

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

November 1, 2022, 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 6:57 p.m. A quorum of the Board was present: John Chevalier, Leeah Shipley, Marv Atkins, Dan Ulledahl, Dan Hartman and Ronald Russell.

Staff present: Cynthia Wagner, Gina Pate, Chief Lockridge, Stephen Larson, Matt Denton, Alex Threlkeld and Linda Drummond.

2. Pledge of Allegiance led by Mayor Boley

3. Consent Agenda

- **Minutes**

- October 18, 2022, Board of Aldermen Special Session Minutes
- October 18, 2022, Board of Aldermen Regular Session Minutes

- **Resolution 1140, Acknowledgement of Mower Purchase**

A Resolution authorizing purchase of two zero turn mowers and a rotary cutter for the Parks and Recreation Department.

- **Resolution 1141, Acknowledgement of City Hall Server Purchase**

A Resolution acknowledging purchase of City Hall servers from the NASPO ValuePoint Cooperative Purchasing program in an amount not to exceed \$21,671.48.

- **Resolution 1142, Awarding RFQ No. 22-22, Camp Host**

A Resolution awarding RFQ No. 22-22, Camp Host Services to Janet Terry and Chris Dunkin for the 2023 camping season.

- **Resolution 1143, Awarding Bid for MDT Replacement**

A Resolution authorizing the expenditure of funds for the purchase of Mobile Data Terminals in patrol cars for the Smithville Police Department in an amount not to exceed \$10,022.84.

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

No discussion.

Ayes – 6, 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 October 27 Parks and Recreation Committee meeting. The committee was introduced to Alex Threlkeld, she is taking Brittanie Popes position as Recreation and Marketing Manager.

The committee reviewed the plans for Emerald Ridge Park. There were three plan designs submitted. The committee discussed and suggested some changes. Once the changes are made and brought back to the committee for approval it will then be brought forward for Board approval.

Alderman Hartman noted that they also discussed Mid-America Regional Council (MARC) grant funding for the Riverwalk.

Mayor Boley explained that the committee approved moving forward with the Riverwalk project and moving the timeline out farther for sports courts to provide funding for the City's match for the Riverwalk grant.

5. City Administrator's Report

Cynthia introduced the new Assistant City Administrator, Gina Pate and the new Recreation and Marketing Manager, Alex Threlkeld. She noted that the City Administrator's report that was posted outlines a number of staffing changes. We have had some employee leave and continue to recruit in several departments.

Cynthia noted that staff has received information from Mid-America Regional Council (MARC) pertaining to the applications for the four projects that the City submitted for grant funding. The applications were reviewed by various committees and our four projects have made it through the review process. The Riverwalk project was recommended for MARC grant funding of \$900,000 with the City's contribution being \$1,000,000. Cynthia explained that there is about \$600,000 allocated in the Parks and Recreation sales tax in 2026 for sports courts. She noted that there are additional funds for stormwater needs in that time frame. Staff is looking at different projects that can be moved around to be able to take advantage of that \$900,000 in MARC funding. Cynthia noted that it is staff and Parks and Recreation Committee's recommendation to allocated and prioritize projects to be able to utilize that MARC funding.

Alderman Russell asked when the funds have to be spent.

Cynthia explained that the funds have to be allocated by 2026 and spent in 2027-2028.

Cynthia noted that the other projects that we submitted to MARC for grant funding are part of the City's Capital Improvement Projects (CIP). The Second Creek Sidewalk project was reviewed by the same MARC committee and was recommended for \$600,000 of grant funding. The Bridge Street roundabout project was reviewed by a separate MARC committee, and they will meet again next Tuesday to make their final recommendations for adoption of those funding recommendations to the MARC Board. Cynthia explained that staff would like to email MARC tomorrow confirming that we can provide the local funding for the Bridge Street roundabout to be able to receive the \$784,000 in grant funding.

Cynthia explained that if we receive the total grant funding for these three projects the City would receive over \$2 million to fund significant projects in the community.

Cynthia noted that none of these projects are part of the 2023 budget so we will just need to reprioritize some of the future projects in the CIP planning for future funds. The funding that will predominantly need to be reallocated would be the million dollars for the Riverwalk project. Staff recommends Parks and Recreation Sales Tax and some ancillary funds from other areas. Cynthia noted that if the Board concurs staff will send the email to MARC concerning the Bridge Street roundabout project.

Mayor Boley noted that the project is a priority in the Transportation Master Plan and why we submitted the grant application.

Cynthia explained that we did not plan for the Riverwalk project this soon but because of the linkage the project provides it scored very high for the grant because it connects Smithville Lake to the Main Street Trail to Second Creek Sidewalk project and then to Platte County which is a big piece of the MARC Metro Green planning process and a high priority for the region.

Alderman Hartman said that he believed that prior to Mayor Boley taking office the City did not take advantage of MARC grant funding opportunities.

Mayor Boley said he did not think they did and now we are up to \$2.4 million in grant funding for five of the City's projects.

Alderman Hartman noted that this is a wonderful opportunity for the City and would like to move forward.

The Board all agreed.

Cynthia told the Board that staff would send the email to MARC that the City is onboard with those recommendations.

Cynthia noted that staff received word from Congressman Graves office that a number of our applications for our utility projects are moving through the WRDA allocation process. She explained that this process takes time through the budget allocation and appropriations and all of the steps at the federal level. She noted that all of the list of utility projects that the City has now, except for the bar screen are fully funded by our water and wastewater fund. If the funding continues through the process and is approved it will be revenue that we did not anticipate. This will help us with rates and to be able to push back the timing for debt issuances required. Cynthia explained that we will probably not receive information on it until early 2023.

Mayor Boley noted it would be April at the earliest. He explained that we submitted applications to both Graves and Holly's offices and the Bills have passed both Houses and the Senate with different wording but none of the municipal projects have been pulled out of the Bills. He said that WRDA funding has been around for years but mostly used for large federal infrastructure projects. They are now working to get the funding to municipalities to impact the people. This is the first time they have considered municipal projects and Smithville is included in it. This would impact Smithville significantly because it is 75% funding for the projects.

Alderman Ulledahl asked if this was something that happens annually.

Mayor Boley explained that municipalities have been working with the congressman's office and they have recently made the decision to award the funding to the municipalities. Mayor Boley noted that this could potentially help us out with the projects in the Sewer Master Plan.

Alderman Ulledahl said that will help with offsetting our costs in the projects.

Mayor Boley noted that the funding is there we just have to be present at the table.

Cynthia noted that the Mayor, Chuck Soules, Gina Pate and Mayra Toothman have all been instrumental in helping us obtain the funding from MARC.

Cynthia reported that one of our police officers was involved in the early morning crash today. His patrol car was hit while assisting a vehicle being loaded on a tow truck. Our employee is doing fine, and he was released from the hospital. Cynthia noted that last night on Halloween we had a situation where we had a minor, a small young girl, in protective custody. When the officers first came into contact with her she was in a car with a parent and was taking about going trick or treating. Our police officers helped get her into her costume, brought her back to the station, got patrol cars in the parking lot and created a private truck or treat for this little three-year-old girl. If not for the officers, her Halloween would have been ruined. Cynthia gave a special thanks to Officers Simanton, Matthys, Silkiner, Burns and Redwood and Sergeants Gearhart and Johnson.

ORDINANCES & RESOLUTIONS

6. Bill No. 2964-22, Destruction of Records – 1st Reading

Alderman Hartman moved to approve Bill No. 2964-22, authorizing staff to proceed with the destruction of certain finance and police records as authorized by the retention and destruction schedule approved by the Secretary of State's Office. 1st reading by title only. Alderman Atkins seconded the motion.

Alderman Russell noted that he understands the city destruction of records and how they are lined up but questioned the police destruction records. He explained that the wording prior to 2019 sounds as if we have not destroyed any records before now. He said he was sure there are dates associated with retention but was not seeing them on the police department side. He said the way it was written is confusing and maybe misleading. Alderman Russell asked for clarification on destruction of records for the Police Department.

Cynthia explained that we must keep records up to a certain date and bring this Ordinance forward on annual an basis. She noted that most of the records that we are asking to be destroyed in this Ordinance will be from 2019, although we may have some outstanding records that were used in a case that is now closed.

Missouri Revised Statutes Chapter 109 (Public and Business Records) Section 255 authorizes the Local Records Board to establish minimum retention periods for the administrative, fiscal and legal records created by local governments. Retention periods are based upon federal and state mandates, record surveys, business needs, and general knowledge as to how long records should be kept. Using the schedule as a guide and without seeking further approval from the Local Records Board, any local government may regularly dispose of any of its records that appear on this schedule.

Chief Lockridge clarified that none of these records are related to criminal cases or any kind of investigation. The records are officers daily log sheets which state guidelines required them to be kept for two years, housekeeping documents related to traffic stops required to be kept for one year and some court documents that is a cleaning up from transferring court to Clay County. Chief explained that as staff goes through their storage area they will come across records that have reached their date of retention and have put them aside until enough records have been accumulated to make it worth while to have the shredding company come out.

Alderman Russell asked if this is done at this time every year will it also include police records for only 2020 and not include the word prior.

Alderman Chevalier noted that he understands what Alderman Russell means but thinks this is just the way the language is.

Chief Lockridge noted that going forward we could provide an itemized list.

Alderman Russell said that was not necessary he just wanted to know if we were following the State Statutes or just destroying records whenever we get enough boxes.

Cynthia explained that we are following the State Statute based on that timeline that says we are now statutory and able to destroy records prior to 2019.

Chief Lockridge noted that State Statutes allows for some discretion on the dates.

Alderman Chevalier asked Alderman Russell what he would recommend the language look like.

Alderman Russell said that the wording for the financial records is for one year and believes it should be the same for the police records.

Cynthia noted that the wording allows us to destroy old records that were missed or that no longer need to be kept.

Chief Lockridge added that staffing has also been an issue. They have not always had adequate staff to be able to have the time to go through the older records.

Cynthia noted that the record retention schedule is not a requirement it allows us the opportunity to destroy those documents.

Upon roll call vote:

Alderman Atkins – Aye, Alderman Russell – Aye, Alderman Ulledahl – Aye,
Alderman Shipley – Aye, Alderman Chevalier – Aye, Alderman Hartman - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2964-22 approved first reading.

7. Bill No. 2965-22, FY2023 Budget Amendment No. 1 – 1st Reading

Alderman Hartman moved to approve Bill No. 2965-22, amending FY2023 Budget to add \$51,500 to the expenditure budget in the Combined Water/Wastewater Fund to purchase the skid steer loader. 1st reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Hartman – Aye, Alderman Atkins – Aye, Alderman Russell – Aye,
Alderman Shipley – Aye, Alderman Ulledahl – Aye, Alderman Chevalier - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2965-22 approved first reading.

8. Resolution 1144, Change Order No. 5 – Raw Water Pump Station Gate

Alderman Ulledahl moved to approve Resolution 1144, approving Change Order No. 5 with Irvinbilt Constructors, Inc. in an amount of \$7,742 for a gate for the Raw Water Pump Station. Alderman Hartman seconded the motion.

Alderman Russell said that when he read through this it listed the \$7,742 for the new double gate and only leaves \$800 in the force budget. He asked if other expenses come up before the other equipment comes in will those expenses have to come before the Board for approval.

Cynthia explained that this is identified to be used as part of that force account for the project and the rest will be funded from the utility fund budget.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1144 approved.

9. Resolution 1145, Replacing the Backwash Pump

Alderman Hartman moved to approve Resolution 1145, approving the replacement of the backwash pump with Mid-America pump for an amount of \$16,917.34. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1145 approved.

10. Resolution 1146, Acknowledging Emergency Purchase

Alderman Ulledahl moved to approve Resolution 1146, acknowledging the emergency purchase of a replacement HVAC system unit for City Hall in the amount not to exceed \$8,624 from United Heating and Cooling, Inc. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1146 approved.

OTHER MATTERS BEFORE THE BOARD

11. Public Comment

James Gresham, 111 James Street, spoke to the Board concerning the Fence Ordinance. He asked that they reconsider not allowing electric fence for properties zoned industrial. He explained that his business, GT Tow, has been broken into two times with someone cutting his chain link fence and gaining entry. He noted that he would like to install electric fence inside his chain link fence.

Kristine Bunch 18608 Primrose Street, spoken to the Board concerning K-9 dogs. She explained that there is an organization in St. Louis that trains the K-9 dogs that has five dogs available at this time at no charge. She noted that the dogs would come fully trained with their equipment and she would like the City to consider getting one of the dogs and training one of the officers so we could have a k-9 unit here in Smithville.

Kristine Bunch, Zuma's Mobile Pet Grooming, 507 South US 169 Highway, noted that she knew that the Police Department was raising money for a drone and donated \$100.

Robert Doleshal, 161 Stonebridge Lane, representative for the Stonebridge HOA, spoke to the Board concerning the land the School District bought for the location of the bus barn. He noted that he had been trying to obtain information about this from the City and from the School District and had not received any answers. He noted that Stonebridge also has flooding issues due to a holding pond the school built.

Mayor Boley and Cynthia both explained that the City does not issue building permits for the School District, and we do not do inspection on their property or their buildings.

Mayor Boley told Mr. Doleshal that he and Cynthia would meet and visit with him after the meeting to discuss this.

Cynthia noted that the City will be hosting open houses for stormwater planning November 28 from 5-7 p.m. and December 6 from 5:30-7 p.m. at the Senior Center.

12. New Business from the Floor

Alderman Russell noted he would like the electric fence for security for industrial purposes.

Alderman Hartman also noted he would like the Board to look at the electric fence issue.

Alderman Russell asked that the Board look at the feasibility of a K-9 dog for the Police Department.

Alderman Chevalier noted that the meet and greet that he and Alderman Russell held for the public went well and championed the other Board members to do the same.

13. Adjourn

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

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:40 p.m.


Linda Drummond, City Clerk


Damien Boley, Mayor