

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

May 18, 2021 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 FaceBook page. Attendance in person by members of the public was not permitted.

1. Call to Order

Mayor Boley present via Zoom, called the meeting to order at 7:11 p.m. A quorum of the Board was present via Zoom meeting: Steve Sarver, Marv Atkins, Dan Hartman, Dan Ulledahl, and Kelly Kobylski. John Chevalier was absent.

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

2. Pledge of Allegiance lead by Mayor Boley

3. Consent Agenda

• **Minutes**

- May 4, 2021 Board of Alderman Work Session Minutes
- May 4, 2021 Board of Alderman Regular Session Minutes

• **Finance Report**

- March 2021 Financial Report

No discussion.

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

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Hartman reported on the May 11 Finance Committee meeting. He noted that he was unable to attend the meeting but did go through the packet and then met with Stephen and Cynthia. He explained that they covered the 6-month budget update in detail and the departments reviews.

Alderman Atkins concurred and complemented Stephen on his presentation. He noted the presentation was clear and easy to understand.

Jack Hendrix reported on the May 11 Planning and Zoning Commission meeting. There are 25 residential permits to date and four commercial permits to date, the most recent being Burger King and Domino's Pizza, both in the Marketplace.

Mayor Boley added that the Commission also discussed the dwelling and lot sizes that is on the agenda this evening.

5. City Administrator's Report

Cynthia noted that the contractor for the City Hall renovation project indicates progress remains on schedule. An issue with a load bearing wall was identified in the woman's restroom and will have to be addressed. Cynthia said that the contractor is still expecting the project to be complete by mid-June.

Cynthia reminded the Board that the retreat is scheduled for May 27, beginning at 8:30 a.m. at Paradise Point.

Cynthia offered the Board an opportunity to participate in Board orientation tours of City facilities. If they are interested, she asked that they contact her.

ORDINANCES & RESOLUTIONS

6. Bill No. 2904-21, , Quitclaim Deed, MoDOT 188th Street – Emergency Ordinance Sponsored by Mayor Boley – 1st and 2nd Reading

Alderman Sarver moved to approve Bill No. 2904-21, authorizing and directing the Mayor to execute a Quitclaim Deed with the Missouri Highways and Transportation Commission for improvements to Highway 169 and 188th Street. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

Alderman Atkins – Aye, Alderman Hartman – Aye, Alderman Chevalier – Absent, Alderman Kobylski – Aye, Alderman Sarver – Aye, Alderman Ulledahl – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2904-21 approved first reading.

Alderman Sarver moved to approve Bill No. 2904-21, authorizing and directing the Mayor to execute a Quitclaim Deed with the Missouri Highways and Transportation Commission for improvements to Highway 169 and 188th Street. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

Alderman Chevalier – Absent, Alderman Sarver – Aye, Alderman Ulledahl – Aye, Alderman Atkins – Aye, Alderman Kobylski – Aye, Alderman Hartman – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2904-21 approved.

7. Bill No. 2905-21, Initial Zoning for Certain Lots in Lakeside Crossing – 1st Reading

Alderman Sarver moved to approve Bill No. 2905-21, setting the initial zoning of Lots 4, 12, 34 and 36 in Lakeside Crossing. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote via teleconference:

Alderman Hartman – Aye, Alderman Ulledahl – Aye, Alderman Kobylski – Aye, Alderman Chevalier – Absent, Alderman Atkins – Aye, Alderman Sarver – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2905-21 approved first reading.

8. Bill No. 2906-21, Dwelling and Lot Size – 1st Reading

Alderman Sarver moved to approve Bill No. 2906-21, repealing Sections 400.090 thru 400.150 Of the Smithville Municipal Code And re-enacting new Sections 400.090 to 400.150. 1st reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote via teleconference:

Alderman Ulledahl – Aye, Alderman Kobylski – Aye, Alderman Hartman – Aye, Alderman Sarver – Aye, Alderman Atkins– Aye, Alderman Chevalier – Absent.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2906-21 approved first reading.

9. Resolution 915, Purchase Utility Meter Equipment

Alderman Sarver moved to approve Resolution 915, acknowledging the purchase and expenditure of funds for water meter replacement units from Kansas City Winnelson Company in an amount of \$20,407. Alderman Hartman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 915 approved.

10. Resolution 916, Accepting Right of Way Acquisitions

Alderman Ulledahl moved to approve Resolution 916, accepting certain Deeds of Public Right of Way for streets in the Coulter Addition. Alderman Atkins seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 916 approved.

11. Resolution 917, Agreement with Clay County for Tax Collection

Alderman Sarver moved to approve Resolution 917, awarding Bid No. 21-09, authorizing and directing the Mayor to execute an agreement with Clay County, Missouri for the collection of City Property Taxes. Alderman Atkins seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 917 approved.

12. Resolution 918, Residential Leak Adjustment

Alderman moved to approve Resolution 918, approving a leak adjustment of \$42.75 for residential utility billing customer, Sherry Breckenridge for her February and March 2021 utility bill. Alderman seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 918 approved.

OTHER MATTERS BEFORE THE BOARD

13. Public Comment

None

14. Appointments

- **Economic Development Committee**
Mayor Boley nominated Stephen Langley.

By roll call vote.

Alderman Atkins – Aye, Alderman Sarver – Aye, Alderman Hartman – Aye, Alderman Ulledahl – Aye, Alderman Chevalier– Absent, Alderman Kobylski – Aye.

Ayes – 5, Noes – 0, motion carries. The Mayor declared Steve Langley Economic Development Committee Representative.

Mayor Boley asked if there were still openings for this committee?

Anna Mitchell noted that they were still short one member.

15. HDR Presentation and Discussion for South Sewer Project

Aaron Bresette and Kent Newport, senior project manager from HDR Engineering, presented an update on recently identified issues with the South Sewer Project.

Aaron noted he appreciated the time this evening to discuss the south force main and south booster pump station on 144th Street project. This is a project that was conceived over eight years ago. The original goal of the project was to get the Forest Oaks subdivision off the Rocky Branch sewer system, which is in the Kansas City

Missouri sewer system on the south end of town. This project would also replace the existing aging Hills of Shannon pump station.

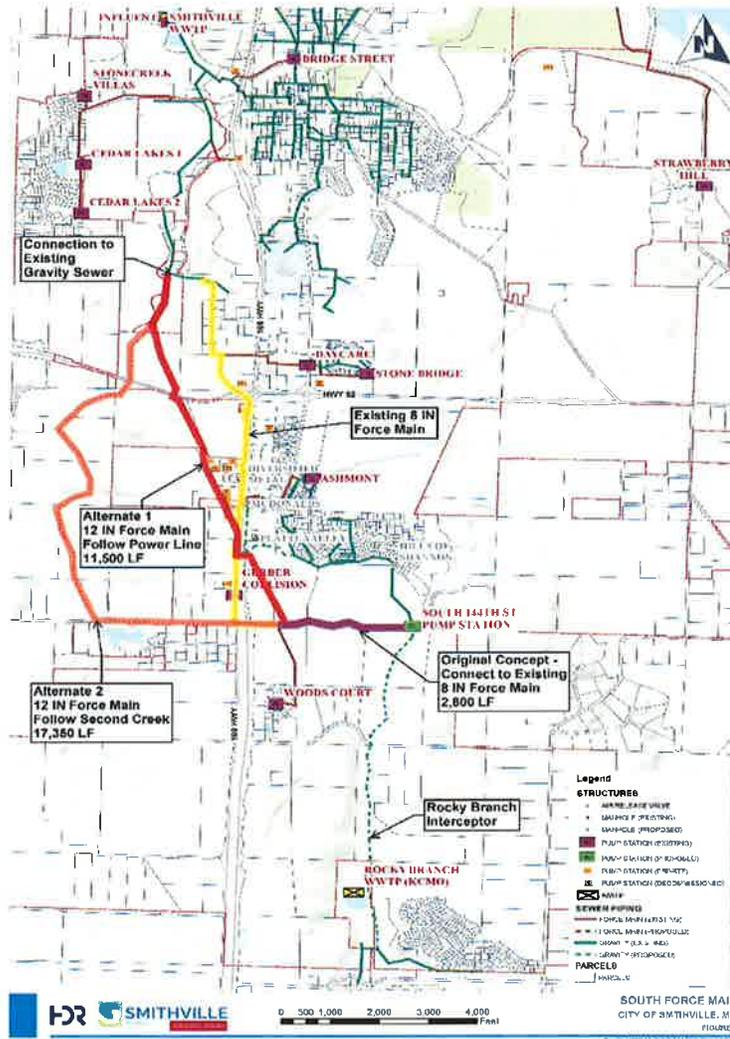


Figure 1 - Alternatives 1 & 2

The plan was to install the pump station (the purple line) on 144th Street and connect to the existing south force main near the intersection of 144th and 169 Highway. The project got put on the shelf due to other priorities the city wanted to address first. Those included the new pump station at the treatment plant and the new gravity sewer line that goes up and across from the hospital that helps relieve some of the capacity constraints on that force main. Since the engineers started this project there has been additional development around the area of the central portion in town around Highway 92 and now there are approximately twenty pump stations that all need to connect to that force main. Aaron explained that Kent Newport has done many of these projects and in reviewing the section of final pumps for the pump station, he came up with some pretty high-pressure pumps and had concerns about what effect those pump's high-pressure was going to have on the existing pump stations. HDR took a step back and did another analysis on the south force main.

Kent explained that they determined that the proposed south pump station sits in a hole near the river and has a high static head and would have to pump up at least 140 feet just to get over the high point in the system. The 144th pump station is about 1,200 feet away from the gravity pump and there is a high point at about 4,000 to 5,000 feet from gravity sewer. The pump has to be able to pump over to that gravity sewer. HDR has determined that when this pump station goes online, the pump station at Woods Court would not be able to pump. So, if we are pumping 500 gallons a minute through this pump station Woods Court would not be able to pump and neither would Gerber Collision, McDonalds would just barely be pumping. What they were concerned about is that flow and infiltration like we do at Hills of Shannon we would be overloading the eight-inch force main that is in there. HDR determined an eight-inch force main is just too small and would be close to surpassing capacity, especially when you have heavy rains and added infiltration into the gravity sewers.

Kent noted that HDR has identified a couple of alternatives. The bottom line is we need a larger diameter force main or additional force main since you cannot up size existing one and still pump through it at the same time in the same location. HDR reviewed two alternatives with staff. One alternative was to follow what is approximately an overhead electric easement that cuts across 169 Highway. The other option was to follow 144th Street down Second Creek and connect to the gravity sewer.

Alternative	Pipe Length (Feet)	Area Served (Acres)	Project Cost	Cost Per Acre	Notes
Original*	2,500	355	\$2.04 Million	\$5,750	Has Operational Issues and Limited Capacity
Alternative 1*	11,500	930	\$3.0 Million	\$3,225	Follows existing electrical easement
Alternative 2*	17,350	930	\$3.9 Million	\$4,195	Follows Second Creek that could be a future gravity sewer alignment

*All Alternatives include \$1.1 Million for Pump Station

HDR recommends that Alternative 1, which includes the pump station and 11,500 LF of 12-inch diameter force main. This option will allow the City to serve the area shown in Figure 3. As indicated in the table, Alternative 1 opens more area south of the proposed pump station for development and costs less per acre of developable area. This alternative also provides additional capacity in the existing 8-inch main, by removing flow to the Hills of Shannon to serve undeveloped area in the vicinity of Missouri 92 and 169 Highway.

HDR and staff determined the goal for the south booster pump station to do is to service Forest Oaks and additional growth along 144th Street and 169 Highway and could not do that without the larger diameter force main. He said that they had hoped to be able to do the project with the eight-inch pipe, but it just cannot be done with the growth.

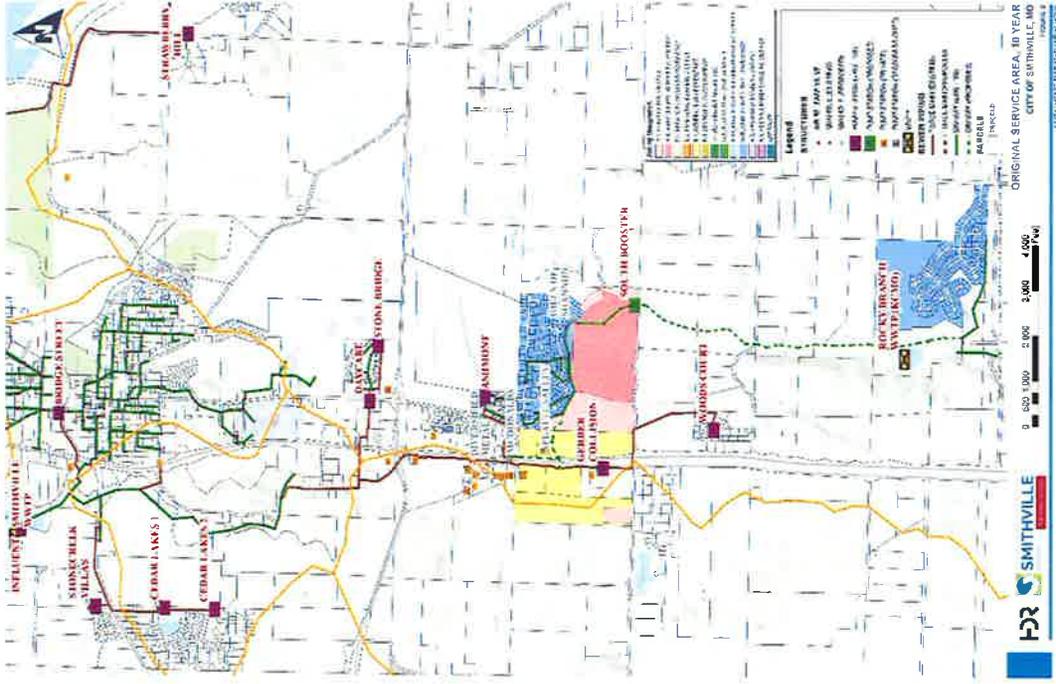


Figure 3 - Pump Station Locations

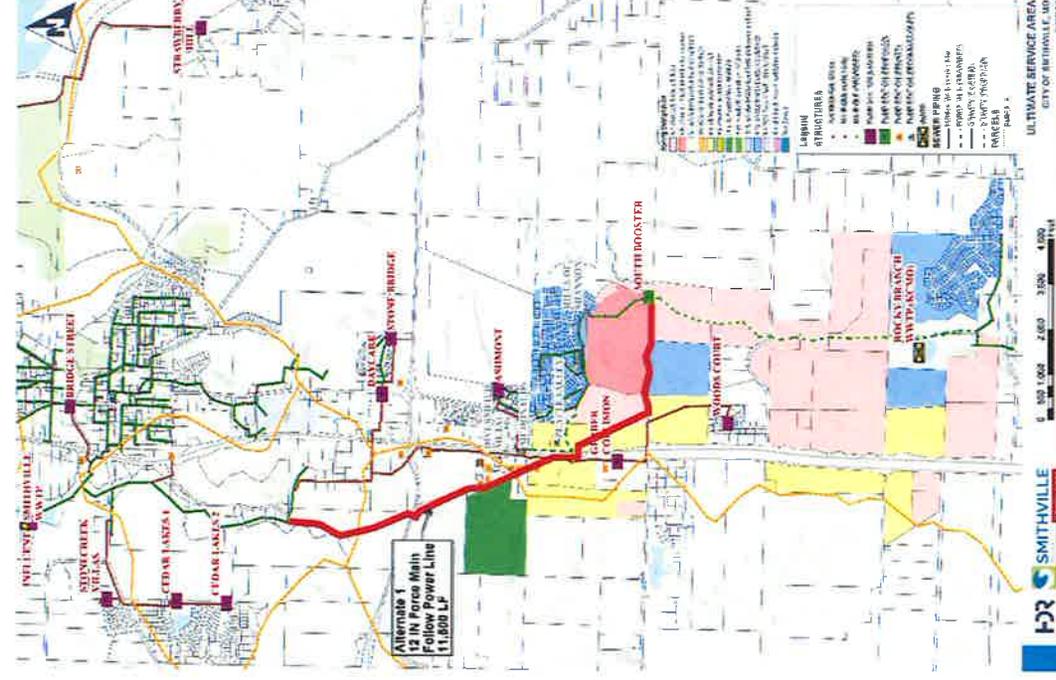


Figure 2- Alternative 1

Mayor Boley stated that first and foremost “I hope” is not a good engineering term for him to hear.

Kent asked if he conveyed something incorrectly.

Mayor Boley explained that he said you had hoped that was going to work, hope is not a good engineering term.

Kent explained that the twelve-inch pipe would work but they had hoped that the eight-inch would. He also noted that he has only been working on this project for the last few months.

Mayor Boley noted that we have been looking at this for eight years, so it is either incompetent or oversight. We just did the Sewer Master Plan, we put this out to bid this is not good news to be brought to us this late in the game.

Aaron stated that Mayor Boley was correct, that the original plan was the building of the south portion of the gravity sewer was going to open up capacity to account for Forest Oaks and Hills of Shannon and there was an error in calculation.

Mayor Boley said a \$2,000,000 error.

Aaron stated it was a \$1,000,000 error potentially depending on which alternative you look at.

Mayor Boley said that with the higher cost estimate, the land acquisition, the construction cost and cost and everything else going on today it would be more than \$1,000,000.

Alderman Atkins asked if there would be future expansion on the west side of 169 Highway any kind of development of sewer systems?

Aaron explained that there is the potential for developing approximately 930 acres on the west side and you could swap out any of those parcels on the low end down by the Rocky Branch sewer for more of the frontage on 169 Highway or if you want to pump it over. He said you could tie in other smaller pump stations into the new force main.

Alderman Hartman stated that he echoed the Mayor's frustration. The Board relies heavily on engineers to guide them. A \$1,000,000 oversight is certainly hard to digest. He said he sure hopes this does not happen to other cities and municipalities. It has been presented to the Board and now we obviously must come up with a plan, but it is disappointing.

Aaron said he understands their frustration and he completely apologizes for the oversight that was originally made.

Kent said from his point of view he completely understands where the Board is coming from. He explained it was not readily apparent, they started asking which hydraulics and tried to figure out how big to make the pump station. They then identified the limits on the size of pump. They then looked at how does this impact the other pump stations along this route. They should have been asking how much flow would go into this. They are working off twenty pump stations in this area they do not have any flow data for any of them. He explained when he got involved, he pretty much had to go back and ask for pump flow curves for the larger pump stations that are in purple on your map and try to figure out how they intersect and how they come in to do the hydraulics. If you are only looking at average day flows while the eight-inch line seems sufficient and has plenty of capacity but when you have rain events, they will overload the system. He said that in Hills of Shannon we have a peak of 12 to 13-1 in that area and that is concerning, he believes Woods Court has the same issues based on the previous issues he has heard about. He explained that if the south sewer system were running the other pump stations probably would not and he could not guarantee they would not back up and that is what they are trying to prevent.

Chuck Soules said that we have also been working on the south sewer line for Forest Oaks to run it up to this lift station, he asked if we are going to have to increase the size of that main to get all this other development into it?

Mayor Boley asked Chuck what he really think abouts what our standards should be for main, should we go with what is going to work now or do we need to look at what we need in the future? He also asked why install in an eight-inch line on the south end of town in the first place?

Chuck said that it is a lot of land and that is why he was asking his question. If all that development was planned to go into that line?

Aaron explained that the gravity line was always sized for the whole life, he believes it is a 30-inch, but it gets smaller as it progresses south.

Chuck confirmed that all this area was planned to go into that gravity line to the pump station.

Aaron said it was all planned to go down that line, the interceptor was sized for the ultimate development. The pump station was never intended at original concept to the handle the ultimate development. In the Sewer Master Plan, we were going to extend the gravity sewer up Wilkerson Creek and that pump station was going to go away in 20 years.

Mayor Boley asked if we start annexing in and developing the additional land the 30-inch interceptor will be sufficient?

Aaron said that based on the ultimate development in the Sewer Master Plan, yes.

Mayor Boley asked Jack and Chuck with the Comprehensive Plan and the proposed development and use of all areas he would like to hear their thoughts on the two alternatives and if either are even going to be enough. He said that if we get development on the land at 144th Street along 169 Highway which of the two alternatives will be enough to handle the growth?

Alderman Ulledahl noted that he agreed with Mayor Boley that we need to be planning for 20-30 years in the future and make sure we can handle the growth, instead of less than 10 years which is apparently how this plan was put together.

Jack said to answer some of Mayor Boley's questions, he thinks the design with the 12-inch line running down the utility overhead powerline easement would eliminate 98% of the pump station conflicts, due to none of the lines being on the same line other than Woods Court. The 12-inch line would substantially extend the overall life of that pump stations viability. He believes the 12-inch line along with the 8-inch line that is already there would be able to handle the growth.

Mayor Boley asked if we would be able to eliminate any of the pump stations by installing the 12-inch line?

Jack said that with installing the 12-inch line we would have to take some of the pump stations out with future development.

Mayor Boley asked if alternative one was Jack's recommendation?

Jack said that the powerline recommendation would be the most cost efficient if we can acquire the utility easements quicker and at a much cheaper price it makes sense to go that route.

Mayor Boley agreed.

Chuck said if development occurs to the west, the developer could potentially incur the cost of that alternative. He also noted that we are trying to get something in that is cost effective and have capacity for future development. You always must weigh what the growth could be in 50 years, so you are either betting on what may come or just doing what will get you by. Chuck stated that he believes this alternative is good and will give us the needed capacity. A 12-inch force main and a 30-inch gravity line will handle a lot of flow.

Mayor Boley noted that we need to look at our rates and taps and make sure that we can maintain this in the future.

Jack noted that we have a new annexation policy that would help us in the future and if we develop area by working our way south, we will be able to have the developers cover some of the cost.

Alderman Hartman confirmed that we are talking about alternative one?

Aaron said he was correct.

Chuck asked for clarification so there would not be any misunderstandings: there is an existing utility easement that we are hoping is for all utilities and not solely for electric, and we would need to find that out first. He noted that it would still be cheaper even if we would have to buy the easements outside of the electric easement because the property is already incumbent with other easements.

Alderman Hartman said he understands that following the electrical easements or existing easements is cheaper but asked Aaron and Kent to explain the process they go through in helping the city to acquire the easements?

Aaron explained that when they brought this issue to Chuck and Jack, they pulled up the plat for some of the properties adjacent to the electrical easement and that is where they found out that there are three easements that abut themselves there. He believes that one of the easements was dedicated as electric and utilities and they think there may be rights to use that easement for other utilities. He asked Jack if he had ordered a couple of title easements for those properties?

Jack said that he had ordered them but had not received them yet.

Aaron explained if there are available rights in the existing easements, it will be relatively simple to utilize. He also explained that they will have to get the utility locates out there to determine what utilities are there now and work around them. He assumes that there may be telecommunications and fiber optics lines that may be in those easements. For new easements they would have to have an appraiser to appraise the property and we would have to make a fair market value offer to the property owners and negotiate those easements. He explained that as an engineering firm they do not do appraisals, we would have to have a licensed real estate professional do them. He noted that City staff would also work with consultants to acquire those appraisals as well.

Mayor Boley asked if staff would need any Board direction this evening?

Chuck said he did not believe staff needs direction this evening but would like to continue the discussion at the Board retreat. Tonight, staff wanted to make sure the Board would have all the information on the issues with the south sewer project and get any questions they might have answered. Moving forward the Board will need to discuss the cost and the utility funds to determine the best way to proceed. Chuck asked Aaron if this project start to finish would take approximately two year?

Aaron said construction would probably be in the neighborhood of 18-months and six-months for the design and easement acquisition, so yes right at about two years.

Mayor Boley asked if we would be able to move forward with the project at 144th Street?

Chuck explained that we cannot do the pump station at 144th Street until we do this other line. He said that is what brought this issue up, we were getting ready to go out for bid for the 144th Street pump station and Kent did another review of this and determined that the pumps we were getting sized were not going to fit.

Mayor Boley noted that the 144th Street pump station project was budgeted for this year and asked if it should be pushed back to more towards the end of the south sewer project?

Cynthia explained that the 144th Street pump station project is on hold until the south sewer project is complete.

Mayor Boley asked if the Board would need to amend the budget for this?

Cynthia said that they could amend the budget but can look at ways to formally address that. She explained that this evening staff wanted to make sure that the Board had all the information and understood this issue before we went into the retreat. This change is something that affects our current and next three-to-five-year budget and affects our cash flow in the utility fund. She noted as she mentioned earlier in the Work Session that staff will be bringing forward in a Work Session in June discussion of the CARES Funds. Staff is still reviewing the American Recovery Act, but it appears those funds can be utilized for infrastructure – sewer and water. Currently

staff is confirming that information. Staff had hoped to be able to discuss the \$1.9 million for projects such as the 144th Street pump station project, but this project is going to supersede that.

Jack said that it might be possible to do the 144th Street pump station project now and then tie it into to the 12-inch line when we do the south sewer project. He explained it would give us a two-year window for both projects.

Alderman Hartman confirmed that the Board needs to discuss this for further recommendations.

Cynthia explained that staff really wanted to ensure the Board had all of this information before we went into the retreat and budget deliberations because this has significant impact on the funds that we have available.

16. New Business from the Floor

None

17. Adjourn

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

Ayes – 5, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 8:04 p.m.


Linda Drummond, City Clerk


Damien Boley, Mayor