservations in either Courtyard or Senior Center. She asked if the Board would want this extended to shelter houses as well?

Mayor Boley said just the Courtyard and the Senior Center.

Cynthia said as the City adds facilities this policy can be brought back for discussion.

Section VII – b – Changes and Cancellations

Staff is looking for the Boards comments and suggestions for the recommendation of adding "inclement weather" to the list of approved changes, allowing one change with a 48-hour advanced notice, and adding the ability to re-schedule within 7 days from reservation.

This arises with ball field and shelter house reservations when it rains or is predicted to rain. Currently, re-scheduling is not allowed under this policy. Staff believes this change in policy would benefit the community and be a reasonable way to handle last minute changes. This change will also protect the fields by allowing teams to re-schedule reservations on ball fields when conditions are too wet to utilize without causing harm to the field.

Mayor Boley asked if this can be handled through the software or would this always require a staff intervention?

Matt said it would require staff intervention.

Mayor Boley asked if staff tries to relocate the games if Heritage Park it too wet?

Matt said that staff reaches out to that customer to let them know the field is unplayable and give them options to use other areas of the park. He explained that staff does their part to make sure that their accommodations are met, and communication is at a high level.

Section VI – c – Changes

Staff is looking for the Boards comments and suggestions for the recommendation of removing the highlighted sentence: "Additional changes made will be charged an additional non-refundable application fee per change". This charge is not reflected in the Schedule of Fees. Staff is not sure why. Staff has not seen this as an issue and believe this change in policy would benefit the community.

The Board made no changes.

Section VI – f – Insurance

Staff is looking for the Boards comments and suggestions for the recommendation of removing the highlighted sentence: "Liquor liability insurance is required for all events serving alcoholic beverages" as this is no longer required anymore by the State.

Mayor Boley asked if staff checked with the City's insurance carrier to make sure that the million dollars is still appropriate?

Cynthia said staff will confirm that dollar amount per occurrence.

Section VIII – Alcohol Use – b

Staff is looking for the Boards comments and suggestions for the recommendation of removing this highlighted section: "Liquor liability insurance" as this is not required anymore by the State. Staff recommends adding what is currently required by the City and State:

"Completion of the Alcohol section of the Special Event Application and a Temporary Liquor License will need to be reviewed and approved by the Chief of Police and Board of Alderman for events serving alcoholic beverages."

The Board made no changes.

Section VIII – Alcohol Use – e

Staff is looking for the Boards comments and suggestions for the recommendation of removing the highlighted word "facility" since alcohol is not allowed in indoor facilities.

The Board made no changes.

Section XI – b – Reservation Times

Staff is looking for the Boards comments and suggestions for the recommendation of removing the following sentence: "If use of the facility begins prior to or ends after the scheduled reservation, the City reserves the right to bill at 150% of the applicable rate". Staff has not seen this as an issue and believes this change in policy would benefit the community.

Alderman Atkins asked if someone rented the facility, such as the Senior Center for two hours for a birthday party and want to come in 30 minutes early to setup will they be charged for the set-up time?

Matt explained that with the rental of the Senior Center you are given a 30-minutes grace period for setup with your reservation.

Mayor Boley clarified that if someone were to rent the Senior Center, they would get it for the whole day.

Matt said this would apply more to the Courtyard, shelter or ballfields and staying past your time and someone else has it rented.

Section XI – c – Festival Vendors

Staff is looking for the Boards comments and suggestions for the recommendation of updating this ordinance to remove the \$10 festival vendor charge. This fee is currently located in Section 610.110 of the Municipal Code and would require an Ordinance amendment. Staff feels this can still be monitored by just collecting vendor names and contact information from the event organizer.

Mayor Boley asked if this was being charged?

Matt said that it was not being charged. He noted that it would be difficult to collect the fee from the vendors or organizers. Staff does believe they can make sure we have the vendor contact information.

Mayor Boley asked if it states on the application that this information is needed?

Matt stated it says vendors shall be subject to the fees required under Section 610.130 and must provide the information required under Section 610.040.

Mayor Boley said he is fine with taking the \$10 fee out, but should language be added to the application that the City needs the vendor contact information.

Matt said that on the event application has a place for the vendor name and contact information and booth location to be listed.

Matt asked if there were any other sections in the policy the Board would want to see changes made.

Mayor Boley asked if the soccer fields gates were locked up?

Matt said we do not lock any gates.

Mayor Boley asked if the Corp of Engineers locks the yellow gates?

Matt said that they only lock them when there is snowy weather.

Matt thanked the Board and said that staff would make the changes for Board approval.

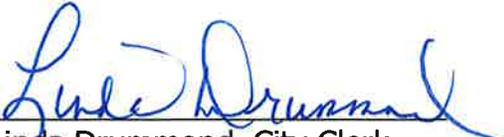
Mayor Boley asked if there have been any more issues with signs for events? Or if any changes need to be made to the sign Ordinance?

Matt said that staff did review that section of the Municipal Code and it does say that approval must be given and we as staff are going to make sure we do a better job of enforcing it going forward.

3. Adjourn

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:47 p.m.


Linda Drummond, City Clerk


Damien Boley, Mayor