



City of Smithville, Missouri
Board of Aldermen – Regular Session Agenda
June 21, 2022

7:00 pm – City Hall Council Chambers and Via Videoconference

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.

For Public Comment via Zoom, please email your request to the City Clerk at ldrummond@smithvillemo.org prior to the meeting to be sent the meeting Zoom link.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Proclamations**
 - **Parks and Recreation Month**
 - **Honoring the Smithville High School Girls Soccer Team**
4. **Consent Agenda**
 - **Minutes**
 - June 7, 2022, Board of Aldermen Work Session Minutes
 - June 7, 2022, Board of Aldermen Regular Session Minutes
 - **Finance Report**
 - May 2022
 - **Resolution 1077, City Surplus**
A Resolution approving the sale of surplus City property.
 - **Resolution 1078, Leak Adjustment**
A Resolution approving a leak adjustment of \$249.91 for residential utility billing customer, Julie McCullough for her April and May 2022 utility bill.
 - **Resolution 1079, Leak Adjustment**
A Resolution approve a leak adjustment of \$40.08 for residential utility billing customer, Alan Nelson for his May 2022 utility bill.
 - **Resolution 1080, Authorizing ARPA Grant Submission for Water Infrastructure**
A Resolution authorizing the submittal of an application for state funding of improvements to the City's water infrastructure.
 - **Resolution 1081, Acknowledgement of ARPA Grant for Wastewater Infrastructure**
A Resolution authorizing the submittal of an application for state funding of improvements to the City's wastewater infrastructure.
 - **Resolution 1082, Appointment – Alternate Prosecuting Attorney**
A Resolution approving the appointment of John Creagar as Alternate City Prosecutor.

Join Zoom Meeting
<https://us02web.zoom.us/j/81095152863>
Meeting ID: 810 9515 2863
Passcode: 236738

- **Resolution 1083, Temporary Liquor License**

A Resolution issuing a temporary liquor license to Eric Craig Real Estate team for "Festiville" to be held in the downtown courtyard on Saturday, August 13, 2022.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

5. Committee Reports

Planning and Zoning Commission

6. City Administrator's Report

ORDINANCES & RESOLUTIONS

7. Bill No. 2943-22, Agreement with MoDOT – 2nd Reading

An Ordinance authorizing the Mayor to sign an agreement with Missouri Highways and Transportation Commission to place a communications antenna on the water tower at 169 Highway and Amory Road. 2nd reading by title only.

8. Bill No. 2945-22, FY2022 Budget Amendment No. 4 – Emergency Ordinance Sponsored by Mayor Boley – 1st and 2nd Reading

An Ordinance amending the FY2022 budget for projects in the Combined Water and Wastewater Systems (CWWS) Fund and for the Capital Projects Fund. 1st and 2nd reading by title only.

9. Bill No. 2946-22, Rezoning Wait's Acres – Emergency Ordinance Sponsored by Mayor Boley - 1st and 2nd Reading

An Ordinance approving rezoning Wait's Acres, from B-3 to R-1A. 1st and 2nd reading by title only.

10. Bill No. 2947-22, Creating a Donation Fund – 1st Reading

An Ordinance approving the creation of the Donation Fund to hold the donations for the intended purpose. 1st reading by title only.

11. Bill No. 2948-22, Rezoning 211 North Bridge Street - 1st Reading

An Ordinance approving rezoning 211 North Bridge Street from R-3 to B-4. 1st reading by title only.

12. Bill No. 2949-22, Rezoning Dibbens Estate – 1st Reading

An Ordinance approving rezoning Dibbens Estate at 13916 North Virginia, from A-1 to A-R. 1st reading by title only.

13. Resolution 1084, Award Bid No. 22-17, Aerobic Digester Improvements

A Resolution awarding Bid No. 22-17, to David E. Ross Construction Company in an amount not to exceed \$491,900 for improvements to the aerobic digester at the wastewater treatment plant.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

Pursuant to the public comment policy, a request must be submitted to the City Clerk prior to the meeting. When recognized, please state your name, address and topic before speaking. Each speaker is limited to three (3) minutes.

15. Appointment

The Mayor will nominate appointments to the TIF Commission and the Board will vote:

Steve Sarver

Melissa Wilson

Alicia Neth

Deb Dotson

Adam Royds

Karic Brown

16. 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.

17. Adjourn

Planning Calendar





Proclamation

Designation of July as Park and Recreation Month

WHEREAS parks and recreation is an integral part of communities throughout this country, including the City of Smithville; and

WHEREAS parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimers; and

WHEREAS parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS parks and recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS park and recreation programming and education activities, such as out of school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Smithville recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, BE IT RESOLVED THAT I, Mayor Damien Boley and the Board of Aldermen declare that July is recognized as Park and Recreation Month in the City of Smithville

By _____
Damien Boley, Mayor
City of Smithville





PROCLAMATION

Honoring Smithville High School's Girls Soccer Team

WHEREAS, the hard work, dedication, sportsmanship, talent and exceptional team chemistry of the 2021-2022 Smithville High School girls' varsity soccer team has enabled these student athletes to earn third place at the Class 3 Soccer Final Four by defeating Ursuline Academy with 3-0 penalty kicks after the game finished 1-1; and

WHEREAS, the 2021-2022 Smithville High School girls' varsity soccer team ended the season with a record of 25 wins and only 4 losses; and

WHEREAS, these four high school senior players: Isabela Barrow, Emma Becker, Maggie Kruse, Isabella Silvio, and these nine juniors players: Jessica Baker, Katelyn Burkhart, Abigail Crim, Alayna Edwards, Hanna Heath, Sophia Larson, Ava Mensik, Isabella Vaca, Sydney Weers, and these four sophomore players: Brooklyn Edwards, Kaitlyn Melford, Sophia Townsend, Zoe Yim, and these three freshman players: Avery Maynes, Tayler Speer, Peyton Wohlford, have all represented themselves, their families, their school and their community proudly; and

WHEREAS, the team was coached by Head Coach Jonathan Reed and Assistant Coaches James Watt, Junior Varsity Assistant Couch and Megan Klein, Freshman Assistant Coach along with the parents, faculty and student body at Smithville High School were integral in their unwavering support;

NOW, THEREFORE, I, Damien Boley, Mayor of the City of Smithville, do hereby recognize and heartily congratulate Smithville High School Warriors Girls Soccer Team on its outstanding accomplishment.

IN WITNESS WHEREOF, I, Damien Boley, have hereunto set my hand and caused to be affixed the great seal of the City of Smithville, Missouri, on this 21st day of June 2022.

By _____
Damien Boley, Mayor
City of Smithville



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Administration

AGENDA ITEM: Consent Agenda

REQUESTED BOARD ACTION:

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

- June 7, 2022, Board of Aldermen Work Session Minutes
- June 7, 2022, Board of Aldermen Regular Session Minutes

Finance Report

May 2022

Resolution 1077, City Surplus

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Resolution 1078, Leak Adjustment

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Resolution 1080, Acknowledgement of ARPA Grant for Water Infrastructure

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Resolution 1081, Acknowledgement of ARPA Grant for Wastewater Infrastructure

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Resolution 1081, Appointment – Alternate Prosecuting Attorney

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Resolution 1082, Temporary Liquor License

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SUMMARY:

Voting to approve would approve the Board of Alderman minutes and Resolutions.

PREVIOUS ACTION:

N/A

POLICY ISSUE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

☐ Ordinance

☒ Resolution

☐ Staff Report

☒ Other: Finance Report

☐ Contract

☐ Plans

☒ Minutes

SMITHVILLE BOARD OF ALDERMAN

WORK SESSION

June 7, 2022, 6:00 p.m.

City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 6:00 p.m. A quorum of the Board was present: Kelly Kobylski, John Chevalier, Dan Hartman, Ronald Russell and Marv Atkins. Dan Ulledahl was absent.

Staff present: Cynthia Wagner, Anna Mitchell, Chief Jason Lockridge, Stephan Larson, Matt Denton, Jack Hendrix and Linda Drummond.

2. Discussion of Utility Billing and Shutoff Process

Stephen Larson, Finance Director, presented the current utility bill and shutoff process and staff recommended changes.

Review - Disconnection Policy

At the end of the February 15, 2022, Regular Session meeting, the Board received a staff report from the Finance Department regarding the current procedure for utility disconnection, annual disconnection statistics & fee revenues, and comparable city disconnection policies. The Board reviewed the information from the staff report and received public comment from two different individuals expressing their thoughts on disconnection and payment policy.

As a reminder, this table outlines the City of Smithville's current billing procedures:

Utility Bill is Produced (Emails or Mailed)	1st of Month. Bills may take 3-5 days or longer to reach customer via USPS
ACH Auto-Debit for Bills	12th : ACH Accounts Provided to Bank, 15th : Drafting of Accounts Completed
Utility Bill Payment Due	1 st Business Day Following the 16th
Late Fees (10% of Total Account Balance) Applied	1 st Business Day Following the 21st
Final Calls for Bill Payment	1 st Business Day Prior to Shutoff/Disconnect
Disconnections for Accounts	1 st Business Day Following the 26th (Unless This Falls on a Friday or Before a City Hall Holiday Closure)

This current timetable means when the utility customer receives their bill, they have **15-25 days from first reception of the bill** (depending on whether it is mailed or emailed) to pay the bill until disconnection will occur for accounts over \$75. The speed of mail by USPS plays a role in timely reception of the bill.

Utility reads occur around the timeframe of the 26th to the 31st depending on where holidays and weekends fall. The three biggest holidays are Thanksgiving, Christmas, and Memorial Day.

During the session, the Board provided comments on the City's utility disconnection policy. Overall, Aldermen showed support for the following ideas:

- Extending the time between the utility bill due date and utility service disconnection date
- Increasing the disconnection threshold which triggers disconnection
- Reconfiguring the reconnection fee (for those who are disconnected for non-payment) to a "tiered approach" (recommendation sourced from Finance Committee)
- Create specific exceptions to the disconnection policy and outlining them in the utility billing policy manual.

CWWS Fund Cashflow Discussion

During discussion with the Board of Aldermen, the Finance Director raised issues about extending the timeline until disconnection occurs the relationship this extended timeline would have on the cashflow of the fund.

The City bills just over **4,100** accounts every month. About **90%** of account holders pay on time (with about 350-400 late payment notifications going out every month). This means 90% of the customer base is paying on time and would not be affected by the change in the disconnection policy. The cash flow from this segment of customers *is anticipated to remain stable and would continue to pay bills on time.*

The CWWS fund receives 90% of revenue from the sale of water and wastewater (both fixed monthly charges and volumetric usage charges). Over time, the CWWS Fund has grown in both revenues and expenditures. The fund currently has a reserve policy of holding 20% of budgeted expenditures in reserves (in case of financial instability or emergency). Currently, the fund has more than 90 days of cash on hand and with staff evaluating and noting that 90% of the utility customer base pays on-time, cashflow is not necessarily a large concern for extending the disconnection policy.

Staff Recommendation on Disconnection Policy Timeline and Utility Billing Procedures

Staff is recommending implementing a 30-day timeline (plus 10 days "pending disconnect status") policy for utility disconnection. The policy would operate on the following actionable schedule:

Bill is Produced (Emails or Mailed)	1st of Month. Bills may take 3-5 days to reach customer via USPS
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ACH Auto-Debit	12th: ACH Accounts Provided to Bank, 15th: Drafting of Accounts Completed
Utility Bill Payment Due	1 st Business Day Following the 16th
Late Fees (10% of Total Account Balance) Applied	1 st Business Day Following the 21st
Final Calls for Payment	1 st Business Day Prior to Shutoff/Disconnect
Disconnections for Accounts	1 st Business Day Following the 10th of the Next Month (Unless This Falls on a Friday or Before a City Hall Holiday Closure)

Disconnect Threshold Discussion

Currently, the City implements a \$75.00 utility disconnection threshold. This means utility customers can always carry a balance of up to \$74.99 balance avoid disconnection of service. Some lower usage customers (for example, those who average less than 2,000 gallons a month) will carry a balance each month. The average utility bill is about \$110 a month. Staff is looking for feedback from the Board of increasing the threshold *from \$75.00 to \$100 for disconnection* (meaning utility customers could always carry a balance of up to \$99.99). The \$75.00 is set because of the short-turnaround time in disconnection timeline.

Recommendation on Scaling the \$50 “Reconnection” Charge

Staff performed comparison research on the reconnection fees charged by surrounding cities. Staff also discussed how reconnection charges for disconnect occurred and concluded that a bulk of disconnections are for repeat offenders. In addition, staff brought forward the research (provided on February 15 to the Board) to the Finance Committee for consideration. Using information gathered from Weston, Missouri’s reconnection charge philosophy, staff is recommending this scaled disconnection/reconnection charges schedule:

1 st Time Disconnection	\$0.00 – Reconnection Charge
2 nd Time Disconnection	\$50.00 – Reconnection Charge
3 rd Time or More Disconnection	\$100.00 – Reconnection Charge

This disconnection and reconnection fee philosophy is quite unique and puts an emphasis on lessening the financial burden for first time offenders and burdening repeat offenders. With this policy, repeat offenders would certainly carry the greatest burden as they would incur a \$100 reconnection fee for a third disconnection of service for non-payment.

One of the keys to this philosophy is allowing customers to make their own improvements in paying their utility bills on-time. Therefore, part of this recommendation is to include the element of having a "clean slate" after a designated amount of time. In putting this into action, this disconnection tally would be reset every three years meaning once the three-year period come and has passed, everyone is given a "clean slate" with no disconnections. Of course, all time disconnection records, and history would still be reviewable by utility staff.

To better understand how this process works in other Cities, staff spoke with utility administration in Weston, MO over the phone regarding the disconnection policy. The staff at Weston described how the process was performed manually and the number of disconnections were tracked individually within the customer accounts. Weston has a fraction of the amount of utility accounts compared to Smithville (just 800 customer accounts exist in Weston). Weston noted that very few people are disconnected each month (about three to five customers). Every two years, Weston resets the disconnection tally.

The City's ERP (Enterprise Resource Planning) System (INCODE 9) has the capability to post different reconnection charges to utility accounts according to the number of times the account has been cutoff. This gives staff the capability to assign a different reconnection charge to those accounts with first time disconnections offenses, second time offenses, and third time offenses (or higher). Overall, the aim of introducing such a philosophy is to help instill behavior of on-time bill pay.

Staff also reviewed surrounding City reconnection charges. In this research, it was noted the reconnection for these comparable/surrounding Cities are primarily set at the \$25 and \$50 fee level with some cities charging between these amounts. Staff is not proposing any changes to the \$50 *reconnection charge amount* in the Schedule of Fees process other than introducing the scaled disconnection/reconnection charges for first, second, and third time disconnect offenders.

Alderman Atkins asked when the three years would start.

Stephen explained that the three-year clock would start when a policy is adopted.

Alderman Atkins asked if each customer would be on their own three-year clock?

Cynthia explained that everyone will be on the same three-year clock.

Stephen explained it would be easier to have everyone on the same three-year clock for consistency for staff.

Cynthia explained that it would also depend on the limitations of our finance system as to whether we could set it up by individual account.

Alderman Kobylski asked if the system would be able to track the \$0, \$50, \$100 for the reconnection charge?

Stephen explained that he is currently working with Incode to make sure they have the capability to do that. He noted that even though Weston does it manually they only service 800 accounts and we service 4,100.

Alderman Kobylski noted her concern would be if the system could not do the three-year clock per account, it might not be able to process the tier reconnection fee.

Cynthia said that is something staff will have to make sure we can do. She explained that this is not something staff is looking for recommendations for tonight, it would be implemented with the FY2023 budget. Staff needs time to make sure that all of the Board directed processes are going to work.

Alderman Russell asked why the three years and not two and if it was a financial reason?

Stephen explained that at the February meeting staff provided information on the disconnect revenues we currently bring in and it is around \$25,000 to \$40,000 which is a low percentage to the overall fund revenue. He said that the difference between the two to three years on a revenue impact would be pretty nominal. He noted that if the Board is in favor of implementing the clean slate reset every two- or three-years staff is not opposed to the two year.

Alderman Russell noted it would just be one less year to have to track it and might be worth looking into. He also asked if Incode was fixed for the current utility billing process?

Stephen explained that they were able to fix the issue and assist us with billing, so bills were able to go out the first of this week.

Alderman Russell asked if it was resolved and will not happen again?

Stephen said they were able to get it resolved but staff will continue to work with Incode to make sure that the bills are sent out on time.

Alderman Russell asked if adding the additional 14 days would it fix issues such as the customer who came before the Board because he was disconnected when we did not receive his bank issued check on time? Would it have been resolved so he would not have had to come before the Board?

Stephen explained that it should since the bank issued check was received shortly after the disconnect date.

Alderman Chevalier asked for clarification on the "clean slate" three-year clock. He asked if someone has been disconnected two and a half years into the three years, they would only have to wait six months before the clock resets?

Stephen said that yes, they would only have six months before the clock resets.

Alderman Chevalier said he did not know if he agreed that process. He preferred we find a way to use a rolling calendar.

Stephen noted that it is a unique policy and that staff only found one city that is using it.

Alderman Chevalier stated that he also did not care for the tiered reconnect fee policy.

Alderman Russell agreed with Alderman Chevalier that he preferred the rolling calendar. He also noted that he could see having the policy reflect \$0 for the first offense but then be charged the same amount for the reconnect for every incident after not the tier.

Alderman Chevalier agreed that the first occurrence should be \$0 for the reconnect fee and the additional occurrences be charged the reconnect fee.

Mayor Boley suggested we not to have the "clean slate" policy unless the software can do the rolling calendar.

Alderman Kobylski said that in her option a repeat offender should not receive the "clean slate".

Cynthia asked for Board clarification would they want a tiered reconnect fee \$0, \$50 \$100 and no clean slate?

Alderman Kobylski said that was her thoughts.

Alderman Chevalier noted that he was thinking \$0 for the first then it goes to \$100 for additional reconnect fees. He explained that he was thinking we would continue with the same process we have now but only push back the disconnect date to the next month. For instance, if by the next month billing due date if they were still in the rears they would be disconnected.

Mayor Boley noted that this would give residents the opportunity to receive another bill that would show that they are late on the prior months bill.

Alderman Chevalier said that would give them another month to get their bill paid and if not paid then they would get disconnected. He noted that was the process a lot of the other cities used and feels that we should also.

Stephen asked for clarification on the disconnect dates.

Alderman Chevalier explained he would like to see the date be moved to the 16th of the following month, if they have not paid their prior months bill by then that is when they would get disconnected.

Alderman Russell asked Alderman Chevalier if he was wanting the first reconnect to be \$0 then charged the \$100 reconnect fee for every time after that?

Alderman Chevalier said yes and that \$100 reconnect fee might help offset any losses that we might receive by extending the disconnect date.

Alderman Russell agreed with that process.

Alderman Atkins asked if staff knew if our Incode software would be able to automatically reset after a couple of years, should staff still keep track of the repeat offenders?

Stephen noted that he is still working with Incode he knows the system is capable of keeping track of how many times someone has been disconnected but does not know yet if it is capable of the “clean slate”.

Alderman Atkins said that he does like the idea of the “clean slate” after a couple of years of showing that they can pay their bills on time.

Alderman Chevalier said he like the “clean slate” but is afraid people would take advantage of the system.

Alderman Russell suggested that it be put back on the customer to be the one to come back to the city after the two- or three-year time period and have to ask for the “clean slate” reset.

Cynthia noted that the only concern with this is staff will have to check with Incode on the procedure, it could potentially create another step in the process and staff could potentially make an error. She explained that was why staff looked at an overall calendar instead of a rolling calendar.

Alderman Kobylski said that she like the three-year time period before giving the “clean slate”. If it can be done in the software.

Establishing “Disconnection and Reconnection Fee Exceptions” in the Utility Billing Policy Manual

Staff has compiled scenarios in which disconnection of service is not warranted. These scenarios have been considered based upon previous experiences and situations noted by staff. Staff is proposing to specifically outline these following exceptions in the City’s Utility Policy Manual. The justification for these exceptions is described in the bullets below:

- **Deceased or Incapacitated Utility Customer:** Staff is recommending an exception to the reconnection fee in the unfortunate event of a deceased or incapacitated customer. In providing for this exception, the policy manual would outline a requirement for the City to receive a copy of the death certificate or records of incapacitation of the utility customer (account holder) in to waive the reconnection fee upon disconnect.
- **Financial Assistance for Utility Customer:** Staff is recommending an exception to disconnection of service in the case of having a utility customer applying for and receiving financial assistance. Some agencies which are providing financial assistance have delays in providing payment. To prevent disconnection of service for the customer, the City would require a promissory note or pledge which guarantees the reception of funds for the customer.

Alderman Russell asked if the City was notified that a customer is on this program?

Stephen explained that we have had a couple of different ways it has happened in the past. We have had customers notify us that they are on the program, and we have also received emails from the agencies explaining that a customers has applied

for assistance and ask for us to confirm the account balance. The agency then generates a payment for that customer.

- **“Pending” Leak Adjustment for Utility Customer:** Staff is recommending an exception to disconnection of service in the case that staff has acknowledged a utility customer working with the City to determine or fix a leak. In the case of a leak, the customer has likely incurred a significantly higher utility bill due to increased usage from the leak. To accommodate this large bill and provide time for the approval of a leak adjustment by the Board of Aldermen, staff is proposing an exception to disconnection for such a customer. In addition, these customers will typically select the option of a utility contract which makes repayment of the utility bill more affordable.

Late Fees Discussion

Finance staff also performed research on what comparable and surrounding City’s practiced in terms of applying late fees to past due account balances. Many cities, if not almost all, applied late fees in the amount of 10% of the account balance. The City of Smithville currently applies late fees in the amount of 10% of account balance.

With the average Smithville utility bill rounding to about \$110, the average 10% late fee is equal to about \$11. For a significant amount of utility customers, paying the bill on time and avoiding the late fee is a major detractor from incurring a delinquent status. As stated previously, about 90% of customers pay on-time.

Below is staff’s research of late fee policies currently implemented by other communities:

Jurisdiction	Late Fee Policy
Liberty, MO	10% Penalty
North Kansas City, MO	10% Penalty
Gladstone, MO	5% Penalty (With \$2.50 Minimum)
Excelsior Springs, MO	10% Penalty
Kansas City, MO	6% Penalty
Kearney, MO	10% Penalty
Parkville, MO	10% Penalty (Current Bill), 3% Penalty (Previous Balances)
Platte City, MO	10% Penalty
Raymore, MO	10% Penalty

Oak Grove, MO	10% Penalty
Grain Valley, MO	10% Penalty
Blue Springs, MO	10% Penalty

Alderman Russell asked if the penalty is based on the total of the account balance?

Stephen explained that the penalty goes on the total balance of the account 20 days after the bills are created.

Board Feedback and Direction

Staff would like feedback from the board on the options and recommendations provided by staff. This would include the following:

- Changing the disconnection date from the 1st business day following the 26th of the month to the 1st business day following the 10th of the month (allowing for an additional 14 days until disconnection occurs).
- Increasing the disconnection threshold which triggers disconnection from \$75 to \$100.
- Reconfiguring the reconnection fee (for those who are disconnected for non-payment) to a “tiered approach” (recommendation sourced from Finance Committee).
- Creating specific exceptions to the utility billing disconnection policy (deceased/incapacitated utility customer, financial assistance, and leak adjustments)

Staff recommends implementing the Board’s preference on utility disconnection (if any changes occur) on November 1, 2022. This would work in conjunction with any Board approved changes to the Schedule of Fees.

Cynthia asked for clarification from the Board for their recommendations.

- Changing the disconnection date - 1st business day following the 10th of the next month to the first business day after the 16th of the following month.

The Board agreed.

- Changing the disconnection threshold increasing it from \$75 to \$100.
- The tiered reconnect fee looking at it only if Incode can process it on a rolling calendar.

Alderman Chevalier said that the tiered approach is fine but to only do the \$0 and \$100.

Alderman Kobylski and Alderman Atkins both preferred the \$0, \$50, \$100 tier approach.

Alderman Russell and Alderman Chevalier both said that they would agree with that.

Cynthia asked if Incode software is able to do the rolling calendar would the Board prefer three year or two year?

Alderman Kobylski said three year.

Alderman Russell said if we can roll it, then three years with the \$0, \$50, \$100. If we cannot roll the calendar then two years with the \$0 and \$100, depending on what the software can do.

Alderman Atkins asked if the \$100 threshold was for water only or the total bill?

Stephen explained that it is for the total bill, sewer, water and trash.

Alderman Hartman suggested raising the threshold to \$110 since that is the average of the household bill.

Alderman Atkins said he would hate for water be disconnected due to a trash bill.

Cynthia explained that it is the total of the entire bill.

Alderman Atkins agreed that the threshold should be raised to the average of \$110.

Alderman Chevalier asked if someone does not pay their bill and gets their water shut off do, they also get their trash collection stopped?

Stephen explained that staff does not reach out to GFL immediately, trash will continue for a month or so. If the bill still goes unpaid that is when staff will reach out to GFL to pause the service.

Alderman Chevalier agreed that the threshold should be raised to \$110.

Alderman Kobylski noted that with extending the timeline for paying the bills the customer could at least pay some of it to keep it under the threshold for disconnect. She said the threshold should be \$100.

Cynthia asked if the Board wanted to ensure that the exceptions where also added to the policy?

The Board agreed.

3. Discussion of Event Permit Application

Matt Denton, Parks Director, present the current event permit application and the staff recommended changes.

Starting in the summer of 2021 the special events process was transferred to the Parks and Recreation Department. Between the summer of 2021 and the start of 2022, staff evaluated the special event process and implemented changes. Beginning January 1, 2022, our department changed how the special event application process worked. Staff talked with other communities and took what we thought was best practice and put it into an application. Staff would like to take the Board of Alderman though the

application process and discuss any recommendations the Board may have to assist in Board review of applications.

The application process is outlined below.

1. Event organizer reaches out with questions and request information/application.
 - a. This is not necessarily needed. The application is located on our [website](#) for public access and can be downloaded and completed without staff's assistance.
2. Staff sends the application that provides information. We let them know that before the application is turned in, it needs to be completely filled out with as much detail as possible. Once they feel that it is completed, they can turn the application into City and pay the \$25 application fee.
3. Once the application fee has been paid, staff will start the process of reviewing that application. Staff that reviews the application are Matt, Brittanie, and Chief.
 - a. Areas that have to be completed immediately are: Event Name, Location, Date, Times, Size, Applicant's Information, Event Description, Event Type, Detailed Map, Parking Plan, Security Plan, Restroom Plan, Clean Up Plan, Any Road Closures, Staff Support Need, Will Alcohol Be Served,
 - b. Items that can wait are: Vendors, Insurance, Utility Connections, Performance List.
 - i. These items take time to get confirmation and does not affect the application process. We do require these items closer to the date of the event.
4. If an event does not have alcohol or need street closures the approval is handled by the Parks and Recreation Department internally.
5. If an event does not have alcohol but needs street closures the approval is handled by the Parks and Recreation Department and Police Department. Special Events that require street closures need to be approved by Chief. He is looking to make sure traffic can detour around the event and that there are no dead ends.
6. If an event does have alcohol, road closures and have any special request, the approval is handled by the Board of Alderman. Due to state requirements, Alcohol Permits require City approval. Once approved they receive a letter by staff that they can turn into the state.
7. Large events that usually have alcohol, road closures and have any special request require in-person meetings with City Staff before anything is brought to the Board for approval. This helps make sure all parties are on the same page and staff feels we have all the information needed to help guide the Boards decision.
8. Once the application is approved, the date does not go into the calendar until payment is received.

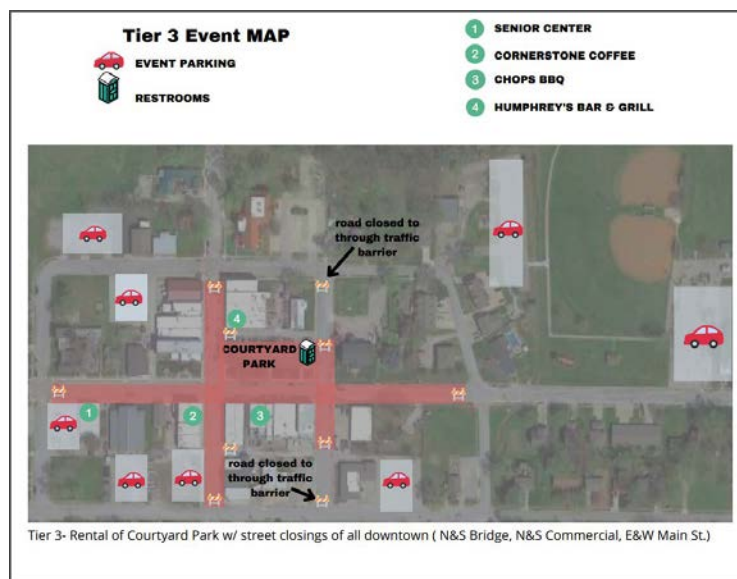
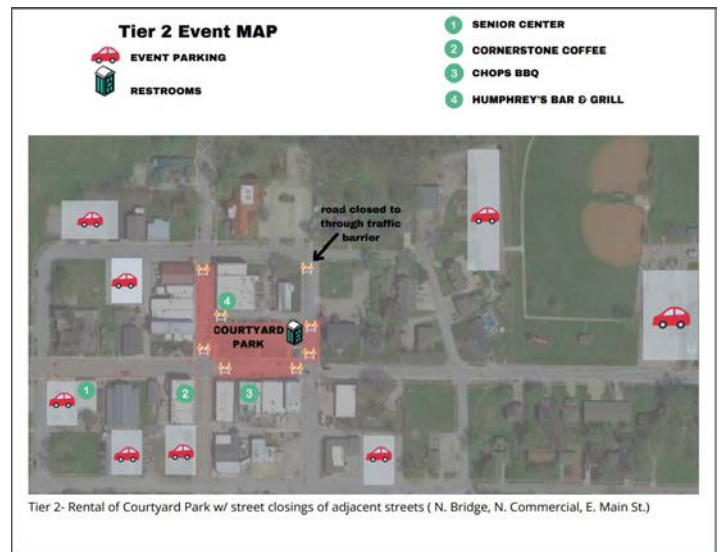
Staff is looking for feedback from the Board on the application, the application process, and associated fees.

On June 21 staff will be proposing a fee separate from the special event fee (\$100/Per Day + \$200 Deposit) for parades. Currently there is no charge for a parade. For parades, the organizer goes through a similar process as if they were having a downtown event. The Parks and Recreation Department and Police Department met to

discuss the route, road closures, and time. If the parade gets approved, they are good to host the parade. Staff feels that there should be a fee associated with parades for the time spent, the closures of roads, clean up, and police assistance during that parade.

Also on June 21, staff will be presenting three tiers for special events regarding road closures. The hope is to be more consistent with events regarding closing of streets downtown. Staff wants to make sure businesses have appropriate access for staff and deliveries, as well as if streets that do not need to be closed, can remain open and traffic can flow smoothly.

Please see the tiers below:



Matt asked for Board feedback on the application or the application process.

Alderman Russell asked if any and all security policies go through Chief Lockridge and his team for approval?

Matt explained that all security does go through Chief Lockridge and that he and his team are heavily involved in that process.

Alderman Russell asked what the dollar amount of the fees for the events is for the City annually based on the fee schedule that we currently use?

Matt explained that the current fees were set in November 2021 so staff will have a better total at the end of 2022.

Matt explained that the new maps were created to give more information and help with the previous issues and incomplete applications.

Alderman Russell noted that he liked the new maps and that they will help define the layout of the downtown and help with closures.

Matt explained that at a previous meeting the Board asked for staff to figure out the best way for road closures and for people to get through especially the alleyways for business access for their staff and for deliveries.

Alderman Russell asked if we put out signage that says road closure and what dates?

Matt explained that staff is working with the Main Street District in trying to come up with the best way to inform the businesses downtown of the events.

Alderman Hartman noted that he appreciated the tiered approach for the maps and that they will help establish consistency. He also said that he liked charging a fee for parades. He explained that people lose site of how much time city staff dedicates to the events.

Utility Billing

Cynthia recommended that since our billing system had a glitch this month and bills did not go out on the normal day, the due date for the bills be pushed back.

Stephen explained that the procedure for billing each month is the bills are produced on the first of the month and they are received by residents shortly after by email or by mail. This month the bills were produced on June 3, which is two to three days after they are typically produced. Staff is recommending pushing the due date back three or four days for this month only to allow residents some additional time to pay.

Alderman Atkins suggested that this be put in the policy for future incidents like this.

Stephen said that staff would write up a policy on this issue.

Mayor Boley asked if the Board were in agreement to push the date back this month and have staff write a policy for future incidents.

The Board all agreed.

4. Adjourn

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared the Work Session adjourned at 6:55 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

SMITHVILLE BOARD OF ALDERMEN REGULAR SESSION

June 7, 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 7:01 p.m. following the Work Session. A quorum of the Board was present: John Chevalier, Kelly Kobylski, Ronald Russell, Marv Atkins and Dan Hartman. Dan Ulledahl was absent.

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

2. Pledge of Allegiance led by Mayor Boley

3. Proclamations

June 15 World Elder Abuse Awareness Day
Mid-America Regional Council (MARC) Celebration 50 Years



Figure 1 - Mayor Boley presented the MARC 50 Year Proclamation to Fran Lenk

Both Proclamations will be posted on the City's FaceBook page and Nextdoor.

4. Public Hearing - Smithville TIF Marketplace

Mayor Boley called the public hearing for the Smithville TIF Marketplace to order 7:03 p.m.

No Public Comment.

Mayor Boley declared the public hearing adjourned at 7:03 p.m.

Stephen Larson, Finance Director presented the five-year Smithville TIF Marketplace report.

Smithville Marketplace TIF District Overview

- The Smithville Marketplace TIF Plan was adopted by the Board of Aldermen (Ordinance #2969-17) on **August 1, 2017**.
- The plan identified a redevelopment area of approximately 66.3 acres located between Cliff Drive and U.S. Highway 169.
- Previously, this site was commercially developed in 2009 as a large-scale multi-tenant retail site. Unfortunately, by 2011, the development did not have occupants and was foreclosed upon.
- The Smithville Marketplace TIF Plan included *specific projections* on estimated Assessed Valuation, estimated PILOTs, and estimated Economic Activity Taxes (EATS) based upon the types of businesses planned in the redevelopment area. A tractor and supply store, which was initially planned for the TIF, *is not located in the TIF redevelopment area*.

Smithville Marketplace TIF Active and Future Businesses

Scooter's Drive-Thru Coffee

Taco Bell

Domino's Pizza

Cosentino's Price Chopper

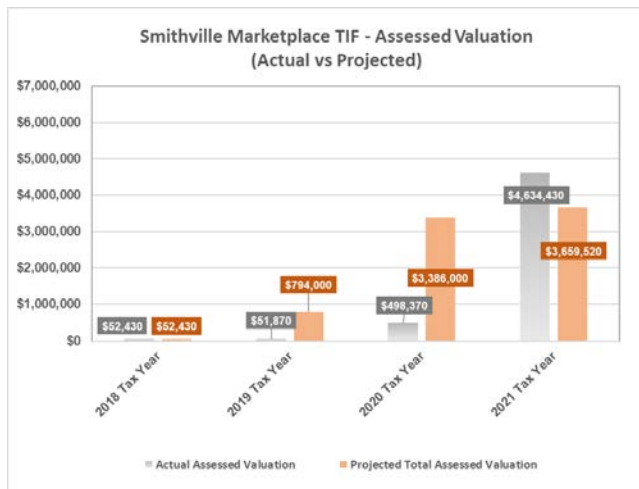
Porter's Ace Hardware Store

Burger King

Jimmy John's (coming soon)

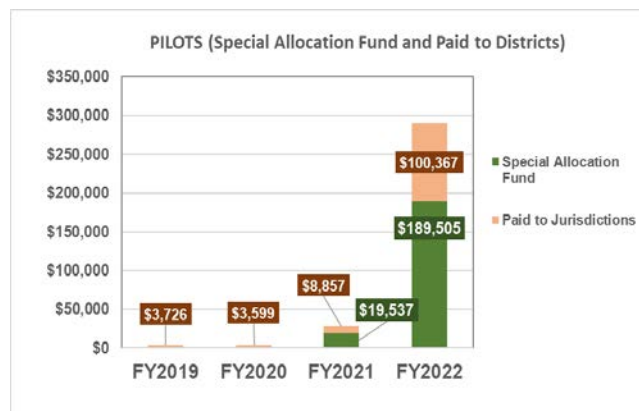
Dentistry at Marketplace

Smithville Marketplace TIF Assessed Valuation (Actual vs Projected)



The projected total assessed valuation figures were established by the developer in the TIF Plan.

PILOTS (Payments in Lieu of Taxes) Collected

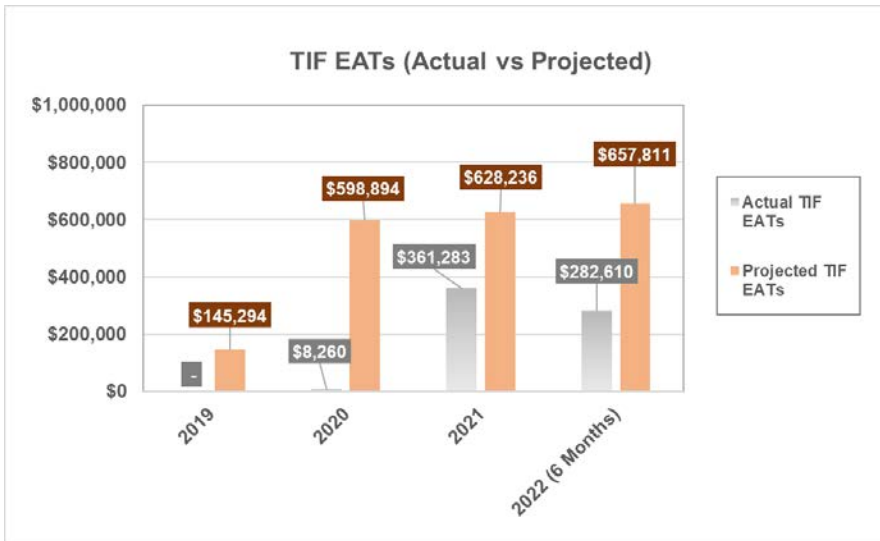


Tax Year 2018 & 2019 AV: \$52,430 & \$51,870. Jurisdictions received the base property tax in **FY2019** and **FY2020**.

Tax Year 2020 AV: \$498,370. This growth in AV became the basis for increased property tax revenues in **FY2021**.

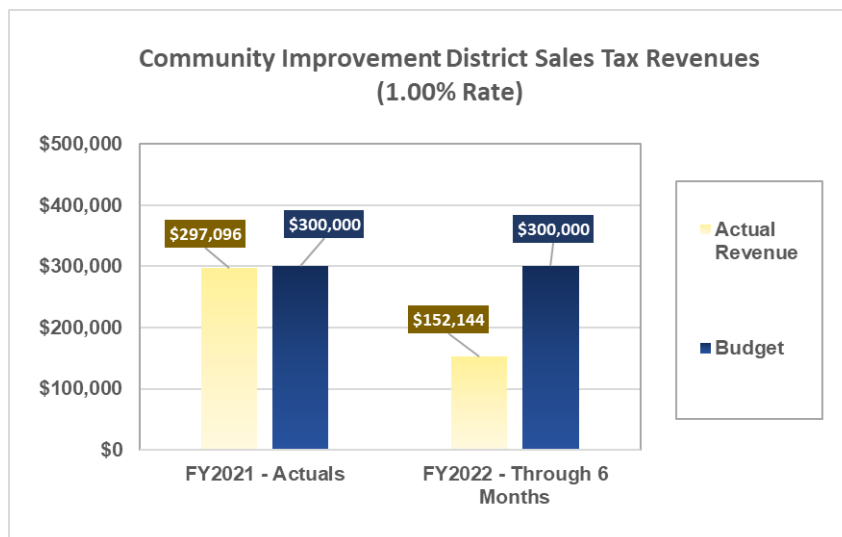
Tax Year 2021 AV: \$4,634,430. This became the basis for property tax revenues in **FY2022**. Jurisdictions receive the base property tax amount plus the tax increment amount based upon the "subject to TIF percentages" outlined in the TIF Plan.

EATs (Economic Activity Taxes) Collections (Actual vs Projected)



The projected Economic Activity Taxes figures were established by the developer in the TIF Plan.

CID (Community Improvement District) 1% CID Sales Tax Collected



The FY2021 and FY2022 budget figures are sourced from the annual CID Budget approved by the CID Board

5 Year Report Conclusion

- Modern and attractive businesses have opened in the redevelopment area which has increased Smithville's commercial presence.
- Assessed valuation is tracking above the TIF Plan projections after initial delays in opening businesses.
- Given the current status of the redevelopment area and the businesses located in the area, sales tax performance is meeting expectations. Economic Activity Taxes (EATs) are being collected from both the City and the other applicable taxing authorities and are being distributed into the Special Allocation Fund.

- CID Sales Tax performed well in the first fiscal year and staff is noting growth in the CID sales tax revenues in the second fiscal year as new businesses have opened in the redevelopment area.
- While planned businesses were not constructed in the anticipated timeframe, the project concept plan has been completed (Grocery Store, Hardware Store, Pad Sites).

Cynthia noted that a five-year report is required by state statute. Staff intends to bring this information forward on an annual basis so that we can continue to provide an update to the Board. She explained that we are statutorily required on an annual basis to report to the Department of Revenue the activities of the TIF and that is filed annually in November.

5. Consent Agenda

- **Minutes**
 - May 17, 2022, Board of Alderman Work Session Minutes
 - May 17, 2022, Board of Alderman Regular Session Minutes
 - May 25 Board Retreat / Financial Summit Minutes
- **Resolution 1072, Acknowledging Emergency Purchase, Backhoe Repair**
A Resolution acknowledging the emergency purchase for repairs to the 2003 JBC 214 Backhoe in the amount of \$17,964.08.
- **Resolution 1073, Fireworks Event – White Iron Ridge**
A Resolution approving a fireworks event at White Iron Ridge on July 8, 2022, 9:45 p.m. to last approximately ten minutes.

No discussion.

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

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

REPORTS FROM OFFICERS AND STANDING COMMITTEES

6. Committee Reports

Alderman Atkins reported on the May 26, Economic Development meeting. The Chamber of Commerce added six new members and they are working on their BBQ Bash event. The Larson's Cruise and Volkswagen Beetle Car show both had good a turnout and they are looking forward to Lake Fest.

The City reported 50 residential permits to date for the year, the construction on the storage units is in progress, McBee's Coffee and Carwash was approved, the medical marijuana grow center is still in progress and the plans for the old hospital has been submitted and the developer is having conversations with the City.

The committee approved the updated Economic Development Incentive program it will now be presented to the Board of Aldermen at a future work session.

7. City Administrator's Report

Cynthia noted that we had to close the Splash Pad this afternoon due to a leak and it will be closed tomorrow until staff can locate and repair it.

GFL advised staff yesterday morning that bulky item trash pickup this week is going to be done a little differently. They have not been able to secure the temporary help that they normally have, so they are moving a little slowly. They will have the bulky items picked up by the end of the week, but it may be picked up in bits and pieces. Some items will be taken one time and they will come back for the others. Their full intent is to have everything picked up by close of business Friday.

Mayor Boley asked staff to inquire for the future about also placing dumpsters around town so people can drop off their items.

Cynthia said that staff could reach out to GFL and see if they have the ability to do that and if it would change any of the pricing.

At the last meeting Alderman Hartman requested that the sale of land at Courtyard Park be placed back on the agenda for further consideration. Cynthia explained that after discussion with City Attorney, John Reddoch, he advised that we reissue the RFP for the sale of the land to make sure that we go through the process and ensure that we have had ample time to review. Cynthia asked for direction from the entire Board if this is something they want to proceed with. She explained that we do not need an official vote but just the consensus of how the Board wants to proceed. She noted that staff would like direction from the Board also as to whether they would like to have the RFP posted again to entertain proposals, and if so, what timeline they would prefer. She offered two options. In either option the RFP could be posted on Wednesday, June 8. Proposals could be due either June 15 or June 29. Then the ordinance for approval could come to the Board for first reading on June 21 or July 19, with final reading on July 19 or August 2.

Alderman Hartman noted that he believes that we are always encouraged to look at businesses that would add to the sales tax revenues as well as property tax revenue. He asked if we change it from a sale to lease was the process would it need to be put back on the agenda for discussion?

Cynthia explained that if the Board wanted to change it to a lease versus a sale there would need to be further discussion. She noted that the concern about leasing the property was the serving of alcohol. If this were the direction of the Board, it would need to be discussed at a future work session.

Alderman Russell stated that he was opposed to this being placed back on the agenda. He noted that prior to him being elected to the Board, he attended meeting with other constituents that want this to be left alone for the citizens of community. He stated for the record he is opposed to this being placed on the agenda again.

Alderman Chevalier said he was not necessarily opposed to this being on the agenda again. He noted that what he would be hesitant on is selling the land. He would rather see it offered as a lease option.

Alderman Russell asked if a lease option would be a weekend or a year lease. He said that believed a weekend lease or something might be more palatable than a structure placed there for lease or even a long-term lease. He said you might as well sell it. He noted that

in his opinion of we are just going after the money, this is one that was not supported by the community.

Alderman Kobylski stated that she would like to see it back on the agenda. She said that out of all the people she has talked with only two people told her no. The majority of people that she has personally talk to you have been in favor of it of it being sold and a structure put on it.

Mayor Boley concluded that it should be put on the July work session for discussion of sale or lease of the land.

Cynthia clarified it will be put on a July 19th work session.

ORDINANCES & RESOLUTIONS

8. Bill No. 2940-22, Agreement with MoDOT for TAP Funding – 2nd Reading

Alderman Hartman moved to approve Bill No. 2940-22, authorizing and directing the Mayor to enter into an agreement with Missouri Highways and Transportation Commission for Commercial Street sidewalk. 2nd reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Alderman Hartman – Aye, Alderman Kobylski – Aye, Alderman Chevalier – Aye,
Alderman Ulledahl – Absent, Alderman Russell - Aye, Alderman Atkins – Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2940-22 approved.

9. Bill No. 2941-22, Funding Agreement with 110 Smithville, LLC – 2nd Reading

Alderman Chevalier moved to approve Bill No. 2941-22, authorizing and directing the Mayor to enter into a funding agreement with 110 Smithville, LLC. relating the consideration of a tax increment financing plan for the property located on the northwest corner of West Main Street and North Mill Street. 2nd reading by title only. Alderman Kobylski seconded the motion.

Alderman Russell asked to clarify one item on the Gilmore and Bell, PC memo dated June 10, 2021, section 99.800 item four. He noted item four stipulates that certified mail will be sent to all people whose name in general taxes preceding your pay. He asked if we have a list of those names or if we could get a list of the names?

Cynthia explained that his question is related to the process once plan is actually presented. The memo was included in the City Administrator's Report to help the Board know the review process once a plan is submitted. This action provides funds for review of the plan.

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

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2941-22 approved.

10. Bill No. 2942-22, Easement with Army Corp of Engineers – 2nd Reading

Alderman Hartman moved to approve Bill No. 2942-22, approving an easement with the Army Corp of Engineers for the raw water pump station. 2nd reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Upon roll call vote:

Alderman Russell – Aye, Alderman Atkins – Aye, Alderman Hartman – Aye,
Alderman Chevalier – Aye, Alderman Kobylski – Aye, Alderman Ulledahl- Absent.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2942-22 approved.

11. Bill No. 2943-22, Agreement with Missouri Highways and Transportation Commission – 1st Reading

Alderman Chevalier moved to approve Bill No. 2943-22, authorizing the Mayor to sign an agreement with Missouri Highways and Transportation Commission to place a communications antenna on the water tower at 169 Highway and Amory Road. 1st reading by title only. Alderman Kobylski seconded the motion.

No discussion.

Upon roll call vote:

Alderman Kobylski – Aye, Alderman Russell – Aye, Alderman Atkins – Aye,
Alderman Hartman – Aye, Alderman Ulledahl – Absent, Alderman Chevalier- Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2943-22 approved first reading.

12. Bill No. 2944-22, Sewer Easement Agreement – Emergency Ordinance Sponsored by Mayor Boley - 1st and 2nd Reading

Alderman Russell moved to approve Bill No. 2944-22, approving the Sewer Easement Agreement for a sanitary sewer main with Stephen and Karen Bliss. 1st reading by title only. Alderman Chevalier seconded the motion.

No discussion.

Alderman Atkins – Aye, Alderman Chevalier – Aye, Alderman Ulledahl – Absent,
Alderman Russell – Aye, Alderman Kobylski – Aye, Alderman Hartman - Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2944-22 approved first reading.

Alderman Hartman moved to approve Bill No. 2944-22, approving the Sewer Easement Agreement for a sanitary sewer main with Stephen and Karen Bliss. 2nd reading by title only. Alderman Russell seconded the motion.

No discussion.

Alderman Ulledahl – Absent, Alderman Atkins – Aye, Alderman Hartman – Aye,
Alderman Chevalier – Aye, Alderman Russell – Aye, Alderman Kobylski - Aye.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Bill No. 2944-22 approved.

13. Resolution 1074, Award Bid No. 22-18, Smith's Fork Campground Host

Alderman Hartman moved to approve Resolution 1074, awarding Bid No. 22-18 to Doug Elliott for Camp Host Services in an annual amount of \$17,500. Alderman Russell seconded the motion.

No discussion.

Ayes – 5, No -0, motion carries. Mayor Boley declared Resolution 1074 approved.

14. Resolution 1075, Special Event Permit, American Family Insurance

Alderman Russell moved to approve Resolution 1075, issuing a Special Event Permit to American Family Insurance, for the grand re-opening of their business on Main Street on June 23, 2022. Alderman Chevalier seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1075 approved.

15. Resolution 1076, Agreement with Superior Bowen

Alderman Hartman moved to approve Resolution 1076, authorizing Superior Bowen to complete improvements on Sixth Street in an amount not to exceed \$94,256.76. Alderman Russell seconded the motion.

No discussion.

Ayes – 5, Noes – 0, motion carries. Mayor Boley declared Resolution 1076 approved.

OTHER MATTERS BEFORE THE BOARD

16. Public Comment

None

17. Appointment

Mayor Boley nominated Adam Royds to the Economic Development Committee and the Board will vote.

By roll call vote.

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

Ayes – 5, Noes – 0, motion carries. The Mayor declared Adam Royds a member of the Economic Development Committee.

18. Update on Smithville Commons TIF Revenue Bond Issuance

Sid Douglas, Gilmore & Bell. P.C. presented an update to the bond issuance. He noted that a memo was sent to the Board on Monday, June 6.

On May 3, 2021, in the discussion with the Board of Aldermen related to the approval of an ordinance to issue the Bonds, representations were made that the Bonds would result in approximately \$1,000,000 of savings compared to paying the Developer with revenues from the project as collected ("Pay/Go"). The savings of \$1,000,000 would have been distributed to the taxing jurisdictions impacted. As a result of the current market conditions, UMB Bank, as Placement Agent ("UMB"), is unable to sell all of the Bonds originally anticipated within the limitations in the authorizing ordinance for the Bonds. This results in the Developer not receiving the full reimbursement owed to them at the time of the issuance of the Bonds and also eliminates the expected savings. Gilmore & Bell, P.C., Piper Sandler & Co., and UMB have been working on alternative options to complete this financing in the most efficient and cost-effective manner. Below is a discussion of those options:

- 1. The City can rescind the ordinance authorizing issuance of the Bonds, passed on May 17, 2022, or decide not to authorize the issuance of the Bonds at this time. This would allow for the Developer to be reimbursed on a Pay/Go basis with a maximum interest rate of 6.00%, as provided in the development agreement. Based on current revenue projections, the Developer would be paid back in December 2034 and approximately \$450,000 would remain in the Special Allocation Fund to be redistributed to the taxing jurisdictions. The City would have the option to issue bonds at a future date if market conditions were to improve.*
- 2. If the City decides to issue the Bonds, \$6,936,103 is expected to be available to reimburse the Developer from the proceeds of the Bonds. The Developer would have approximately \$4,247,975 of unreimbursed costs of the project. After making required deposits from the project revenues for required debt service, reserves and administrative costs, 100% of the excess revenues (including expected interest earnings on the moneys held in the reserve funds) generated by the project would first be distributed to the Developer to pay back their unreimbursed costs. The Developer would expect to be repaid in December 2032. After the Developer is repaid, 100% of the excess revenues (including expected interest earnings on the moneys held in the reserve funds) would then be used to pay debt service on the Bonds. The Bonds would be expected to be paid back in December 2034. Under this alternative, approximately \$412,000 will remain in the Special Allocation Fund to be redistributed to the taxing jurisdictions (compared to \$450,000 under the Pay/Go alternative). With the issuance of the Bonds, the approximately \$1,000,000 of savings initially expected to be available from the issuance of the Bonds rather than reimbursing the Developer with the Pay/Go revenues is eliminated but all amounts to be paid from project revenues would be expected to be paid at the same time with about the same amount of additional funds as the Pay/Go alternative.*

Sid noted that since the Board authorized the issuance of the bonds on May 17 the market has moved significantly. He explained that they have worked diligently with the placement agent and Piper Sandler, Financial Advisor for the City to try to figure out alternatives to make the transaction work the best that they can. Sid explained that with those alterations they still believe they can market the bonds, not all the bonds can be sold. Instead of all of the bonds being sold to provide payment for all the bonds to the developer, they are going to be able to sell about \$8 million of the bonds. This is going to result in approximately almost \$7 million of reimbursement to the developer. This will still be over the \$4 million that is owed. Sid explained that they have come up with a structure that allows all of the bonds and the reimbursement to the developer by paid by December 1, 2034. He noted that the \$1 million that had been indicated that would be available to the City taxing districts would not be realized.

Sid explained that it is pretty much a wash with the payment as you go with the revenues versus the bonds, but it does allow the developer to get almost \$7 million of reimbursement.

The sale of the bonds will still be consistent with the prior authorization and Ordinance the developer will just not be able to sell as many bonds as they first expected.

Sid explained to the Board they did not need any further action from the Board for the issuance of the bonds but because the actual sale deviated significantly from what was represented, we wanted to come back to the Board and make sure the Board still wanted to proceed with the issuance.

Mayor Boley noted that the financial world is very unsettled right now. He said that it is unfortunate the state of our economy is in, but we want to continue to see development in the Marketplace. Those businesses are generating revenue and we want to continue to see it grow. These bonds are going to allow the developer to continue development on that site.

Alderman Russell asked what the other option is if one is to go ahead with the sale of the bonds?

Sid explained the other option would be not to issue the bonds and let the developer be reimbursed as the TIF revenues become available (pay-as-you-go). He said that could have a major impact on future development on the site.

Alderman Hartman noted that in the development world this is not unusual but as the market has changed, he still believes this is the right direction to go. We want the development to continue to happen.

Alderman Kobylski noted that she would like to continue with the issuance of the bonds, and she would like to see the development continue to grow in the Marketplace.

Alderman Russell asked if there was any development continuing at this time?

Mayor Boley explained that they needed the cash flow for more development. He said at this time, the developer has available lots that they want to build on but need the cash to be able to continue.

Alderman Russell asked for clarification that the developer does not have the funds to continue the development without the bonds.

Sid explained that the development has already occurred, and the bonds are being issued to reimburse the developer for the costs that have already been paid with the reimbursement of amounts that they were expended. They provide the developer funds to provide capital and down payments on additional development. The \$7 millions they would get will help them get started.

Alderman Russell asked for clarification on the \$1 million the City would have received.

Sid explained that the expectation was that bonds would be issued in an amount necessary to pay the developer for the reimbursement of all of the costs that they are eligible to receive reimbursement for. When the discussion was first had they expected that with the interest rate, it would be realized that there would be a \$1 million savings versus having the developer being reimbursed as revenues were created. He explained that because the interest rates on the bonds would be occurring in a rate that is significantly less than the

reimbursement rate to the developer. The developer is going to probably be reimbursed with an interest rate at 6% and the bonds were supposed to be less than that. Even with the downturn of the market, UMB was still able to sell \$8 million of the bonds that will provide for reimbursement, but it is not all of the bonds it leaves over \$4 million still with the 6% interest occurring to the developer. This is due to the interest rate changes and what can be sold, and we are left the saving that we expected being wiped out. Sid explained that this does not cost the City any money and depending upon how the reserve funds are invested if at a very conservative rate of 1.25% or at what the treasuries are currently yielding 3.6%, which are likely to go up the earnings could increase and we could be in a better place than if we just did the pay as you go.

Cynthia reiterated that the bond issuance has already been approved by the Board and those circumstances have now changed and that is why it is being brought back to the Board to confirm that they want to continue with the sale.

Alderman Chevalier, Alderman Hartman, Alderman Atkins, Alderman Kobylski and Alderman Russell all supported continuing with the sale.

19. New Business from the Floor

None

20. Adjourn

Alderman Hartman moved to adjourn to the regular session. Alderman Russell seconded the motion.

Ayes – 5, Noes – 0, motion carries via teleconference. Mayor Boley declared the regular session adjourned at 7:41 p.m.

Linda Drummond, City Clerk

Damien Boley, Mayor

FY22 BUDGET - FINANCIAL UPDATE

5/31/22

REVENUES, BY FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
GENERAL FUND	5,448,315.13	4,918,619.60	3,474,796.38	4,994,867.39	70.65%
CAPITAL PROJECTS FUND	296,689.10	137,000.00	287,878.81	137,000.00	210.13%
CAPITAL IMPROVEMENT SALES TAX FUND	659,009.18	627,555.00	360,126.28	627,555.00	57.39%
DEBT SERVICE FUND	342,190.00	351,550.00	351,550.00	351,550.00	100.00%
TRANSPORTATION SALES TAX FUND	587,177.01	569,160.00	314,425.02	569,160.00	55.24%
COMBINED WATER/WASTEWATER SYSTEMS FUND	4,953,530.72	5,925,399.80	3,793,697.85	5,970,591.00	64.02%
SANITATION FUND	872,880.09	849,530.00	475,802.48	849,530.00	56.01%
SPECIAL ALLOCATION FUND	380,820.94	570,000.00	472,114.91	570,000.00	82.83%
PARK & STORMWATER SALES TAX FUND	614,189.73	627,555.00	369,499.60	627,555.00	58.88%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	91,972.00	284,000.00	210,586.06	284,000.00	74.15%
CARES FUND	-	-	-	-	
AMERICAN RESCUE PLAN ACT FUND	1,089,137.62	1,089,161.00	10,495.07	1,089,161.00	0.96%
	15,335,911.52	15,949,530.40	10,120,972.46	16,070,969.39	63.46%

EXPENDITURES, BY FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
GENERAL FUND	5,269,205.24	5,905,850.00	3,456,865.66	5,905,850.00	58.53%
CAPITAL PROJECTS FUND	1,536,744.43	127,000.00	127,000.00	127,000.00	100.00%
CAPITAL IMPROVEMENT SALES TAX FUND	752,250.00	660,550.00	471,186.22	660,550.00	71.33%
DEBT SERVICE FUND	329,855.00	339,213.00	243,592.50	339,213.00	71.81%
TRANSPORTATION SALES TAX FUND	887,522.42	782,630.00	281,861.04	782,630.00	36.01%
COMBINED WATER/WASTEWATER SYSTEMS FUND	3,287,508.75	6,778,415.00	2,833,662.04	6,179,246.00	41.80%
SANITATION FUND	865,323.97	836,450.00	479,997.13	836,450.00	57.39%
SPECIAL ALLOCATION FUND	2,294.95	1,166,888.00	-	1,166,888.00	0.00%
PARK & STORMWATER SALES TAX FUND	176,872.09	485,000.00	281,073.48	485,000.00	57.95%
VEHICLE AND EQUIPMENT REPLACEMENT FUND	66,296.04	175,749.00	92,239.29	175,749.00	52.48%
CARES FUND	348,970.23	-	-	-	
AMERICAN RESCUE PLAN ACT FUND	-	2,178,300.00	-	2,178,300.00	0.00%
	13,522,843.12	19,436,045.00	8,267,477.36	18,836,876.00	42.54%

GENERAL FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PROPERTY TAXES	934,865.26	935,099.00	988,513.65	988,513.65	105.71%
SALES AND USE TAXES	1,933,487.01	1,882,351.00	1,158,294.39	1,911,313.00	61.53%
FRANCHISE TAXES	698,064.78	648,090.00	408,921.24	681,744.74	63.10%
OTHER TAXES	329,257.40	325,752.00	235,691.06	302,732.00	72.35%
LICENSES, FEES, AND PERMITS	446,474.04	414,507.60	259,555.36	442,027.00	62.62%
INTERGOVERNMENTAL REVENUES	42,444.26	49,280.00	37,449.22	41,237.00	75.99%
CHARGES FOR SERVICES	363,337.18	251,390.00	161,768.13	229,835.00	64.35%
FINES AND FORFEITS	138,949.00	111,500.00	62,623.00	110,390.00	56.16%
INTEREST	49,908.66	46,800.00	28,506.40	45,000.00	60.91%
DONATIONS	100.00	4,750.00	-	4,750.00	0.00%
OTHER REVENUE	60,664.24	760.00	18,981.38	28,155.00	2497.55%
DEBT ISSUED	241,583.30	3,000.00	-	-	
TRANSFERS IN	209,180.00	245,340.00	114,352.55	209,170.00	46.61%
	5,448,315.13	4,918,619.60	3,474,656.38	4,994,867.39	70.64%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMINISTRATION	968,627.72	621,397.00	346,238.72	621,397.00	55.72%
STREET	857,425.06	1,436,855.00	812,947.56	1,436,855.00	56.58%
POLICE	1,953,680.94	2,135,525.00	1,282,591.92	2,135,525.00	60.06%
DEVELOPMENT	429,726.22	473,704.00	281,043.38	473,704.00	59.33%
FINANCE	320,012.10	409,091.00	266,863.62	409,091.00	65.23%
COURT	-	-	-	-	
PARKS & REC	683,986.48	741,338.00	420,150.23	741,338.00	56.67%
SENIOR CENTER	19,120.98	25,120.00	9,158.16	25,120.00	36.46%
ELECTED OFFICIALS	32,125.28	53,720.00	32,720.76	53,720.00	60.91%
ANIMAL SHELTER	4,500.46	9,100.00	5,151.31	9,100.00	56.61%
EMERGENCY	-	-	-	-	
	5,269,205.24	5,905,850.00	3,456,865.66	5,905,850.00	58.53%

ADMINISTRATION

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	299,917.92	283,726.00	164,641.87	283,726.00	58.03%
PART-TIME WAGES	40,157.89	30,000.00	14,482.35	30,000.00	48.27%
OVERTIME WAGES	17.70	-	-	-	
FICA EXPENSE	25,279.34	24,006.00	13,402.07	24,006.00	55.83%
EMPLOYEE BENEFITS	24,691.13	18,780.00	10,754.98	18,780.00	57.27%
WORKER'S COMPENSATION	509.55	558.00	472.73	558.00	84.72%
RETIREMENT EXPENSE	26,903.94	27,617.00	14,488.39	27,617.00	52.46%
UNEMPLOYMENT BENEFITS	-	-	3,728.56	-	372856.00%
Personnel	417,477.47	384,687.00	221,970.95	384,687.00	57.70%
REPAIRS & MAINTENANCE - BLDG	7,412.95	3,060.00	2,892.29	3,060.00	94.52%
REPAIRS & MAINTENANCE - EQUIP	7,484.68	7,560.00	3,580.37	7,560.00	47.36%
REPAIRS & MAINTENANCE - VHCLES	-	-	-	-	
REPAIRS & MAINTENANCE - SFTWRE	19,721.74	13,660.00	13,941.33	13,660.00	102.06%
ELECTRICITY	1,319.93	2,040.00	615.65	2,040.00	30.18%
TELEPHONE/INTERNET	4,819.85	2,800.00	2,014.35	2,800.00	71.94%
MOBILE COMMUNICATIONS	2,191.36	2,000.00	1,376.60	2,000.00	68.83%
CAPITAL EXPENDITURES - EQUIP	28,565.95	-	-	-	
CAPITAL EXPENDITURES - SOFTWARE	-	-	-	-	
capital expenditures - hardware	-	-	-	-	
TOOLS & SUPPLIES	948.79	390.00	602.86	390.00	154.58%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Operation and Maintenance	#N/A	#N/A	#N/A	#N/A	#N/A
FUEL	-	-	-	-	
Contractual Services	-	-	-	-	
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Insurance	#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
TRAINING & TRAVEL EXPENSE	9,599.92	7,560.00	7,013.34	7,560.00	92.77%
OFFICE SUPPLIES	8,700.14	4,800.00	5,361.26	4,800.00	111.69%
POSTAGE	2,250.00	3,000.00	1,735.85	3,000.00	57.86%
ADVERTISING	558.60	500.00	24.00	500.00	4.80%
Office and Administrative	#N/A	#N/A	#N/A	#N/A	#N/A
city events	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Other Expenses	#N/A	#N/A	#N/A	#N/A	#N/A
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	#N/A	#N/A	#N/A	#N/A	#N/A

PUBLIC WORKS (STREET)

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	419,882.56	451,320.00	246,656.09	451,320.00	54.65%
PART-TIME WAGES	20,675.20	20,550.00	11,864.77	20,550.00	57.74%
OVERTIME WAGES	4,531.56	8,000.00	7,560.97	8,000.00	94.51%
FICA EXPENSE	30,898.98	36,714.00	18,599.35	36,714.00	50.66%
EMPLOYEE BENEFITS	53,358.64	64,910.00	38,587.67	64,910.00	59.45%
WORKER'S COMPENSATION	23,009.04	31,777.00	26,921.24	31,777.00	84.72%
RETIREMENT EXPENSE	38,380.75	40,424.00	22,193.43	40,424.00	54.90%
UNIFORM EXPENSE	1,607.76	3,000.00	821.88	3,000.00	27.40%
Personnel	592,344.49	656,695.00	373,205.40	656,695.00	56.83%
REPAIRS & MAINTENANCE - BLDG	694.80	780.00	38.66	780.00	4.96%
REPAIRS & MAINTENANCE - EQUIP	464.32	1,240.00	1,250.09	1,240.00	100.81%
REPAIRS & MAINTENANCE - VEHICL	827.44	1,500.00	2,218.85	1,500.00	147.92%
REPAIRS & MAINTENANCE - SFWRE	3,299.32	111,570.00	55,677.28	111,570.00	49.90%
ELECTRICITY	84,682.62	94,290.00	48,823.36	94,290.00	51.78%
PROPANE	4,050.00	7,950.00	4,522.00	7,950.00	56.88%
TELEPHONE/INTERNET	6,064.94	6,450.00	3,825.98	6,450.00	59.32%
MOBILE COMMUNICATIONS	3,484.17	2,930.00	1,801.90	2,930.00	61.50%
CAPITAL EXPENDITURES - EQUIP	-	5,000.00	1,954.38	5,000.00	39.09%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	-
TOOLS & SUPPLIES	532.70	1,500.00	303.23	1,500.00	20.22%
FUEL	-	-	2,201.85	-	220185.00%
Operation and Maintenance	104,100.31	233,210.00	122,617.58	233,210.00	52.58%
PROFESSIONAL SERVICES	89,607.93	365,480.00	145,496.34	365,480.00	39.81%
DEDUCTIBLES	-	1,000.00	-	1,000.00	0.00%
Contractual Services	89,607.93	366,480.00	145,496.34	366,480.00	39.70%
INSURANCE EXPENSE	18,789.11	19,170.00	13,604.82	19,170.00	70.97%
Insurance	18,789.11	19,170.00	13,604.82	19,170.00	70.97%
TRAINING & TRAVEL EXPENSE	1,036.28	3,000.00	849.85	3,000.00	28.33%
OFFICE SUPPLIES	1,810.69	2,500.00	341.63	2,500.00	13.67%
MEMBERSHIPS & SUBSCRIPTIONS	921.25	800.00	820.00	800.00	102.50%
Office and Administrative	3,768.22	6,300.00	2,011.48	6,300.00	31.93%
CAPITAL IMPROVEMENT PROJECTS	8,815.00	-	-	-	-
Capital Improvement Projects	8,815.00	-	-	-	-
MISCELLANEOUS	-	-	-	-	-
Other Expenses	-	-	-	-	-
Debt - Principal	-	-	-	-	-
Debt - Interest	-	-	-	-	-
TRANSFERS OUT	40,000.00	155,000.00	155,000.00	155,000.00	100.00%
Transfers Out	40,000.00	155,000.00	155,000.00	155,000.00	100.00%
TOTAL GENERAL FUND	857,425.06	1,436,855.00	811,935.62	1,436,855.00	56.51%

POLICE

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	980,844.45	1,140,988.00	596,041.38	1,140,988.00	52.24%
PART-TIME WAGES	15,253.16	19,300.00	8,799.90	19,300.00	45.60%
OVERTIME WAGES	73,238.31	42,000.00	61,659.05	42,000.00	146.81%
FICA EXPENSE	76,440.37	88,770.00	48,515.68	88,770.00	54.65%
EMPLOYEE BENEFITS	142,562.70	207,570.00	82,126.53	207,570.00	39.57%
WORKER'S COMPENSATION	36,846.31	49,275.00	41,745.41	49,275.00	84.72%
RETIREMENT EXPENSE	93,410.07	107,652.00	54,610.00	107,652.00	50.73%
UNIFORM EXPENSE	18,563.44	23,020.00	13,680.21	23,020.00	59.43%
Personnel	1,437,158.81	1,678,575.00	907,178.16	1,678,575.00	54.04%
REPAIRS & MAINT - BLDG	11,515.51	7,350.00	10,625.74	7,350.00	144.57%
REPAIRS & MAINTENANCE - EQUIP	8,862.09	6,620.00	3,091.05	6,620.00	46.69%
REPAIRS & MAINT - VEHICLES	31,805.78	18,970.00	22,235.21	18,970.00	117.21%
REPAIRS & MAINT - SOFTWARE	24,844.62	33,250.00	22,881.78	33,250.00	68.82%
ELECTRICITY	5,865.60	7,130.00	3,967.28	7,130.00	55.64%
TELEPHONE/INTERNET	7,724.70	8,440.00	3,740.95	8,440.00	44.32%
MOBILE COMMUNICATIONS	8,312.34	9,390.00	4,192.37	9,390.00	44.65%
CAPITAL EXPENDITURES - EQUIP	110,287.07	74,600.00	60,761.94	74,600.00	81.45%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - SFTWARE	73,263.48	19,000.00	20,200.87	19,000.00	106.32%
TOOLS & SUPPLIES	13,069.53	16,970.00	10,391.40	16,970.00	61.23%
FUEL	29,199.75	35,750.00	23,721.73	35,750.00	66.35%
ANIMAL CONTROL	-	500.00	-	500.00	0.00%
animal shelter	-	-	-	-	
Operation and Maintenance	324,750.47	237,970.00	185,810.32	237,970.00	78.08%
PROFESSIONAL SERVICES	38,618.30	40,240.00	58,351.09	40,240.00	145.01%
DISPATCHING	67,927.20	72,560.00	47,198.66	72,560.00	65.05%
CONFINEMENT	936.00	6,000.00	2,441.61	6,000.00	40.69%
INSURANCE DEDUCTIBLES	-	1,000.00	-	1,000.00	0.00%
Contractual Services	107,481.50	119,800.00	107,991.36	119,800.00	90.14%
INSURANCE EXPENSE	49,269.40	53,300.00	48,365.79	53,300.00	90.74%
Insurance	49,269.40	53,300.00	48,365.79	53,300.00	90.74%
TRAINING & TRAVEL EXPENSE	21,680.41	27,000.00	20,880.48	27,000.00	77.34%
ACADEMY TRAINING	-	-	-	-	
OFFICE SUPPLIES EXPENSE	3,268.32	2,000.00	1,297.39	2,000.00	64.87%
POSTAGE	864.55	1,000.00	607.58	1,000.00	60.76%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Office and Administrative	#N/A	#N/A	#N/A	#N/A	#N/A
MEMBERSHIPS & SUBSCRIPTIONS	9,098.97	15,630.00	9,980.22	15,630.00	63.85%
Capital Improvement Projects	9,098.97	15,630.00	9,980.22	15,630.00	63.85%
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	#N/A	#N/A	#N/A	#N/A	#N/A

DEVELOPMENT

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	267,737.01	291,972.00	166,330.97	291,972.00	56.97%
OVERTIME WAGES	759.71	500.00	242.32	500.00	48.46%
FICA EXPENSE	19,399.23	22,378.00	12,093.26	22,378.00	54.04%
EMPLOYEE BENEFITS	26,344.66	29,200.00	18,227.52	29,200.00	62.42%
WORKER'S COMPENSATION	7,356.52	10,058.00	8,521.06	10,058.00	84.72%
RETIREMENT EXPENSE	24,354.58	25,746.00	14,658.49	25,746.00	56.94%
UNIFORM EXPENSE	914.20	1,800.00	23.94	1,800.00	1.33%
Personnel	346,865.91	381,654.00	220,097.56	381,654.00	57.67%
REPAIRS & MAINTENANCE - BLDG	1,231.17	1,230.00	907.73	1,230.00	73.80%
REPAIRS & MAINTENANCE - EQUIP	1,212.57	1,240.00	375.77	1,240.00	30.30%
REPAIRS & MAINT - VEHICLES	1,078.50	1,390.00	788.02	1,390.00	56.69%
REPAIRS & MAINT - SFTWRE/MAPS	14,070.24	21,210.00	24,228.99	21,210.00	114.23%
ELECTRICITY	964.40	1,400.00	615.67	1,400.00	43.98%
TELEPHONE/INTERNET	2,335.50	2,030.00	1,172.08	2,030.00	57.74%
MOBILE COMMUNICATIONS	2,221.35	2,200.00	1,065.28	2,200.00	48.42%
CAPITAL EXPENDITURES - EQUIP	1,683.30	6,000.00	2,709.57	6,000.00	45.16%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - HRDWARE	-	-	-	-	
TOOLS & SUPPLIES	706.70	1,020.00	151.50	1,020.00	14.85%
FUEL	3,415.26	5,500.00	2,109.57	5,500.00	38.36%
Operation and Maintenance	28,918.99	43,220.00	34,124.18	43,220.00	78.95%
PROFESSIONAL SERVICES	41,627.02	30,610.00	18,645.39	30,610.00	60.91%
Contractual Services	41,627.02	30,610.00	18,645.39	30,610.00	60.91%
INSURANCE EXPENSE	5,347.79	6,660.00	4,982.24	6,660.00	74.81%
Insurance	5,347.79	6,660.00	4,982.24	6,660.00	74.81%
TRAINING & TRAVEL EXPENSE	1,113.01	3,000.00	1,719.94	3,000.00	57.33%
OFFICE SUPPLIES EXPENSE	987.60	500.00	950.25	500.00	190.05%
POSTAGE	1,816.28	1,400.00	133.62	1,400.00	9.54%
ADVERTISING	2,661.62	5,300.00	350.20	5,300.00	6.61%
MEMBERSHIPS & SUBSCRIPTIONS	388.00	1,360.00	40.00	1,360.00	2.94%
Office and Administrative	6,966.51	11,560.00	3,194.01	11,560.00	27.63%
Capital Improvement Projects	-	-	-	-	
MISCELLANEOUS EXPENSE	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	429,726.22	473,704.00	281,043.38	473,704.00	59.33%

FINANCE

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	177,083.28	234,480.00	129,266.36	234,480.00	55.13%
PART-TIME WAGES	212.50	-	-	-	
OVERTIME WAGES	888.69	500.00	34.87	500.00	6.97%
FICA EXPENSE	13,247.87	17,983.00	9,481.42	17,983.00	52.72%
EMPLOYEE BENEFITS	17,955.17	30,380.00	24,459.28	30,380.00	80.51%
WORKER'S COMPENSATION	238.84	410.00	347.35	410.00	84.72%
RETIREMENT EXPENSE	9,443.92	20,678.00	10,732.22	20,678.00	51.90%
Personnel	219,070.27	304,431.00	174,321.50	304,431.00	57.26%
REPAIRS & MAINTENANCE - BLDG	967.62	820.00	541.17	820.00	66.00%
REPAIRS & MAINTENANCE - EQUIP	858.88	620.00	860.59	620.00	138.80%
REPAIRS & MAINTENANCE - SFTWRE	13,277.78	14,780.00	18,384.46	14,780.00	124.39%
ELECTRICITY	535.95	1,020.00	447.76	1,020.00	43.90%
TELEPHONE/INTERNET	1,478.78	1,480.00	829.29	1,480.00	56.03%
MOBILE COMMUNICATIONS	447.23	490.00	283.82	490.00	57.92%
CAPITAL EXPENDITURES - EQUIP	2,000.00	-	-	-	
TOOLS & SUPPLIES	291.60	1,160.00	302.71	1,160.00	26.10%
Operation and Maintenance	19,857.84	20,370.00	21,649.80	20,370.00	106.28%
PROFESSIONAL SERVICES	30,784.10	38,010.00	37,506.38	38,010.00	98.68%
Contractual Services	30,784.10	38,010.00	37,506.38	38,010.00	98.68%
INSURANCE EXPENSE	3,093.88	2,920.00	3,024.00	2,920.00	103.56%
Insurance	3,093.88	2,920.00	3,024.00	2,920.00	103.56%
TRAINING & TRAVEL EXPENSE	1,495.60	1,200.00	721.34	1,200.00	60.11%
OFFICE SUPPLIES	664.20	500.00	680.92	500.00	136.18%
ADVERTISING	359.65	260.00	-	260.00	0.00%
BANK CHARGES	44,096.56	40,880.00	28,614.68	40,880.00	70.00%
MEMBERSHIPS & SUBSCRIPTIONS	590.00	520.00	345.00	520.00	66.35%
Office and Administrative	47,206.01	43,360.00	30,361.94	43,360.00	70.02%
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	320,012.10	409,091.00	266,863.62	409,091.00	65.23%

MUNICIPAL COURT

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
salaries & wages	-	-	-	-	
part-time wages	-	-	-	-	
overtime wages	-	-	-	-	
fica expense	-	-	-	-	
employee benefits	-	-	-	-	
WORKER'S COMPENSATION	-	-	-	-	
retirement expense	-	-	-	-	
Personnel	-	-	-	-	
repairs & maintenance - bldg	-	-	-	-	
repairs & maintenance - equip	-	-	-	-	
repairs & maintenance - sftwre	-	-	-	-	
ELECTRICITY	-	-	-	-	
TELEPHONE/INTERNET	-	-	-	-	
capital expenditures - hrdwre	-	-	-	-	
tools & supplies	-	-	-	-	
Operation and Maintenance	-	-	-	-	
professional services	-	-	-	-	
Contractual Services	-	-	-	-	
insurance expense	-	-	-	-	
Insurance	-	-	-	-	
training & travel	-	-	-	-	
office supplies expense	-	-	-	-	
postage	-	-	-	-	
bank charges	-	-	-	-	
Office and Administrative	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	-	-	-	-	

PARKS & RECREATION					5/31/2022
GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	266,044.07	277,309.00	147,696.95	277,309.00	53.26%
PART-TIME WAGES	6,381.39	21,840.00	2,633.55	21,840.00	12.06%
PART-TIME RECREATION WAGES	4,223.79	9,430.00	2,593.46	9,430.00	27.50%
OVERTIME WAGES	1,644.65	2,000.00	1,957.27	2,000.00	97.86%
FICA EXPENSE	20,623.07	23,759.00	11,440.38	23,759.00	48.15%
EMPLOYEE BENEFITS	29,951.76	32,270.00	20,161.26	32,270.00	62.48%
WORKER'S COMPENSATION	8,574.65	11,607.00	9,833.36	11,607.00	84.72%
RETIREMENT EXPENSE	23,778.23	24,583.00	10,628.91	24,583.00	43.24%
UNIFORM EXPENSE	1,302.75	3,250.00	2,248.01	3,250.00	69.17%
Personnel	362,524.36	406,048.00	209,193.15	406,048.00	51.52%
REPAIRS & MAINTENANCE - BLDG	168.47	1,000.00	247.54	1,000.00	24.75%
REPAIRS & MAINTENANCE - EQUIP	14,340.84	8,500.00	4,528.03	8,500.00	53.27%
REPAIRS & MAINTENACE - VEHICLE	267.57	750.00	68.00	750.00	9.07%
REPAIRS & MAINT - INFRASTRUCTR	20,969.35	18,000.00	796.38	18,000.00	4.42%
REPAIRS & MAINT - PARKS	15,480.52	-	4,974.89	-	497489.00%
REPAIRS & MAINT - SOFTWARE	13,815.42	6,540.00	6,877.87	6,540.00	105.17%
REPAIRS & MAINT - SMITH'S FORK	49,795.93	82,500.00	94,029.08	82,500.00	113.97%
ELECTRICITY	27,472.89	25,500.00	10,945.49	25,500.00	42.92%
PROPANE	4,267.00	7,160.00	5,108.50	7,160.00	71.35%
TELEPHONE/INTERNET	5,427.39	8,050.00	4,418.65	8,050.00	54.89%
MOBILE COMMUNICATIONS	3,082.75	3,120.00	1,795.23	3,120.00	57.54%
CAPITAL EXPENDITURES - EQUIP	-	-	-	-	
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - HRDWARE	-	-	-	-	
CAPITAL EXPENDITURES - BLDG	5,201.00	-	-	-	
TOOLS & SUPPLIES	5,878.37	5,000.00	5,590.07	5,000.00	111.80%
FUEL	10,017.08	8,250.00	3,480.80	8,250.00	42.19%
recreation	-	-	-	-	
YOUTH REC LEAGUE UNIFORMS	12,051.32	16,880.00	11,385.40	16,880.00	67.45%
YOUTH REC LEAGUE UMPIRES	7,874.00	11,420.00	14,472.55	11,420.00	126.73%
ADULT REC LEAGUE UNIFORMS	-	-	-	-	
ADULT REC LEAGUE OFFICIALS	611.00	1,000.00	-	1,000.00	0.00%
REC LEAGUE BACKGROUND CHECKS	472.88	720.00	400.42	720.00	55.61%
REC LEAGUE SUPPLIES/AWARDS	18,047.02	27,010.00	9,694.93	27,010.00	35.89%
REC LEAGUE ADVERTISING	279.75	1,000.00	779.60	1,000.00	77.96%
Operation and Maintenance	215,520.55	232,400.00	179,593.43	232,400.00	77.28%
BIKE RACE	13,600.16	5,000.00	1,446.72	5,000.00	28.93%
PROFESSIONAL SERVICES	5,442.35	3,730.00	9,738.79	3,730.00	261.09%
LEASE EXPENSE	36,853.29	38,710.00	-	38,710.00	0.00%
CAMP HOST SERVICES	17,500.00	17,500.00	4,200.00	17,500.00	24.00%
FIREWORKS DISPLAY	12,000.00	12,000.00	-	12,000.00	0.00%
Contractual Services	85,395.80	76,940.00	15,385.51	76,940.00	20.00%
MOVIE NIGHTS	1,925.83	2,400.00	-	2,400.00	0.00%
Insurance	1,925.83	2,400.00	-	2,400.00	0.00%
INSURANCE EXPENSE	14,747.12	15,240.00	12,448.77	15,240.00	81.68%
TRAINING & TRAVEL EXPENSE	1,944.78	6,640.00	2,015.85	6,640.00	30.36%
OFFICE SUPPLIES	505.77	500.00	340.97	500.00	68.19%
POSTAGE	-	-	-	-	
ADVERTISING	393.17	500.00	847.55	500.00	169.51%
MEMBERSHIPS	1,025.00	670.00	325.00	670.00	48.51%
Office and Administrative	18,615.84	23,550.00	15,978.14	23,550.00	67.85%
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Capital Improvement Projects	#N/A	#N/A	#N/A	#N/A	#N/A
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	#N/A	#N/A	#N/A	#N/A	#N/A

SENIOR CENTER

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	2,562.84	2,890.00	1,608.84	2,890.00	55.67%
ELECTRICITY	1,574.45	1,500.00	715.66	1,500.00	47.71%
NATURAL GAS	684.51	1,440.00	806.75	1,440.00	56.02%
TELEPHONE/INTERNET	2,904.89	2,400.00	969.21	2,400.00	40.38%
TOOLS & SUPPLIES	-	500.00	99.85	500.00	19.97%
Operation and Maintenance	7,726.69	8,730.00	4,200.31	8,730.00	48.11%
PROFESSIONAL SERVICES	8,062.46	13,270.00	3,844.75	13,270.00	28.97%
Contractual Services	8,062.46	13,270.00	3,844.75	13,270.00	28.97%
INSURANCE	3,331.83	3,120.00	1,113.10	3,120.00	35.68%
Insurance	3,331.83	3,120.00	1,113.10	3,120.00	35.68%
Office and Administrative	-	-	-	-	
CAPITAL IMPROVEMENT PROJECTS	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	19,120.98	25,120.00	9,158.16	25,120.00	36.46%

ELECTED OFFICIALS

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
PART-TIME WAGES	14,700.00	15,150.00	8,550.00	15,150.00	56.44%
FICA EXPENSE	1,124.92	1,160.00	654.29	1,160.00	56.40%
WORKER'S COMPENSATION	23.70	30.00	25.42	30.00	84.73%
Personnel	15,848.62	16,340.00	9,229.71	16,340.00	56.49%
WORKER'S COMPENSATION	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	1,119.18	960.00	677.08	960.00	70.53%
REPAIRS & MAINT - SOFTWARE	659.05	1,130.00	564.90	1,130.00	49.99%
ELECTRICITY	959.33	1,150.00	783.58	1,150.00	68.14%
TELEPHONE/INTERNET	1,808.40	960.00	861.64	960.00	89.75%
MOBILE COMMUNICATIONS	-	-	-	-	
TOOLS & SUPPLIES	25.00	220.00	7.50	220.00	3.41%
Operation and Maintenance	4,570.96	4,420.00	2,894.70	4,420.00	65.49%
COMMUNITY RELATIONS ALLOWANCE	-	-	-	-	
Contractual Services	-	-	-	-	
PROFESSIONAL SERVICES	3,862.02	20,710.00	14,157.22	20,710.00	68.36%
Insurance	3,862.02	20,710.00	14,157.22	20,710.00	68.36%
INSURANCE	1,317.76	1,660.00	1,363.42	1,660.00	82.13%
TRAINING & TRAVEL EXPENSE	893.04	2,880.00	768.05	2,880.00	26.67%
OFFICE SUPPLIES	888.44	1,000.00	376.03	1,000.00	37.60%
ADVERTISING	3,894.44	4,000.00	3,931.63	4,000.00	98.29%
MEMBERSHIPS & SUBSCRIPTIONS	850.00	2,710.00	-	2,710.00	0.00%
Office and Administrative	7,843.68	12,250.00	6,439.13	12,250.00	52.56%
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	32,125.28	53,720.00	32,720.76	53,720.00	60.91%

ANIMAL SHELTER

5/31/2022

GENERAL FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
REPAIRS & MAINT - BLDG	599.97	600.00	853.46	600.00	142.24%
TOOLS & SUPPLIES	780.41	1,500.00	653.61	1,500.00	43.57%
Operation and Maintenance	1,380.38	2,100.00	1,507.07	2,100.00	71.77%
PROFESSIONAL SERVICES	3,120.08	6,000.00	3,466.24	6,000.00	57.77%
Contractual Services	3,120.08	6,000.00	3,466.24	6,000.00	57.77%
Insurance	-	-	-	-	
ADVERTISING	-	-	-	-	
Office and Administrative	-	-	-	-	
TRAINING & TRAVEL	-	1,000.00	178.00	1,000.00	17.80%
Capital Improvement Projects	-	1,000.00	178.00	1,000.00	17.80%
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
Transfers Out	-	-	-	-	
TOTAL GENERAL FUND	4,500.46	9,100.00	5,151.31	9,100.00	56.61%

SPECIAL ALLOCATION FUND	5/31/22
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REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PROPERTY TAXES	19,537.38	20,000.00	189,504.87	20,000.00	947.52%
SALES AND USE TAXES	361,283.56	550,000.00	282,610.04	550,000.00	51.38%
	380,820.94	570,000.00	472,114.91	570,000.00	82.83%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMINISTRATION	2,294.95	1,166,888.00	-	1,166,888.00	0.00%
	2,294.95	1,166,888.00	-	1,166,888.00	0.00%

SPECIAL ALLOCATION FUND

5/31/22

SPECIAL ALLOCATION FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
Operation and Maintenance	-	-	-	-	
transfers out	-	-	-	-	
PROFESSIONAL SERVICES	-	-	-	-	
Contractual Services	-	-	-	-	
Insurance	-	-	-	-	
Office and Administrative	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
TIF PAYMENTS TO DEVELOPER	-	1,158,888.00	-	1,158,888.00	0.00%
Transfers Out	-	1,158,888.00	-	1,158,888.00	0.00%
TOTAL SPECIAL ALLOCATION FUND	-	1,158,888.00	-	1,158,888.00	0.00%

CAPITAL PROJECTS FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
INTERGOVERNMENTAL REVENUES	290,439.10	-	-	-	
DEBT ISSUED	-	-	-	-	
TRANSFERS IN	-	127,000.00	112,274.47	127,000.00	88.41%
PARK IMPROVEMENT REVENUE	6,250.00	10,000.00	75,604.34	10,000.00	
	290,439.10	127,000.00	187,878.81	127,000.00	147.94%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
STREET	1,536,744.43	127,000.00	127,000.00	127,000.00	100.00%
	1,536,744.43	127,000.00	127,000.00	127,000.00	100.00%

CAPITAL PROJECTS FUND

5/31/22

CAPITAL PROJECTS FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
Operation and Maintenance	-	-	-	-	
PROFESSIONAL SERVICES	-	182,000.00	7,361.75	182,000.00	4.04%
Contractual Services	-	182,000.00	7,361.75	182,000.00	4.04%
Insurance	-	-	-	-	
Office and Administrative	-	-	-	-	
CAPITAL IMPROVEMENT PROJECTS	1,468,176.56	127,000.00	127,000.00	127,000.00	100.00%
PARK IMPROVEMENT EXPENSE	25,000.00	-	-	-	
Capital Improvement Projects	1,468,176.56	127,000.00	127,000.00	127,000.00	100.00%
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
TRANSFERS OUT	342,190.00	478,550.00	463,824.47	478,550.00	96.92%
Transfers Out	342,190.00	478,550.00	463,824.47	478,550.00	96.92%
TOTAL CAPITAL PROJECTS FUND	1,810,366.56	787,550.00	598,186.22	787,550.00	75.96%

TRANSPORTATION SALES TAX FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALES AND USE TAXES	587,177.01	569,160.00	314,425.02	569,160.00	55.24%
PROCEEDS FROM DEBT ISSUED	-	-	-	-	
TRANSFERS IN	-	-	-	-	
	587,177.01	569,160.00	314,425.02	569,160.00	55.24%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
STREET	887,522.42	782,630.00	281,861.04	782,630.00	36.01%
	887,522.42	782,630.00	281,861.04	782,630.00	36.01%

TRANSPORTATION SALES TAX FUND

5/31/22

TRANSPORTATION SALES TAX FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
REPAIRS & MAINTENANCE - BLDG	11.98	1,000.00	43.38	1,000.00	4.34%
REPAIRS & MAINTENANCE - EQUIP	21,313.52	10,000.00	11,422.63	10,000.00	114.23%
REPAIRS & MAINTENANCE - STREET	688,447.60	100,000.00	56,649.18	100,000.00	56.65%
CAPITAL EXPENDITURES - EQUIP	15,194.35	21,960.00	-	21,960.00	0.00%
SUPPLIES - STREET SIGNS	-	-	-	-	
FUEL	16,363.33	12,380.00	6,922.34	12,380.00	55.92%
Operation and Maintenance	741,330.78	145,340.00	75,037.53	145,340.00	51.63%
PROFESSIONAL SERVICES	100,239.50	-	3,721.47	-	372147.00%
Contractual Services	100,239.50	-	3,721.47	-	372147.00%
INSURANCE EXPENSE	-	-	-	-	
Insurance	-	-	-	-	
TOOLS & SUPPLIES	716.86	30,000.00	2,698.91	30,000.00	9.00%
Office and Administrative	716.86	30,000.00	2,698.91	30,000.00	9.00%
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
LEASE EXPENSE	38,969.28	33,480.00	32,010.00	33,480.00	95.61%
Debt - Principal	38,969.28	33,480.00	32,010.00	33,480.00	95.61%
INTEREST EXPENSE	6,266.00	4,810.00	6,266.00	4,810.00	130.27%
Debt - Interest	6,266.00	4,810.00	6,266.00	4,810.00	130.27%
Transfers Out	-	-	-	-	
TRANSPORTATION SALES TAX FUND	887,522.42	213,630.00	119,733.91	213,630.00	56.05%

CAPITAL IMPROVEMENT SALES TAX FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALES AND USE TAXES	659,009.18	627,555.00	360,126.28	627,555.00	57.39%
TRANSFERS IN	-	-	-	-	
	659,009.18	627,555.00	360,126.28	627,555.00	57.39%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
STREET	752,250.00	660,550.00	471,186.22	660,550.00	71.33%
	752,250.00	660,550.00	471,186.22	660,550.00	71.33%

CAPITAL IMPROVEMENT SALES TAX FUND

5/31/22

CAP. IMP. SALES TAX FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
Operation and Maintenance	-	-	-	-	
Contractual Services	-	-	-	-	
Insurance	-	-	-	-	
Office and Administrative	-	-	-	-	
CAPITAL IMPROVEMENT PROJECTS	410,060.00	-	-	-	
Capital Improvement Projects	410,060.00	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
TRANSFERS OUT	342,190.00	478,550.00	463,824.47	478,550.00	96.92%
Transfers Out	342,190.00	478,550.00	463,824.47	478,550.00	96.92%
TOTAL CAP. IMP. SALES TAX FUND	752,250.00	478,550.00	463,824.47	478,550.00	96.92%

DEBT SERVICE FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PROPERTY TAXES	-	-	-	-	
TRANSFERS IN	342,190.00	351,550.00	351,550.00	351,550.00	100.00%
	342,190.00	351,550.00	351,550.00	351,550.00	100.00%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
STREET	329,855.00	339,213.00	243,592.50	339,213.00	71.81%
	329,855.00	339,213.00	243,592.50	339,213.00	71.81%

DEBT SERVICE FUND					5/31/22
DEBT SERVICE FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
Operation and Maintenance	-	-	-	-	
Contractual Services	-	-	-	-	
Insurance	-	-	-	-	
Office and Administrative	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
LEASE PAYMENTS	130,000.00	145,000.00	145,000.00	145,000.00	100.00%
Debt - Principal	130,000.00	145,000.00	145,000.00	145,000.00	100.00%
INTEREST	199,855.00	194,213.00	98,592.50	194,213.00	50.77%
Debt - Interest	199,855.00	194,213.00	98,592.50	194,213.00	50.77%
Transfers Out	-	-	-	-	
TOTAL DEBT SERVICE FUND	329,855.00	339,213.00	243,592.50	339,213.00	71.81%

WATER & WASTEWATER SYSTEMS FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
LICENSES, FEES, AND PERMITS	-	-	-	-	
CHARGES FOR SERVICES	4,598,338.65	5,519,679.80	3,493,992.09	5,447,339.00	63.30%
IMPACT FEES	292,296.00	375,000.00	257,348.00	450,467.00	68.63%
OTHER REVENUE	16,115.42	-	14,110.03	15,899.00	
DEBT ISSUED	46,780.65	30,720.00	28,247.73	56,886.00	91.95%
TRANSFERS IN	-	-	-	-	
	4,953,530.72	5,925,399.80	3,793,697.85	5,970,591.00	64.02%
EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
UTILITIES	3,287,508.75	6,778,415.00	2,833,662.04	6,179,246.00	41.80%
	3,287,508.75	6,778,415.00	2,833,662.04	6,179,246.00	41.80%

PUBLIC WORKS (UTILITIES)					5/31/22
CWWS FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
SALARIES & WAGES	761,552.60	806,730.00	436,124.10	806,730.00	54.06%
OVERTIME WAGES	16,754.95	18,000.00	14,581.36	18,000.00	81.01%
FICA EXPENSE	57,441.43	63,230.00	33,406.46	63,230.00	52.83%
EMPLOYEE BENEFITS	74,230.58	87,720.00	53,860.47	87,720.00	61.40%
WORKER'S COMPENSATION	25,867.25	35,273.00	29,883.03	35,273.00	84.72%
RETIREMENT EXPENSE	71,491.15	72,697.00	38,229.46	72,697.00	52.59%
UNIFORM EXPENSE	7,198.02	8,400.00	2,859.91	8,400.00	34.05%
Personnel	1,014,535.98	1,092,050.00	608,944.79	1,092,050.00	55.76%
REPAIRS & MAINTENANCE - EQUIP	5,811.72	6,990.00	2,356.48	6,990.00	33.71%
REPAIRS & MAINTENCE- VEHICLES	1,182.87	3,000.00	2,814.14	3,000.00	93.80%
REPAIRS & MAINT - WATER LINES	41,908.66	104,740.00	54,879.05	104,740.00	52.40%
REPAIRS & MAINT - SEWER LINES	45,425.65	150,000.00	28,458.88	150,000.00	18.97%
REPAIRS & MAINT - WATER PLANT	44,886.78	245,000.00	15,204.79	245,000.00	6.21%
REPAIRS & MAINT - WW PLANT	19,535.01	670,000.00	84,851.08	670,000.00	12.66%
REPAIRS & MAINT - SOFTWARE	16,142.43	18,830.00	11,967.64	18,830.00	63.56%
REPAIRS & MAINT - WATER TOWERS	108,691.80	123,350.00	71,028.38	123,350.00	57.58%
ELECTRICITY	225,508.22	299,650.00	128,344.02	299,650.00	42.83%
PROPANE	3,931.25	15,900.00	5,814.00	15,900.00	36.57%
TELEPHONE/INTERNET	15,163.28	15,520.00	9,663.73	15,520.00	62.27%
MOBILE COMMUNICATIONS	8,775.27	9,630.00	5,990.46	9,630.00	62.21%
CAPITAL EXPENDITURES - EQUIP	-	24,000.00	3,908.75	24,000.00	16.29%
CAPITAL EXPENDITURES - VEHICLE	-	-	-	-	
CAPITAL EXPENDITURES - SOFTWARE	-	100,000.00	74,150.00	100,000.00	74.15%
CAPITAL EXPENDITURES - HARDWARE	-	-	-	-	
CAPITAL EXPENDITURES - TOWERS	-	-	-	-	
CAPITAL EXPENDITURES - BLDG	-	20,000.00	9,840.00	20,000.00	49.20%
CAPITAL EXPENDITURES - WATER P	-	-	-	-	
CAPITAL EXPENDITURES - WW PLANT	-	-	-	-	
CAPITAL EXPENDITURES - LINES	-	-	-	-	
TOOLS & SUPPLIES	24,667.70	25,000.00	12,309.99	25,000.00	49.24%
SUPPLIES - CONNECTIONS	41,586.02	75,000.00	36,148.86	75,000.00	48.20%
SUPPLIES - LAB	24,354.74	27,500.00	11,807.45	20,000.00	42.94%
SUPPLIES - WATER CHEMICALS	117,504.57	130,000.00	67,894.06	120,000.00	52.23%
SUPPLIES - WW CHEMICALS	8,280.33	13,500.00	3,705.66	13,500.00	27.45%
FUEL	12,207.02	24,500.00	7,609.63	17,500.00	31.06%
Operation and Maintenance	765,563.32	2,102,110.00	648,747.05	2,077,610.00	30.86%
PROFESSIONAL SERVICES	79,754.81	826,190.00	304,230.29	377,740.00	36.82%
DEBT PRINCIPAL PAYMENTS	14,377.81	363,946.00	61,217.12	344,380.00	16.82%
WASTEWATER TREATMENT SERVICE	119,940.80	128,620.00	72,635.55	129,240.00	56.47%
Contractual Services	214,073.42	1,318,756.00	438,082.96	851,360.00	33.22%
INSURANCE EXPENSE	69,637.80	71,720.00	79,220.49	61,220.00	110.46%
Insurance	69,637.80	71,720.00	79,220.49	61,220.00	110.46%
TRAINING & TRAVEL EXPENSE	3,103.26	5,000.00	1,713.87	3,000.00	34.28%
OFFICE SUPPLIES	2,942.24	4,500.00	1,101.73	4,500.00	24.48%
POSTAGE	1,256.83	1,500.00	675.78	1,500.00	45.05%
ADVERTISING	146.11	-	-	146.00	
BANK CHARGES	1,330.66	2,000.00	1,855.00	2,000.00	92.75%
MEMBERSHIPS & SUBSCRIPTIONS	-	380.00	40.00	380.00	10.53%
Office and Administrative	8,779.10	13,380.00	5,386.38	11,526.00	40.26%
CAPITAL IMPROVEMENT PROJECTS	17,486.15	1,440,000.00	776,753.22	1,440,000.00	53.94%
WATER IMPACT PROJECTS	(0.05)	150,000.00	-	150,000.00	0.00%
WASTEWATER IMPACT PROJECTS	-	-	-	-	
Capital Improvement Projects	17,486.10	1,590,000.00	776,753.22	1,590,000.00	48.85%
AMORTIZATION EXPENSE	-	-	-	-	
DEPRECIATION EXPENSE	695,694.00	-	-	-	
MISCELLANEOUS EXPENSE	-	-	-	-	
Other Expenses	695,694.00	-	-	-	
Debt - Principal	-	-	-	-	
DEBT INTEREST PAYMENTS	292,559.03	345,059.00	142,174.60	299,050.00	41.20%
Debt - Interest	292,559.03	345,059.00	142,174.60	299,050.00	41.20%
TRANSFERS OUT	209,180.00	245,340.00	134,352.55	196,430.00	54.76%
Transfers Out	209,180.00	245,340.00	134,352.55	196,430.00	54.76%
TOTAL CWWS FUND	3,287,508.75	6,778,415.00	2,833,662.04	6,179,246.00	41.80%

SANITATION FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
CHARGES FOR SERVICES	872,880.09	849,530.00	475,802.48	849,530.00	56.01%
TRANSFERS IN	-	-	-	-	
	872,880.09	849,530.00	475,802.48	849,530.00	56.01%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMIN	865,323.97	836,450.00	479,997.13	836,450.00	57.39%
	865,323.97	836,450.00	479,997.13	836,450.00	57.39%

SANITATION FUND

5/31/22

SANITATION FUND	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	Percent Spent
Personnel	-	-	-	-	
#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
SOLID WASTE SERVICES	853,526.27	823,820.00	468,654.59	823,820.00	56.89%
RECYCLING SERVICES	-	-	-	-	
HOUSEHOLD HAZARDOUS WASTE	11,797.70	12,630.00	11,342.54	12,630.00	89.81%
yard waste	-	-	-	-	
Operation and Maintenance	#N/A	#N/A	#N/A	#N/A	#N/A
Contractual Services	-	-	-	-	
Insurance	-	-	-	-	
Office and Administrative	-	-	-	-	
Capital Improvement Projects	-	-	-	-	
Other Expenses	-	-	-	-	
Debt - Principal	-	-	-	-	
Debt - Interest	-	-	-	-	
HOUSEHOLD HAZARDOUS WASTE	11,797.70	12,630.00	11,342.54	12,630.00	89.81%
Transfers Out	11,797.70	12,630.00	11,342.54	12,630.00	89.81%
TOTAL SANITATION FUND	#N/A	#N/A	#N/A	#N/A	#N/A

PARK AND STORMWATER SALES TAX FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PARK & STRMWTR SALES TAX	614,189.73	627,555.00	358,499.60	627,555.00	57.13%
MISCELLANEOUS REVENUE	-	-	11,000.00	-	
	614,189.73	627,555.00	369,499.60	627,555.00	58.88%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
PARKS & RECREATION	74,537.09	275,000.00	281,073.48	275,000.00	
UTILITIES	102,335.00	210,000.00	-	210,000.00	0.00%
	102,335.00	485,000.00	-	210,000.00	0.00%

VEHICLE AND EQUIPMENT REPLACE FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
SALE OF PERSONAL PROPERTY	51,972.00	244,000.00	35,586.06	244,000.00	14.58%
TRANSFERS IN	51,972.00	40,000.00	175,000.00	40,000.00	437.50%
	103,944.00	284,000.00	210,586.06	284,000.00	

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
ADMINISTRATION	66,296.04	175,749.00	92,239.29	175,749.00	52.48%
	66,296.04	175,749.00	92,239.29	175,749.00	52.48%

AMERICAN RESCUE PLAN ACT FUND

5/31/22

REVENUES, BY SOURCE	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
INTERGOVERNMENTAL REVENUES	1,089,137.62	1,089,161.50	10,495.07	1,089,161.50	0.96%
INTEREST INCOME	-	-	-	-	
	1,089,137.62	1,089,161.50	10,495.07	1,089,161.50	0.96%

EXPENDITURES, BY DEPARTMENT	FY21 Actual	FY22 Budget	FY22 YTD	FY22 Projection	
UTILITIES		2,178,300.00	169,984.47	2,178,300.00	7.80%
	-	2,178,300.00	169,984.47	2,178,300.00	7.80%



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1077, Surplus of City Property

REQUESTED BOARD ACTION:

Motion to approve Resolution 1077, declaring certain items surplus.

SUMMARY:

From time to time, departments have equipment that is broken, has been replaced by new equipment, or is not used any longer. In order to be disposed of, property must be identified by the Board as surplus.

The Street Department has identified equipment for disposal:

- Air Flo eight-foot spreader
- Gravely 495 Chipper
- Rhino CY72 mower
- Two Henderson eight-foot spreaders
- Highway spreader
- Western eight-foot plow
- Kabota L345 tractor

City staff recommends sellable items be listed through GovDeals.com.

PREVIOUS ACTION:

Board approve Ordinance 2916-15, directing the City purchasing agent to dispose of such property.

POLICY OBJECTIVE:

Click or tap here to enter text.

FINANCIAL CONSIDERATIONS:

Click or tap here to enter text.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

RESOLUTION 1077

A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS EQUIPMENT

WHEREAS, from time to time, departments identify equipment that has been replaced by new equipment, is no longer used or doesn't work as it originally did; and,

WHEREAS, the City of Smithville has identified equipment from the Public Works Department, Street Division in its possession as surplus and no longer of value, including an Air Flow eight-foot spreader, Gravely 495 Chipper, Rhino CY72 mower, two Henderson eight-foot spreaders, Highway spreader, Western eight-foot plow and a Kabota L345 tractor; and

WHEREAS, the items are being presented to the Board of Aldermen of the City of Smithville as surplus equipment or to be disposed of.

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

THAT the identified property is declared as surplus equipment and the City purchasing agent is directed to dispose of such property in accordance with City Ordinance 2916-15.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st day of June 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Finance

AGENDA ITEM: Resolution 1078, A Resolution Approving A Water Leak Adjustment Request

REQUESTED BOARD ACTION:

Motion to approve Resolution 1078, approving a water leak adjustment request.

SUMMARY:

The City has received notice from Julie McCullough, a residential utility billing customer, of a repaired water leak and the request for a water leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about April 25, 2022, the Utilities Division obtained electronic reads of water usage for the month of April. Those reads were uploaded to the billing system later the same day which provides warnings for customers with no, little, or high usage. Following the month of the April 2022 billing cycle, Julie McCullough had started the cycle with a read of 3,017 and finished the April 2022 billing cycle with a read of 3,620, which resulted in consumption of **60,300** gallons.

In addition, on or about May 25, 2022, the Utilities Division obtained electronic reads of water usage for the month of May. Those reads were uploaded to the billing system later the same day which provides warnings for customers with no, little, or high usage. Following the month of the May 2022 billing cycle, Julie McCullough had started the cycle with a read of 3,620, and finished the May 2022 billing cycle with a read of 3,935, which resulted in consumption of **31,500** gallons.

In both months, the amount used was more than twice the established monthly average. As required by Ordinance 2989-18, Julie McCullough has provided proof of repair/maintenance of the leaking toilets which caused the high usage during both April 2022 and May 2022.

If approved, the leak adjustment would issue a credit of **\$249.91** to utility account 09-001900-05.

PREVIOUS ACTION:

The Board has approved previous leak adjustments in this fiscal year when conditions have been met.

POLICY OBJECTIVE:

[Click or tap here to enter text.](#)

FINANCIAL CONSIDERATIONS:

Reduce utility revenues by \$249.91

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Repair Documentation | |

RESOLUTION 1078

A RESOLUTION APPROVING A WATER LEAK ADJUSTMENT REQUEST.

WHEREAS, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and,

WHEREAS, Julie McCullough, a residential utility billing customer with account 09-001900-05, has notified the City of a water leak and is requesting a leak adjustment; and,

WHEREAS, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and,

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$249.91;

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

A water leak adjustment in the amount of \$249.91 shall be credited to account 09-001900-05 of residential utility billing customer Julie McCullough.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st day of June, 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Julie McCullough

Utility Service Address: 14924 Kelly Drive

Utility Account Number: 09-001900-05

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be \$ 249.91 at the Board of Alderman meeting on 6/21/2022.

I, Julie McCullough, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, Julie McCullough shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

A handwritten signature in black ink, appearing to be 'Julie McCullough', written over a horizontal line.

Customer's Signature

6/8/22
Date



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: Julie McCullough

Utility Service Address: 14924 Kelly Drive

Utility Account Number: 09-001900-05

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

- The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): \$8.33
Average monthly water usage for this property: 4,300 Gallons

- Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): \$4.98

- If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.

If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): \$6.68
Average monthly wastewater usage for this property: 4,300 Gallons
Was the leak inside or outside the home: Inside
Was the wastewater billed winter average or actual usage: Actual Usage

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1	
Original Water Bill Amount	
60,300 gallons @ 8.33 per 1,000 gallons =	502.30
Adjusted Water Bill Amount	
8,600 gallons @ 8.33 per 1,000 gallons =	71.64
+ 51,700 gallons @ 4.98 per 1,000 gallons =	257.47
	329.11
Water Discount =	
	173.19
Original Wastewater Bill Amount	
60,300 gallons @ 6.68 per 1,000 gallons =	402.80
Adjusted Wastewater Bill Amount	
60,300 gallons @ 6.68 per 1,000 gallons =	402.80
Wastewater Discount =	
	0.00

MONTH 2 (if applicable)	
Original Water Bill Amount	
31,500 gallons @ 8.33 per 1,000 gallons =	262.40
Adjusted Water Bill Amount	
8,600 gallons @ 8.33 per 1,000 gallons =	71.64
+ 22,900 gallons @ 4.98 per 1,000 gallons =	114.04
	185.68
Water Discount =	
	76.72
Original Wastewater Bill Amount	
31,500 gallons @ 6.68 per 1,000 gallons =	210.42
Adjusted Wastewater Bill Amount	
31,500 gallons @ 6.68 per 1,000 gallons =	210.42
Wastewater Discount =	
	0.00

Total Discount = 249.91



Payment details

MM

Matthew Marshall

"Fixing 2 toilets at 14924 kelly 5-9-2022
Replace flappers on 1 and tube adjustment on
both."

- \$115



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Finance

AGENDA ITEM: Resolution 1079, A Resolution Approving A Water Leak Adjustment Request

REQUESTED BOARD ACTION:

Motion to approve Resolution 1079, approving a water and wastewater leak adjustment request.

SUMMARY:

The City has received notice from Alan Nelson, a residential utility billing customer, of a repaired water leak and her request for a water leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about April 25, 2022, the Utilities Division obtained electronic reads of water usage for the month of April. Those reads were uploaded to the billing system later and same day which provides warnings for customers with no, little, or high usage.

Following the month of the April billing cycle, Alan Nelson had started the cycle with a read of 685 and finished the April cycle with a read 773, which resulted in consumption of **8,800** gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Alan Nelson has provided proof of repair/maintenance of the toilet leak which caused the high usage during the April billing cycle.

Following the month of the May billing cycle, Alan Nelson had started the cycle with a read of 773 and finished the May cycle with a read 870, which resulted in consumption of **9,700** gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Alan Nelson has provided proof of repair/maintenance of the toilet leak which caused the high usage during the May billing cycle.

If approved, the leak adjustment would issue a credit of \$40.08 to Alan Nelson's utility account.

PREVIOUS ACTION:

The Board has approved previous leak adjustments in this fiscal year when conditions have been met.

POLICY OBJECTIVE:

[Click or tap here to enter text.](#)

FINANCIAL CONSIDERATIONS:

Reduce utility revenues by \$40.08

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Repair Documentation | |

RESOLUTION 1079

A RESOLUTION APPROVING A WATER AND WASTEWATER LEAK ADJUSTMENT REQUEST.

WHEREAS, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and,

WHEREAS, Alan Nelson, a residential utility billing customer with account 10-000031-02, has notified the City of a water leak and is requesting a leak adjustment; and,

WHEREAS, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and,

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$40.08;

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

A water and wastewater leak adjustment in the amount of \$40.08 shall be credited to account 15-001016-02 of residential utility billing customer Alan Nelson.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st day of June, 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Alan Nelson

Utility Service Address: 602 Rock Bridge Ct

Utility Account Number: 15-001016-02

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be \$40.08 at the Board of Alderman meeting on 6/21/22.

I, Alan Nelson, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, Alan Nelson, shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

A handwritten signature in black ink that reads 'Alan Nelson'.

Customer's Signature

A handwritten date in black ink that reads '6-13-22'.

Date



Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Alan Nelson**

Utility Service Address: **602 Rock Bridge Ct**

Utility Account Number: **15-001016-02**

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

1. The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): **\$8.33**
 Average monthly water usage for this property: **1,633 Gallons**

2. Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): **\$4.98**

3. If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.

If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): **\$6.68**
 Average monthly wastewater usage for this property: **1,633 Gallons**
 Was the leak inside or outside the home: **inside**
 Was the wastewater billed winter average or actual usage: **winter average**

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1		
Original Water Bill Amount		
8,800 gallons @ 8.33 per 1,000 gallons =		73.30
Adjusted Water Bill Amount		
3,266 gallons @ 8.33 per 1,000 gallons =		27.21
+ 5,534 gallons @ 4.98 per 1,000 gallons =		27.56
		54.77
	Water Discount =	18.53
Original Wastewater Bill Amount		
1,633 gallons @ 6.68 per 1,000 gallons =		10.91
Adjusted Wastewater Bill Amount		
1,633 gallons @ 6.68 per 1,000 gallons =		10.91
	Wastewater Discount =	0.00

MONTH 2 (if applicable)		
Original Water Bill Amount		
9,700 gallons @ 8.33 per 1,000 gallons =		80.80
Adjusted Water Bill Amount		
3,266 gallons @ 8.33 per 1,000 gallons =		27.21
+ 6,434 gallons @ 4.98 per 1,000 gallons =		32.04
		59.25
	Water Discount =	21.55
Original Wastewater Bill Amount		
1,633 gallons @ 6.68 per 1,000 gallons =		10.91
Adjusted Wastewater Bill Amount		
1,633 gallons @ 6.68 per 1,000 gallons =		10.91
	Wastewater Discount =	0.00

Total Discount = 40.08

Al Nelson
602 Rockbridge Ct
Smithville, Mo 64089
(816) 616-4812

Accent Improvements LLC

17625 hwy B
Edgerton, Mo 64444
Phone: (816) 521-8609

Payment Terms	Due upon receipt
Invoice #	000318
Date	05/15/2022

Description	Total
Toilet leak repair	\$40.00
Replace water valve	

Subtotal	\$40.00
Total	\$40.00

Payments Summary

05/15/2022 - Check	\$40.00
Paid Total	\$40.00
Remaining Amount	\$0.00

Al Nelson



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1080 and 1081 - Authorizing the submittal of an application for funding of improvements to the City's water infrastructure.

REQUESTED BOARD ACTION:

A motion to approve Resolution 1080 and 1081, authorizing the submittal of an application for funding of improvements to the City's water infrastructure.

SUMMARY:

Missouri Department of Natural resources is soliciting applications for America Rescue Plan Act funding for water and wastewater systems. The City is putting together an application for each Utility. The application process will be competitive and matching funds will be needed. Applications are due July 14.

Communities can only submit one application in each category but can "bundle" projects. The maximum for each application is \$5,000,000.

The program requires local match in terms of cash on hand.

Based on the guidance, matching requirements, engineering report needed for submission, and CIP staff is developing applications for:

Sewer Funding

- Line 1 of Phase 1 Owens Branch sewer main (\$722,000 Engineering / \$1,728,000 Construction) and
- Bar Screen Wastewater Treatment Plant (\$635,200 Engineering / \$3,176,000 Construction)

Total Application \$6,250,000

ARPA Funding \$5,000,000

City Funding \$1,250,000

Water Funding

- Water Plant Improvements – Clean Lime Sludge lagoons, new filter media, Actuators, valve replacements, chemical feed improvements (\$302,000/ \$2,016,000 Construction) and
River Crossing (Engineering \$218,000 / \$902,900 Construction)

Total application \$3,438,900

ARPA Funds \$2,746,900

City Funds \$692,000

Unfortunately, when staff reviewed the scoring criteria by which these projects will be ranked, there is an emphasis on low and moderate income, unemployment, disadvantaged, qualifying census tracts and whether our systems are under a DNR enforcement non-compliant order.

Smithville does not score well in these areas, however if we do not apply we definitely would not be funded.

PREVIOUS ACTION:

none

POLICY ISSUE:

Maintaining infrastructure

FINANCIAL CONSIDERATIONS:

These projects are included in our future CIP Plans and both the water and wastewater master plans.

ATTACHMENTS:

☐ Ordinance

☒ Resolution

☐ Staff Report

☐ Other:

☐ Contract

☐ Plans

☐ Minutes

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 1080

(Suggested Form for Applicant use)

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center's State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

WHEREAS under the terms of section 602(c) of the Act and Treasury's regulations, the State of Missouri has authorized the making of grants to authorized applicants to aid in the completion of specific public projects.

NOW, THEREFORE, be it resolved by Smithville Board of Aldermen
(governing body of applicant)

1. That Mayor Damien Boley be and he/she is hereby authorized to execute and
(designated official)
file an application(s) on behalf of the City of Smithville, MO
(legal name of applicant)

with the State of Missouri for grant funding to aid in the completion of: a lead service line inventory, or a drinking water, wastewater, and/or a stormwater project.

Water Plant Improvements including replacing valves, filter media, chemical feed systems and

(Brief project(s) description)

installation of 10-inch water main under the Little Platte River

2. That Damien Boley, Mayor
(name of authorized official) (Title)

is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting City Clerk of the
(title of officer)

City of Smithville, does hereby certify: That the attached resolution is a
(legal name of applicant)

true and correct copy of the resolution adopted at a legally convened meeting of the Board
of Aldermen held on the 21 day of June,

(name of the governing body of applicant)

2022; and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 21 day of June, 2022.

(signature of recording officer)

City Clerk
(title of recording officer)

SEAL (If applicant has an official seal, impress here.)

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 1081

(Suggested Form for Applicant use)

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center's State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

WHEREAS under the terms of section 602(c) of the Act and Treasury's regulations, the State of Missouri has authorized the making of grants to authorized applicants to aid in the completion of specific public projects.

NOW, THEREFORE, be it resolved by Smithville Board of Aldermen
(governing body of applicant)

1. That Mayor Damien Boley
(designated official) **be and he/she is hereby authorized to execute and**
file an application(s) on behalf of the City of Smithville, MO
(legal name of applicant)

with the State of Missouri for grant funding to aid in the completion of: a lead service line inventory, or a drinking water, wastewater, and/or a stormwater project.

Installation of bar screen at waste water treatment plant and Line 1 Phase 1 of Owens Branch Sewer
(Brief project(s) description)

Main

2. That Damien Boley, Mayor
(name of authorized official) (Title)

is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting City Clerk of the
(title of officer)

City of Smithville, does hereby certify: That the attached resolution is a
(legal name of applicant)

true and correct copy of the resolution adopted at a legally convened meeting of the Board
of Aldermen held on the 21 day of June,

(name of the governing body of applicant)

2022; and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 21 day of June, 2022.

(signature of recording officer)

City Clerk
(title of recording officer)

SEAL (If applicant has an official seal, impress here.)



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Administration

AGENDA ITEM: Approve Resolution 1082, Appointing John Creagar Alternate Prosecuting Attorney.

RECOMMENDED ACTION:

Approve Resolution 1082, appointing John Creagar as Alternate Prosecuting Attorney.

SUMMARY:

Mayor Boley nominates John Creagar to the position Alternate Prosecutor in accordance with Section 105.070.D of the Code of Ordinances. Mr. Creagar will serve as back up to the City appointed prosecuting attorney, Angela Ravkin, in the event she cannot attend a court date.

PREVIOUS ACTION:

Ms. Ravkin was appointed Alternate Prosecuting Attorney in 2019 and Prosecuting Attorney in 2021. The Alternate Prosecuting Attorney appointed in 2021 has resigned and a new Alternate is necessary.

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Engineer Recommendation | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Letter of Recommendation
John Creagar Resume | |

RESOLUTION 1082

A RESOLUTION APPOINTING JOHN CREAGAR AS ALTERNATE PROSECUTING ATTORNEY.

WHEREAS, there is currently a vacancy in the position of Alternate Prosecuting Attorney; and

WHEREAS, from time to time, the City Prosecuting Attorney may need a back-up attorney to cover a Court docket; and

WHEREAS, based upon the recommendation of the current Prosecuting Attorney, a candidate has been identified to fill this role; and

WHEREAS, the Mayor will nominate John Creagar for the position of Alternate Prosecutor in accordance with Section 105.070.D of the Code of Ordinances;

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

THAT John Creagar is hereby appointed as Alternate Prosecuting Attorney.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st day of June 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

John M. Creagar

9500 Wornall Rd, Kansas City, MO 64114 / (913) 221-8916 / johncreagar@gmail.com

EXPERIENCE

Clay County Prosecutor's Office

Assistant Prosecuting Attorney

Clay County, Missouri

Oct 2020 - Present

Prosecuted criminal and civil cases of failure to pay child support. Criminal prosecution with focus on sexually based crimes. Trial and trial prep for both jury and bench trials. Management of over 800 cases.

Creagar Law, LLC

Founder

Kansas City, Missouri

June 2018 - Oct 2020

Practice focused on Estate/Probate, Municipal/Criminal, Housing, and Guardian ad Litem work. Required time and task management skills. Litigation and negotiation abilities honed. Worked with local attorneys and prosecutors, but went to trial as needed. As GAL obtained first hand experience working with cases involving the welfare of children and protecting their best interests.

The Law Offices of Creagar & Thurmond

Founding Partner

Kansas City, Missouri

July 2015 – June 2018

Dean Jeffrey Thomas – UMKC School of Law

Missouri

Kansas City,

Research Assistant

Annual 2013 - Present

Focused on the study of case law and the trends/precedents set by the court. One hundred to one hundred and fifty cases reviewed and summarized annually.

Midwest Innocence Project Clinic

Legal Intern

Kansas City, Missouri

Spring 2014

Reviewed cases and trial records.

The Honorable Judge Kenneth Garrett III, Jackson County Circuit Court

Judicial Intern

Independence, Missouri

Fall 2013

BAR ADMISSION

Missouri, 2014

Kansas, 2015 - 2021

Kansas District Court, 2018

Missouri District Court, 2021

EDUCATION

University of Missouri-Kansas City School of Law

Missouri

Kansas City,

Juris Doctor, May 2014

GPA: 3.060 / Class Rank: 49/150

Advocacy: Negotiation Competition Team; Ellison Moot Court Board

Activities: Secretary, American Civil Liberties Union Alliance; Public Interest Law Association;

Midwest Innocence Project Student Association

Kansas State University

Bachelor of Science, History.

Manhattan, Kansas

May 2007

Community Involvement

Jackson County Family Court Mentor

March 2012- 2016

Boy Scouts of America – District Commissioner

January 2016 – 2019

Colonial Presbyterian Church – Volunteer Youth Leader

August 2009 - Present

REFERENCES

Honorable Judge Kenneth R. Garrett III

Independence Courthouse Annex

308 W. Kansas- 2nd Floor
Independence, Missouri 64050
Kenneth.Garrett@courts.mo.gov
(816) 881-4402

Associate Dean Jeffrey Thomas

UMKC School of Law

175 Law 1-508
Kansas City, MO 64110-2499
ThomasJE@umkc.edu
(816) 235-2378

Grant Kelley

Clay County Child Support and Prosecutor's Office

11 S. Water St.
Liberty, MO 64068
grant.kelley@claycopa.com
816-786-9597

Mayor Boley,

I am writing this letter in support of John Creagar being appointed to serve as my back-up for the role of Smithville Municipal Prosecutor. I have worked with John Creagar for over a year and a half. During that time I have observed his commitment to being a prosecuting attorney, his abilities to conduct hearings in the courtroom and his reasonableness in getting cases resolved.

John first served as a Clay County Assistant Prosecuting Attorney in the Non-Support Division. He recently volunteered for and was promoted to take on the daunting task of being the Assistant Prosecuting Attorney for Sex Crimes. This promotion not only illustrates Mr. Creagar's commitment to being a prosecutor but his skill level. Sex crimes are some of the most detail oriented and mentally taxing cases that this office prosecutes.

Mr. Creagar and I both used to handle the criminal and non-support docket in Division 6 with the Honorable Karen Krauser. During that time I observed Mr. Creagar exhibit both confidence and intelligence while handling non-support hearings. From what I have observed Mr. Creagar has a good working relationship with Judge Krauser. Judge Krauser is the current Judge handling our Smithville docket.

Mr. Creagar spent 5 years in private practice where he traveled to several municipalities throughout Missouri and Kansas handling traffic level offense. I believe he is well experienced in how municipal dockets run. I have no doubt he has the experience needed to serve as the back-up Prosecutor of the City of Smithville.


Angela Ravkin

Smithville Prosecuting Attorney



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Parks and Recreation

AGENDA ITEM: Resolution 1083, Temporary Liquor License – Festi-ville

REQUESTED BOARD ACTION:

A motion to approve Resolution 1083, issuing a Temporary Liquor License to Eric Craig Real Estate Team for Festi-ville to be held on August 13, 2022

SUMMARY:

The requested permit will allow the participants to have alcohol (open container) at the event. The event is scheduled from 3:00 p.m. until 1:00 a.m. on Main Street, Bridge Street and Church Street. Street closure will begin at 8:00 a.m. for set-up.

Per City Ordinance 600.070 (G &H) the Board of Aldermen may grant a Special Event Permit to allow drinking in public.

The event coordinators may utilize the following businesses as food and alcohol vendors: Kozak's, Chops BBQ, Humphreys and Dizzy Blenders.

PREVIOUS ACTION:

Temporary Liquor License was approved for this event in June 2019.

POLICY OBJECTIVE:

N/A

FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Ordinance 600.070 (G &H) and Event Application | |

RESOLUTION 1083

A RESOLUTION APPROVING A TEMPORARY LIQUOR LICENSE FOR ERIC CRAIG REAL ESTATE TEAM FOR "FESTI-VILLE" IN THE DOWNTOWN COURTYARD ON SATURDAY, AUGUST 13, 2022

WHEREAS, Eric Craig Real Estate Team has submitted an application with all required fees and documentation; and,

WHEREAS, local businesses will supply the food and beverages for a fee to the participants in a vendor tent in the courtyard using their State and City licenses to sell alcohol; and,

WHEREAS, the applicant has submitted a map of the area and will monitor the area that will allow open consumption of alcohol in accordance with city code; and,

WHEREAS, Smithville police officers will assist in providing security at the event.

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

THAT A TEMPORARY LIQUOR LICENSE BE ISSUED TO ERIC CRAIG REAL ESTATE TEAM FOR FESTIVILLE TO BE HELD SATURDAY, AUGUST 13, 2022. IN ACCORDANCE WITH THE PLAN APPROVED BY THE CHIEF OF POLICE.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st day of June 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

600.070 (G & H)

G. Drinking In Public Places Prohibited.

1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot, except in those areas above granted a special event permit.
2. No person shall drink or ingest any intoxicating liquor or non-intoxicating beer in or on any public place.
3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while in or upon any public place.
4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while within or on any motor vehicle while the same is being operated upon, or parked or standing in or upon any public place. Any person operating a motor vehicle shall be deemed to be in possession of an open container contained within the motor vehicle he/she has control of whether or not he/she has actual physical possession of the open container.

H. Special Event Permit. The Board of Aldermen may grant a special event permit for purposes as identified in Section 600.070(G)(1), above, and under the following conditions:

1. An application must be filed with the Chief of Police that describes the applicant's name and business or interest in the event; the name(s) and contact information of any or all liquor license holders who will be involved in such event; the public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot to be included in the event area; the beginning and ending time of such event, and the telephone contact of the person in charge of and present at the event.
2. The estimated number of participants in the event shall be provided to the Chief of Police, and the applicant shall pay all costs of security needed as a result of the event to ensure compliance.

[1] Editor's Note: Former Section 600.070, which derived from RSMo. §§311.280, 311.340, 311.600, 311.330, 311.310, 312, 400; Ord. No. 2255-04 §1, 3-16-2004, was repealed 6-21-2011 by Ord. No. 2790-11 §1.



CITY OF SMITHVILLE
107 West Main Street
Smithville, MO 64089

Date Submitted 2/23/2022
Application # 2
Date Approved _____

SPECIAL EVENT APPLICATION

Thank you for choosing the City of Smithville for your event. Staff looks forward to working with you in ensuring a quality event and protecting the public health, safety, and welfare of event participants and the public at large. In order to do so, the City requires that all events must be approved prior to the event. Please complete and return the following special event application to City Hall at the address above. Thank you again for choosing Smithville. **Please refer to the Application Information and corresponding sections in the Event Rules and Conditions to answer most questions.**

1. EVENT INFORMATION:

Event Name: Festi-ville
Event Location: Smithville Square Event Tier: 3
Detailed event description (additional room on next page or sheet may be attached): MUSIC
festival with food, alcohol vendors, kids area with games +
inflatables
Estimated attendance: 3,000
Event Date(s) and Times: August 13th
Set up date/time: 8 am Cleanup finished date/time: 1 am

2. APPLICANT / CONTACT INFORMATION:

Applicant(s)

Name: Lydia Schuetz
Organization: Eric Craig Real Estate Team
Address: 106 W. Main St.
City, State, Zip: SMITHVILLE, MO 64089

Phone: 816-520-4208 Fax: —
Emergency #: 816-520-4208
E-mail: Lydia@EricCraigTeam.com

Alternative Contact

Name: Jamie Karr
Phone: 816-838-1573

Property Owner(s), if not applicant or City

Name: _____
Organization: _____
Address: _____
City, State, Zip: _____

Phone: _____ Fax: _____
Emergency #: _____
E-mail: _____

Alternative Contact

Name: Eric Craig
Phone: 816-726-8565

Event Emergency and Safety Operations Plan PURPOSE:

Smithville Parks and Recreation is committed to providing a safe and secure environment for staff, volunteers, guests, and attendees for City sponsored special events and community outreaches it conducts. As such, this Event Emergency and Safety Operations plan is constructed to provide protocols and procedures for handling a variety of emergencies and situations that may arise during these events.

In a dynamic and ever-changing world, it is impossible to predict or forecast every possible emergency and safety scenario. This plan has been established to address “reasonably foreseeable” situations that may arise.

Emergency and Security Team (EST) selection:

Each event is unique and the requirements to ensure a safe and secure event environment is contingent on a number of variables to include, but not limited to:

1. Location of event
2. Attendance of event
3. Length of event
4. Open or closed access to the event
5. Weather
6. Planned activities
7. Perceived external threats

In planning safety and security concerns for each event, it is imperative that a detailed assessment of the event complexion is conducted to identify the number of personnel, personnel skill set, and any special equipment that is needed.

It is also understood that “ALL” event staff and volunteers should serve as a member of the EST, in that this provides additional “eyes and ears” in the field to immediately identify and address safety concerns and report emergencies to designated personnel for resolution. SAFETY is a priority for all those involved in the event operations.

EST Structure:

Designated EST personnel will have divided into two primary functions:

1. Site Safety and Security (EST-SSS)
2. Emergency Response (EST-ER)

The primary Event Coordinator, in most instances, will serve as the EST Leader and will be supported by team leaders overseeing the respective functions of the EST-SSS and EST-ER components. Depending on the event dynamics the Event Coordinator may opt to designate an EST Leader.

The number of personnel in each EST component will be contingent on the results of the prevent assessment conducted. EST Team members should be clearly marked as security and safety personnel.

The EST Leader will be responsible for establishing a EST member schedule to ensure adequate coverage for response during the event.

EST Component Responsibilities:

Site Safety and Security (EST-SSS)

The primary function of the EST-SSS is to conduct pre-event site survey safety inspections to identify potential safety hazards and work to mitigate their risk. Additionally, the EST-SSS will be responsible for general security issues of site to include managing the people flow in and around the event area. The EST-SSS will also be vigilant in immediately identifying and correcting unsafe conditions that develop during the operation of the event. The EST-SSS will be responsible for monitoring weather conditions, addressing fire hazards, and other access to secure areas and other dangerous environments that may cause injury to attendees.

Emergency Response (EST-ER)

The EST-ER component will be primarily responsible for immediate response to the site of all emergencies identified by the EST-SSS. This will include medical emergencies, fires, disorderly subjects or dangerous environments.

The EST-ER component size will be contingent on the pre-event assessments, however in most instances will be a unit consisting of 1-2 persons. Depending on the dynamics of the event, the EST Leader may elect to designate more than one EST-ER unit.

Whenever possible, the personnel EST-ER should be individuals that have received first responder training, have current or prior law enforcement, Fire, EMS, or security experience.

Communications:

Reliable communications between components is necessary to ensure the safe operation of any event. For most events, a combination of phone and text communications will be utilized. To facilitate reliable communications the EST-SSS will designate a Communications Coordinator, who will compile a phone contact list for each EST member.

Emergency Contact Numbers:

911 Smithville Police: Daytime phone - (816) 532-0500. For non-medical emergencies after 5 p.m., call the Platte County Sheriff at (816) 858-3521

Clay County Sheriff's Department: (816) 407-3750

Fire Department: Smithville Area Fire Protection District: Daytime phone - (816) 532-4902

Ambulance: Northland Regional Ambulance District: Daytime phone - (816) 858-4450

Medical Emergencies

1. Tend to victim
2. Contact onsite First Aid responders
3. Administer First Aid as applicable
4. Activate EMS if necessary

5. If emergency is a result of an injury sustained at the site collect personal information from victim when practical.
6. Identify and document cause of injury

Weather Contingencies (For outdoor events)

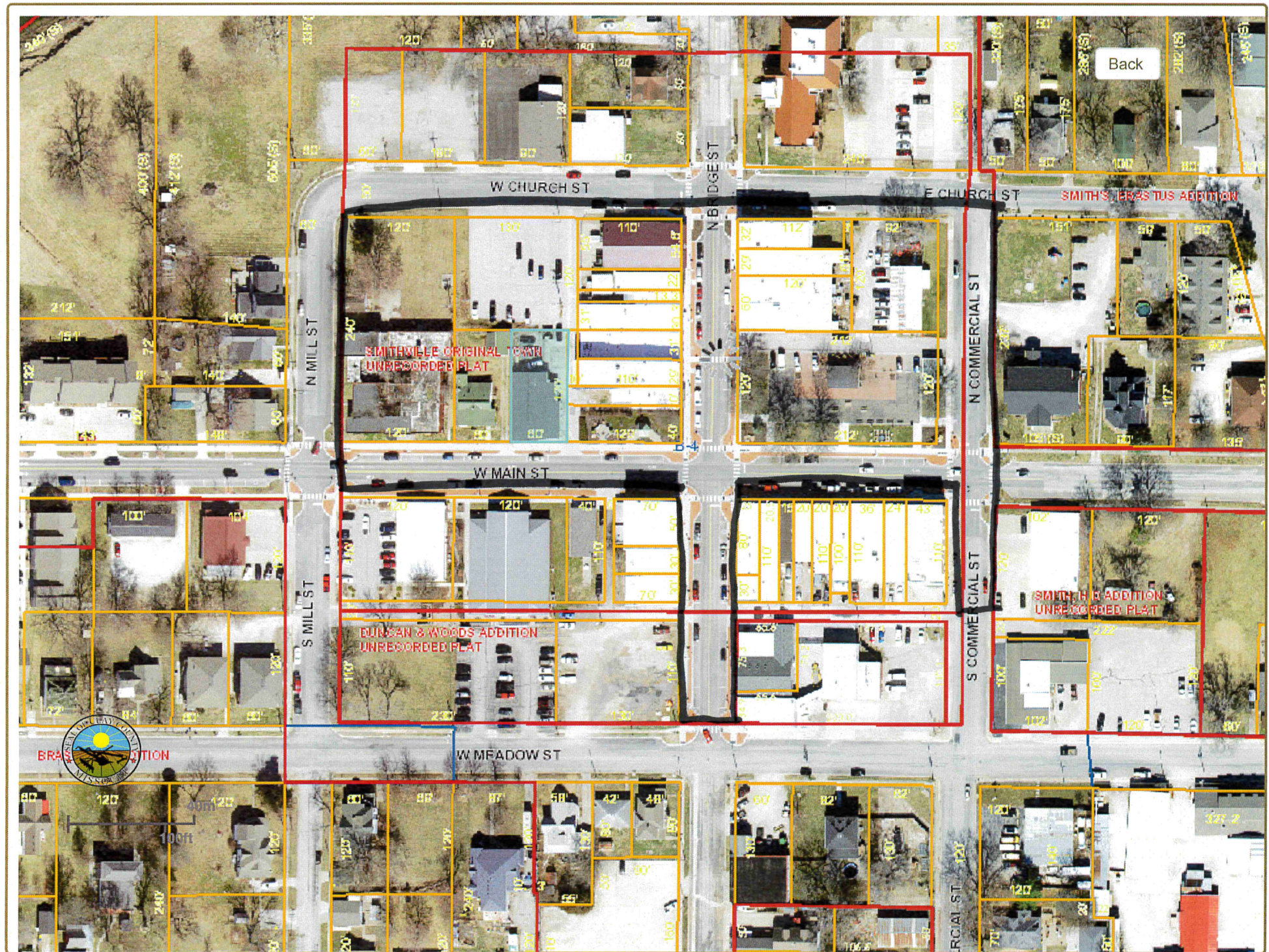
1. Monitor weather via radio, computer and/or smart phone
2. Communicate with National Weather Service for severe weather alert information
3. If necessary, activate emergency stage shut down procedures
4. Broadcast emergency weather situation to attendees.
5. In the event of flooding or extremely severe weather determine if evacuation is necessary.
6. Activate site evacuation procedures
7. Eric Craig Real Estate Team Office 106 W. Main Street is designated as the primary rally point and temporary storm shelter
8. Public Restroom facilities will be used for temporary storm shelters and for staging for evacuation.

Fire and other Hazardous Environments

1. Be cognizant of potential hazardous environments that may cause trips, falls, or fire hazards.
2. Report any suspect observations immediately to the EST Leader.
3. Restrict unauthorized personnel from the affected area and establish a perimeter a safe distance away from the hazard.
4. In the event of an actual fire, activate the EST-ER, evacuate people from the area, and contact the fire department and other required emergency services.
5. Begin to clear access to the site of the emergency to allow for easy access for emergency equipment and personnel.
6. Identify potential victims, witness and document the scene.

Disorderly subjects

1. In the event of a disturbance or disorderly subject crew member(s) shall notify EST-ER immediately to respond.
2. Efforts will be made to de-escalate the situation and remove the disturbance from the public view. The strategy of "use your head, not your hands" should be the primary tactic.
3. If the subject(s) is violent in nature, appears to be under the influence of drugs or alcohol, or has committed a violation of law then law enforcement personnel will be immediately contacted immediately to respond and handle the situation





City Administrator's Report

June 2, 2022

Mid-America Regional Council Connected KC 2050 Grant

MARC is soliciting project proposals for Federal Fiscal Years 2025-2026 for three Federal Highway Administration funding programs. Each program is limited to a maximum of 80% federal share and requires a local match of at least 20% for any federal funds awarded to any project. This funding opportunity will consist of two phases: a pre-application and initial screening, and a full application and technical evaluation. The City submitted four project proposals for the Surface Transportation Block Grant Program. This round is the pre-application and initial screening round of the grant application.

The City submitted the following projects: Pope Lane Extension, Bridge Street Roundabout, Riverwalk Park, and Second Creek Sidewalk.

Project	Total Project Cost	Fund Request	City Cost
Bridge Street Roundabout	\$1,450,000	\$960,000	\$490,000
Pope Lane Extension	\$2,920,000	\$1,936,000	\$984,000
Riverwalk Park	\$4,000,000	\$3,200,000	\$800,000
Second Creek Sidewalk	\$725,000	\$440,000	\$285,000

The pre-application and initial screening closed on April 1. Staff anticipates receiving scores in the coming weeks. The full applications and technical evaluations are due on July 29.

Property Tax Rate Update

Pursuant to RSMo 67.110, the City must file its tax rate with Clay and Platte Counties no later than October 1 each year. This is the case for cities located within a county with a charter form of government (Clay County in this case). In discussions with the counties, Pre-BOE (Board of Equalization) values for Clay County are expected to be received mid-June and Pre-BOE (Board of Equalization) values for Platte County are expected to be received toward the end of June and no later than July 1. Staff is proposing to hold the public hearing for the property tax levy and hold the 1st reading

for setting the 2022 property tax rate on September 6, 2022. Staff is proposing to hold the 2nd reading for setting the 2022 property tax rate on September 20, 2022.

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 (3) public places in the political subdivision. Either action must take place seven (7) days prior to the public hearing. The deadline for getting the public notice to the newspaper would be near the end of the 3rd week of August and the public notice can be posted at the beginning of the 5th week of August.

Governing Body Retreat Follow UP

Staff is working on items of follow up to the Governing Body Retreat/Financial Summit held in May. The planning calendar includes work session discussions on several of the items identified as priority at the retreat to provide budget development guidance.

Holiday Schedule

City Hall will be closed in observance of the Fourth of July holiday on Friday, July 1 and Monday, July 4. The joint City and Clay County fireworks celebration will be held on Friday, July 1.



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Public Works

AGENDA ITEM: Bill No. 2943-22, An Ordinance authorizing the Mayor to sign an agreement with Missouri Highways and Transportation Commission. 2nd reading.

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2943-22, authorizing the Mayor to sign an agreement with Missouri Highways and Transportation Commission. 2nd reading by title only.

SUMMARY:

MoDOT desires to place a communications antenna on the water tower at 169 Highway and Amory Road. The purpose of this antenna is for communications to the traffic signals along Highway 169 in Smithville.

Staff met with Missouri Department Of Transportation (MoDOT) and this will not affect any of our operations at the tower.

PREVIOUS ACTION:

POLICY ISSUE:

Traffic Safety

FINANCIAL CONSIDERATIONS:

No Cost. MoDOT is responsible for all costs of their installation and maintenance.

ATTACHMENTS:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

BILL NO. 2943-22

ORDINANCE NO. _____

**ORDINANCE APPROVING THE TRAFFIC SIGNAL COMMUNICATION
COOPERATIVE AGREEMENT WITH THE MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

WHEREAS The City is the owner of a certain water tower (the "Tower") located at US 169 and Amory Rd, Smithville, Missouri; and,

WHEREAS The Missouri Highways and Transportation Commission desires to use the City's Tower Property for the purpose of maintaining and operating a communications facility.

WHEREAS §70.220(1) R.S.Mo states: *Any municipality or political subdivision of this state, as herein defined, may contract and cooperate with any other municipality or political subdivision, or with an elective or appointive official thereof, or with a duly authorized agency of the United States, or of this state, or with other states or their municipalities or political subdivisions, or with any private person, firm, association or corporation, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; provided, that the subject and purposes of any such contract or cooperative action made and entered into by such municipality or political subdivision shall be within the scope of the powers of such municipality or political subdivision. If such contract or cooperative action shall be entered into between a municipality or political subdivision and an elective or appointive official of another municipality or political subdivision, said contract or cooperative action must be approved by the governing body of the unit of government in which such elective or appointive official resides.*

WHEREAS city staff and the Missouri Highways and Transportation Commission have negotiated the agreement attached hereto as Exhibit 1 and incorporated herein by reference as if more fully set forth verbatim.

WHEREAS city staff recommends approval of this cooperative agreement with the Missouri Highways and Transportation Commission.

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

The City hereby approves the agreement with the Missouri Highways and Transportation Commission as set forth in Exhibit 1 attached hereto. The Mayor or the City Administrator are directed to execute said Cooperative Agreement on behalf of the city.

PASSED THIS 21st DAY OF JUNE, 2022.

(SEAL)

DAMIEN BOLEY, MAYOR

ATTEST:

LINDA DRUMMOND, CITY CLERK

First Reading: 06/07/2022

Second Reading: 06/21/2022

Ordinance Exhibit 1

CCO Form: TR40
Approved: 11/05 (BDG)
Revised: 06/19 (GH)
Modified: 05/22 (GH)

MoDOT District: Kansas City
MoDOT Agreement Administrator: Brittany Kracht
agreement No.: 2022-01-67780

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRAFFIC SIGNAL COMMUNICATION ATTACHMENT AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission, whose address is P. O. Box 270, 105 W. Capitol, Jefferson City, Missouri 63102 (hereinafter, "Commission") and the City of Smithville, Missouri, (hereinafter, "City"), whose address is 107 W Main Street, Smithville, Missouri 64089.

WHEREAS, City is the owner of a certain water tower (the "Tower") located at US 169 and Amory Rd, Smithville, Missouri; and,

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual promises, covenants, and representations contained herein, the parties agree as follows:

(1) PURPOSE: The purpose of this Agreement is to outline the responsibilities of the parties concerning the use by Commission of property owned/controlled by City.

(2) PROPERTY: City is the owner of a certain water tower (the "Tower") located at US 169 and Amory Rd, Smithville, Missouri, and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference. The Tower and the City's real property located below and adjacent to the Tower, as depicted in Exhibit B, attached hereto and incorporated herein by this reference, is referred hereinafter as "City's Property".

(3) LICENSE: City hereby grants the use and access to Commission that certain space on the Tower, as more accurately described in Exhibit B together with (a) the Communication Equipment (defined below) located thereon, (b) a parcel of land at the base of the Tower sufficient for maintenance of the Communication Equipment, and (c) the non-exclusive right for ingress and egress, seven (7) days a week, twenty-four (24) hours a day, on foot or motor vehicle, including trucks, on, over and along the private drive extending from the nearest public right of way to the Tower, for the maintenance of the Communication Equipment.

(4) IMPROVEMENTS: Commission agrees to install or cause to be installed on the Tower, at its sole cost and expense, all radio communications equipment, antennas and appurtenances described in the plans and specifications referenced hereto as Exhibit

C, and incorporated herein by reference, and all other ancillary equipment necessary for the installation and operation of the traffic control system, including, but not limited to, all utility wires, poles, cables, conduits and pipes, as well as the smaller radio equipment to be installed at several intersections along US 169 located within the City (Collectively, the "Communication Equipment"). Commission shall maintain and repair the Communication Equipment at its sole cost and expense, and Commission hereby reserves the right to replace the Communication Equipment, as needed in Commission's sole discretion, with similar and comparable equipment, without any prior consent of City, provided said replacement does not increase the load of the Tower. Upon written request by the City, the Commission agrees to remove and/or relocate Communication Equipment at its expense to permit the painting and/or repair of the Tower. Under the circumstances present, the City will endeavor to provide as much advance notice as reasonably possible of the need for the Commission to remove or relocate Communication Equipment for the purpose of painting and/or repair of the tower. In the event of such a request, Commission will have, at a minimum, sixty (60) business days to remove or relocate its Communication Equipment.

(5) SYSTEM INSTALLATION: The installation of the Communication Equipment will be performed by a qualified electrical contractor hired by the Commission. All costs for materials (including cables and connectors), installation and modification to the City's Property will be borne by the Commission. The Commission shall prepare plans for the construction of the communication system for review and approval by the City as shown in Exhibit C. Approval of said plans is within the sole discretion of the City.

(6) SYSTEM MAINTENANCE: The Commission shall maintain all components of the Communication Equipment in order to ensure that the Communication Equipment remains in proper and safe working order.

(7) TERM: The initial term of this Agreement shall be for five (5) years (the "Initial Term") and shall commence on the date of execution of this Agreement. The Initial Term of this Agreement shall automatically be extended for four (4) additional (5) year terms unless the Commission or City terminates it at the end of the then current term by giving the other written notice of the intent to terminate at least thirty (30) days prior to the end of the end of the then current term. If at the end of the fourth (4th) five (5) year extension term this Agreement has not been terminated by either Party by giving the other written notice of intention to terminate it at least thirty (30) days prior to the end of such term, this Agreement shall continue in force upon the same covenants, terms and conditions for five (5) additional five (5) year terms until terminated by either Party by giving the other written notice of intention to terminate it at least thirty (30) days prior to the end of such extended term.

(8) USE: Commission shall use the City's Property for the purpose of maintaining and operating a communications facility and uses incidental thereto. Commission shall have the right to replace, repair, add or otherwise modify the

Communication Equipment, or any portion thereof, whether the equipment is specified or not on any exhibit attached hereto, during the term of this Agreement. Commission will maintain the City's Property in good condition, reasonable wear and tear expected.

(9) ACCESS TO TOWER: City agrees that the Commission shall have free access to City's Property at all times for the purpose of operating, maintaining, repairing and replacing the Communication Equipment. City shall provide Commission with necessary means of access for the purpose of ingress and egress to City's Property. It is agreed however, that only authorized engineers, employees or properly authorized contractors of Commission or persons under their direct supervision will be permitted to enter City Property.

(10) TOWER COMPLIANCE: City covenants that it will keep the Tower in good repair as required by all federal, state, county and local laws. The City shall also comply with all rules and regulations enforced by the Federal Communications Commission regarding the lighting, marking and painting of the Tower. No materials may be used in the installation of the antennas or transmission lines that will cause corrosion or rust or deterioration of the Tower structure or its appurtenances. The Commission antenna(s) on the Tower must be identified by a marking fastened securely to its bracket on the Tower and all transmission lines are to be tagged at the conduit opening where it enters any user's equipment space.

(11) INTERFERENCE: All Communication Equipment (including replacements thereof) installed by Commission shall be of the type and frequency which will not cause measurable interference to the equipment of tenants of City's Property existing as of the Effective Date of this Agreement. In the event the Communication Equipment installed by Commission causes such interference, Commission will take all steps necessary to correct and eliminate the interference. City agrees that City and any future tenants of City's Property will be permitted to install only such equipment that is of the type and frequency which will not cause measurable interference to the Communication Equipment. The Parties acknowledge that there will not be an adequate remedy at law for non-compliance with the provisions of this paragraph, and therefore, either Party shall have the right to equitable remedies, such as, without limitation, specific performance.

(12) COMMISSION COMPLIANCE: All installations and operation in connection with this Agreement by Commission shall meet all applicable Rules and Regulations of the Federal Communications Commission, Federal Aviation Agency. Under this Agreement, City assumes no responsibility for the licensing, operation, and/or maintenance of the Commission's Communication Equipment.

(13) REMOVAL UPON TERMINATION: Commission, upon termination of this Agreement, shall within ninety (90) days, remove the Communication Equipment and appurtenances associated therewith and otherwise restore City's Property to its original condition, reasonable wear and tear expected. City agrees and acknowledges that all

Communication Equipment and appurtenances associated therewith shall remain the property of the Commission, and the Commission shall have the right to remove the same, whether said items are considered fixtures and attachments to real property under applicable law.

(14) RIGHTS UPON SALE: Should the City, at any time during the term of this Agreement, decide to sell all or any part of City's Property to a purchaser other than Commission, such sale shall be subject to this Agreement and Commission's rights hereunder, and any sale by the City of the portion of City's Property underlying the right of way as part of this Agreement shall be subject to the right of the Commission pursuant to this Agreement.

(15) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the City and the Commission.

(16) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(17) CANCELLATION: The Commission or City may cancel this Agreement at any time for a material breach of contractual obligations or for convenience by providing the City with written notice of cancellation. Should the Commission or City exercise its right to cancel the contract for such reasons, cancellation will become effective upon the date the Commission removes its communication system from City's property but not later than 90 days.

(18) CASUALTY: In the event of damage by fire or other casualty to the City's Premises that cannot reasonably be expected to be repaired within forty-five (45) days following same or, if City's Property is damaged by fire or other casualty so that such damage may reasonably be expected to disrupt Commission's operations at the City Property for more than forty-five (45) days, the Commission may at any time following such fire or casualty, provided City has not completed the restoration required to permit Commission to resume its operation at the City's Property, terminate this agreement upon fifteen (15) days written notice to the City.

(19) NO INTEREST: By constructing, operating, and maintaining the Communication Equipment on the City's property, the Commission gains no property interest in the City's property whatsoever. The City shall not be obligated to keep the Tower in place if the City, in its sole discretion, determines removal or modification of the water tower is in the best interests of the City.

(20) NOTICES: All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it

guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

CITY: Charles Soules
Public Works Director
City of Smithville
107 W Main Street
Smithville, Missouri 64089

COMMISSION: Chris Redline
District Engineer
Missouri Department of Transportation
600 NE Colbern Road
Lee's Summit, Missouri 64086

(21) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the state of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(22) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Clay County, Missouri.

(23) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

(24) OWNERSHIP: The Communication Equipment and all its components shall be the property of the Commission. The Commission may remove the system from the City's property at the Commission's discretion. Removal of all Communication Equipment for a period of ninety (90) consecutive days shall constitute cancellation of this Agreement except in those circumstances when the removal was at the request of the City for painting and/or repair of the Tower.

(25) NOT A JOINT VENTURE OR COLLABORATION: Nothing contained in this Agreement shall be deemed to constitute the Commission and the City as partners in a partnership, collaboration, or joint venture for any purpose whatsoever.

(26) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(27) COMMISSION REPRESENTATIVE: The Commission's District Engineer is

designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(28) SEVERABILITY: If any clause or provision of this Agreement is found to be void or unenforceable by a court or agency of proper jurisdiction, then the remaining provisions not void or unenforceable shall remain in full force and effect.

(29) NON-LIABILITY OF PERSONNEL: Neither the commissioners, nor any other officer, official, employee, assign, or agent of the Commission or Missouri Department of Transportation or the City or its officers, agents or employees shall be *personally* responsible for any liability arising under or growing out of this Agreement.

(30) NO ADVERSE INFERENCE: This Agreement shall not be construed more strongly against one party or the other. The parties to this Agreement had equal access to, input with respect to, and influence over the provisions of this Agreement. Accordingly, no rule of construction which requires that any allegedly ambiguous provision be interpreted more strongly against one party than the other shall be used in interpreting this Agreement. It is agreed that more than one copy of this document may be executed, and that the original filed with the Secretary to the Missouri Highways and Transportation Commission shall be deemed to be the controlling original.

(31) ENTIRE AGREEMENT: This Agreement represents the entire understanding between the parties regarding this subject and supersedes all prior written or oral communications between the parties regarding this subject.

(32) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement on the last day written below.

Executed by the City June 21, 2022 (Date).

Executed by the Commission _____ (Date).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF Smithville, MISSOURI

By _____

By _____

Title _____

Title Damien Boley, Mayor

ATTEST:

ATTEST:

By _____
Secretary to the Commission

By _____

Title: Linda Drummond, City Clerk

Approved as to Form:

Approved as to Form:

By _____
Commission Counsel

By _____

Title: _____

Ordinance Number: _____

Exhibit A

Water Tower in City of Smithville

US 169 at Amory Rd

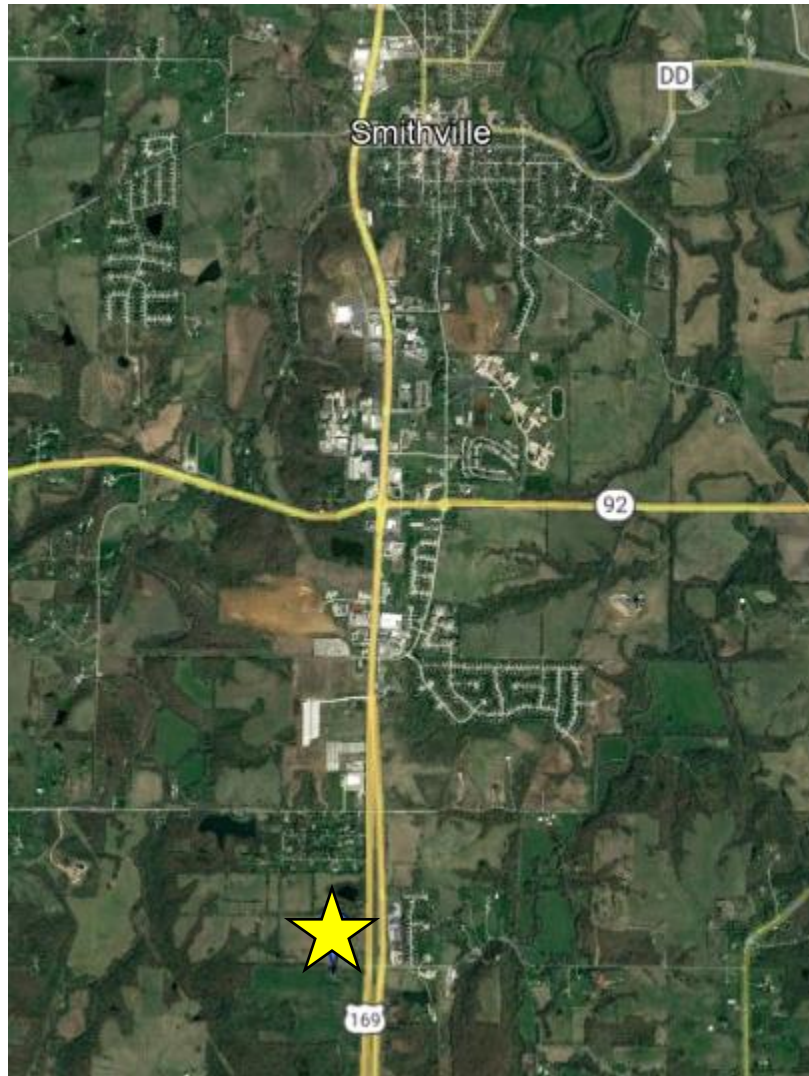


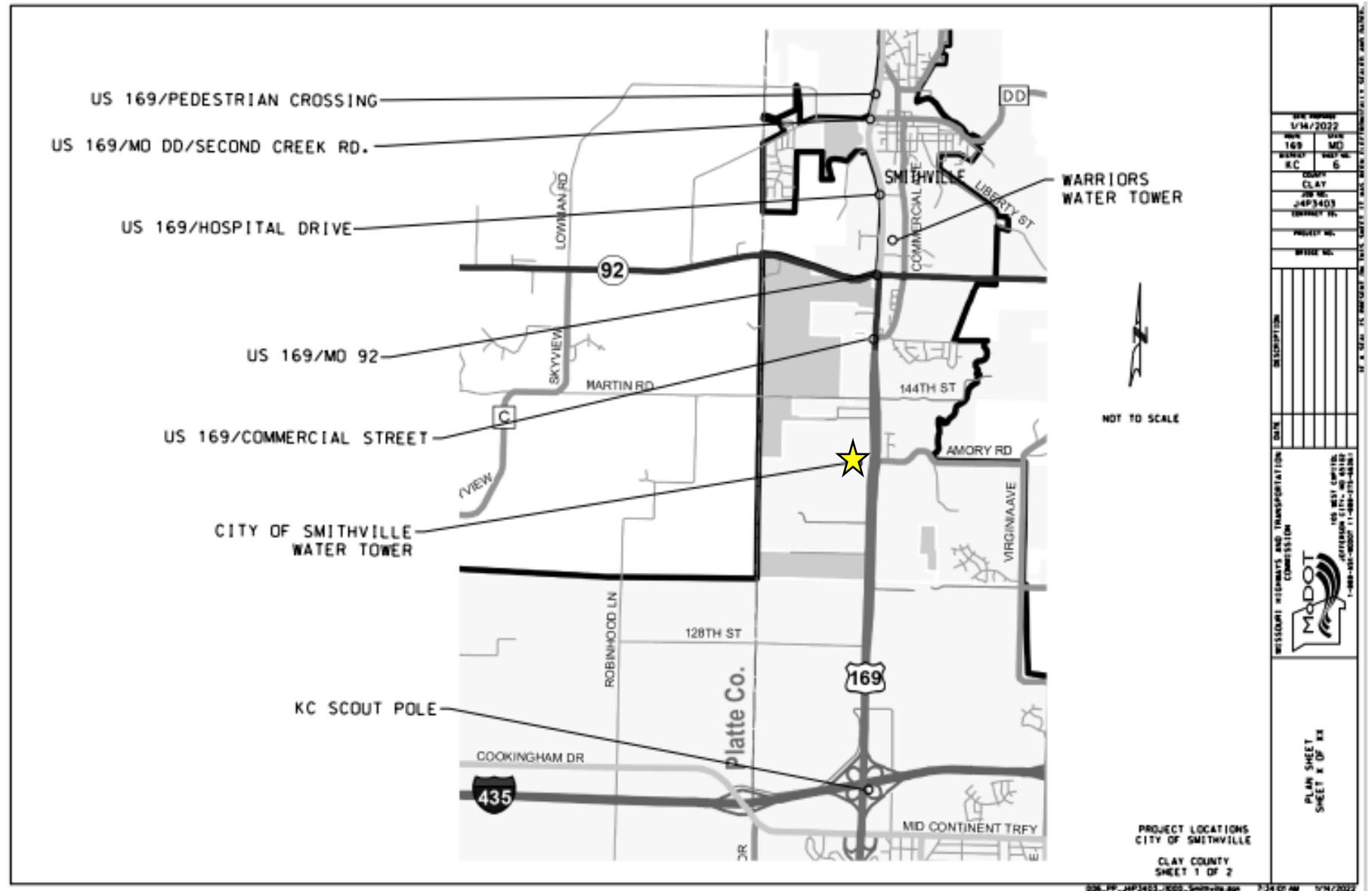
Exhibit B

Water Tower in City of Smithville



Exhibit C

Project Locations in City of Smithville





Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Administration/Finance

AGENDA ITEM: Approve Bill No. 2945-22, FY22 Budget Amendment No. 4 - Emergency Ordinance Sponsored by Mayor Boley - 1st and 2nd Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2945-22, FY22 Budget Amendment No. 4. Mayor Boley has sponsored as an emergency Ordinance in order to ensure funding for purchases later on this agenda. 1st and 2nd Reading by title only.

SUMMARY:

This Budget Amendment includes an amendment to the Combined Water and Wastewater Fund and Capital Projects Fund.

- Staff recently opened bids for the construction of the Floating Aerator. The lowest base bid was in the amount of \$491,000 (David Ross Construction). In Budget Amendment #2, a project budget of \$320,000 for construction was approved by the Board of Aldermen. This leads to a budget deficit/difference of \$170,000. In response to this lowest bid, staff is proposing to add an additional **\$180,000** to the budget as this amendment would provide additional authority for potential change orders.
- Recently, staff receipted \$100,000 in monies from McBee's Carwash (\$50,000) and Jolarub LLC (\$50,000) which will eventually be disbursed to be used for a portion of construction costs of a traffic light at the intersection of Richardson Street and U.S. Highway 169 (SE Corner). In the meantime, these monies (referred to as traffic impact fees) need to be placed and tracked in a segregated fund where they will be used for this specific purpose. In response to this, staff is proposing to add an additional **\$100,000** to the budget in the Capital Projects Fund. These funds will be tracked and stored in fund balance until they are needed to pay for the traffic light.
- The Board recently approved TIF Revenue Bonds. Staff received notice from legal counsel to transfer \$451,425 to the Trustee to begin this process. The FY2022 CID Budget is \$300,000. Staff is proposing a budget amendment of **\$170,000** to accommodate this transfer of funds, the 2022 1% CID Administrative Fee, and any other outstanding legal/administrative costs that are incurred in 2022.

PREVIOUS ACTION: The Board previously approved the FY2022 Budget on October 19, 2021 and Budget Amendment #1 on December 21, 2021, Budget Amendment #2 on March 1, 2022, and Budget Amendment #3 on April 4, 2022.

POLICY ISSUE:

FINANCIAL CONSIDERATIONS:

Amend the FY22 Budget. Resources are available in all funds affected to support the amendment.

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

BILL NO. 2945-22

ORDINANCE NO. ____-22

AN ORDINANCE AMENDING THE FY22 OPERATING BUDGET TO ADD \$350,000 TO THE EXPENDITURE BUDGET AND \$100,000 TO THE REVENUE BUDGET

WHEREAS, pursuant to Ordinance 3074-20, passed on October 19, 2021, the City approved the fiscal year ending October 31, 2022 Budget; and

WHEREAS, not included in the approved fiscal year 2022 Budget are expenditures related to capital projects and project revenues; and

WHEREAS, amendments to the Combined Water/Wastewater Fund and Capital Projects Budget are required at this time.

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

THAT the fiscal year ending October 31, 2022 Budget is hereby amended to add:

- \$180,000 to the expenditure budget in the Combined Water/Wastewater Fund
- \$100,000 to the revenue budget in the Capital Projects Fund
- 1 • \$170,000 to the expenditure budget in the Commons CID Fund

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st day of June 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 6/21/2022

Second Reading: 6/21/2022



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2946-22, Rezoning Wait's Acres

REQUESTED BOARD ACTION:

A motion to read Bill No. 2946-22 for First and Second Reading by Title Only (Emergency Ordinance Sponsored by Mayor Boley) to rezone most of Wait's Acres from B-3 to R-1A.

SUMMARY:

The ordinance would correct an oversight in changing the zoning of the lots from B-3 to R-1A to better fit with the character of the neighborhood and the uses on the land.

BACKGROUND:

The property is a single-family subdivision on North Main Street that has been in existence since it was created in 1994. Unfortunately, when the subdivision was created and the houses were constructed, there was no rezoning of the land to residential, since houses are not an allowable uses in the B-3 district. When one owner prepared to sell his property, it was discovered that some of his vacant lots could be developed into business due to the zoning. To avoid this issue, he and his neighbors to the north all sought to correct the zoning. They seek to change the zoning to R-1A, which has a minimum lot frontage of 100 feet, which all lots comply.

PREVIOUS ACTION:

The B-3 zoned land was subdivided into 7 lots in 1994 for single family housing, but there was a failure to rezone the land as required.

POLICY ISSUE:

Complies with the Comprehensive Plan uses for the area.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Planning and Zoning meeting is available for viewing online | |

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicants: Dennis Dow, Truman & Cheryl Hiatt and
Dennis Brewer

Land Use Proposed: R-1A

Zoning: B-3

Property Location: 18310, 18304 and 18222 N. Main St.

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 June 14, 2022, 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 a predominantly large lot single family uses on Agriculturally zoned land and standard R-1B single family housing to the north. Vacant B-3 lies to the east and fronts upon 169 Hwy
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan calls for the north part of the city to remain single family residential for the most part.
3. *Adequacy of public utilities and other needed public services.*
The property is served with all utilities for the existing homes.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is single family residential, but is zoned B-3. The current uses are inappropriate for a B-3 district, and changing the zoning to the correct use is appropriate.
5. *Length of time the property has remained vacant as zoned.*
The property was zoned to the existing district classification presumably when Smithville annexed into the city limits and was not changed when subdivided in 1994.

6. *Compatibility of the proposed district classification with nearby properties.*
The properties all front on N. Main St. and the proposed district will match the existing uses and lot sizes.
7. *The extent to which the zoning amendment may detrimentally affect nearby property.*
No detrimental effects are anticipated to the adjacent property values.
8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*
No detrimental effects are anticipated to adjacent properties.
9. That in rendering this Finding of Fact, testimony at the public hearing on June 14, 2022, 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 Rezoning of this property from B-3 to R-1A 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 rezoning the property to R-1A.

BILL NO. 2946-22

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND ENTERING INTO A DEVELOPMENT AGREEMENT.

WHEREAS, the City of Smithville received an application for rezoning a portion of Lots 1-6 and the north 100.93 feet of Lot 7, Wait Acres on April 19, 2022; and

WHEREAS, the public was notified by publishing in the CT paper on May 26th, June 2nd and 9, 2022 and notices were mailed to adjoining property owners on May 26, 2022.

WHEREAS, a Public Hearing was conducted before the Planning Commission on June 14, 2022; and

WHEREAS, the rezoning is to change the zoning from B-3 to R-1A; and

WHEREAS, the Planning Commission presented findings to the Board of Aldermen and recommended approval of the rezoning request; and,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, THAT:

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

Lots 1-6 and the north 100.93 feet of Lot 7 of Wait Acres, a subdivision in Smithville, Clay County, Missouri.

Changed from B-3 to R-1A

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS _____ DAY OF _____, 20____

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 06/21/22

Second Reading 06/21/22



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Administration

AGENDA ITEM: Approval of Ordinance 2947-22, Creation of the Donation Fund on First Reading

REQUESTED BOARD ACTION:

Approval of Ordinance 2947-22, Creation of the Donation Fund on First Reading by title only.

SUMMARY:

In 2013, the Smithville Legacy Fund Advisory Committee was created for the purpose of fundraising for city related items.

In 2019, the Legacy Fund opened an account with Greater Kansas City Community Foundation (GKCCF) for the purposes of having a location outside of the City funds to hold the donated funds through the Legacy Fund Committee's efforts. Along with having the account, other maintenance fees are associated, and access to the funds are limited and time consuming.

The City Attorney has advised that the City is permitted to have a separate donation fund for all donations to be placed. With the creation of the City's own donation fund, there would be no fees associated with the holding of the funds and the funds are not limited.

Due to sunshine law anonymous donations directly to the City are not possible. Because of this, staff recommends that we continue to keep the GKCCF for anonymous donations.

If a donation is to be made directly to the City donation fund, a donation agreement signed by the donor is recommended. A draft agreement, reviewed by the City Attorney, is attached.

PREVIOUS ACTION:

POLICY OBJECTIVE:

[Click or tap here to enter text.](#)

FINANCIAL CONSIDERATIONS:

[Click or tap here to enter text.](#)

ATTACHMENTS:

- | | |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Draft Donation Agreement | |

AN ORDINANCE CREATING THE DONATION FUND

WHEREAS, in 2013, the City of Smithville Board of Aldermen approved the formation of the Smithville Legacy Fund Advisory Committee, and;

WHEREAS, the Smithville Legacy Fund Advisory Committee was formed for the purposes of fundraising for certain City/Park's projects defined by the committee, and;

WHEREAS, the City Attorney has drafted a form setting out the terms pursuant to which the City will accept donations. Said form is attached hereto as Exhibit A and incorporated herein by reference.

WHEREAS, in the event that a donation is received by the City, pursuant to the Donation Agreement, the funds shall be placed in a fund separate from the General Fund.

WHEREAS, the City will hold and use the donation for the intended purpose under the terms of said Donation Agreement.

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

The Donation Fund is hereby established in the City's treasury and shall be held and administered by the City's Finance Director. The Mayor or City Administrator is hereby authorized to execute for the City the Donation Agreement in the form attached hereto as Exhibit A for the stated purpose and under the terms set forth therein.

Passed this 19th day of July, 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 6/21/2022

Second Reading: 7/19/2022

Exhibit A

Donation Agreement

THIS AGREEMENT entered into this ____ day of _____, 2022 by and between the City of Smithville, MISSOURI, a political subdivision in the State of Missouri (hereinafter referred to as "City"), and _____ (hereinafter referred to as "Donor").

Whereas Donor is a citizen or resident of the United States of America pursuant to 26 USCS § 2522. Donor intends to donate \$_____ to the City for the public purpose of _____ and City intends to accept said donation for said public purpose.

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein the parties agree as follows:

1. Donor donates \$_____ to the City for the public purpose of _____ and City accepts the donation for that public purpose.

2. The donation will be deposited by the City in a separate city fund for the donated purpose. The City and the Donor acknowledge that the current Board of Aldermen does not have the Authority to bind future boards to any particular action. Therefore, City and the Donor agree that if for any reason within ten (10) years from the Effective Date of the donation the City has not used or spent the donated funds for the stated reason the City may use the donated funds for any public purpose.

3. City and Donor understand and agree that upon the Effective date and receipt of the Donation, the city owns and has the right to manage, pursuant to the terms of this agreement, the donation. Donor will have no further say in the use or right to the donated funds. If the City receives multiple donations for the same purpose, the City may hold the donations in the same fund on a First In First Out (FIFO) basis.

4. This Agreement shall be null and void and of no effect unless and until the City Board of Alderpersons City has agreed to its terms.

5. The effective date of the Agreement shall be when all the required signatures have been executed by the City and the Donor and the Condition Precedent set forth in preceding Paragraph has been meet.

DONOR

Name Date

THE CITY OF SMITHVILLE

By: _____
Mayor (or) City Administrator Date



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2948-22 Rezoning 211 North Bridge Street

REQUESTED BOARD ACTION:

A motion to read Bill No. 2948-22 for First Reading by Title Only to rezone 211 North Bridge Street from R-3 to B-4

SUMMARY:

The applicant seeks to rezone their home from R-3 to B-4 to allow them to conduct a retail operation.

BACKGROUND:

The property is the first house north of the bridge on Bridge Street on the east side of the road. It is currently zoned for multi-family uses. The applicant sought to operate a limited retail operation from their home, but having customers come to their house is not allowed as a home occupation. They seek to change the zoning to B-4, so that their property matches the zoning on the south of the river, and similar to the house across the street's zoning (Patterson House is B-3) given the anticipated streetscape construction and transition of the general area.

PREVIOUS ACTION:

The property was zoned multifamily many years ago and has had the existing single family home for that same time.

POLICY ISSUE:

Comprehensive Plan downtown mixed use oasis area.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Planning and Zoning Meeting recording is available online | |

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: John & Alyssa Sanders

Land Use Proposed: B-4

Zoning: R-3

Property Location: 211 N. Bridge St.

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 June 14, 2022, 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 mix of Multi-family districts to the east and north, with B-3 across the street and B-4 on the south side of the river.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan calls for incentivizing mixed residential and commercial uses in the downtown area.
3. *Adequacy of public utilities and other needed public services.*

The property is currently developed and no additional impact on utilities is anticipated.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is a single-family home adjacent to the currently revitalized downtown commercial area. With anticipated streetscape expansion into this block of N. Bridge St. (including bridge pedestrian improvements) coming next year, this general area will continue to become more active
5. *Length of time the property has remained vacant as zoned.*

The property was zoned to the existing district classification presumably when Smithville implemented zoning in 1966. It has been a single-family home since its' construction.

6. *Compatibility of the proposed district classification with nearby properties.*

The property is adjacent to a dense-use residential area to the east (Housing Authority Apartments) and across the street from the Patterson House museum and Bed and Breakfast. With the current transition of downtown including significant investment and revitalization, this district is compatible with adjacent districts.

7. *The extent to which the zoning amendment may detrimentally affect nearby property.*

No detrimental effects are anticipated to the adjacent property values.

8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*

No detrimental effects are anticipated to adjacent properties.

9. That in rendering this Finding of Fact, testimony at the public hearing on June 14, 2022, 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 Rezoning of this property from R-3 to B-4 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 rezoning the property to B-4.

BILL NO. 2948-22

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND ENTERING INTO A DEVELOPMENT AGREEMENT.

WHEREAS, The City of Smithville received an application for rezoning 211 North Bridge Street. on April 26, 2022; and

WHEREAS, the public was notified by publishing in the CT paper on May 26, June 2 and 9, 2022 and notices were mailed to adjoining property owners on May 26, 2022.

WHEREAS, a Public Hearing was conducted before the Planning Commission on June 14, 2022; and

WHEREAS, the rezoning is to change the zoning from R-3 to B-4; and

WHEREAS, the Planning Commission presented its' findings to the Board of Aldermen and recommended approval of the rezoning request; and,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, THAT:

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

A part of the North Half of the Southwest Quarter of Section 23, Township 53, Range 33, Smithville, Clay County, Missouri, described as follows: Commencing at a point on the centerline of Bridge Street in the City of Smithville, 289 feet South of the intersection of said centerline with the centerline of said Section 23; thence East 225 feet; thence South 105 feet; thence West to the centerline of Bridge Street; thence North along said centerline of Bridge Street to the point of beginning.

Is hereby changed from R-3 to B-4

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted

and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS _____ DAY OF _____, 20_____

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 06/21/22

Second Reading 07/19/22



STAFF REPORT
June 9, 2022

Rezoning of Parcel Id's# 05-617-00-01-006.00

Application for Rezoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: 211 N. Bridge St.
Owner: John & Alyssa Sanders
Current Zoning: R-3
Proposed Zoning: B-4

Public Notice Dates:

1st Publication in Newspaper: May 26, 2022
Letters to Property Owners: May 26, 2022

GENERAL DESCRIPTION

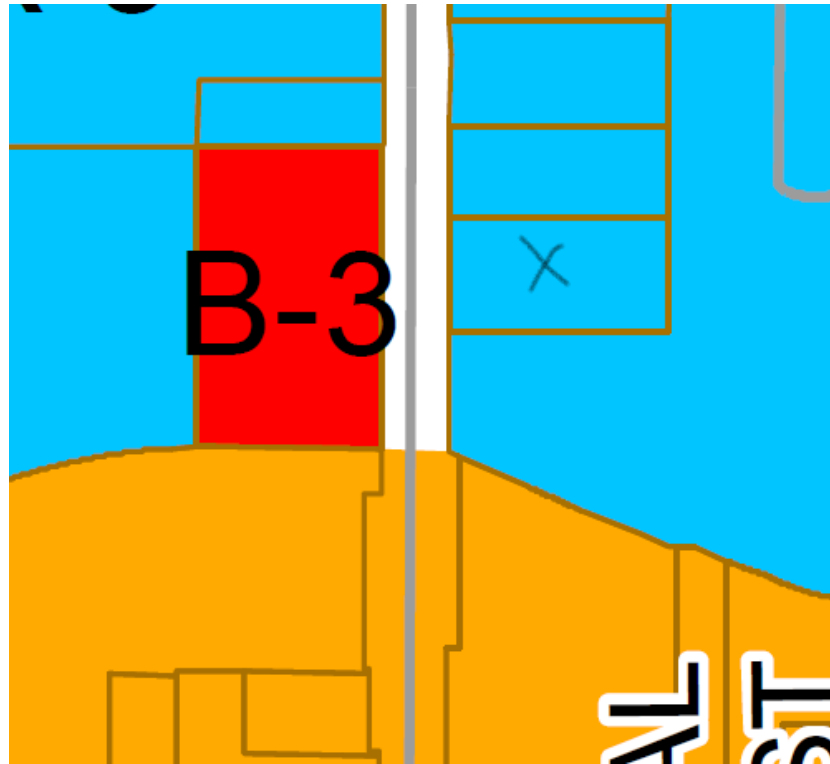


The applicant seeks to rezone the subject property to B-4 from R-3. The structure is a single family residence in multifamily zoning. The applicant seeks to change the zoning to B-4, which would allow the use of the property for a

home occupation that would include potential customers coming to the location. Home occupations in ALL residential districts are restricted from customers coming to the location. B-4 districts allow both residential and commercial uses.

EXISTING ZONING:

The existing zoning is R-3.



CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is a near the downtown business District (B-4) with a B-3 district at the Patterson House property across the street. All other adjacent property is zoned multifamily.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan calls for incentivizing mixed residential and commercial uses in the downtown area.

ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

The property is currently developed and no additional impact on utilities is anticipated.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4.*

The current use is a single-family home adjacent to the currently revitalized downtown commercial area. With anticipated streetscape expansion into this block of N. Bridge St. (including bridge pedestrian improvements) coming next year, this general area will continue to become more active.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property was zoned to the existing district classification presumably when Smithville implemented zoning in 1966. It has been a single family home since its' construction.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The property is adjacent to a dense-use residential area to the east (Housing Authority Apartments) and across the street from the Patterson House museum and Bed and Breakfast. With the current transition of downtown including significant investment and revitalization, this district is compatible with adjacent districts.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.7*

No detrimental effects are anticipated to the adjacent property values.

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING PROPERTY OWNERS RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

No detrimental effects are anticipated to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends that the rezoning to B-4 be approved.

Respectfully Submitted,

Zoning Administrator



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2949-22 Rezoning Dibbens Estates

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2949-22 for First Reading by Title Only to Rezone 13916 North Virginia from A-1 to A-R

SUMMARY:

Applicant seeks to rezone his 11 acre lot from A-1 to A-R to accommodate subdividing the land into three 3.8 acre lots.

BACKGROUND:

The applicant seeks to subdivide his property into three lots and sell the two new lots. The current zoning of A-1 requires lots not less than 10 acres so down-zoning is required. The most similar district that would allow smaller lots is the A-R district, which requires lots not less than three acres if sewers are not available. The applicant seeks to rezone to the A-R district for the purpose of subdividing the land but maintain the general use limitations of agricultural districts.

PREVIOUS ACTION:

The land was originally subdivided in 1984 while in unincorporated Clay County; was annexed in 1988 and the current zoning was established at that time.

POLICY ISSUE:

2030 Comprehensive plan identifies the property area to be either agricultural or low-density residential, which is defined as not less than three acre lots.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Planning and Zoning meeting is available to view online | |

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Bradley & Marjorie Dibbens

Land Use Proposed: A-R

Zoning: A-1

Property Location: 13916 N. Virginia

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 June 14, 2022, 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 A-1 with large lot residences to the south and east, with County AG district to the direct north and County R-1 in the Sunrise East subdivision north and east as well.
2. *Consistency with the City's Comprehensive Plan and ordinances.*
The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan identifies the area along Virginia to be either low-density residential or agricultural. Low-density residential is described as "typically single-family houses on large lots over three acres".
3. *Adequacy of public utilities and other needed public services.*
The property is outside the current city service areas for both water and wastewater, but the current lot has all utilities. Any utility extensions would be the responsibility of the owners.
4. *Suitability of the uses to which the property has been restricted under its existing zoning.*
The current use is a large lot single-family home. The general area (within ½ mile) has been developed as 3-5 acres lots to the north and east in both unincorporated Clay County and City Limits.
5. *Length of time the property has remained vacant as zoned.*

The property was zoned to the existing district classification presumably when Smithville annexed the land.

6. *Compatibility of the proposed district classification with nearby properties.*

The property primarily lies on Amory Rd. and the A-R district is more restrictive in use than the current district, but it allows housing on lots larger than 3 acres, versus 10 acres in the A-1 district.

7. *The extent to which the zoning amendment may detrimentally affect nearby property.*

No detrimental effects are anticipated to the adjacent property.

8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*

No detrimental effects are anticipated to adjacent properties.

9. That in rendering this Finding of Fact, testimony at the public hearing on June 14, 2022, 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 Rezoning of this property from A-1 to A-R 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 rezoning the property to A-R.

BILL NO. 2949-22

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND ENTERING INTO A DEVELOPMENT AGREEMENT.

WHEREAS, the City of Smithville received an application for rezoning 13916 North Virginia on May 2, 2022; and

WHEREAS, the public was notified by publishing in the CT paper on May 26, June 2 and 9, 2022 and notices were mailed to adjoining property owners on May 26, 2022.

WHEREAS, a Public Hearing was conducted before the Planning Commission on June 14, 2022; and

WHEREAS, the rezoning is to change the zoning from A-1 to A-R; and

WHEREAS, the Planning Commission presented findings to the Board of Aldermen and recommended approval of the rezoning request; and,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, THAT:

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

Lot 1, Ada's Estates

Changed from A-1 to A-R

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS _____ DAY OF _____, 20____

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 06/21/22

Second Reading 07/19/22



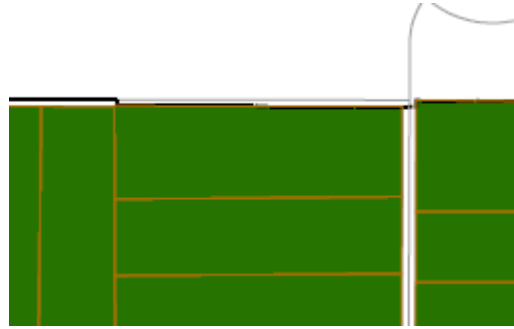
DEVELOPMENT

The applicant seeks to rezone the subject property from A-1 to A-R. The total acreage of the current parcel is 11.52 acres with the applicant's home

located on the east end of the lot. The applicant seeks to divide two additional lots of 3.81 acres each of the west side, with access onto Virginia.

EXISTING ZONING:

The existing zoning is A-1.



CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is a predominantly A-1 with large lot residences to the south and east, with County AG district to the direct north and County R-1 in the Sunrise East subdivision north and east as well.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan identifies the area along Virginia to be either low-density residential or agricultural. Low-density residential is described as “typically single-family houses on large lots over three acres”.

ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

The property is outside the current city service areas for both water and wastewater, but the current lot has all utilities. Any utility extensions would be the responsibility of the owners.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4*

The current use is a large lot single-family home. The general area (within ½ mile) has been developed as 3-5 acres lots to the north and east in both unincorporated Clay County and City Limits.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property was zoned to the existing district classification presumably when annexed into Smithville.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The property primarily lies on Amory Rd. and the A-R district is more restrictive in use than the current district, but it allows housing on lots larger than 3 acres, versus 10 acres in the A-1 district.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.7*

No detrimental effects are anticipated to the adjacent property values.

WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO ADJOINING PROPERTY OWNERS' RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

No detrimental effects are anticipated to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends that the rezoning to A-R be approved, with any subdivision of land separately considered.



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Public Works

AGENDA ITEM: Resolution 1084, Awarding RFP 22-17 Aerobic Digester Improvements to David E. Ross Construction Co. in an amount of \$491,900.

RECOMMENDED ACTION:

A motion to approve Resolution 1084, awarding RFP 22-17 Aerobic Digester Improvements to David E. Ross Construction Co. in an amount not to exceed \$491,900.

SUMMARY:

Aeration is an important step in the treatment process promoting the biological oxidation of the wastewater and providing 80 to 90 of BOD removal. Our current system consists of PVC piping at the bottom of the digester tank. Over years of service the PVC becomes brittle and cracks and aeration is not uniform. To make repairs, the digester tank needs to be emptied and cleaned. The floating aerator pushes the air down into the tank while the equipment floats on the surface of the digester.

Attached is the recommendation from HDR and Bid Tab.

PREVIOUS ACTION:

none

POLICY ISSUE:

Maintaining infrastructure

FINANCIAL CONSIDERATIONS:

This project was included in the 2022 Utilities CIP Budget in an amount of \$320,000. There is sufficient funds in the Combined Water and Wastewater Systems Fund for this project. This project cost was included in the rate analysis. A budget amendment is prepared for the Boards consideration.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Engineers recommendation -Bid Tab | |

RESOLUTION 1084

A RESOLUTION AWARDING RFP 22-17 AEROBIC DIGESTOR IMPROVEMENTS TO DAVID E. ROSS CONSTRUCTION CO. IN AN AMOUNT OF \$491,900

WHEREAS, aeration is an important step in the treatment process promoting the biological oxidation of the wastewater and providing 80 to 90 of BOD removal; and

WHEREAS, the 2022 Capital Improvement Program for the Utilities Division of the Public Works Department contained the replacement of the aerator in digester one at the Wastewater Treatment Plant; and

WHEREAS, additional electrical and process upgrades are necessary for the new aerator to function properly; and

WHEREAS, after a bid process, as outlined in the City Purchasing Policy, and reference checks, staff is recommending the bid received from David E. Ross Construction Co., is the most responsive and best bid received and the most advantageous to the City in the amount of \$491,900.

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

THAT Bid No. 22-17 is hereby awarded to David E. Ross Construction Co., in the amount of \$491,900.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 21st day of June, 2022.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



June 10, 2022

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

**RE: RFP #22-17 Aerobic Digester No. 1 Improvements
HDR #10335101**

Dear Mr. Soules,

HDR reviewed three (3) bid packets from the June 2, 2022 bid opening for the referenced project. Upon preparation and review of the Tabulation of Bids, HDR has confirmed that the low bidder for the above referenced project was David E. Ross Construction Co. The base bid was \$468,800.00 and the total base bid with Add Alt No. 1 was \$491,900.00. A copy of the Tabulation of Bids is attached.

The Engineer's Opinion of Probable Construct Cost was \$447,000.00 which is approximately 10% below the lowest bid. The discrepancy between the Engineer's Opinion of Probable Construct Cost and the lowest bid can be attributed to increases in fuel prices, the war in the Ukraine, supply chain issues, inflation, and overall market volatility that has accompanied the COVID-19 pandemic.

We reached out to David E. Ross Construction Co. to confirm everything is in order to work on this project. David E. Ross Construction Co. also confirmed that they were comfortable with their bid amount and contract period (construction period will be dependent upon equipment procurement). David E. Ross Construction Co. has an extensive history with wastewater treatment plant construction and would be able to start the project as soon as possible if awarded.

HDR has received a list of recent projects and references from David E. Ross Construction Co. HDR has worked with David E. Ross Construction Co. on many projects over the years, including the Smithville Wastewater Treatment Plant Expansion in 2007. This project was successfully completed to the Owner's satisfaction.

HDR recommends awarding RFP #22-17 Aerobic Digester No. 1 Improvements to David E. Ross Construction Co., in the amount of \$491,900.00. If the City of Smithville concurs, please return a signed copy of the attached Notice of Award. HDR will forward it along with the required Contract Documents to David E. Ross Construction Co.

Please let me know if there are any questions or if you would like to discuss any of these comments.
I can be reached at 816-347-1176 or Derek.Patrick@HDRinc.com.

Sincerely,
HDR Engineering Inc.

A handwritten signature in black ink, appearing to read 'Derek Patrick', written in a cursive style.

Derek A. Patrick, P.E.
Project Manager

Cc: Bob Lemley – *Utilities Superintendent*

Attachments: Aerobic Digester No. 1 Improvements – Bid Tabulation
Notice of Award

CITY OF SMITHVILLE, MO
AEROBIC DIGESTER NO. 1 IMPROVEMENTS



RFP # 22-17
HDR Project No. 10335101
BID OPENING: 6/2/2022 @ 2:00 p.m.

Below is a tabulation of the bids submitted for this project.

Contractor	Bid Bond	Add'm No. 1	Base Bid Amount	Base Bid Amount Plus Alt
David E. Ross Construction Co. Inc.	X	X	\$468,800.00	\$491,900.00
Irvinbilt Constructors, Inc.	X	X	\$679,153.18	\$703,753.18
Mega KC	X	X	\$523,280.00	\$546,280.00
Engineer's Estimate Plus Alt			\$447,000.00	

NOTICE OF AWARD

Date of Issuance:

Owner: **City of Smithville, Missouri**

Owner's Project No.: **RFP #22-17**

Engineer: **HDR Engineering, Inc.**

Engineer's Project No.: **10335101**

Project: **Aerobic Digester No. 1 Improvements**

Contract Name: **Authorization 95**

Bidder: **David E. Ross Construction Co.**

Bidder's Address: **10201 E. 75th Street, Raytown, MO 64138**

You are notified that Owner has accepted your Bid dated June 2, 2022, for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

Aerobic Digester No. 1 Improvements

The Contract Price of the awarded Contract is **Four Hundred and Ninety-One Thousand Nine Hundred Dollars (\$491,900.00)**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

Four unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☒ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner Four counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): Affidavit of Work Authorization and Documentation (E-Verify)

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: **City of Smithville, MO**

By (signature): _____

Name (printed): **Charles Soules, P.E.**

Title: **Public Works Director**

Copy: Engineer



Board of Alderman Request for Action

MEETING DATE: 6/21/2022

DEPARTMENT: Administration

AGENDA ITEM: Appointment of the TIF Commission

REQUESTED BOARD ACTION:

Appointment of the TIF Commission in anticipation of future TIF incentive requests.

SUMMARY:

For each TIF proposal that is submitted, a TIF Commission must be formed for the purposes of holding a public hearing for the TIF Plan. Notice of the public hearing will be published a minimum of two times in the local paper. During the public hearing, members of the TIF Commission will be able to ask questions of the developers while reviewing the proposed TIF plan for recommend approval or denial to the Board of Aldermen.

The TIF Commission is comprised of eleven members. Six are nominated by the Mayor to be representatives of the City, two are nominated from the school district, two are nominated from the County, and one is nominated from all of the remaining taxing jurisdictions (zoo district, library district, fire district, ambulance district).

The Mayor nominates the following individuals to the TIF Commission:

Steve Sarver	Former Alderman, former Smithville Planning Commission
Melissa Wilson	Member of Planning Commission, former Alderman
Alicia Neth	Economic Development Committee Chair, Smithville Main Street President
Deb Dotson	Member of Planning Commission
Adam Royds	Economic Development Committee Member
Karrick Brown	Economic Development Committee Member, local realtor

PREVIOUS ACTION:

June 6, 2017 – TIF Commission Appointments

POLICY OBJECTIVE:

[Click or tap here to enter text.](#)

FINANCIAL CONSIDERATIONS:

[Click or tap here to enter text.](#)

ATTACHMENTS:

- ☐ Ordinance
- ☐ Resolution
- ☐ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes



FY22 Planning Calendar

July 5, 2022 Work Session and Regular Session Meeting - Mayor has cancelled these meetings

July 19, 2022 Work Session 5:00 p.m.

- EDC Development Incentives Discussion
- Discussion of Changes to Terms of Office
- Discussion of Senior Center Contract
- Discussion of Sale or Lease of City Land
- Discussion on Employee Compensation Plan

July 19, 2022 Regular Session Meeting 7:00 p.m.

- Ordinance – Creating a Donation Fund – 2nd Reading
- Ordinance – 211 N. Bridge Rezoning R-3 to B-4 – 2nd Reading
- Ordinance – Wait's Acres – Rezoning B-3 to R-1A – 2nd Reading
- Ordinance – Conditional Use Permit – Cell Tower 904 NE 180th St. – 2nd Reading
- Ordinance – Dibbens Estates – Rezoning – 2nd Reading
- Ordinance – General Fund Reserve Policy – 1st Reading
- Resolution – Final Plat – Dibbens Estate
- Resolution – Sports League Contract – Smithville Warrior Youth Football
- Resolution – Event Permit – Festiville
- Appointment – Parks and Recreation Committee

August 2, 2022 Work Session 5:30 p.m.

- Main Street District Update
- Downtown Design Guidelines
- Discussion of Overlay Program

August 2, 2022 Regular Session 7:00 p.m.

- Ordinance – General Fund Reserve Policy – 2nd Reading
- Ordinance – Missouri Ethics Code – 1st Reading

August 16, 2022 Work Session 6:00 p.m.

- Discussion Utility Billing Disconnect Update
- Discussion FY22 9-Month Budget Update
- Discussion FY23 Operating Budget (1st Discussion)

August 16, 2022 Regular Session Meeting 7:00 p.m.

- Ordinance – Missouri Ethics Code – 2nd Reading

September 6, 2022 Work Session 5:00 p.m.

- Discussion FY23 Operating Budget (2nd Discussion if needed)
- Discussion of Animal Control

September 6, 2022 Regular Session Meeting 7:00 p.m.

Public Hearing – Property Tax Levy

Ordinance – Setting the 2022 Property Tax Rate – 1st Reading

Resolution – Hazardous Moving Violation Grant Agreement

Resolution – DWI Enforcement Grant Agreement

September 20, 2022 Work Session 6:00 p.m.

Discussion of Potential Ballot Initiatives

September 20, 2022 Regular Session Meeting 7:00 p.m.

Ordinance – Setting the 2022 Property Tax Rate – 2nd Reading

October 4, 2022 Work Session 6:00 p.m.

October 4, 2022 Regular Session Meeting 7:00 p.m.

Ordinance – FY23 Operating Budget – 1st Reading

October 18, 2022 Work Session 5:30 p.m.

October 18, 2022 Regular Session Meeting 7:00 p.m.

Ordinance – FY23 Operating Budget – 2nd Reading

Executive Session Pursuant to Section 610.021(3)RSMo.

November 1, 2022 Work Session 6:00 p.m.

November 1, 2022 Regular Session Meeting 7:00 p.m.

November 15, 2022 Work Session 6:00 p.m.

November 15, 2022 Regular Session Meeting 7:00 p.m.

Resolution – Award Bid – 4th Street And 4th Terrace Utility

December 6, 2022 Work Session 5:30 p.m.

Discussion FY22 Budget Review

December 6, 2022 Regular Session Meeting 7:00 p.m.

December 20, 2022 Work Session 6:00 p.m.

December 20, 2022 Regular Session Meeting 7:00 p.m.

Unscheduled:

City/County Shared Roads – Clay and Platte

Corps of Engineers Lease Contract

Award Bid - Stormwater Master Plan

Preliminary Plat – Fairview Crossing